

AFRICA RISK CONSULTING

DRC Monthly Briefing July 2020

DRC Summary 21 July 2020

An Assemblée Nationale (national assembly) announcement of plans to appoint Commission Électorale Nationale Indépendante (CENI) secretary-general Ronsard Malonda as head of the national independent electoral commission sparks protests. The United Nations Joint Human Rights Office (UNJHRO) decries the government's heavy-handed response that resulted in the death of at least two people. Deputy justice minister Celestin Tunda resigns over a disagreement with President Felix Tshisekedi (2018-present) concerning judicial reform. Police briefly detain Tunda, putting strain on the fragile ruling coalition. Deputy health minister Albert M'peti Biyombo accuses cabinet ministers of receiving kickbacks on government contracts for the Covid-19 response as health workers protest unpaid wages. The World Health Organisation (WHO) expresses concern about the spread of Ebola in the north-west Democratic Republic of the Congo (DRC). Labour minister Nene Ilunga Nkula gives mines one month to end onsite confinement. DRC celebrates 60 years of independence from Belgian rule.

Protests over election commission appointment...

The **Assemblée Nationale** (national assembly) announced plans on 8 July to appoint **Commission Électorale Nationale Indépendante (CENI)** secretary general **Ronsard Malonda** as head of the electoral commission, galvanising protestors to take to the streets.¹ Opposition critics accuse Malonda of being tainted and close to former president **Joseph Kabila** (2001-2018).² Malonda was head of CENI during the 2018 elections, which were marred by accusations that the commission had tampered with the results to deny victory to **Lamuka** coalition candidate **Martin Faylulu**.³ Pro-democracy movement **Lucha** activist **Stewart Muhindo** said the protests aim to have the national assembly withdraw the proposal:

"The proposed changes to [...] the electoral commission are attacks on democratic freedom. Congolese politics must be changed to reflect the will of the people, because currently it does not."⁴

Police arrested several dozen people as they broke up protests in **Goma**, the capital of the eastern **North Kivu Province**, and in **Kisangani** (**Tshopo Province**). **Kinshasa** governor **Gentiny Ngobila** had announced that the demonstrations would not be permitted due to the **Covid-19** state of emergency ban on gatherings of more than 20 people, which the government extended for an additional 15 days on 14 July.⁵ However, thousands defied the governor and took to the streets in the capital, Kinshasa, as police fired tear gas to dispel the crowds. Police forces killed at least two people, causing the **United Nations Joint Human Rights Office (UNJHRO)** to express concern at the disproportional use of lethal force by law enforcement agents.⁶

The main opposition alliance, Lamuka, held separate demonstrations on 15 July, accusing Malonda of being an 'agent' of Kabila's **Front commun pour le Congo (FCC)** and demanding an independent audit of CENI.

¹ RFI, 10 Jul 2020

² RFI 10 Jul 2020

³ Reuters, 13 Jul 2020

⁴ Al Jazeera, 15 Jul 2020

⁵ AFP, 14 Jul 2020

⁶ Al Jazeera, 10 Jul 2020

Catholic Church members, officers and supporters marched to parliament on 20 July, calling for the dissolution of parliament.⁷ The church stated that it no longer recognises parliament as being legitimate, accusing it of not representing the people but instead serving the interests of factional, political elites. The Catholic Church is demanding electoral reform to CENI to address deep distrust in the electoral system. Police intercepted the protestors before they could reach parliament, and the protest ended peacefully.⁸ However, the church threatened to keep up the pressure and bring people to the streets.⁹ In 2018, when Kabila refused to step down, the Catholic Church mobilised supporters to take to the streets.¹⁰ However, despite the number of people they are consistently able to gather together, their opposition is unlikely to lead to the dissolution of parliament.¹¹

Although the groundswell of fierce political wrangling and tension in the DRC goes back more than a decade, the CENI dispute marks a new peak in tensions for the coalition between President **Felix Tshisekedi's** (2018-present) **Union pour la Démocratie et le Progrès Social (UDPS)** and Kabila's FCC.¹² Fault lines are beginning to show, causing further political instability. Tshisekedi has struggled to push through policies due to resistance from the FCC faction and the drawn-out controversial process of appointing **Sylvestre Ilunga Ilunkamba** as prime minister.¹³ Kabila continues to wield power through the parliamentary majority, enjoying control over most cabinet members and the army.

The power controversy over Malonda's appointment needs to be understood in relation to the bigger picture of the 2023 elections. President Tshisekedi's supporters consider the move to appoint Malonda as CENI head a way for Kabila, who already wields significant political power through his parliamentary coalition, to further consolidate his power and influence the 2023 elections.¹⁴ Malonda, currently CENI secretary general, was involved as a senior figure in previous elections in 2006, 2011 and 2018.¹⁵ Detractors accuse him of playing a pivotal role in rigging previous election results in favour of former president Kabila, who now appears to be using his parliamentary majority to place his political allies in influential positions within government. By choosing Malonda as the head of CENI, Kabila's faction is front and centre of the power struggle. The Kabila-dominated national assembly has approved the choice of Malonda but Tshisekedi has yet to sign off the appointment.¹⁶

Despite the impressive mobilisation of opposition, the widespread demonstrations are unlikely to succeed. The state's disproportionate response to demonstrations will make the protests short-lived and ineffective in bringing about real political change.¹⁷

Justice minister resigns

Justice minister **Celestin Tunda** tendered his resignation on 12 July in the wake of a dispute with President Tshisekedi over judicial reform that would give politicians more control over criminal procedures. Critics denounce the proposed changes as a ploy to muzzle the judiciary.¹⁸ Tshisekedi lambasted the reforms as a means for Kabila's FCC faction to undermine the independence of the judiciary and increase the power of the justice minister. In a televised statement, Tunda gave no official reason for his resignation.

⁷ Al Jazeera, 20 Jul 2020

⁸ Reuter, 20 Jul 2020

⁹ Reuters, 20 Jul 2020

¹⁰ France 24, 19 Jul 2018

¹¹ Reuters, 20 Jul 2020

¹² Jean Afrique, 10 Jul 2020

¹³ Africanews, 11 Jul 2020

¹⁴ Al Jazeera, 15 Jul 2020

¹⁵ Al Jazeera, 16 Jul 2020

¹⁶ RFI 16 Jul 2020

¹⁷ Africanews, 14 Jul 2020

¹⁸ RFI, 18 Jul 2020

Police detained Tunda for several hours after his clash with Tshisekedi over the proposals concerning the judiciary.¹⁹ Prime minister Sylvestre Ilunga Ilunkamba threatened to resign when Tshisekedi ordered the arrest of the justice minister, which would have ended the coalition. The arrest underscores the increased tensions within the government coalition.²⁰

Tunda is a senior figure within the FCC and is the first minister to resign from the government, which took eight months of talks to form before it was finally presented in August 2019.²¹ Tshisekedi said he would oppose any reforms that undermined the independence of the judiciary.²²

Tunda left his position stating his action had made a contribution to the consolidation of the rule of law. However, UPDS cabinet head **Peter Kazadi** said that Tunda had sent a letter to parliament approving the judicial reforms without consulting the government, and that his resignation was the correct line of action because he had violated parliamentary procedure. Tunda's resignation removes one hurdle for Tshisekedi between the two factions, however, it is not the only point of contention that is facing the coalition and will not be sufficient to reinstate confidence in the coalition.²³ Tshisekedi has struggled to assert himself since forming the coalition government with Kabila.²⁴ The proposed changes and subsequent resignation have driven a wedge between the coalition parties in the already fragile government coalition.²⁵

Covid-19 fund fraud ...

Deputy health minister **Albert M'peti Biyombo** has accused cabinet ministers of receiving kickbacks on government contracts for the DRC's **coronavirus** response, while health workers went unpaid for months.²⁶ Biyombo wrote a confidential letter, dated 29 June, to the prime minister outlining how unnamed members of the cabinet colluded with networks within the health system to embezzle funds for government health facilities. Many state-run hospitals face chronic shortages of drugs and equipment. Biyombo referred to the operations as "*mafia networks*" that demanded kickbacks of up to 35%.²⁷ The letter was widely shared on social media. Biyombo confirmed the letter's authenticity but said he was unaware how the confidential letter was leaked.²⁸

Biyombo pointed out irregularities in various documents that he had been put under pressure to sign off for hospitals that did not provide free state care, citing two recent documents for disbursement of funds that he had refused to sign. He renewed his call for a financial audit of funds allocated by the health ministry for the fight against Covid-19.²⁹

Several health workers involved in the battle against the coronavirus pandemic marched on **Boulevard du 30 Juin**, a street running through the capital, **Kinshasa**, to protest unpaid bonuses.³⁰ The government promised health workers \$500 of hazard pay, which they have not received. Health workers in Kinshasa say they have not been paid for three months.³¹

Kinshasa is the epicentre of the coronavirus where the majority of Covid-19 infections are concentrated. On 20 July, the **Africa Centre for Disease Control** had recorded 8,443 cases, 194 deaths and 4,335 recoveries for the DRC.³² Health experts caution that the coronavirus statistics are

¹⁹ Al Jazeera, 28 Jun 2020

²⁰ RFI, 28 Jun 2020

²¹ RFI, 30 Aug 2019

²² Reuters, 12 Jul 2020

²³ BBC, 11 Jul 2020

²⁴ Al Jazeera, 11 Jul 2020

²⁵ Al Jazeera 13 Jul 2020

²⁶ Reuters, 8 Jul 2020

²⁷ Reuters, 8 Jul 2020

²⁸ RFI, 9 Jul 2020

²⁹ France 25, 9 Jul 2020

³⁰ Jeune Afrique, 8 Jul 2020

³¹ AFP, 9 Jul 2020

³² AfricaCDC, 20 Jul 2020

likely to be far higher, as stigmatisation of testing and shortage of testing equipment hamper health practitioners from understanding the full extent of the virus.³³ Dr **Jean-Jacques Muyembe**, who is at the forefront of the DRC coronavirus fight, claims he has only received \$1.4m from the government to fight the coronavirus since the DRC's first case in early March despite Ilunkamba pledging \$10.7m in May.³⁴

... as Ebola spreads in western DRC

The **World Health Organization (WHO)** announced on 13 July that **Ebola** is continuing to spread in the north-west DRC with nearly 50 known cases spanning the DRC and the **Central Africa Republic** region, which is developing into the largest the country has faced in north-west region. WHO regional director **Matshidiso Moeti** noted access to remote regions is a challenge that is exacerbating tackling the spread of the Ebola outbreak.

The DRC is facing a complex humanitarian crisis, a measles epidemic that has killed more than 6,000 people, and multiple on-going clashes between armed groups.³⁵ The new outbreak in the north-west comes as the WHO announced the end of the Ebola in the eastern DRC on 25 June. The WHO has vaccinated 11,327 people against Ebola in July.³⁶

Labour minister gives mines one month to end confinement

Labour minister **Nene Ilunga Nkula** on 15 July gave copper and cobalt mining companies one month to stop confining workers on site away from their families due to the coronavirus pandemic, ordering that operations return to normal. Nkula said mining companies must provide healthcare for workers and their families, as well as decent housing and food for confined workers.³⁷

Mining minister **Willy Kitobo Samsoni** had announced on 5 July that he planned to meet with mining companies to agree a moratorium on confining workers to mine sites. Companies took the measure to stop the spread of the coronavirus, and workers had to choose to stay and work or lose their jobs. Civil society groups demanded an end to the mandatory mine-site confinement policies by copper and cobalt mining companies.³⁸ Samsoni said mining companies needed to strike a balance between an acceptable solution that protects both the economy and workers. Samsoni noted that full mine closure would have a devastating impact on the economy and social crisis in the country, with the industry contributing 32% of DRC's GDP; the **Banque Centrale du Congo** (central bank) on 10 July kept its 2020 economic growth forecast unchanged at -2.4% citing uncertainty over the Covid-19 pandemic.³⁹

Switzerland-headquartered **Glencore's Kamoto Copper Company (KCC)**, operating in **Lualaba Province**, announced on 7 July that six workers had tested positive for the coronavirus. Companies in Lualaba have one month from 2 July to prepare sanitation measure and release all workers confined for more than a month. In **Haute-Katanga Province** the one-month period runs from 6 July.⁴⁰

Congo celebrates 60 years of independence...

The DRC on 30 June celebrated 60 years of independence from **Belgian** rule since 1960. Celebrations were muted as President Tshisekedi said the funds reserved for the parade would be redirected to health workers fighting the coronavirus and to soldiers involved in peace-making efforts in the

³³ UN news, 20 Jul 2020

³⁴ RFI, 9 Jul 2020

³⁵ Al Jazeera, 14 Jul 2020

³⁶ BBC, 15 Jul 2020

³⁷ Reuters, 15 Jul 2020

³⁸ Reuters, 5 Jul 2020

³⁹ Reuters, 10 Jul 2020

⁴⁰ Mining Weekly, 6 Jul 2020

eastern DRC.⁴¹ Tshisekedi announced that DRC's first president, **Joseph Kasavubu** (1960-1965), would be ranked as a national hero and that a town would be named after him.⁴²

The anniversary follows renewed focus on Belgium's history after the death of **George Floyd** in police custody in the **United States** (US) and the ensuing **Black Lives Matter** protests that spread globally. Thousands of Belgians demonstrated and statues of colonial leader **King Leopold II** (1865-1909) have been destroyed.⁴³

In a letter addressed to President Tshisekedi on the 60th anniversary, Belgium's **King Philippe** (2013-present) expressed his deepest regrets to the DRC for Belgium's colonial abuses.⁴⁴ This is the first time that a Belgian monarch has formally expressed remorse for the country's colonial rule, in which more than 10 million Congolese are thought to have died during the reign of King Leopold II. However, the letter fell short of an outright apology. Instead, King Philippe acknowledged the privileged relationship the two countries now enjoy despite painful periods in the past:

*"I would like to express my deepest regrets for these injuries of the past, the pain of which is now revived by the discrimination still too present in our societies; I will continue to fight all forms of racism. I encourage the reflection that has been initiated by our parliament so that our memory is definitively pacified."*⁴⁵

Belgium being a constitutional monarchy, King Philippe's statement will have been agreed beforehand with prime minister **Sophie Wilmès**. The letter is in contrast to King Philippe's brother, **Prince Laurent**, who on 12 July publicly defended King Leopold's legacy in an interview. Prince Laurent did, however, note that when he met **African** heads of states, he apologised for **Europe's** actions in Africa in general.⁴⁶

King Philippe's letter met with mixed reactions in the DRC. While some welcomed it, others are demanding concrete reparations. Belgium is considering setting up a parliamentary commission to investigate its colonial rule, including in **Rwanda** and **Burundi**.⁴⁷

⁴¹ The East African, 2 Jul 2020

⁴² Africanews, 2 Jul 2020

⁴³ BBC, 30 Jun 2020

⁴⁴ BBC, 30 Jun 2020

⁴⁵ France 24, 30 Jun 2020

⁴⁶ The Brussel Times, 12 Jul 2020

⁴⁷ Africanews

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;

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

20 Jul 2020 **Kinshasa (DRC)** *Al Jazeera*. **The Catholic Church** organises protests in **Kinshasa**, calling for dissolution of parliament;

17 Jul 2020 **Kinshasa (DRC)** *Reuters*. President **Felix Tshisekedi** replaces **General John Numbi** with **General Gabriel Amisi Kumba** as army head; both Numbi and Kumba are under **United States** and **European** sanctions for human rights abuses under former president **Joseph Kabila**;

15 Jul 2020 **Kinshasa (DRC)** *Nasdaq*. Labour minister **Nene Ilunga Nkula** gives the copper and cobalt mine companies a month to end confining workers on site away from their families, a measure that mining companies have used to combat the spread of the coronavirus;

14 Jul 2020 **Kinshasa (DRC)** *Al Jazeera*. **The World Health Organisation (WHO)** announces that nearly 50 people have been infected in new **Ebola** outbreak in DRC as the country continues to grapple with **Covid-19** and measles;

12 Jul 2020 **Kinshasa (DRC)** *AFP*. Justice minister **Celestin Tunda Ya Kasende** tenders his resignation two weeks after being detained over a dispute with President **Felix Tshisekedi** concerning proposed laws that would give politicians increased control over criminal procedures;

10 Jul 2020 **Kinshasa (DRC)** *Al Jazeera*. Protests and violence break out over the **National Assembly's** plan to appoint **Ronsard Maloda** as head of the electoral commission; Maloda has close ties to former President **Joseph Kabila** and is accused of rigging votes in past elections to keep Kabila in power;

10 Jul 2020 **Kinshasa (DRC)** *Reuters*. The **Banque Centrale du Congo** (central bank) keeps the economic growth forecast at -2.4% due to the uncertainty over the **Covid-19** pandemic;

9 Jul 2020 **Kinshasa (DRC)** *RFI*. Deputy health minister **Albert M'Peti Biyombo**, in a leaked confidential letter to the Congolese prime minister, cites a "*mafia network*" embezzling funds destined to fight the **coronavirus** while health workers have not been paid for months;

7 Jul 2020 **Eastern DRC** *Al Jazeera*. A report released by the **United Nation's Joint Human Rights Office (UNJHRO)** documents widespread and systematic abuses from 1 January 2019 to 31 January 2020 that could amount to human rights abuses, saying the **Allied Democratic Forces (ADF)** in the eastern provinces of **North Kivu** and **Ituri** are responsible for the attacks;

7 Jul 2020 **Kinshasa (DRC)** *AFP*. The government extends the DRC's **coronavirus** health emergency for 15 days, the sixth extension since March;

7 Jul 2020 **Lualaba (DRC)** *Reuters*. Six workers at **Glencore Kamoto Copper Company (KCC)** mine in the **Lualaba Province** have tested positive for the **coronavirus**;

7 Jul 2020 **Kinshasa (DRC)** *The East African*. **The United Nations Security Council (UNSC)** unanimously passes a resolution demanding an immediate 90-day cessation of hostilities in conflict zones, including the DRC;

6 Jul 2020 **Ituri (DRC)** *Reuters*. The government despatches former warlords to **Ituri** region to broker peace and convince militiamen in their home region to surrender;

6 Jul 2020 **Kinshasa (DRC)** *Reuters*. **Canada-based Barrick Gold's Kibali** joint gold mining venture in the DRC will be able to get \$500m out of DRC, the excess left over after Kibali repatriated 60% of revenue into DRC and paid all its expenses;

5 Jul 2020 **Kinshasa (DRC)** *Reuters*. Mining minister **Willy Kitobo Samsoni** plans to meet mining firms to discuss the moratorium on confining workers to sites during the **Covid-19** pandemic;

2 Jul 2020 **North-Kivu (DRC)** *Reuters*. Operations at the **Société Minière de Bisunzu's (SMB)** coltan mine in the **North Kivu** province continue uninterrupted despite violent clashes in the region;

1 Jul 2020 **Kinshasa (DRC)** *Reuters*. The DRC government pledges to do more to end the use of child soldiers and prevent human trafficking after the **United States** government commended its progress in fighting human trafficking and upgraded its status in the **Trafficking in Persons Report (TIP)**;

1 Jul 2020 **Kinshasa (DRC)** *AfricaNews*. DRC **Catholic Church** Archbishop **Fridolin Amabongo** calls for the dissolution of the political alliance between President **Felix Tshisekedi** and former president **Joseph Kabila**;

30 Jun 2020 **Kinshasa (DRC)** *Jeune Afrique*. The **Democratic Republic of the Congo (DRC)** celebrates 60 years of independence from **Belgium** but celebrations are downplayed in the wake of the **coronavirus**;

30 Jun 2020 **Kinshasa (DRC)** *BBC*. **Belgium's King Phillip** sends a letter to President **Felix Tshisekedi**, formally expressing remorse for events that took place during the country's colonial rule as DRC celebrates its 60th anniversary of independence;

30 Jun 2020 **Kinshasa (DRC)** *RFI*. **The United Nations High Commission for Refugees (UNHCR)** announces that more than one million people have fled violence in the eastern **Democratic Republic of the Congo (DRC)** since the beginning of the year;

29 Jun 2020 **Kinshasa (DRC)** *Africanews*. Justice minister **Célestin Tunda ya Kasende** is released from custody after being arrested in **Kinshasa** for opposing legal reforms, amongst them curtailing powers of the judiciary;

25 Jun 2020 **Kinshasa (DRC)** *UN News*. The **World Health Organisation (WHO)** declares the second-deadliest **Ebola** outbreak in the eastern DRC over.

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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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