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DEMOCRATIC REPUBLIC OF CONGO

The political and media contexts in the Democratic Republic of the Congo (DRC) were marked by political crises in 2012. One followed the presidential and legislative elections of November 28, 2011, which were widely deemed illegitimate both domestically and internationally. President Joseph Kabila remained in office following the 2011 poll and moved quickly to stifle criticism. The second was the start of a new war in the east in April 2012, pitting loyalist forces against a group of mutinous soldiers who are supported, according to a UN report, by neighboring Rwanda. As might be expected, these two events have created a general climate of tension and insecurity conducive to serious violations of human rights and fundamental liberties, including the freedoms of the press and of speech.

In an open letter to the new prime minister before the formation of his government, the organization Journalists in Danger (known by its French acronym, JED), which organizes and authors the Media Sustainability Index in DRC, asked him to take a solemn pledge to make every effort to erase the DRC's tarnished image on human rights. The year 2012 did not show much in the way of improvement.

For example, a Catholic march scheduled for February 16, 2012, to commemorate the 20th anniversary of a massacre of Christians and to protest against the results of the aforementioned elections was banned the day before by the governor of Kinshasa and brutally repressed by agents of the national police deployed in the capital. Minister of Communications and Media Lambert Mende cut off, without notice or explanation, the signals of Elikya Catholic Radio and Television, as well as three television and radio stations close to the opposition, ostensibly for "propagandizing" the Catholic march.

The panelists lamented the particularly dangerous situation facing media operatives and journalists, describing deteriorating security that accelerated during the election period. During the past five years, at least eight journalists were murdered and hundreds more arrested and thrown behind bars. Many others suffer daily threats and physical assaults as a result of their work.

During the MSI panel discussion, the group settled on four recommended actions that would allow the press to correctly play its role and to do so in peace. First, the government should suspend imprisonment for journalists for offenses such as defamation or offensiveness to state officials, pending the adoption and implementation of a law decriminalizing press offenses. Second, the government should prioritize a bill on transparency that would require public representatives at all levels to be accountable to the people by giving journalists free access to official information sources without exception. Third, the government should provide for substantial media assistance in its annual budget to strengthen its capacity and to guarantee its independence. Finally, the government should eliminate the Ministry of Communications and Media entirely, as it is responsible for many violations of the freedom of the press, to strengthen the autonomy and independence of the sector's regulatory bodies.

DEMOCRATIC REPUBLIC OF CONGO

AT A GLANCE

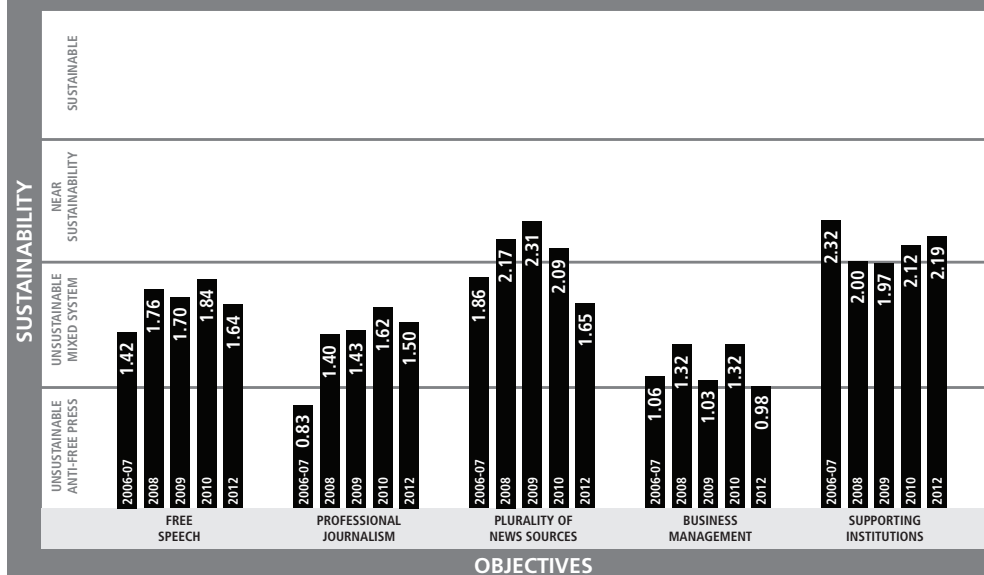
GENERAL

- > **Population:** 75,599,190 (July 2012 est., *CIA World Factbook*)
- > **Capital city:** Kinshasa
- > **Ethnic groups:** Over 200 African ethnic groups, of which the majority are Bantu; the four largest tribes—Mongo, Luba, Kongo (all Bantu), and the Mangbetu-Azande (Hamitic) make up about 45% of the population (*CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 50%, Protestant 20%, Kimbanguist 10%, Muslim 10%, other (includes syncretic sects and indigenous beliefs) (*CIA World Factbook*)
- > **Languages:** French (official), Lingala (a lingua franca trade language), Kingwana (a dialect of Kiswahili or Swahili), Kikongo, Tshiluba (*CIA World Factbook*)
- > **GNI (2011-Atlas):** \$ 13.107 billion (World Bank Development Indicators, 2012)
- > **GNI per capita (2011-PPP):** \$350 (World Bank Development Indicators, 2012)
- > **Literacy rate:** 67.2% (male 80.9%, female, 54.1%) (2001 est., *CIA World Factbook*)
- > **President or top authority:** President Joseph Kabila (since January 17,2001))

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 8 daily newspapers, more than 100 others; Radio Stations: 226; Television Stations: 60 (Source: GRET, 2005)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** top three radio stations: National Radio (state-owned), Golfe FM (privately-owned), Capp FAM; Top three TV stations: National television (public channel), Canal3 (private channel), Golfe TV (private channel)
- > **News agencies:** ACP (private), APA (private), Syfia (private), DIA (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 290,000 (2008 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: DEMOCRATIC 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

DRC Objective Score: 1.64

More than six months after the reforms announced as part of the “Modernity Revolution” of the reinstated President Kabila, the panel has seen few concrete actions by the newly appointed officials or their newly created institutions that were supposed to bring forth said modernity.

The panelists view modernity as more than the construction of new infrastructure, but also the establishment of the rule of law and a regime of freedom. For Emmanuel Kabongo Malu, a media consultant, the rule of law prevails when no one can put himself above it, and a regime of freedom is one where all citizens exercise their rights, including the right to criticize those who govern, including via the media.

Instead, the freedoms of press and of speech in the DRC are lacking, and even to earn these limited freedoms, media professionals have paid a heavy price, suffering from violence and the impunity of those who violate their rights.

The panel agreed that existing protections should be enforced, such as those under Article 212 of the constitution, which establishes the Higher Broadcast and Communications Council (referenced here by its French acronym, CSAC). CSAC is tasked to “guarantee and ensure the freedom and protection of the press, as well as all means of mass communications in compliance with the law.” But the CSAC

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.

hardly plays an independent role in media regulation, much like the Ministry of Communications and Media. These it regularly impose themselves upon the media according to their prerogatives.

Kabongo declared that “freedom of the press is the measure by which we gauge the degree of democracy in a country.” He also asserted that respect for human rights is an essential aspect of good governance and that it is now the fundamental criterion by which all of the world’s governments are judged.

While the constitution guarantees freedom of the press, it is subjected, in practice, to several restrictions. Referring to Articles 76 and 78 of Law 96/002 of June 22, 1996, media lawyer Adolphe Baruani Mbayo asserted that journalists’ fears are mainly based on legal provisions, especially in times of war, which bind them to refraining from reporting on “defense secrets” that might jeopardize the interests and security of the state. Esther Abedi, a journalist for Afrika TV/FM, pointed to the ambiguity of terms like “public order” and the “privacy of individuals” in the law that puts journalists in awkward positions when the time comes to report on elections. “Media professionals are often victims of blackmail and threats from candidates, who value their reputation and credibility during an election period,” she said.

MSI panel moderator Tshivis Tshivuadi, secretary general of JED, described to the group the hypocrisy of the government’s promotion of its “Modernity Revolution” while an archaic censorship law was being used to prohibit the broadcast in the DRC of a documentary made by the Belgian filmmaker Thierry Michel on the murder of an eminent human-rights defender. There is even a law stipulating the methods by which freedom of the press may be exercised, which dates from the dictatorship of Mobutu Sese Seko. Media professionals consider it an unjust law, as it establishes prison sentences for any journalist who criticizes individuals for acts of corruption and embezzlement of public property, even if such allegations are proven by facts, in the name of protecting the “honor” or “dignity” of those accused.

An increase in the number of cases of journalists jailed on spurious charges of making damaging and/or incorrect accusations amply justifies the struggle that organizations defending the press have been conducting for years. These groups call for the decriminalization of press offenses, and for ending the imprisonment of journalists for reasons other than incitement to ethnic or religious hatred, incitement to murder, or condoning criminal acts.

The panelists lamented the fact that while many African countries are further along this path, the DRC continues to drag its feet, despite the willingness of the community of

Congolese journalists to restructure their profession and to set up self-regulatory bodies charged with the policing of standards and ethics in the practice of journalism and of administering punishments for their infringement.

According to general public opinion, and as especially attested to by Joseph Kasonga, a panelist and secretary general of the Congolese National Press Union, the legal framework for the practice of journalism is well stocked with laws that establish and protect the exercise of the freedom of the press. In addition to these texts, there are other international agreements ratified by the DRC.

The director of the InterCongo Media press agency, Godefroid Bwiti, agreed but noted that these “pretty prescripts” are meaningless if not implemented by those charged with enforcement, which is most often the case in the country. According to him, several factors account for this state of affairs, including the ignorance of the law by officials, aggressive security services, a lack of political will, the absence of an independent judiciary, and the influence of those with political and economic clout.

Regarding the conditions for creating a media outlet, Bwiti reported that the DRC has stood out over the past 10 years in its rapid proliferation of media outlets. There are now as many as 50 television stations and at least as many newspapers.

Kabongo noted that many of those applying for media licenses are amateurs and profiteers who lack a vision for their outlets. He explained the media rush as the machination of political and economic players seeking to sell their personal brands by building personality cults, rather than as an improvement in the field.

On taxation, the panelists agreed that the arduous process for paying taxes, and their exceedingly high rates, places a burden on all media outlets. Léonie Kandolo, founder of the Permanent Framework for Dialogue for Congolese Women, posited that Congolese media are being brought to ruin by high taxes and an inability to lobby for reductions, sentiments agreed to by the panel. Taxes generally are seen as a deterrent to job creation and growth in the DRC. While the problem is not unique to the media sector, the panel believed that preferential treatment for the media would benefit its intended social, cultural, and educational purpose.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

DRC Objective Score: 1.50

The question of journalistic professionalism led to a long discussion, as many factors account for the excesses and aberrations perpetrated by a large proportion of DRC journalists.

However, all the panelists agreed on the precarious conditions in which the Congolese journalist works. The financial and material poverty that characterizes the profession illuminates the reasons for their lack of professionalism. After the discussion, the panel agreed that professionalism among individual journalists is one of the weakest aspects of the media system.

According to Willy Katupa Nkole, a media consultant, the profession is full of upstarts who know nothing of the principles of journalism, much less of journalistic ethics. They have no notion of cross-checking sources to produce balanced reports and to assure fairness and objectivity. Anna Mayimona Ngemba, of the Congolese Women’s Media Union (UCOFEM), lamented the lack of multiple-source stories. Like Patrick Tshamala, editor-in-chief of the station *Télé 7/Le Potentiel*, Ngemba argued that editors in the DRC are “distinguished in their inability to recruit and train reporters capable of cross-checking and diversifying their sources of information.” Newsgathering and reporting in the DRC suggests at times that the country’s entire press corps all work for the same paper. The panel attributed this behavior to the journalists’ tendency to approach “attractive and paying” sources. This

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).

explains the fidelity of reporters to certain sources for all sorts of information, despite demands for diversity or accuracy in sourcing.

As a result of this subservience of journalists to their preferred sources of information, the panelists have witnessed the manipulation of journalists by political and economic elites. Erick Makulu, a freelance journalist, described the situation. "Faced with the temptation to be corrupt, journalists, already reduced to poverty, dump their independence and fashion information according to whether they want to please or do harm to someone," he said.

Henriette Kumakana, information director for the private station DIREKTU, accused media executives of regularly threatening their reporters. "They keep their grip on the front page and influence editorial policy. But in a country where we are not always sure we can land a job, journalists choose to resign to this reality," she said.

Asked whether there is a recognized code of standards and ethics for media professionals, Abedi first argued that journalists simply are not aware of the existence of such a code. "Given that there are self-regulatory bodies in the country, including the Congolese Media Observatory and the National Congolese Press Union, they should disseminate...a code of ethics for Congolese journalists," she proposed. However, the panel agreed that to have the code and to read it is insufficient if breaches are not met with consequences.

"It is the impunity enjoyed by journalists and the lethargy of the self-regulatory bodies that are the bases of all ethical and moral excesses, especially during the electoral campaign," Makulu added. Kandolo argued that, in addition to the fact that journalists do not have a culture of unionization, journalists usually accept jobs without contracts. She proposed that the weak ethics of journalists can also be explained by the poor management of some media executives, for whom a signature on an employment contract with journalists is the least of their concerns.

Regarding the issue of self-censorship, Tshamala condemned self-censorship by journalists due to their own fears. "It absolutely has to be banned, because it is a dead weight against promoting the freedom of the press. A journalist who is afraid to report the news under any pretext whatsoever is failing in their responsibilities. When you agree to become a journalist, you must also, in making this choice, consider the consequences and risks," he stressed.

The panel acknowledged that ostensibly sensitive issues concerning the armed forces, security services, and the war in

the east are not treated in depth. Several factors come into play in accounting for journalists' hesitation to cover these events, including threats and blackmail by politicians and officials, zealous state security services, and the absence of an independent judiciary that enables the impunity of those who attack journalists.

Regarding the issue of sufficient compensation, the panelists made a clear distinction between public- and private-sector wages. The general opinion of the panel on this subject was that the private media virtually ignore every concept of compensation obligations to their staff, which generally work without contracts and have no union representation. In the public sector, journalists benefit from regular wages by virtue of their inclusion in the state civil service. As an illustration, Tuver Wundi, a journalist for the North Kivu branch of the state-run Congolese National Radio-Television (known by its French acronym, RTNC), informed the panel that there are regular salary payments in the public media sector. According to him, a newly hired RTNC journalist receives a salary equivalent to \$300 per month. Makulu, himself a freelancer, said one of his former colleagues at the private Channel A recently joined RTNC, where his salary is three times higher.

Kumakana, information director at a new private channel that broadcasts in local languages, says that each reporter at her channel has the right to 10 percent of the receipts from editorial advertising. However, this does not mean the staff receives regular salaries. Kumakana eventually was forced to criticize embezzlement by owners at her own television channel, DIREKTU, in order to receive the salary that was due to her.

The panel agreed that there is more entertainment, music, and foreign films than news programs or informational reports on current events and societal trends. Kandolo said, "Unfortunately, we note that entertainment takes precedence over the news to the detriment of the intellectual and civic education of the viewers. With few exceptions, broadcasters in the DRC place music and advertising in choice positions in their programming schedules." Kenneth Enim Ampi, president of the Women in Media for Justice in the Congo, went further, denouncing the cult of personality that characterizes outlets belonging to elite politicians and church pastors. According to him, it is difficult now to get an exact idea about the program schedule of broadcasters, where improvisation is, lamentably, part of management. Programming directors are constantly under the orders of the owners, who are motivated more by the desire to sell their image than by the need to participate in the country's social, cultural, and economic development.

Specialized and investigative reporting is weakened by the lack of training for reporters, editorial policy that does not favor these formats, the influence of media executives, and unfavorable media laws that punish those who reveal scandals, rather than their perpetrators. The panel noted the irony that draft copy provides “more reports than reporting.” Given the low-incentive workplaces where they operate, most journalists are content to quote official statements verbatim and rarely approach a topic with any spirit of innovation.

Bwiti argued that in-service training organized by editors is insufficient to train journalists to produce quality niche and investigative reporting. Assignments, he said, “are sometimes influenced by the interpersonal relationships between the reporters and media managers.”

Concluding the discussion on professionalism, Kabongo denounced the gap-ridden legal and regulatory texts that do not promote the practice of investigative journalism. “The absence of a law providing access to public information sources is a major handicap that impedes journalists from putting information relating to the management of state companies and institutions into the public domain,” he stressed.

OBJECTIVE 3: PLURALITY OF NEWS

DRC Objective Score: 1.65

On the plurality of media offerings in the DRC, the panel unanimously agreed that there are many choices for the media consumer. Indeed, there are more than 50 television channels that broadcast from Kinshasa and more than four hundred radio stations across the country. At least three hundred newspapers are published in Kinshasa. Online media and sources based on social networking sites, such as Facebook and Twitter, can be added to the list. However, for a number of reasons, this abundance of sources does not necessarily create the conditions for a robust and informative press.

According to Abedi, this plurality is due only to the desire of political, social, and economic elites to manipulate the public and achieve fame and stardom. “They have already chosen to sell their image, opting for a cult of personality [for themselves] that is clearly detrimental to the independence of journalists,” she stressed.

Tshamala argued that the kind of media pluralism in the DRC does not actually improve quality of life because of journalists’ inability to act independently and to diversify their sources. He asked rhetorically, “What purpose is served by having a thousand TV channels that do and say the same thing?”

“It is the intellectual laziness of the journalists that accounts for the lack of the productivity from the spectrum of media in the DRC,” Katupa added. “Those who fill the editorial boards are black sheep. They are not recruited on any rational basis to be able to claim their worthiness of high merit.”

In this regard, Kabongo singled out the advent and proliferation of “newscasts presented in the jargon of the milieu” to meet the requirements of local reporting. One example is a newspaper published in colloquial Lingala, the primary native language, which he described as an encouraging innovation that could be seen as a model that would allow the media to expand beyond traditional barriers.

The panel generally saw such publications, while laudable for being accessible to the general public, as fraught with risks in terms of professional abuse and loose ethics by the journalists writing for them. Kandolo chastised some of their publishing as simplistic but perhaps more likely than mainstream reporting to ignore presumption of innocence, aggrandize their patrons, or disrespect fraternity among ethnic or tribal groups.

As such, the people’s access to news and information is limited by the issues of journalistic professionalism and narrow scope of coverage plaguing other aspects of media sustainability. Poverty also hampers people’s ability to access what news is available; the panel agreed that the law does not restrict access to news by citizens. According to Dieudonné Ilunga Kazadi, a freelance journalist based in Kinshasa, online media’s reach is severely limited by both poverty and electricity distribution.

The panel unanimously agreed that public media outlets in the DRC do not serve the public interest. Rather, the panelists

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.

believed that state outlets have been hijacked by political elites and made into their political megaphones. Mayimouna noted the appointment of public media managers on the basis of friendship and/or partisan affinities, which leads these managers to seek to please those who appointed them at all costs. "At the Congolese Press Agency, for example, the editorial line, which should be a reflection of the needs of the public, is modeled on the vision of the head of state. It is the same with the Congolese National Radio-Television program schedule, which is crammed full of broadcasts praising the leaders of political institutions."

Tshilunde, as the press union's general secretary, noted the regrettable overexposure of political press attachés and communications advisers. Another aspect of the problem involves the recruitment of practicing journalists to the staffs of politicians, devaluing their independence and becoming, effectively, partisan activists.

Agency journalism is practiced less and less in the DRC. The panel noted that the Associated Press Agency (APA) is the only recognized private national news agency. It publishes dispatches independently but appears only rarely, and its limited visibility has hampered its efforts to develop a reliable readership.

The DRC also benefits from the presence of international news agencies, including Reuters and AFP. While the panel lauded the work of these agencies, the professionalism of their staffs, and the quality of their dispatches, they also noted that their output is not used sufficiently by the local media.

The panel widely agreed that the stranglehold of private media executives over the sector clearly interferes with editorial prerogatives and the diversity of programming schedules. As a result, the objectivity of the news suffers from the fact that journalists do not enjoy full professional independence. Editorial inclinations also run up against the dictates of media owners more interested in the desire to sell their images than in informing the public.

The panelists noted at the outset that local journalism is not yet established in the newsrooms of the DRC. The use of portable microphones and recorders to gather reports on health, education, and social issues remains rare. Social needs are addressed only on a small scale, as reporters prefer to source comments from official sources of information that may pay, particularly in the government and in businesses. International news is generally available to DRC publishers and broadcasters; however, controversial domestic topics that are covered well by international sources may not be reproduced within the country due to self-censorship by the editors accountable to the law for their choices.

OBJECTIVE 4: BUSINESS MANAGEMENT

DRC Objective Score: 0.98

The panelists agreed that media companies in the DRC are generally unprofitable. They attributed this fact to a lack of advertising. Advertising is their main source of funding, but the media have been discredited in the eyes of many advertisers, some of which have given up on media outlets as advertising venues.

Katupa, speaking first on the subject, noted that advertisers in the DRC have turned their backs on newspapers, opting instead for outdoor advertising. He believed that the newspapers' lack of credibility and the absence of any consistent, uniform fee structure for finalizing advertising contracts dissuade many potential clients. Advertisers also have fled print in favor of television in recent years, he maintained. Katupa believed the advertising market in the DRC to be worth approximately \$100 million. He said advertisers are reluctant to waste their advertising budgets, arguing, "The industry is already stale, and management is opaque, which is where the advertisers' distrust comes from."

Advertising agencies do exist and provide services to the industry, though they, too, shun the country's newspapers, according to the panelists. "It is important for the print media to challenge themselves to hold [the agencies] accountable for defined fee structures," Katupa said. He, along with other panelists, asserted that widespread embezzlement within media firms could be curtailed only by transparency and advocated that the newspapers should take the deal. "Such is the price to pay to regain the confidence of advertisers," he concluded.

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.

Kandolo further argued that media outlets have effectively ruined the advertising market with their uncompetitive and unsubstantiated pricing. She maintained that media outlets issue arbitrary price offers to advertising clients, which creates ill will in the market.

Tshamala, of Télé 7, said his channel broadcasts virtually no advertising. He said that to preserve advertising discipline, his outlet has chosen not to line up commercial spots in its programming, unless specifically requested to do so under the terms of a clearly signed contract. Meanwhile, the competition continues to run advertising at prices he believes are too low. He also denounced the greed of media executives who steal from advertising revenues, rather than allowing them to grow their businesses.

Other sources of funding are few. While the state provides funding for the state outlets, private outlets rely more heavily on advertising and the personal fortunes of those elites they serve. Those that have maintained some credibility compete for the rather sizable overall advertising market, though with hundreds of media outlets, this competition can be fierce. While revenues are often misappropriated by owners or other officers at media firms, these revenues still exceed those from press releases, paid programming, guests' fees, and other sources.

The panel noted that since many media outlets are owned by top religious, political, and business leaders, their outlets have simply become mouthpieces for those institutions, not independent voices with their own editorial profiles. Panelists described a lack of interest among these media moguls to invest in their outlets or their staffs, which significantly erodes their quality.

Kasonga, the union leader, returned to the absence of direct and indirect aid to the press. He managed to convince many panelists that insufficient political will has prevented the DRC's media from overcoming dire revenue shortages. Congolese law provides for exemptions on certain customs tariffs and many other preferences favoring journalists and the media; however, the government does not enforce these provisions. The group lamented the fact that the government does not provide direct subsidies to any media outlets, blaming this fact for the sector's financial problems.

The panel agreed that there are market research studies conducted in the DRC; however, their findings are not put to good use, as evidenced by the facts the panel illustrated—that advertising prices are set arbitrarily and that contracts are often opaque.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

DRC Objective Score: 2.19

While there was much discussion of the topic, the panel eventually largely agreed that the DRC's media sector is represented by several associations that advocate for their interests, as provided for under Article 37 of the constitution. Print media outlets are represented by the National Association of Publishers of the Congo, private broadcasters are represented by the National Association of Private Radio and Television Companies, and women in the media are organized by the aforementioned UCOFEM, among others.

Without sufficient resources to operate normally, these associations do not greatly influence the practice or quality of journalism in the DRC. Enim denounced journalists' unwillingness to unite their efforts in associations, preferring to associate only with their small corners of the industry. She also stressed that some associations were created without clear visions for their goals and agendas. She concluded, "The proliferation of associations has dispersed their efforts and weakened the profession with internal conflicts."

Mayimona, of UCOFEM, lamented the fact that members of the associations do not embrace the dues model that would allow their organizations to thrive and represent their interests. Professional unions representing the journalists themselves, such as the Congolese National Press Union (known by its French acronym, UNPC) and the National Union of Press Professionals, operate in accordance with their statutes and legal and regulatory provisions. However, they lack a strong legal infrastructure for challenging legal assaults on the profession. Tshilunde, UNPC's secretary general,

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.

claimed that politicians and businessmen have interfered in the development of his organization by manipulating journalists, thus weakening the profession. He noted several actions undertaken in law that he said would strengthen the profession, but they have been blocked or annulled in practice. For instance, Law 81 provides the UNPC with the sole authority to accredit journalists and issue press cards, a provision that is essentially ignored by editors and aspiring journalists alike. For his part, Kabongo encouraged the UNPC leader, reminding him that the organization's legal status qualifies it to appear before the courts and tribunals and to bring anyone to justice who may interfere with the operation of his organization.

Concerning organizations in defense of the freedom of the press, the panel recognized the leadership of the organization *Journaliste en Danger* [the organization that coordinated and authored this study –ed.] on the issue in both the national and regional level in Central Africa. Several nascent organizations, also claiming to defend freedom of the press, were also noted.

The panel noted several journalism training institutions in the DRC, including at the Institute of Information and Communications Sciences, the University of Kinshasa, and the Catholic University of Kinshasa. However, panelists described the educational programs limited by the dysfunction of basic education in the DRC, the consequences of which are felt throughout the media industry. Kabongo, who is also a lecturer at the University of Kinshasa, intervened, noting, "The interns that we have been receiving in newsrooms for some time now have difficulty expressing themselves in both written and oral French. This shows that education in the DRC is third-rate," he noted.

"The responsibilities are shared," argued Mayimona, noting that students demonstrate laziness and disinterest, which limits their effectiveness later in professional practice.

Tshamala saw another culprit, adding, "The poor wages of teachers are part of the explanation for the dropout rate and pedagogical decline." The consequences, however, are clear. "As the editor-in-chief, I am obliged to explain the ABCs of the trade every time trainees and new recruits come into my newsroom."

Capacity-building activities for current media professionals are needed. The panel recognized that media professionals benefit from training sessions, which are generally the initiative of national and international NGO's that have chosen to assist the media industry. So much the better, as, in the DRC, the state has no monopoly on the training of media professionals. Because the education sector has already been

liberalized, journalism and communications are being studied as much in public institutions as in private.

Infrastructure is one of the recurring limitations on the media, or any other industry, in the DRC. Very little modern technology is available, remote areas lack even basic utilities, and widespread economic challenges limit all aspects of the industry.

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