

# GLOBAL INFORMATION SOCIETY WATCH 2007

*Focus on Participation*



# Global Information Society Watch

## 2007



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# DEMOCRATIC REPUBLIC of the CONGO (DRC)



## Alternatives<sup>1</sup>

Lina Gjerstad

## Introduction

The Democratic Republic of the Congo (DRC) is in a post-conflict reconstruction period at the moment. Up until now, information and communications technologies (ICTs) have not been considered an inherent part of reconstruction and are not included in development schemes for the country.

The four main ICT challenges we have identified are a lack of infrastructure, the lack of a broad-based ICT vision for the country, the absence of properly defined institutional roles and responsibilities, and a lack of public funds and human resources.

Where possible, this report refers directly to official documentation. Given the scarcity of reliable resources (e.g. because of geographically partial studies) and the difficulty in accessing them (e.g. because of the absence of governmental websites), this report seeks to present the most up-to-date information available through interviews with key public and civil society representatives.

The report was produced by Alternatives, a Canadian social rights non-governmental organisation (NGO), which has been working in the DRC since 2002. Alternatives works on ICT advocacy and capacity-building projects by supporting local NGOs that share its objectives.

## National situation

In its recent history, the DRC has been through a 30-year dictatorship (1967-1997), followed by two short presidencies (Laurent Kabila and his son, Joseph Kabila). These were marred by two wars (1998 and 2002) involving, among others, Uganda and Rwanda and their proxies. Although the DRC has been relatively stable since the last quarter of 2002, there are still sporadic violent conflicts in the eastern part of the country. Following peace negotiations, a transitional government formed by representatives of different parties prepared the way between 2003 and 2006 for the inauguration of a democratic republic. The first elections in 46 years were held in 2006 and Joseph Kabila was elected president.

Quantitative data concerning ICTs are rare in the DRC. Studies conducted by civil society are available, but only cover the capital, Kinshasa. Private operators, reluctant to share information with the authorities because of a lack of confidence in them and a fear of widespread corruption, carefully keep their data to themselves. The Congolese Office of Post and Telecommunications (OCPT), the state-owned and only legitimate telecommunications operator, for example, does not know how many clients the country's internet service providers (ISPs) have or even the price they pay for broadband.

Set against this socio-political backdrop, which is exacerbated by rampant poverty, we have identified the main ICT issues for the DRC as being:

- A lack of ICT infrastructure
- The lack of a broad-based ICT vision
- A lack of definition of the roles and responsibilities of public institutions

- The inability of the state to fulfill its mandate concerning ICTs, given the lack of public funds and qualified human resources.

## Lack of infrastructure

The land-line telephone network in the DRC is now almost completely depleted due to years of negligence under the Mobutu<sup>2</sup> dictatorship and the subsequent destruction of infrastructure during the two wars. According to a survey conducted by the *Dynamique Multisectorielle pour les TIC* (DMTIC),<sup>3</sup> a civil society organisation dedicated to ICT advocacy and capacity-building projects, only 2.54% of respondents in Kinshasa say they own and use a fixed-line telephone (DMTIC, 2005). While the OCPT is responsible for the telecommunications network, it has yet to announce any plans to rehabilitate it.

There is no national fibre optic backbone in the country; and the absence of a broadband connection is the main infrastructural obstacle to the proliferation of ICTs. Out of 25 ISPs in the DRC, all use satellite and only one (Congo Korea Telecom) uses fibre optic to connect its offices to its clients in Kinshasa.<sup>4</sup>

There are currently three backbone projects that the private sector has proposed to the OCPT: Siemens has proposed to install a national telecommunications network; Ericsson has proposed to install a network in Kinshasa; and the West Africa Ffestoon submarine cable system (WAFS), managed by Telkom, has proposed to create an access point to the SAT3 cable.<sup>5</sup> So far, the government has not committed itself to any of these projects.

On 29 November 2006, the Ministry of Post and Telecommunications and the Post and Telecommunications Regulatory Authority (ARPTC) officially signed the broadband protocol for the New Partnership for Africa's Development (NEPAD), thereby including the DRC in the Eastern Africa Submarine Cable System (EASSy) project. As part of its commitment, the government must pay USD 2 million before March 2007.<sup>6</sup>

Of the new technologies, mobile phones have experienced the highest growth in the DRC over the past few years. Over 70% of people in Kinshasa now own at least one mobile phone (DMTIC, 2005). The four private operators in this sector are: Celtel, CCT, Tigo (formerly Oasis) and Vodacom. They share around 3.5 million subscribers nationally. Other companies that have tried to launch themselves in this arena are Sogetel, Cellco, and Afritel, but they have failed to do so for political or administrative reasons.

## The lack of a broad-based ICT vision

Given the DRC's recent history, the country is just beginning to lay the foundations for basic ICT policies and laws.

<sup>2</sup> Mobutu Sese Seko.

<sup>3</sup> <[www.societecivile.cd/node/2927](http://www.societecivile.cd/node/2927)>.

<sup>4</sup> Interview with Jacques Tembele, Director of the ICT Department, OCPT.

<sup>5</sup> *Ibid.*

<sup>6</sup> <[www.rdc-tic.cd/?q=node/41](http://www.rdc-tic.cd/?q=node/41)>.

<sup>1</sup> <[www.alternatives.ca](http://www.alternatives.ca)>.

The Growth and Poverty Reduction Strategy (DSCR) put forward by the transitional government provides a framework for the country's redevelopment. The third of the five pillars of this strategy, entitled "Improving access to social services and reducing vulnerability", calls for country-wide access to basic telecommunication and postal services. In particular, schools and universities should be connected to the internet (WB, 2006).

However, none of the documents guiding the current reconstruction of the country mention ICTs as a priority. This includes the Multi-Sectoral Programme for Rehabilitation and Reconstruction (PMURR), the Emergency Project in Support of Reunification (PUSPRES), and the Emergency Project in Support of Better Living Conditions (PUAACV). ICTs have therefore not been seen as a necessary focus area for the post-conflict development of the country.

The state recognised the importance of the private sector as an economic driver in its Telecommunications Law of 2002.<sup>7</sup> But the Telecommunications Law is not an expression of national policy on ICTs or a national strategy, given that it governs just one sector. It was also ill-fated. Under the Mobutu regime, the state awarded its first private licence for telephony in 1989. A second licence was granted in 1995 (MPT, 2006). According to interviews, this liberalisation was officially justified by the need to save a desperately neglected sector, but in reality, it was another occasion for government officials to receive bribes in a very corrupt system.

According to the only official document available on the process of creating a national ICT policy, the aim is to have a single policy framework that encompasses three sectors: telecommunications, information technology (IT) and media and communications. This means that new legislation will be created and the telecommunications law might be modified in order to assure uniformity.

The absence of a national ICT policy impedes the propagation of ICTs and awareness of ICT issues amongst the general population, and limits the potential for the person in the street to participate in the information society. There is a strong demand for ICTs, especially in urban areas, but very little knowledge of ICT issues and debates. The general population, for example, does not understand where the internet comes from, how the country would benefit from a national backbone or why the internet is so expensive. Poverty, of course, is the major obstacle to access to ICTs for the Congolese. Technology is still very expensive.

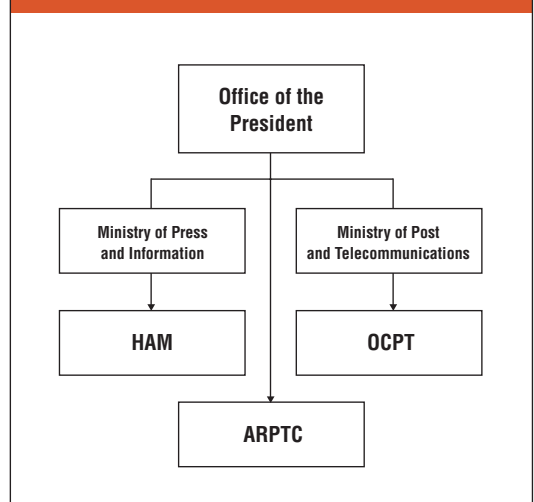
#### *A lack of clarification of institutional roles*

The four Congolese institutions responsible for ICTs are the Ministry of Post and Telecommunications, the Ministry of Press and Information, the High Authority on Media (HAM), and the ARPTC. They have often been in conflict or tangled in power struggles because legislation does not clearly express their respective responsibilities (Mwepu, 2005).

ICTs are under the mandate of the Ministry of Post and Telecommunications. The OCPT also falls under the authority of the Ministry. However, the regulating agency, the ARPTC, falls under the authority of the Office of the President (see Chart 1).

The Ministry of Press and Information is responsible for the services and institutions relating to the audiovisual sector. Under its jurisdiction is the public media regulator, HAM, which was created as an institution to strengthen democracy for the duration of the transitional government. It will be replaced by the Audiovisual and Communications High Council (CSAC) as stated in Article 212 of the country's Constitution.

Chart 1: ICT-related institutions



#### *A lack of public funds and human resources: consequences for ICT policies and management*

A lack of public funds and human resources within government agencies and ministries is hampering the policy-development process. An example of this was suggested by the management of the .cd country code top-level domain (ccTLD).

Over the past ten years, the management of the domain has been ad hoc, lacking in transparency – even chaotic. The main reasons for this are internal governmental power struggles, a lack of political will due to political instability, and a lack of public funds and adequate skills.

The management of the domain name was first given to a private citizen (it remains unclear by whom) by the name of Fred Grégoire. He created a company, *Internet au Zaïre pour Tous* (Internet in Zaïre For All, IZPT), for this specific task. In April 1997, as the post-Mobutu war began, the domain servers were moved from Kinshasa to Brussels for security reasons. It is not clear how the domain was managed during the war (1998-2002). In July 2002, a management contract between Congo Internet Management (CIM), another private firm, and the Congolese Ministry of Post and Telecommunications was signed. CIM then became the manager of the .cd domain.

In March 2005, the OCPT was named by ministerial decree as the agency in charge of the domain. This mandate was confirmed by the Internet Corporation for Assigned Names and Numbers (ICANN) in a letter dated March 2006.

ICANN placed some pressure on the OCPT, giving it a deadline of 20 October 2006 to present a dossier detailing a management and hosting plan for the domain. The domain servers needed to be hosted in the DRC; if the OCPT was unable to do so, ICANN said it would not authorise the state to manage it for a period of another 10 years. In that case, the management would probably keep its current form, through a private company. The OCPT submitted its dossier four days before the deadline, and it is now being considered. However, its solution was rushed and unconvincing, suggesting a lack of capacity in the agency.

The OCPT initiated the creation of a multisectoral management structure called "DOT.CD". This structure, part of the OCPT but operating, in theory, independently, is composed of observers from companies, organisations and associations that work with ICTs in all sectors of society: civil society, the private sector, the media and academia.

<sup>7</sup> Law No. 013/2002 of 16 October 2002, on Telecommunications of the DRC.

Seeking observers from the civil society sector, the OCPT approached the DMTIC in October 2006. The organisation was asked to rally other civil society organisations (CSOs) in the ICT sector. A meeting was held at the Alternatives office in Kinshasa. A list of signatures from members of CSOs agreeing to be observers in DOT.CD was handed over to the OCPT representatives. Since this meeting, the CSOs have not been contacted by the OCPT and there is no news on the status of the DOT.CD structure.

The second requirement of the mandate is that the OCPT host the domain servers. Neither the OCPT nor the Ministry of Post and Telecommunications has the infrastructure or the qualified personnel to host the domain servers on its own premises. As a result, they are hosted by an ISP, Afrinet, whose manager, Aubin Kashoba, is also a representative of the Internet Service Provider Association (ISPA) for the DRC.

The whole .cd saga was indicative of government processes generally, especially concerning information and communication issues. It was impossible to acquire a .cd address for several months in 2006: there was confusion about where to apply, and the domain appeared to be blocked. It was very difficult for anyone to get information. When a governmental or state agency initiates a process, such as the DOT.CD, it does so unprepared and under severe time constraints. The results are therefore often poor.

## Participation

### *WSIS: government and civil society participation*

In the DRC, civil society was, until very recently, the main driving force behind ICT policy initiatives on a national, regional and international level. The fact that there is no national ICT policy, among other things, created a climate where each stakeholder organised its advocacy work around its own interests. Civil society was the first stakeholder to participate in the World Summit on the Information Society (WSIS) and, importantly, the first to understand its importance for the socioeconomic development of the DRC.

Prior to the Geneva phase of the WSIS in 2003, the Congolese government had done very little to circulate information or promote the upcoming Summit to other stakeholders. According to Baudouin Schombe, national coordinator for the African Centre of Cultural Studies (CAFEC), civil society actors were informed about the WSIS by their international partners, who also helped them prepare for the Summit. He adds that since the government representatives spent most of their time "shopping in Geneva," the government was left leading a national process of which it had very little knowledge. It could not, therefore, mobilise the relevant actors (Mwepu, 2006). On the other hand, Josephine Ngalula, head of the women's organisation *Forum pour la Femme Ménagère* (FORFEM), explains this lack of leadership by pointing to the fact that the purpose of the transitional government was to concentrate on organising elections, putting on hold other "non-urgent" matters (Mwepu, 2006).

During 2004, CSOs that were present during this first phase of the WSIS started sharing information about key WSIS issues among CSOs more generally. The government, conscious of the growing interest in ICT policy issues among CSOs, started taking the initiative, such as forming a multi-stakeholder consultative committee; but these efforts never became concrete.

CSOs, on the other hand, showed little interest in matters they considered too far removed from the everyday realities of the Congolese population. For instance, Professor Jean-Pierre Manuana,

director of a documentation centre at the University of Kinshasa, feels that the information society is a utopia for rural regions and still a luxury for most Congolese (Mwepu, 2006).

Mostly due to the efforts of civil society and international pressure from the United Nations Economic Commission for Africa (UNECA), which demanded a list of participants beforehand, the government organised several meetings involving all stakeholders in preparation for the Tunis meeting in 2005.<sup>8</sup> As a result it did end up leading the way; but only following international pressure.

Since the Tunis Summit, and until very recently,<sup>9</sup> the government has done almost nothing to promote or initiate any ICT-related activities, whether they be capacity building or policy-related.

### *Obstacles for CSOs in dealing with ICT issues*

The obstacles encountered by civil society in dealing with ICT issues are political and economic. CSOs are influential among the general population and are viewed with suspicion by the authorities. Historically they were a driving force in the opposition to the Mobutu regime. Considering that the state is continually struggling to impose its authority, it is fearful that other sectors will take hold of the processes it is responsible for.

For their part, CSOs are limited in the scope of action they can undertake precisely because these issues are the responsibility of the government. For example, Alternatives and its local partner, the DMTIC, failed to get funding from the UNDP in 2005 for a national ICT policy consultation on the grounds that these matters concerned the state and the government. But as far as ICTs go, state institutions fail to act on their responsibilities out of ignorance and a lack of political will.

On the economic level, local CSOs are not supported in any way by state or governmental institutions. They rely on regional and international allies for funds, usually by submitting proposals for specific ICT projects or advocacy initiatives. There is no known Congolese CSO specialising in ICTs that has constant and stable funding. Moreover, individuals committed to these organisations are not employed on a full-time basis, since they have to work elsewhere to make a living. This financial uncertainty obviously affects the potential work and impact that they can have on society.

## Conclusions

Civil society in the DRC is a proactive stakeholder in information and communication issues in the country and at the international level. Through different platforms, it has promoted a multi-stakeholder approach to ICT issues. Unfortunately, the government, which should be the national leader in these issues, does not fulfill its role. New technologies are not part of any reconstruction or development plan for the country and the government typically does not organise or promote events, projects or activities relating to ICTs. Efforts at initiating a multi-stakeholder forum for the management of the .cd domain have not yet borne fruit. In the worst of cases, ICT activities launched by CSOs are sometimes taken over by the government. This discourages civil society from initiating such activities.

As the first elected government will take power in 2007, there is an advantage in starting afresh. People are hopeful that the government will become more transparent, as it has shown more openness

<sup>8</sup> Interview with Jean-Claude Mwepu, Alternatives-RDC Director and DMTIC member.

<sup>9</sup> Current initiatives such as DOT.CD are very recent and due to an increase in political stability, international pressure, and pressure from civil society.

very recently. The Ministry of Post and Telecommunications started a multi-stakeholder consultation for an ICT national policy in January 2007: a first for the DRC. Since almost all conflicts have ceased, the DRC will also be more politically stable. This gives the new leaders the chance to think about long-term development policies, as opposed to managing crisis after crisis.

In light of the current situation, it would be beneficial to:

- Push for ICTs to be included in short and long-term development strategies.
- At a national and international level, educate authorities on the importance of a national backbone and lobby for an Open Access model to be adopted.
- Encourage current multi-stakeholder platforms, including those created by CSOs, to improve communication and knowledge-sharing among all sectors, and to increase the level of trust between these sectors.
- Continue capacity-building projects and initiatives for civil society organisations. ■

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**GLOBAL INFORMATION SOCIETY WATCH** is the first in a series of yearly reports covering the state of the information society from the perspectives of civil society and stakeholders in the global South.

**GLOBAL INFORMATION SOCIETY WATCH** has three interrelated goals:

- survey the state of the field of ICT policy at the local and global levels
- encourage critical debate, and
- strengthen networking and advocacy for a just, inclusive information society.

The report discusses the World Summit on the Information Society (WSIS) process and a range of international institutions, regulatory agencies and monitoring instruments.

It also includes a collection of country reports which examine issues of access and participation within a variety of national contexts.

Each year, the report will focus on a particular theme. In 2007

**GLOBAL INFORMATION SOCIETY WATCH** *focuses on participation.*

**GLOBAL INFORMATION SOCIETY WATCH** is a joint initiative of the Association for Progressive Communications (APC) and the Third World Institute (TeM), and follows up on our long-term interest in the impact of civil society on governance processes and our efforts to enhance public participation in national and international forums.



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