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REPUBLIC OF CONGO

A series of events has revealed a deteriorating political climate in the Congo in the aftermath of the local elections of June 29, 2008. Those elections had an absentee rate of about 80 percent, just one year before the 2009 presidential elections.

On July 30 people were arrested and held at the detention center of Pointe-Noire, the Congo's second-largest city. The detainees were accused of "insulting the chief of state, destruction of property and pillage" and had been arrested after violent demonstrations in early July in Pointe-Noire. The demonstrations erupted during the funeral of the former chairman of the national assembly, Jean-Pierre Thystère Tchicaya, who also was chairman of the Rally for Democracy and Social Progress (RDPS), a party close to the presidential majority.

As part of this arrest wave, Christian Perrin, news manager of Télé Pour Tous (TPT), a Pointe-Noire based private channel, was also picked up on July 21, 2008, upon the order of the Attorney General of the republic and temporarily released after spending one night at the Department of Territory Surveillance in Pointe-Noire. The journalist was accused of airing images of crowds demonstrating their hostility towards President Sassou Nguesso during the funeral of the former chairman of the National Assembly.

The journalist was also blamed for an incident during a political show called *Franc Parler*, in which two members of the opposition Party for Democratic Alternation (PAD) criticized the poor organization of the local elections and the secretive management of President Denis Sassou Nguesso's regime.

On August 15, in reaction to all the criticism, the Rally for a Presidential Majority (RMP) organized a show of force in support of President Nguesso. The RMP, which included the Congolese Labor Party and its allies, used large banners with messages such as "strike force" to show the president's adversaries that he could still count on popular support.

Pundits have interpreted the population's lack of interest in politics either as a gesture of rejection of both the authorities and the opposition or as a sign of the people's poor understanding of the electoral stakes, due to the lack of public debates on radio and television about the meaning of the elections and issues including unemployment, price hikes, problems with water and electricity supply, and a general feeling that oil revenues are not fairly distributed.

Challenged by the mobilization of the population, and predominantly financed or controlled by members of the political elite, the Congolese media ceased to play their independent role and have become mere mouthpieces of the ruling officials and parties, to the detriment of the concerns of the people.

REPUBLIC OF CONGO AT A GLANCE

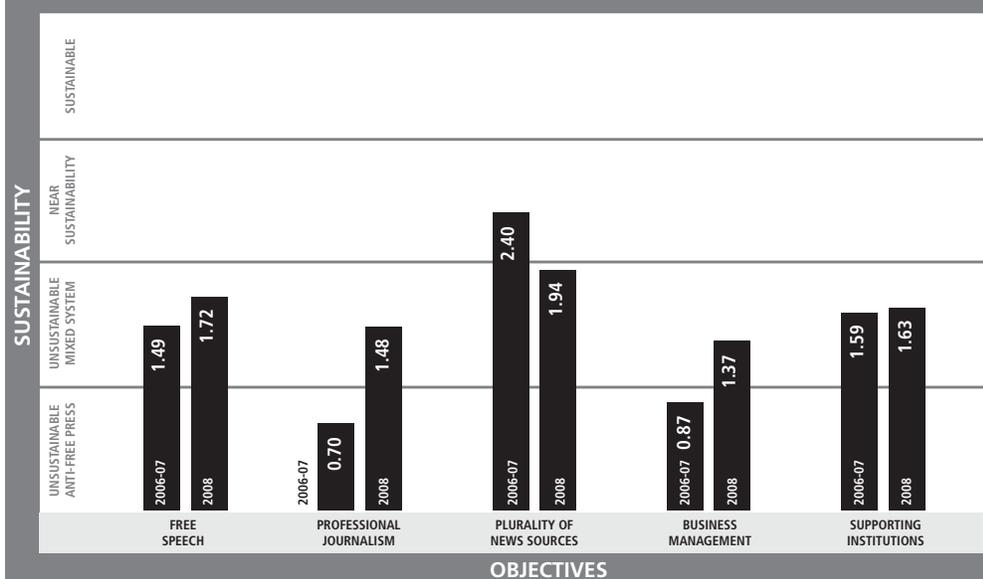
GENERAL

- > **Population:** 4,012,809 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Brazzaville
- > **Ethnic groups (% of population):** Kongo 48%, Sangha 20%, M'Bochi 12%, Teke 17%, Europeans and other 3% (*CIA World Factbook*)
- > **Religions (% of population):** Christian 50%, animist 48%, Muslim 2% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Lingala and Monokutuba, many local languages and dialects (*CIA World Factbook*)
- > **GNI (2007-Atlas):** \$5.797 billion (World Bank Development Indicators, 2009)
- > **GNI per capita (2007-PPP):** \$2,750 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 83.8% (male 89.6%, female 78.4%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Denis Sassou-Nguesso (since October 25, 1997)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 1 daily newspaper (*Dépêches de Brazzaville*), 50 private newspapers (only a handful appear regularly), 10 weekly magazines; Radio: 18 stations, including Radio Liberté; Television: 10 channels
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Congolese News Agency (CNA) (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 70,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: REPUBLIC OF CONGO



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Republic of Congo Objective Score: 1.72

All the participants of the MSI Brazzaville panel admitted that the Republic of the Congo is well equipped in terms of legislative support for freedom of speech. The media sector is regulated by the freedom of communication law number 08-2001 passed on November 12, 2001; law number 15-2001 of December 31, 2001, concerning the access of political parties to the public broadcast media; and law number 04-2003 of January 18, 2003, pertaining to the organization, functioning and constitution of the High Council on Freedom of Speech. They also unanimously recognized that there is still a gap between the existence and the implementation of this legislation. The panelists however disagreed on the reasons why this legislation is not implemented both by public authorities and the journalists themselves.

For example, Charles Moudibou, a journalist and program manager with Radio Béni in Ouessou, said the Congolese government has guaranteed freedom of the press and access to information sources by creating judicial documents, a charter for information and communication professionals, the constitution, and laws on freedom of the press. "These documents do exist but they are not made widely known, and the journalists' job is made harder by the fact that decision-makers do not respect them," he said. "Most emerging press outlets belong to people in the government or close to the government."

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

This media dependence affects the contents of the news. "Journalists cannot release information without the approval of their news managers, especially if the particular information is political or concerns the powers that be," said Eudoxie Ofinini, a journalist and anchor for the national language news at Congolese television.

Some issues are taboo, such as anything related to oil drilling or the so-called beach disappearance case, which exposes journalists to threats and even arrests despite the fact that Congo has a law that decriminalizes press offenses.

For example, Erica Yvette Bilala, a reporter for TPT in Pointe-Noire, one of the few independent channels, cited the case of Christian Perrin, TPT's news manager who was arrested by security forces for airing a show in which two members of the opposition criticized the poor management of the country.

Many panelists pointed out that the political powers strive to control the media through the High Council on Freedom of Speech and through the operational license granting process. Control by political authorities is also a result of the existing situation in which the majority of the media are owned by members of the government or to the party close to the president.

Jean Bruno Mitsoko, a journalist and member of the Congolese Media Observatory, said that while press offenses are decriminalized in Congo, in reality the media are under strict scrutiny from the moment they are created until the news goes out. "Any civil servant" can become a journalist, he said, which encourages unprofessional behavior.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Republic of Congo Objective Score: 1.48

Congolese journalists have a harsh perspective of themselves and their profession. The panelists denounced a litany of shortcomings: lack of professionalism, an environment of corruption, ignorance of their ethics code, lack of training, low salaries, intellectual laziness, and superficial news treatment.

Jocelyne Francis said the lack of professionalism stems from low salaries in the state-run media and no salaries or illegal employment in some private broadcast media. She said no effort is being made to present quality news programs to the public, and that recording and broadcasting equipment is outdated.

"In general, ethical issues are pushed into the background," she said. "The programs are poorly conceived and do not

According to Edouard Adzotsa, Congolese journalists who work in the public sector barely make \$100 monthly while their private sector counterparts are paid the equivalent of \$50 to \$60. Many others have no salary to speak of.

meet the expectations of those who read, watch, or listen to us. The Congolese journalists work for themselves.”

According to Edouard Adzotsa, Congolese journalists who work in the public sector barely make \$100 monthly while their private sector counterparts are paid the equivalent of \$50 to \$60. Many others have no salary to speak of. “Under these circumstances, we have all become potboiler journalists—all journalists are hunting stories that bring in some cash,” he said. “The other social facts of interest to readers or listeners are not reflected in the press, there is no serious investigation on important issues such as oil contracts and misappropriations.”

For many panelists, the lack of training explains why reporting is so wanting and ignores even elementary ethical rules.

Adding to these reasons, Erica Bilala includes the censorship that media owners enforce in order not to damage their relationships with sponsors and the self-censorship journalists practice to avoid reprisals. “For political, commercial, [and] economic reasons, the owners themselves can ban even a well-documented and well-presented report simply to protect

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

their relationships or because they do not want to have any problems with the persons incriminated [in reports],” she said.

Koumba Berthe also weighed in on training. “Journalists do not grasp the concept of reporting. That is why they make do with mere accounts of an event they were invited to and in which all they do is praise the merits, albeit imaginary, of the event organizer if they can obtain an advantage from it.”

Nevertheless, all the panelists appreciate the existence of the Congolese Media Observatory, which has to make sure of quality media content and that it is in compliance with professional requirements. Over the years, due to the lack of resources, the Observatory has become a mere shadow of what it once was.

OBJECTIVE 3: PLURALITY OF NEWS

Republic of Congo Objective Score: 1.94

According to unofficial statistics, in Congo-Brazzaville there are some 50 registered newspapers and some 20 radio and television channels, but in reality only four or five newspapers are able to appear regularly and only some 10 radio-television channels are broadcasting in Congolese territory. The country is literally covered by the media, especially by radio and television, broadcasting from the other side of the river, in the Democratic Republic of the Congo. There is also international media (Radio France Internationale, BBC or Voice of America) that can be heard on FM or shortwave. In the major cities of Brazzaville and Pointe-Noire, access to the Internet is made easy by the increasingly numerous cyber cafes available to the public for a more or less affordable price.

According to Adzotsa, a diversity of news sources is a reality in Congo-Brazzaville. But these outlets are not affordable or immediately available to everyone—the Internet, in particular, is still a luxury in Congo, while frequent power cuts or lack of electricity prevent people from following the news regularly. Newspapers are available almost exclusively to intellectuals and those who can read French.

“In Congo,” said panelist Charles Moudibou, “there are multiple news sources but they are not accessible due to economic problems, It is also a cultural trend: people prefer to listen to music or watch television than read; the public media are too political; there are no government-issued restrictions but not all opinions are relayed, only those that are very similar to the owner’s.”

Berthe said that most press outlets are based in the larger cities and are therefore inaccessible to the people in rural areas. The press does not cover the heart of the country

where people face their own problems. The urban broadcast media are very political and do not accept opinions that run contrary to the official opinion; they compensate for the “overly political” factor by relaying international channels. Therefore, their programs are more influenced by an international factor.

Bilala pointed out that not even journalists have access to the information they are looking for. In order to inform others they must first be well-informed themselves, which is not always the case, she said. That is all the more telling since Congo has no independent press agency that gathers news and distributes it to the press. The only press agency (ACI) is a state-run agency that is “incapable of national coverage,” she said.

Citing the example of TPT, some media do have the courage to take on what are considered to be sensitive issues, she said.

Jean Bruno said that although people’s access to the media is not restricted, the fact is that poorer citizens cannot afford the media. The public media do not reflect general opinion, and are mere mouthpieces of the parties and individuals in power, while minorities are absent from the media.

Joslyne Francis said the media design their programs according to the opinion of the owners, with the exception of Radio Liberté, which can afford to be completely independent without getting orders from the owner. “One fact that must be pointed out is that 90 percent of the Congolese media are owned by various official power holders,” Francis said.

Berthe said that most press outlets are based in the larger cities and are therefore inaccessible to the people in rural areas. The press does not cover the heart of the country where people face their own problems.

All the panelists agreed that there is transparency in terms of media ownership, as it is publicly known what media belongs to whom.

OBJECTIVE 4: BUSINESS MANAGEMENT

Republic of Congo Objective Score: 1.37

All the panelists believe that there is no independent media in Congo, strictly speaking. Most media are created by politicians or personalities close to the public authorities. Therefore, media are not established to be run as business ventures.

Referring to the management of the media, Adzotsa said that just two or three press outlets are well-managed, including *La Semaine Africaine* and *Dépêches De Brazzaville*. But there is a paradoxical discrepancy between the management of the profits they generate and the poor treatment of their journalist employees.

Public authorities influence how advertising is distributed, so much so that if the media refuse to remain in line or

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Adzotsa said that the mission of the Congolese Press Publishers' Association is to protect the interests of the private newspaper publishers. But, he added, this association has been going through a crisis for five years due to divergent interests among its members.

sing praises to the higher officials they will not get any advertising.

Moudibou believes that the press companies and printing houses generate good revenue, but the incoming funds are poorly managed—proven by the fact that most journalists working in the private press do not receive a paycheck or receive one late.

For Bilala, the main financing source is advertising. As a result, a newscast can be canceled to make room for a soccer game sponsored by a cellular telephone company—which often happens on TPT.

“Some private media receive hidden financing from politicians in power,” Adzotsa said. “Law number 08-2001 of November 12, 2001, provides a state subsidy for the private media. But this provision is not yet implemented in Congo. The public aid for the media is not efficient; there is no political willpower.” From time to time the media receive financial aid from the president of the republic.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Republic of Congo Objective Score: 1.63

In the wake of the political liberalism that has emerged in Congo in the last 10 years, several unions and other civil society organizations focusing on the media have emerged. However, except for a few isolated projects and activities initiated by foreign or international bodies interested in the media, there is no other supporting institution to protect the interests of independent media professionals.

Adzotsa said that the mission of the Congolese Press Publishers' Association is to protect the interests of the private newspaper publishers. But, he added, this association has been going through a crisis for five years due to divergent interests among its members.

Referring to professional associations for the protection of the rights of journalists, he mentioned the Federation of Communication Workers' Trade Union, which he chairs and which is active in protecting the interests of Congolese media workers. According to Adzotsa, his union has some 800 members and is affiliated with International Federation of Journalists based in Brussels, Belgium; it is the world's largest journalist union.

There also is the Association of Local Language Journalists (Lingala and Kintuba). But Ofinini said the associations are based in the capital and not heard from in the rest of the country. “And when journalists are in trouble, these associations do not react, out of a lack of logistic resources or because their leaders are not involved enough,” she said.

Congo has no school for training journalists, only a department at the Marien Ngouabi University, which offers some communication courses.

Panelists pointed out that the printing houses are privately owned but that the government supervises their activities and subjects them to some restrictions.

List of Panel Participants

Edouard Adzotsa, independent journalist, ICP Training Center, Brazzaville

Koumba Berthe reporter, Radiotelevision Nouvelle Alliance, Dolisie

Erica Yvette Bilala, reporter, *Télé Pour Tous*, Pointe-Noire

Charles Moudibou, journalist and program manager, "*Radio Bénie*," Ouessou

Eudoxie Ofinini, journalist and anchor, The National Language News, Congolese Television, Brazzaville

Jean Bruno Mitsoko, journalist and member, *Congolese Media Observatory*

Jocelyne Francis Waboutoukanabio, reporter, Radio Liberte, Brazzaville

Jocelyn Rodrigue Kionghat, reporter, Radio Brazzaville, Brazzaville

Christine Matondo, reporter, Radio Congo, Brazzaville

Bissat Henoc Nazaire Ebethas, head of communications, FOSOCEL, Brazzaville

Eugène Kebe, lawyer, Brazzaville

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