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The District Court of Kinshasa-La Gombe sentences Vital Kamerhe, former chief of staff for President Felix Tshisekedi (2019-present), to 20 years' hard labour on corruption and embezzlement charges. Switzerland-based non-profit organisation (NGO) The New Humanitarian releases a report outlining systemic corruption in the government's response to the Ebola epidemic and sexual exploitation. The health ministry announces a new outbreak of Ebola in Equateur Province as health officials continue the battle against the spread of Covid-19. Covid-19 task force leader Dennis Mukwege quits citing lack of national coordination. The World Bank approves \$1 billion in funding for education and health development in the DRC. Mining companies deny allegations of abuse in measures to prevent spread of Covid-19 in mining operations.

Tshisekedi's former chief of staff sentenced to 20 years' hard labour ...

The **District Court of Kinshasa-La Gombe** sentenced President **Felix Tshisekedi's** (2019-present) now former chief of staff, **Vital Kamerhe**, to 20 years' hard labour on 20 June.¹ Kamerhe is the highest profile politician to face graft charges in the **Democratic Republic of the Congo (DRC)**. Kamerhe claims the trial was politically motivated and a ploy to stop him from running for president in 2023 – his prison sentence effectively bars him from running for presidency for ten years after completing his sentence.² Kamerhe's lawyers say they will appeal the judgment.

The charges against Kamerhe related to his coordination of the 100-day emergency socio-economic plan that President Tshisekedi launched following his election in January 2019, with a budget of \$304m (see *ARC Briefing DRC June 2020*).³ The accusations include the award of a contract for the construction of 4,500 prefabricated houses across five provinces to two companies, **Samibo Congo Sarl** and **Husmah Sarl**, both owned by Kamerhe's co-accused, **Lebanese** businessman **Jammal Samih**.⁴ Following the award of the contract, which was never executed, Kamerhe and Samih allegedly misappropriated \$48.8m from March 2019 to January 2020.⁵ Samih was arrested in February and received a similar sentence.⁶

The trial was unusually swift, taking place from 11 May to 20 June, only a month after Kamerhe was taken into custody.⁷ Kamerhe appeared in prison clothes in court for a trial broadcast live on state television. In what local media described as a suspicious death, presiding trial judge **Raphael Yanyi** died on 27 May, reportedly of a heart attack.⁸ The autopsy showed that he died of a stab wound to the head, while justice minister **Celestin Tunda Ya Kasende** told reporters that his body had shown signs of toxic substances in non-lethal doses.⁹ A few days prior to the judgement being handed down, the **Constitutional Court** intervened in the case, ordering the lower court to hand over the judicial

¹ Jeune Afrique, 20 Jun 2020

² BBC, 20 Jun 2020

³ RFI, 11 Apr 2020

⁴ Jeune Afrique, 4 May 2020

⁵ Jeune Afrique, 4 May 2020

⁶ Jeune Afrique, 20 Jun 2020

⁷ Africa News, 20 Jun 2020

⁸ BBC, 16 Jun 2020

⁹ Reuters, 16 Jun 2020

dossier immediately.¹⁰ It is unclear whether the constitutional court's intervention influenced the verdict.¹¹

Kamerhe has been a top power broker in Congolese politics for decades. With his **Union pour la Nation Congolaise (UNC)**, he formed the **Cap pour le Changement (CACH)** coalition with Tshisekedi's **Union pour la Démocratie Progrès Social (UDPS)** for the 2018 election campaign, in the expectation of succeeding Tshisekedi.¹² The ban on Kamerhe holding public office for 10 years is likely to further destabilise the ruling coalition.¹³

Anti-corruption activists have welcomed the verdict in the unprecedented trial of a high-profile government official in a country where corruption is widespread at all levels of government. **Germany**-based non-governmental organisation **Transparency International (TI)** ranked DRC 169 out of 180 countries, with a score of 18 out of 100, in its annual **Corruption Perceptions Index** in 2019.¹⁴ TI's **Global Corruption Barometer for Africa** noted that political integrity among DRC government officials is extremely low, with 79% of DRC citizens believing that all or most parliamentarians are involved in corruption.¹⁵ However, Many DRC observers wonder if Kamerhe's conviction represents a new chapter in the country's politics or simply the settling of a political score.¹⁶ Corruption whistle-blower **Jean Jacques Lumumba** notes that the prosecutor's office has failed to deal with numerous other cases involving embezzlement of public funds.¹⁷

... as humanitarian aid scam comes to light

Highlighting the pervasiveness of corruption in the DRC, **Switzerland**-based non-profit organisation (NGO) **The New Humanitarian** circulated a report on 11 June outlining systemic corruption in the government's response to the **Ebola** epidemic and sexual exploitation.¹⁸ The New Humanitarian's nine-month investigation focused on major humanitarian programmes involving hundreds of millions of dollars in foreign aid and exposed corrupt aid workers, business owners and community leaders.

The 70-page draft review outlines how donor funds are siphoned off at the expense of aid recipients. The report notes that approximately \$6m may have been lost to several aid organisations over two years. **United Kingdom**-based NGO **Mercy Corps** discovered the loss of \$639,000 over several months in a multi-layered fraud scheme. Mercy Corps dismissed staff members allegedly involved in the scheme, but says that some of these employees now work at other aid organisations.¹⁹ Rapid response programmes were the most affected, including the **United Nations (UN)**-administered **Rapid Response to Population Movements (RRMP)**.

Aid groups have formed an anti-fraud taskforce that has commissioned an operational review into corruption in humanitarian aid, while the **United Nations Children's Fund (UNICEF)** is conducting a forensic audit. Anti-corruption specialists are calling for more funds devoted to counter-fraud measures. Aid officials say that systems used to provide aid have remained too static over the DRC's 25-year crisis, opening the way for fraud.²⁰ The UN's humanitarian coordinator in DRC, **David McLachlan-Karr**, has pledged to carefully consider the recommendations of the final report on humanitarian aid operations in the DRC. In a statement on 12 June, McLachlan-Karr vowed to rebuild trust in aid efforts after the damning draft was leaked.²¹

¹⁰ AFP, 19 Jun 2020

¹¹ BBC, 12 Jun 2020

¹² Reuters, 12 Jun 2020

¹³ Reuters, 12 Jun 2020

¹⁴ Transparency International, Corruption Perceptions Index, 23 Jan 2020

¹⁵ Transparency International, Global Corruption Barometer for Africa, 11 Jul 2019.

¹⁶ Jeune Afrique, 20 Jun 2020

¹⁷ AFP, 20 Jun 2020

¹⁸ The New Humanitarian, 12 Jun 2020

¹⁹ The New Humanitarian, 12 Jun 2020

²⁰ The New Humanitarian, 12 Jun 2020

²¹ UN, 12 Jun 2020

DRC faces double burden of Ebola and Covid-19 ...

While still under pressure to fight the on-going global **Covid-19** pandemic in DRC, health officials announced an eleventh Ebola outbreak on 1 June following the discovery of new cases in DRC's north-western **Equateur Province**.²² The announcement came fewer than two years since the last Ebola outbreak ended in Equateur Province just as health officials were poised to announce the end of the tenth outbreak in **North Kivu** and **Ituri Provinces**.²³ The **World Health Organisation (WHO)** says genetic sequencing shows that the new Ebola outbreak is not linked with the previous outbreak in eastern DRC. WHO director-general **Tedros Adhanom Ghebreyesus** has pledged continued support for DRC's fight against both the Ebola outbreak and the **coronavirus** pandemic, noting that the DRC is better prepared to deal with outbreaks have learned from previous experience.²⁴ Health workers in north-west DRC have begun administering vaccinations to treat the Ebola outbreak.²⁵

DRC health officials also continue to take measures to curb the spread of **Covid-19**. Despite their efforts, cases have continued to multiply steadily. As of 24 June, DRC had recorded 6,027 cases of coronavirus, with 135 deaths and 870 recoveries.²⁶ While 11 of the country's provinces are affected, the capital, **Kinshasa**, remains the epicentre, accounting for 90% of cases.²⁷ The figures are likely underestimated due to the challenges facing health officials, mainly low testing capabilities and delays in communicating results.²⁸

The DRC government's response to the coronavirus pandemic has come under criticism, even from within the administration. **Nobel Prize** laureate **Dennis Mukwege** resigned as head of a local task team overseeing the response in eastern DRC, citing frustration at the government's response to the crisis.²⁹ Mukwege said delays in coronavirus test results from the national lab in Kinshasa, which took more than two weeks to return, were hindering the battle against the spread of the virus. Mukwege noted many basic protocols were being ignored and that thousands of citizens were returning from neighbouring countries without being quarantined.³⁰

*"Weakness in organisation and clarity between the various teams in charge of the response to the pandemic in **South Kivu** is a major handicap for our strategy based on testing, identifying, isolating and treating."*³¹

The DRC is set to benefit from **European Union (EU)** funding in its efforts to combat the Covid-19 pandemic. The **European Union Commission for Crisis Management** commissioner **Janez Lenarcic** announced on 10 June €19.4m (\$22m) in humanitarian aid for the DRC. The funds are earmarked for increasing the distribution of information, raising awareness and improving access to healthcare.³² In further good news for DRC, the **World Bank (WB)** announced on 15 June that it had approved \$1 billion in funding from the **International Development Association (IDA)** for DRC's education and health systems, which years of underfunding, conflict and mismanagement have eroded.³³ The funding includes \$435m in grants and \$565m in credit. The World Bank will approve 25% of funding over the next three years.

The World Bank will allocate \$800m to primary school education and \$200m to maternal and infant health in DRC. President Tshisekedi has made free education a signature policy initiative.³⁴ However,

²² CNBC Africa, 1 Jun 2020

²³ MSF, 9 Jun 2020

²⁴ WHO, 1 Jun 2020

²⁵ AFP, 9 Jun 2020

²⁶ JHU, accessed 24 Jun 2020

²⁷ Jeune Afrique, 24 Jun 2020

²⁸ MSF, 15 Jun 2020

²⁹ RFI, 11 Jun 2020

³⁰ RFI, 11 Jun 2020

³¹ RFI, 11 Jun 2020

³² Africa News, 10 Jun 2020

³³ AFP, 15 Jun 2020

³⁴ Bloomberg, 24 Jun 2020

World Bank DRC director **Jean-Christophe Carret** said the support was to improve human capital and not an endorsement of President Tshisekedi.³⁵

Mining companies deny abuse in Covid-19 measures

Civil organisations have demanded that DRC's 13 largest cobalt and copper mining companies stop mine-site confinement policies. Foreign mining firms in DRC have taken different approaches to operating during the Covid-19 pandemic, with some deciding to continue while others proceed with caution and scale back activities (see *ARC Briefing DRC May 2020*). Some mines that have continued operations have sealed off mines to prevent Covid-19 spreading to their sites. At many mines in DRC's southern copper-and-cobalt rich region, managers have reportedly told workers to either stay and work or lose their jobs. At some locked-down mine sites, workers have reported receiving insufficient food and water and inadequate accommodation, while other cited a lack of personal protective equipment or facilities suitable for Covid-19.³⁶

DRC is the world's largest producer of cobalt, accounting for 70% of the world's supply.³⁷ The metal is used in batteries for mobile phones and electric cars. Switzerland-based mining company **Glencore**, which runs the **Kamoto Copper Company** and **Mutanda** mine sites in the DRC, responded:

*"The operational workforces of KCC and Mumi are not confined sites. Our teams in the DRC are working closely with the local government, unions, health agency and other key responders to provide effective local solutions to Covid-19. This includes temperature screening, PPE, hand sanitizer, medical facilities and social distancing."*³⁸

Mines minister **Willy Kitobo Samsoni** announced on 17 June that the mining industry is set to lose up to 20% in revenue due to project delays and lower mineral prices.³⁹ In a virtual conference, Samsoni that government will try to provide financial aid to mines that are unable to operate. Samsoni said in cases of *force majeure* – a contractual clause that mining companies invoke when factors outside their control render them unable to deliver mined metal to their customers – the state may be able to step in and help companies cushion the impact of Covid-19.⁴⁰

The global pandemic has suspended the majority of mining projects in the DRC. The government is considering tax breaks and other ways to help artisanal miners who are responsible for as much as 20% of the country's cobalt production.

³⁵ WB, 15 Jun 2020

³⁶ Al Jazeera, 11 Jun 2020

³⁷ Investing News, 26 Aug 2020

³⁸ Al Jazeera, 11 Jun 2020

³⁹ Bloomberg, 17 Jun 2020

⁴⁰ Reuters, 17 Jun 2020

Planner

Dec 2019-Dec 2020 **UN Security Council** approves extension of **MONUSCO** peacekeeping mission until end 2020, and looks to three-year transition period for ending mandate;

30 Jun 2020 **(DRC)** Independence Day;

20 Oct 2020 **(DRC)** The Special Representative of the UN Secretary-General and Head of **MONUSCO**, **Leila Zerrougui**, submits to **UN Security Council** a report coordinated with the DRC authorities, for the gradual exit of MONUSCO.

2023 **(DRC)** Scheduled presidential and parliamentary elections;

Chronology

25 Jun 2020 **Kinshasa (DRC)** *Mining Weekly*. A violent attack on the **Société Minière de Bisunzu (SMB)** coltan mine in **North Kivu Province** kills three and injures three workers, amid an increase of attacks to mining operations DRC's mineral-rich eastern region;

24 Jun 2020 **Kinshasa (DRC)** *Reuters*. Police fire tear gas and water cannon to repel hundreds of protesters whose rally against a proposed new law threatened to spill into the parliament compound;

23 Jun 2020 **Ituri (DRC)** *Al Jazeera*. Congo officials vow to tackle child labour as the **coronavirus** pandemic drives more families to put their children in the mines;

21 Jun 2020 **Mbadaka (DRC)** *RFI*. **Nobel Peace Prize** laureate Dr. **Denis Mukwege** resigns as head of a local task force fighting **Covid-19** in eastern **DRC**, citing frustration at the government's lack of coordination.;

18 Jun 2020 **Kinshasa (DRC)** *WHO*. **The World Health Organisation** says it is encouraged by the fight against **Ebola** in the **Democratic Republic of the Congo (DRC)** and pledges its continued support;

18 Jun 2020 **Mbandaka (DRC)** *Jeane Afrique*. A team of researchers and doctors led by **Dr. Jerome Munyangi** will conduct clinical trials on **artemisia annua** as a treatment for **Covid-19**;

16 Jun 2020 **Kinshasa (DRC)** *BBC*. Judge **Raphael Yany** dies, reportedly of a heart attack, while overseeing a corruption trial involving **Vital Kemerhe**, former chief of staff for President **Felix Tshisekedi**;

16 Jun 2020 **Kinshasa (DRC)** *AFP*. **The World Bank** has approved \$1billion in funding for the DRC's education and health systems;

15 Jun 2020 **Kinshasa (DRC)** *MSF*. **France**-based non-governmental organisation **Médecins Sans Frontières (MSF)** warns that DRC's health system is under considerable strain as it faces the double burden of measles and the **Ebola** outbreak;

10 June 2020 **Kinshasa (DRC)** *AFP*. Officials and witnesses say at least three people died during a protest by hundreds of demonstrators in capital **Kinshasa** against the **covid-19**-induced closure of the city's main market;

10 Jun 2020 **Kinshasa (DRC)** *Africanews*. **European Commissioner for Crisis Management, Janez Lenarcic**, announces €19.5m (\$22m) in humanitarian aid to help DRC combat the spread of the **coronavirus**;

9 Jun 2020 **Mbadaka (DRC)** *CNBCAFRICA*. **Ebola** vaccinations are underway in the north-western **Equateur Province**;

2 Jun 2020 **Kinshasa (DRC)** *Global Newswire*. **Indonesia**-based battery developer **Bolt Metals** notes increased investment in Indonesia's battery metals supply chain following **China**-based **Huayou Cobalt's** exit from **DRC's** conflict-sourced cobalt market;

1 Jun 2020 **Kinshasa (DRC) MSF**. Health officials announce the eleventh **Ebola** outbreak following the discovery of new cases in the **Equateur Province**, north-western DRC.

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Getting in touch

Please contact us by email info@africariskconsulting.com or call + 44 (0) 20 7078 4080

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