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## REPUBLIC OF CONGO

The president of the Republic of Congo, Denis Sassou Nguesso, could be proud that his country ranks among the very few in Central Africa that has decriminalized violations of press laws, and where journalists found guilty of such offenses do not go to prison. National pride was at the heart of the sumptuous celebration that he organized recently for the 50th anniversary of Congolese independence.

Nonetheless, the freedom and sustainability of the media in Congo is still very much in question. During the MSI panel discussions, some panelists even expressed a sense of alarm, and identified several ills that are wearing down the Congolese public and private media.

Although Congo has laws guaranteeing the protection and promotion of the freedom of the press, the panelists cited many challenges to exercising rights in a hostile environment affected by economic instability, political mistrust, professional deficiencies, a lack of distribution channels, lethargic professional organizations, and weak unions. While the government is often accused of corruption and poor management, in turn state authorities accuse journalists of abusing the laws that protect them and failing to appreciate the achievements made by the government.

Although the law does guarantee journalist freedom and independence, the panelists trashed the “police state” that truly governs—in which authorities discourage the plurality of media sources and closely monitor how the press make use of the freedom allowed them. Many of Congo’s independent outlets as well as public outlets have ties to the state, so political coverage dominates the news, and much of it flatters the government. This environment has made self-censorship pervasive and persistent.

The panelists were very critical also of Conseil Supérieur de la Liberté de Communication (CSLC), the regulatory agency and constitutional body responsible for issuing licenses for new press outlets. “Not only is this institution completely submissive to the government, but it is also the latter’s tool to crack down on the independent media,” one panelist said.

The panelists admitted, though, that some of their fellow journalists are less than professional. They said that training and educating journalists should be a priority, but Congo still has no true journalism school, nor are there enough short-term training opportunities that focus on the practical skills (such as new media) that journalists need.

# REPUBLIC OF CONGO AT A GLANCE

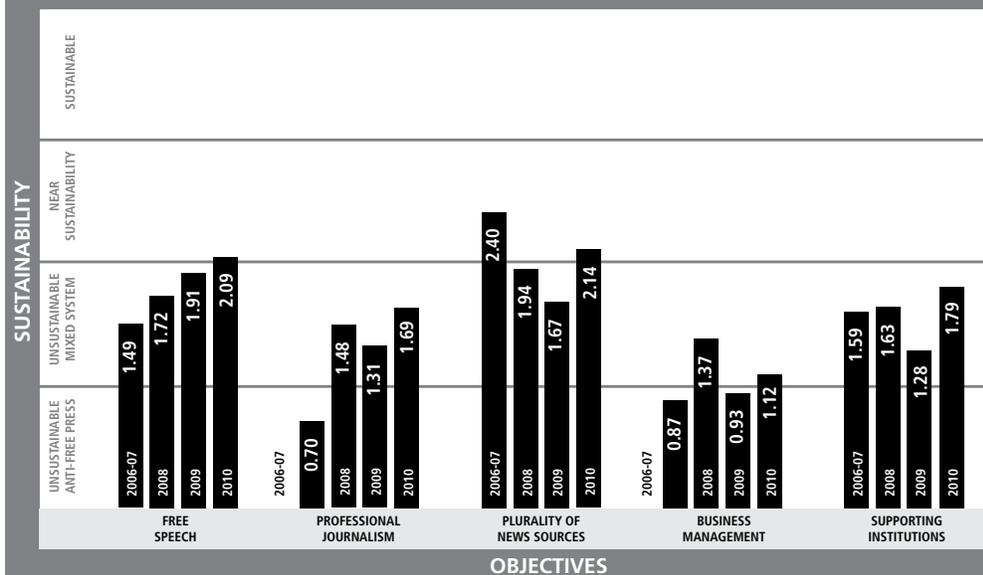
## GENERAL

- > **Population:** 4,243,929 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Brazzaville
- > **Ethnic groups:** 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:** French (official), Lingala and Monokutuba (lingua franca trade languages), many local languages and dialects (of which Kikongo is the most widespread) (*CIA World Factbook*)
- > **GNI (2010-Atlas):** \$8.698 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$3,280 (World Bank Development Indicators, 2011)
- > **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 Stations: 18, including Radio Liberté; Television Stations: 10 channels
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Congolese News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 245,200 (2009 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: 2.09

In the decades since Congo acquired its independence in 1960, the colonial law of July 29, 1881 on the freedom of the press has been replaced. Law number 30/96 was passed on July 2, 1996, and law number 8-2001 was passed November 12, 2001, and both address the freedom of information and communication. Nonetheless, the panelists agreed that Congolese media and journalists have not earned many more rights or liberties. According to Eugene Gampaka, managing editor of *Tam-Tam D'Afrique* and a senior member of the Congolese press, "the long night" of the press is far from over. He said that he believes that the laws passed after independence and the advent of democracy saddle the press with more restrictions than the 1881 laws. As of today, some provisions of the 2001 law—particularly articles 69 and 70, concerning the creation of audio-visual media—still have not been implemented. Other articles yet to be enforced are article 92, on the journalists' professional identity card; and article 95, on the right to claim free access to any and all news sources.

The panel noted that an entire arsenal of regulations controls the media sector. The regulations include law 8-2001, on the freedom of information and communication; law 15, on the plurality of audio-visual media; the media professionals' charter; and the Congolese constitution of January 20, 2002. Yet, all of these regulations painfully lack implementation provisions, and as such

#### 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.

are "dead letter." Adzotsa attributed the absence of provisions to political inertia.

The repeated violence and wars that plagued the country for years seem to have annihilated the population's will to claim their right to be informed and speak freely. According to Godelive Nana Shungu, a journalist in Brazzaville, the Congolese people—including some of the elites—give the impression that they do not really understand the importance of information and the role of the media. The Congolese are inactive and indifferent when their rights are violated, he said. However, panelists offered another possible explanation: in addition to widespread lack of awareness of their legal rights, many citizens distrust "the justice of the rich and powerful."

According to the panelists, censorship is the other great obstacle that journalists face. Officially, law 8-2001 prohibits censorship, stating that "access to information sources is free, censorship is prohibited, and no one will be bothered due to his/her ideas or opinions." However, reality contradicts this beautiful statement. Some panelists said that often journalists and media managers (particularly in the state-owned media) receive inappropriate phone calls seeking to block publication or airing of a particular news piece.

Jean Bruno Mtsoko, a member of Observatoire Congolais des Médias, recalled that a national radio station news manager was fired after allowing a news report on the political opposition to air. He also remembered a journalist who was relieved of her department-head duties because she aired an excerpt from an opposition leader's speech. Gampaka wondered, then, how meaningful the official prohibition on censorship can be, when the law responds with repressive measures against those who are found guilty of a press offense. He said that the corruption among Congolese journalists, resulting from the instability of their lives, is a form of censorship, as it leads to self-censorship.

CSLC's discrimination in granting media licenses is a further example of the deterioration of the freedom of the press, panelists said. Only personalities that are close to official circles are able to obtain licenses easily to start radio stations and television channels. CSLC controls and regulates broadcast licensing in a process that past MSI panelists have claimed is fraught with difficulty. In most cases, applicants receive temporary permits that seem to last forever, according to last year's MSI. There is an appeals process for media outlets that want to challenge a license denial, but the process is of limited value when many Congolese do not trust the objectivity of the judiciary system.

As reported in last year's MSI, the media face a far lesser tax burden than other industries, easing market entry. However, state regulations subject the broadcast media to greater restrictions than newspapers, which are required only to have a simple court order to launch.

While it is true that serious attacks against journalists are rare—especially in the context of the sub-regions—various forms of intimidation persist and frequently go unpunished, the panelists said. For example, the authorities continue to close press outlets, threaten and harass journalists, and impose high legal fines for press outlets. Perpétue Sandrine Mazandou, a journalist with DRTV, gave the example of the recent cascading suspensions of several media outlets, including Radio Tele Forum and the newspapers *Le Choc* and *Le Trottoir*, on accusations of incitement to hatred. In all of these cases, the CSLC judgments displayed bias, she said.

The state-owned media constantly enjoy the favor of state agencies and law enforcement agencies. While the law guarantees independence for public media journalists, often they are afraid to challenge their supervisors, as noted by last year's MSI panelists. Furthermore, the minister of communications appoints public media directors, and state media managers are clearly under the influence of the government. For example, last year the panelists noted that a Radio Congo news chief was fired for covering an opposition rally.

Although the government draws praise for eliminating prison sentences for Congolese journalists that commit press offenses such as libel, the panelists pointed out that media professionals still endure harassment and lawsuits for publishing news that the authorities deem too embarrassing or shocking.

While law 8-2001 states officially that access to information is free (the CSSLC charter provides for unrestricted access to information sources), government sources still favor the public media. Private media journalists, in contrast, are forced to network and use their own connections to obtain information. Last year's panelists indicated that journalists are fighting to improve access to information, but it is not clear whether any organized efforts are underway to challenge the disconnect between law and reality.

Officially, the government does not block access to foreign or domestic media, and with improvements in Internet access, many journalists are increasingly able to obtain their news online.

In terms of the ease of entering the journalism profession, entry is relatively free. Although CSLC does issue press cards, journalists are not required to have a license for reporting, except for some official events. The government is not involved in the recruitment of journalists in the private media, but aspiring public media journalists must have a journalism degree, be eligible to apply for a public servant position, and pass a hiring test.

In conclusion, the panelists pointed out that impunity lies at the heart of the current political system and the Congolese society in which no one abides by the law. That includes the press companies, which for the most part are owned by regime barons that fail to pay their taxes. Sylvain Elenga, a journalist with the Congolese Information Agency, commented that these media have found tax avoidance to be the solution for the lack of state

support for the media. "Most of the audio-visual media owners are politicians from the ruling party or close to government circles. They are supposed to set a positive example, but they do not—on the contrary," said Mvougou Vougar Germain, a teacher and passionate media consumer. "They use the Congolese taxpayers' money to fund their radio stations and television channels."

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Republic of Congo Objective Score: 1.69

According to the panelists, weak training is a major reason for the poor professional standards in Congo. The panelists said that training and educating journalists should be a priority. Other than the main university, only a few organizations in the country train journalists. Shungu noted that many journalists have never taken courses in journalism—they come to the profession by accident or because they know someone that works in the media.

Mitsoko said that reporting is rarely fair, objective, or documented. The only goal of media professionals is to make money—that is to say, survive. Annette Kouamba Matondo, a journalist for *Nouvelle République*, agreed that for many people, journalism is not so much a calling as a money-making activity. That might help to explain the deficiencies in news reporting. In the audio-visual media as well as newspapers, most news reports are hollow: nothing but dry minutes or institutional news.

The panelists said that the journalists' precarious working conditions do not justify all of the ills of the press, but few would dispute that journalists are compensated poorly.

#### 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).

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Economic reasons are cited frequently for journalists' failure to observe professional codes of ethics or standards of quality. With overt bribes now commonplace, some in the media community have expressed the feeling that many journalists have lost their honor.

In his book, *The New Congolese Press: from the Gulag to the Agora*, Jean-Claude Gakosso, the Congolese minister of Culture and Arts, wrote, "The Congolese journalists are not well regarded by the political establishment. Too many political decision makers discredit journalists and feel contempt for their rights. They see them only as needy people always ready to bargain their honor and dignity for cash."

Invited to comment on this statement, some panelists said that the opposite would have been surprising. They commented that a free and independent press is not meant to be appreciated by those in power. The reality behind this statement is hard to disguise, however: the reputation of Congolese media professionals is tainted due to a series of eroding factors, including what journalists themselves have nicknamed *camora* (requesting financial compensation in exchange for providing services). Sometimes, after interviewing or reporting on a minister or a company manager, journalists keep besieging the person, not helping their image. Sometimes, when in dire need of money, they improvise stories. They do not hesitate to ask a minister, a company manager, or a public agent to reimburse their transportation expenses. Often a reporter will succumb to pressure when, for example, event organizers force the reporter to re-broadcast material if they feel that the event was not covered favorably. Unpaid interns are sent out to cover events and accept payment from the newsmakers, giving a cut to their colleagues that sent them. The particularly profitable sectors and the fashionable and "generous" personalities are "game preserves" for the journalists with more clout in their outlets. The friendly contacts between journalists and political and economic decision makers show clearly in the spreading of advertorials that masquerade as journalism—fueling confusion between the genres of advertising and news reporting.

In this environment, self-censorship is a seemingly inevitable consequence. Journalists censor their own work to ensure that they do not lose their jobs, miss out on invitations to official events, or run the risk of retaliation by the powerful individuals controlling much of the news market. Self-censorship continues to be a significant obstacle in the broadcast media especially.

On a related point, the Congolese press only superficially cover many key issues (particularly human rights, democracy, governance, public finance management cover, and gender) for many of the same reasons. Political events organized by the opposition parties get less media coverage than state-sponsored events. Issues such as political crimes, oil revenue management, misappropriation of public funds, and the illicit accumulation of

wealth by politicians are all taboo. Instead, the press is cluttered with coverage of official affairs. As Adzotsa said, "Often all we see in the press are protocol events, like the opening and closure of some workshop or seminar."

Most media outlets cannot afford to pay their employees on time—or at all, as last year's MSI noted. Few journalists, public or private, earn a livable wage, although the government does guarantee salaries for the public media. Many private-media journalists are forced to eke out a living as freelancers. The journalism field is particularly low-paying in contrast to other professions; thus, many seasoned professionals have left journalism for better-paying positions in the administrative, economic, and political sectors. Many others have been forced to retire or flee the profession and take refuge in ministers' cabinets or other prestigious institutions. As a consequence, the offices of newspapers, radio stations, and television channels are filled with young people with just modest knowledge of the trade. For them, reporting means simply relaying the actions and opinions of the government and refraining from denouncing questionable acts by the authorities. The panelists said that the low salaries and dismal working conditions invite the corruption described earlier.

The panelists found room for debate over the balance between news and entertainment. Many media outlets feel compelled to focus on entertainment because it is more lucrative, but previous panels have bemoaned the poor quality of entertainment programming.

Previous MSI studies have documented the problems related to poor media equipment and facilities. But Sévérin Ngambaye, a Brazzaville journalist, noted that lately the government has displayed its intent to equip state media professionals with high-performance technology, as proven by the 2009 inauguration of the National Radio and Television Center in Brazzaville. However, it is not clear that the government is pairing this investment with training to help the professionals learn to use the new tools.

The private sector, meanwhile, is in great need of technological assistance. Without a boost, their hopes of expanding to national coverage appear dim. Last year's panelists highlighted in particular the old equipment at Radio Pointe-Noire, where many journalists have no training on or access to computers.

Again this year, panelists confirmed that investigative reporting is nearly impossible in the Congolese climate. "There are not many investigative reports," said Adzotsa, a longtime journalist. "The newspapers do not have leading articles. Only *La Semaine Africaine* does its job correctly."

As for specialized reporting, Adzotsa noted that coverage of cultural events is especially poor, although several dedicated publications appear more or less regularly—which is a lot for an

African country. "There are stories on music groups, but almost nothing on artistic activities such as literature, fine arts, theater, cinema, poetry, photography, etc.," he said. In this respect, *Les Depeches de Brazzaville*, the only Congolese daily newspaper, stands out, as it publishes some cultural and literary news.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Republic of Congo Objective Score: 2.14

Democratization in the early 1990s fueled the development of the press in Congo. A good number of newspapers, radio stations, and television channels appeared in those euphoric times. Today, in theory, some 40 publications make up the Congolese print media, including just one national newspaper published in Brazzaville.

Despite the relatively high literacy rate of the Congolese population, the country has no national daily newspaper worthy of the designation and no specialized publications, much to the chagrin of one panelist. The governmental daily *Mweti (the Star)*, which appeared in 1974, did not last long; it closed in 1994. *La Nouvelle Republique* replaced it and quickly downgraded to a weekly publication; today, it is a monthly paper. The women-oriented press is trying to gain a foothold in the market, but the two papers, *Nzele* and *Femina*, are still staggering.

The circulation of the Congolese periodicals is among the weakest in Central Africa. Congolese newspapers print a modest number of copies—generally 500 to 1,000, with the exception of *La Semaine Africaine* and *Les Depeches de Brazzaville*,

which have circulations of 5,000 to 10,000 copies. Only two publications appear outside the capital, in Pointe-Noire and Dolisie (in the south).

Congo has 10 radio stations, including one national station; and 20 television channels, including one national channel. They broadcast from Brazzaville and 13 other cities. In addition to these Congolese news sources, some citizens access news on the Internet. Furthermore, 60 radio stations and television channels broadcast out of Kinshasa, on the other side of the river Congo, and can be received unscrambled in Brazzaville.

Ngambaye added that the vitality of democratic life in a free country is measured by the number of news outlets that it can produce. He noted that it is true that Congo has numerous news sources and the public has the freedom to choose and to evaluate, on its own terms, the quality of everyday news. At the same time, the news cannot be said to be objective or reliable. Panelists said that the Congolese media are politicized excessively, and 80 percent of programs are political in nature. Several news outlets are owned by the presidential family. Programs on DRTV (a private channel owned by a major general still in activity) are vivid examples of the bias, while the Congolese broadcasting landscape is filled with state and private media owned by people with political clout. Other examples include TOP TV, owned by Claudia Sassou Nguesso; and MN Radio and Television, owned by Maurice Nguesso. These outlets do not cover the diversity of opinions of the political spectrum. As Hénoc Nazaire Ebethas-Bissat, head of communications of the Civil Society Forum for Free and Transparent Elections, pointed out, the plurality of news sources does not guarantee diversity in the news.

Generally, the authorities do not restrict citizen access to domestic and international media. Despite being very pleased with the open access to the media, Mitsoko said that this may change, as access has been restricted at times when the foreign media cover issues that interfere with the government's interests. For example, RFI's signal has been interrupted on several occasions, after it tackled hot political issues.

Aside from any official restrictions, economic and geographic factors limit access. The media are clustered in the larger cities: Brazzaville, Pointe-Noire, Dolisie, and Ouessou, neglecting smaller areas.

Although the press law of 2001 requires the public media to allot airtime to all political and professional organizations, the opposite is true in reality, according to last year's MSI. The public media feature privileged coverage (bordering on propaganda, as one MSI panelist last year noted) of the government's activities. That coverage makes it extremely hard for the opposition to gain access to the public media or even private media.

#### 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.

Furthermore, the public media offer little public interest programming. Ebethas-Bissat commented, “News outlets—mostly the official ones—do not cover all issues, but even the private media lack programs on education, culture, and scientific research which could educate the listeners or television viewers.”

Congo still has no independent press agency. Agence Congolaise de l'Information (ACI), the only news agency, is owned by the government and does not have a strong reputation as a reliable news stream for the media. With no foreign press agencies either in Congo, journalists tend to rely on the Internet. A panelist last year mentioned that many journalists simply copy and paste Internet sources.

On a similar note, the independent broadcast media have few resources to produce original content, and tend to focus heavily on politics or re-broadcasting foreign programs to fill the airwaves. However, as noted in last year's MSI, some stations manage to produce some original programming, such as religious broadcasts, that differ from the offerings of state-run outlets. Community media produce shows with a nod to local interests, often focusing on agricultural issues.

While generally media owners are not a secret to the public, it is thought that owners influence their outlets heavily. Many owners have political ties that drive the editorial policies of their outlets. Last year's MSI panelists said that the 8-2001 press law prohibits multiple media holdings, but monopolizing still occurs. They pointed to General N. Dabira, who owns DRTV, DRTV Force One, and DRTV Point-Noire.

Congo still has no print media outlets in minority languages. With the exception of a few productions by independent journalists made with support from international organizations, the media feature no shows for Congolese minorities. In terms of the media's coverage of social issues, Adzotsa commented that journalists are afraid to tackle key social subjects clearly and publicly. Panelists last year commented that problems such as child mortality, the shortage of clean water, and poor waste management receive little coverage in the press.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Republic of Congo Objective Score: 1.12

The current environment is not favorable to the development of media sustainability, the panelists said. They pointed out several obstacles to Congolese press development: printing costs that swallow most of the already-meager newspaper revenues; advertisers and advertising agencies that prefer to do business with television outlets, because their impact on the population is more significant than newspapers or radio; and individual

sales and subscriptions that do not cover writing, printing, and distribution expenses.

Newspaper prices are considered quite high: *Les Depeches de Brazzaville* sells well because it only costs CFA 100 (\$0.20 USD). Other newspapers and magazines cost between CFA 500 and 2,000 (\$1.00 and \$4.00). The pricing reflects the reality that newspapers cannot lower their prices, due to the many hardships they face.

Shungu, who is a DRTV anchor but also dedicates much time to searching for advertising for her station, pointed to two factors underlying Congolese media company difficulties: the financial weakness of owners once they have stepped down from their public offices, and the lack of management skills that could attract investors to this sector. Between the necessity of the media to survive and the political interference of their owners, little if any room is left for focus on business management.

The panelists also admitted that because publishing newspapers and magazines is expensive, many reduce their editorial teams. Some papers are written in full by one or two journalists, and newspaper owners cannot pay decent salaries to journalists due to the lack of financial resources. As a result, the profession is on the way to vagrancy, as it shows continued ethical drift—with all the consequences that this entails.

In Gampaka's opinion, the Collective Agreement on the media is second only to the law on the freedom of communication as the most important piece of legislation for the Congolese media community. The adoption and implementation of the agreement should generate truly independent media businesses and thus favor the economic and financial profitability of press outlets. Gampaka said that the Congolese press can be saved if they take a number of measures, some of which are urgent

#### 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.

and pressing. The measures include recognizing the social role of the press so that it can receive funds to ensure its economic survival; publishers organizing themselves as economic interest groups in order to develop joint buying centers and advertising and distribution agencies; and the state granting unconditional and legitimate financial assistance to bolster the profession. Support and subsidies may be the only solution, Gampaka said, as the market shrinks and readers become scarce as a result of the economic downturn.

For Mitsoko, it is clear that a press outlet fulfills a public service mission, which is why it cannot be equally successful in making profits and meeting the same management requirements as a classical business company. Banks offer two kinds of financing to the press: bank lending or share participation. Neither is truly applicable, because very few press companies can submit bankable projects for consideration.

The budgets of state-owned outlets and privately owned outlets are not published or otherwise known. The media do not receive funds from multiple sources. The advertising market is extremely rudimentary and often is maneuvered by people who impose their opinions or preferences on market goals. Advertising revenue constitutes about 15 percent of Congolese media budgets.

Congo has no advertising agencies or associated businesses to sustain an advertising market. Ads and commercials are negotiated on an individual basis between the outlet and the advertiser.

The media do not receive state subsidies, but the Congolese law on the freedom of information and communication allows for the possibility of state subsidies for public and private media. Such subsidies have never been offered. In 2001, for the very first time, the Congolese press received exceptional financial assistance from the president in the amount of CFA 300 million (more than \$600,000), but the authorities failed to distribute the subsidy fairly. The lack of a regular state subsidy for the press renders superfluous the provision of article 9 of the same law. This article provides that no private information and communication company can receive payment in cash, in kind, or in services from a political party or a foreign state, either directly or indirectly. The panelists did not discuss whether direct subsidies might compromise editorial independence further.

According to one panelist, the great weakness of the Congolese media is the absence of any market research and, therefore, any strategic plans. The media have no ratings, newspaper circulation figures, or Internet use statistics.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Republic of Congo Objective Score: 1.79

The panelists emphasized their belief that media trade and press associations are critical to a healthy media sector. They said that the ability of press companies to organize and consolidate hinges largely on their ability to build solidarity through professional associations that first and foremost can defend the common interests of journalists and press companies. Over the years, more than 20 professional associations have appeared in Congo, but many soon disappear for lack of funding and support.

Adzotsa mentioned some of the few trade associations still in existence, such as Association des Editeurs de Presse du Congo (AEPC), chaired by Joachim Mbandza, publication manager of *La Semaine Africaine*; and Association des Promoteurs des Radios Privés du Congo. The country has a number of professional associations that protect the rights of journalists. One is the Federal Union of Communication Workers (known by the French acronym, FESYTRAC), a union affiliated with the Federation of Journalists and a member of the Central African Media Organization (known by the French acronym, OMAC). Some panelists praised FESYTRAC's effectiveness in defending and training Congolese media professionals. Other independent associations represent specializations, such as sports, national languages, etc., within the media.

However, according to Shungu, these professional associations exist only on paper; they are not efficient and they offer journalists little protection. Other panelists objected to the subservience of these institutions to political powers, compromising their credibility. While praising the existence

#### 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.

of professional associations, Elenga expressed regret that the Collective Agreement that media owners and unions signed in January 2009 is not respected.

Ngambaye also raised questions about the solidarity of media professionals in the country. To a certain extent, he said, solidarity is reflected in the creation of organizations such as AEPC and FESYTRAC. However, Ngambaye lamented that these organizations, or at the very least their leaders, keep failing to act. *Les Oscars de la Presse* (an educational paper for Congolese journalists), was established to address this problem and is managed by Andrien Wayi Lewyi, the former news manager of Radio Congo. Initially highly dynamic and displaying a strong spirit of solidarity, the paper prompted a sigh of relief throughout the entire profession. Ngambaye said that the emergence of this effort is necessary for the defense of the private media interests.

A handful of NGOs in the country uphold the freedom of the press. They include the Congolese Human Rights Observatory, and Association Panafricaine Thomas Sankara. They provide legal support to journalists, periodically launch emergency appeals, and collaborate with international press freedom organizations. However, collaboration between NGOs and local media organizations remains weak. Past panelists have noted that the lack of solidarity and united goals among journalists is partly to blame.

Although the Republic of Congo still has no proper journalism school, some Congolese institutions do offer journalism tracks. As noted in last year's MSI, Marien N'Gouabi University has two training programs, and Ecole Nationale Moyenne d'Administration (ENMA) offers another one, but these choices are limited to Brazzaville. Past panelists noted also that the programs are more theoretical and are weak on practical experience. The university, for example, lacks a media lab.

Journalists have opportunities to travel abroad to study, but with poor working conditions and salaries, many opt not to return to Congo. In fact, as last year's MSI noted, the media sector (and particularly in the state media) do not have enough journalism jobs to employ all journalism graduates.

Furthermore, there are not enough short-term training efforts to fill the need. The government and some international organizations, such as the United Nations Human Rights Center, offer some seminars to boost skills. Past MSI panelists underlined concerns about the lack of new media training in particular. Brazzaville has a skill-strengthening center where many young university graduates come to be initiated to journalistic writing and interns learn to use the computer. However, panelists said, the state does not encourage this initiative.

Congo has a few private printing houses that operate freely, to a certain extent. Access to them is often difficult for certain magazines, except for *Depeches de Brazzaville*, with its pro-government editorial policy. Some printing houses continue to refuse to print certain newspapers.

The country still has no media distribution service; newspapers make their own choices on where to sell their papers. The government does not control private media radio transmitters.

## List of Panel Participants

**Edouard Adzotsa**, secretary general, Central Africa Union of Journalists, Brazzaville

**Perpétue Sandrine Mazandou**, journalist, DRTV, Brazzaville

**Monica Ngalula wa Mukendi**, journalist, Congolese Human Rights Observatory, Brazzaville

**Leby Nazaire**, freelance journalist, Brazzaville

**Annette Kouamba Matondo**, journalist, *Nouvelle République*, Brazzaville

**Sylvain Elenga**, journalist, Congolese Information Agency, Brazzaville

**Germain Mvougou Vougard**, teacher, Poto Poto

**Hénoc Nazaire Ebethas-Bissat**, head of communications, Civil Society Forum for Free and Transparent Elections, Brazzaville

**Rufin Mahinga Massouama**, journalist, *Le Manager*, Brazzaville

**Eugène Gampaka**, managing editor, *Tam-Tam D'Afrique*, Brazzaville

**Godelive Nana Shungu**, anchor, DRTV, Brazzaville

**Séverin Ngambaye**, journalist, *Le Défi Africain*, Brazzaville

## Moderator

**Jean Bruno Mitsoko**, member, *Observatoire Congolais des Médias*, Brazzaville

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