

COUNTRY STUDY

DEMOCRATIC
REPUBLIC OF THE
CONGO

Social Protection Monitoring

Main recommendations

- In order to ensure access to essential services, more emphasis should go on improving the **quality of public services** as well as improving **working conditions of the workers in these sectors**.
- More effort should be made to **create opportunities for young people** in terms of access to training, jobs and credit. This training should take account of the available opportunities in the labour market, as well as support the development of business skills.
- Strengthening governance and the **fight against corruption** should continue to be a key area for cooperation between the EU and DR Congo.
- The EU Delegation **consultations with Civil Society Organisations (CSOs)** should be reinforced and become a structural element of all phases of the programming. In particular, CSOs must be supported to enable them to take part in the implementation and monitoring of the new social protection policy, and to ensure that the Government honours its commitments.
- The EU should provide support to the Government to ensure that **adequate financing** is put in place to realise the national social protection policy.

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INTRODUCTION

The Democratic Republic of the Congo (DRC) is emerging from decades of brutal conflict which have devastated the country and hindered development. In recent years, with the emergence of a tenuous peace, efforts are being focused on rebuilding and stabilising the state, building institutions and infrastructure and promoting economic growth.

Social protection is now on the agenda, with the drafting of a National Social Protection Policy in 2015. The policy recognises the role of social protection in enabling individuals to face risks and to guarantee them a minimum income allowing their integration into society. Moreover, DRC has ratified a number of international agreements relating to social protection, including parts of ILO Convention 102 on Social Security, and the International Covenant on Economic, Social and Cultural Rights. Moreover, by adopting the ILO Recommendation on National Floors of Social Protection (R 202) the country is engaged in the set-up of a national floor of social protection for all its residents with the aim of building a comprehensive and human rights-based national social protection system. Currently, there are significant challenges to achieving universal social protection in DRC, to address which will require support from the development community.

In the framework of the 11th European Development Fund (EDF), the EU's development cooperation priorities with DRC are defined in the National Indicative Programme (NIP) 2014-2020¹. The four priority areas for cooperation, agreed jointly by the EU and the Government of DRC, are **1) health and linking relief, rehabilitation and development (LRRD); 2) environment and sustainable agriculture; 3) governance and the rule of law; and 4) transport (rehabilitation of national route 1).**

¹ https://ec.europa.eu/europeaid/sites/devco/files/nip-drc-20140626_fr.pdf

The following report provides the views of SOLIDAR member Solidarité Socialiste, and their partner in the field, PRODDes² on issues the NIP could tackle to better support the achievement of decent work and social protection for all in the country. This would be in line with the EU's commitments enshrined in the 2012 Communication on Social Protection in Development Cooperation, the EU Action Plan on Human Rights and Democracy and the objectives and targets of Agenda 2030 adopted in September 2015. In this respect, the forthcoming NIP Mid-Term Review could provide the space for these commitments to be better reflected in the 11th European Development Fund programmes.

DEMOCRATIC REPUBLIC OF THE CONGO (DRC)

DRC AT A GLANCE³

Population

74.88 million

Gross Domestic Product (GDP)

US \$32.96 billion

Human Development Index (HDI) and ranking

0.433 (176th out of 188 countries)

Public spending on social protection including health

3.48% of GDP

Total envelope of National Indicative Programme (NIP)

EUR 620 million

² PRODDes - Réseau Pour la Promotion de la Démocratie et des Droits Économiques et Sociaux (Network for the promotion of democracy and economic and social rights)

³ World Bank: <http://www.worldbank.org/en/country/drc>, UNDP Human Development Report 2015: <http://hdr.undp.org/en/countries>, ILO World Social Protection Report 2014/15, National Indicative Programme for the Democratic Republic of Congo (DRC) 2014-2020



MAIN ISSUES TO BE TACKLED

- **Decent work for public service workers:** The government has adopted a coherent programme aimed at increasing the budget for public services. As a result, new infrastructure (schools, health centres) has been built and renewed. Nevertheless, working conditions for public service workers and wages remain poor.
- **Income security:** There are high rates of un- and underemployment, particularly amongst the youth, and no social security for the vast majority, who are precariously employed in the informal sector.
- **Freedom of association:** The right to demonstrate, the right of peaceful assembly as well as freedom of expression are challenged through the arbitrary detention of political opponents, interdiction of demonstrations and intimidation of CSOs. In a context where CSOs are isolated, EU intervention is necessary.
- **Improved transparency and redistribution policies:** The benefits derived from oil production and other industries are not being fairly redistributed among the population. These profits should be maximized in order to support the socioeconomic development of local populations.
- **Strengthening CSOs capacity to engage in a meaningful and structured dialogue with the EU Delegation:** Consultations with the EU Delegation in DRC have improved. Nevertheless, there is the need to build the capacity of national CSO platforms to participate in this dialogue; to ensure that there is continuity in the dialogue and feedback on the impact of the consultations.

KEY RECOMMENDATIONS

- In order to ensure access to essential services, more emphasis should go on improving the **quality of public services** as well as improving

working conditions of the workers in these sectors.

- More effort should be made to **create opportunities for young people** in terms of access to training, jobs and credit. This training should take account of the available opportunities in the labour market, as well as support the development of business skills.
- Strengthening governance and the **fight against corruption** should continue to be a key area for cooperation between the EU and DRC.
- The EU Delegation **consultations with CSOs** should be reinforced and become a structural element of all phases of the programming. In particular, CSOs must be supported to enable them to take part in the implementation and monitoring of the new social protection policy, and to ensure that the Government honours its commitments.
- The EU should provide support to the Government to ensure that **adequate financing** is put in place to realise the national social protection policy.

REPORT

1. Improving access to essential services

During the decades of conflict in the DRC⁴ **social services** were slowed or even stopped. Protracted violence and instability have had a significant impact on poverty and health outcomes, leading to high rates of malnutrition, as well as rates of infant, child and maternal mortality amongst the highest in the world.

The organisation of the **health system** is decentralised, with primary and first-referral services integrated in Health Zones corresponding to geographical areas. Each Health Zone typically has between 10-20 Health Centres and comprises around 200 communities. However, as a result of the conflict and a chronic lack of investment, the health care system is weak, poorly managed and inefficient, lacking properly trained medical workers and infrastructure. Utilisation of

⁴ The Civil War began in 1994 and despite the signing of a peace accord in 2002, parts of DRC, particularly the East, remain marred by conflict.



health services is low, particularly in rural areas and amongst the poorest. As **health care is predominantly fee-based, it is unaffordable for many**, and only 1.4% of the population is currently covered by a mutual health scheme.⁵ **According to PRODDes, support is needed to organise people's demand for health care.** This could be done through the extension and development of the health mutuals.

The Government's health strategy is the Plan National de Développement Sanitaire 2011-2015, which prioritises the progressive development of the health zones to provide basic health services, supporting the delivery of quality care, strengthening leadership and governance and reinforcing collaboration between sectors.

In recognition of the significant challenges facing the health sector in DRC, the EU is focusing on health as one of the four main priority areas of the NIP. EUR 150 million is allocated to this priority (24% of the total envelope). The objectives are to increase access to quality health care, particularly for vulnerable groups, including women and children; to integrate health zones covered by vertical humanitarian interventions in the target provinces ("linking relief, rehabilitation and development"); and to improve the institutional capacity of the Ministry of Public Health at the central and provincial levels.

As for **education**, many children did not go to school during the conflict because they were working, fighting, or were displaced from their homes. There are approximately 2.9 million internally displaced persons (IDP) in DRC,⁶ a large percentage of which are children whose **access to education** has been disrupted.⁷ This generation, now young adults, has been dubbed the "lost generation." Moreover, currently there are large **regional disparities** in terms of access to education:
5 Politique Nationale de Protection Sociale, Document provisoire, Août 2015
6 iDMC Global Overview 2014: People internally displaced by conflict and violence, <http://www.internal-displacement.org/assets/publications/2014/201405-global-overview-2014-en.pdf>
7 <http://www.brookings.edu/blogs/up-front/posts/2013/03/01-education-reform-congo-winthrop>

in Kinshasa only 2% of the population experience extreme education poverty, compared to 32% in North Kivu, where insecurity is higher.⁸ Poor learning outcomes are partly due to an **underfunded and under-supported teaching force**. In primary school, the national average teacher to pupil ratio is 1:37, but in marginalized or rural areas, there can be over 100 pupils per class.⁹ **Teacher salaries are among the lowest in the world and have declined in real terms by up to 40%.**¹⁰

The Government, in cooperation with development partners, has taken measures to address these issues which have yielded some positive results. Enrolment, retention and completion rates have increased at the primary level, and the number of qualified teachers has also increased. Total government spending on education has increased from 9% of the national budget in 2010 to 16% in 2013.¹¹

PRODDes believes that the measures to improve the infrastructure for health and education services are a first step to tackle the problems of insufficient and poorly adapted services. **However, they are concerned about the quality of health care, education and training, which is impacted by the low salaries offered in these fields.** Professional training opportunities are very few and those that exist do not have adequate resources. They require significant investment of funds to provide young people with the necessary skills to enter the workforce.

Finally, the lack of a national policy on **housing** has led to the massive privatisation of the housing sector, which does not benefit the poor, according to PRODDes. There has been a boom in urban housing developments, particularly in Kinshasa, due to the

8 ibid

9 <http://www.irinnews.org/report/94196/drc-millions-miss-out-on-basic-education>

10 CFBT Education Trust (2012), Building effective teacher salary systems in fragile and conflict-affected states, http://www.brookings.edu/~media/research/files/reports/2012/10/fragile%20conflict%20states%20winthrop/09_cfbt_brookingsreport.pdf

11 <http://www.globalpartnership.org/country/democratic-republic-of-congo>



improving business climate in DRC. Increased foreign investment in the property market and foreign ownership of developments, offering housing at high rents well beyond the average income of ordinary Congolese people, mean that there is a **huge shortage of affordable housing**. In the view of PRODESS, the Government must urgently address the need for the provision of social housing through the development of a national policy on housing.

2. Ensuring income security

Poverty rates in DRC are very high: in 2012, an estimated 63.6% of the population was living below the national poverty line.¹² According to the Government, 70% of the poor are unemployed or underemployed; the vast majority of the working population is employed in agricultural activities, with low wages and high income insecurity. Wages in rural areas are considerably lower than in urban areas, and women also earn on average less than half of the earnings of their male counterparts (15,000 versus 38,000 Congolese francs).¹³ The Government set the **minimum wage** at 1,680 Congolese francs per day (equivalent to US \$1.81) in 2009.¹⁴ PRODESS is particularly concerned at the lack of purchasing power that low wages signify for workers. According to them, those working in the public sector have their wages fixed on entry with no possibility of a raise.

Unemployment is a big problem in DRC, particularly in urban areas. The unemployment rate is estimated at 18.5% in urban areas, including people who have given up their job search given the lack of opportunities in the labour market. Youth unemployment is also worryingly high at 38% for those aged 15-24 in urban areas.¹⁵

One of the strategic objectives of the NIP is to combat **poverty and promote inclusive and sustainable**

¹² <http://data.worldbank.org/indicator/SI.POV.NAHC>

¹³ Enquete 1-2-3 : Resultats de l'enquete sur l'emploi, le secteur informel et sur la consommation des menages / 2012

¹⁴ <http://www.ilo.org/dyn/natlex/docs/SERIAL/79340/92928/F691772525/ORDONNANCE%20%202008%20SMIG.pdf>

¹⁵ Enquete 1-2-3 : Resultats de l'enquete sur l'emploi, le secteur informel et sur la consommation des menages / 2012

growth. Priority area 2 on the environment and sustainable agriculture aims to support the use of renewable natural resources to promote the socioeconomic development of local populations, and to support sustainable agriculture, which should increase trade and incomes for the most poor.

In the view of PRODESS, there are several decent work and labour related challenges in DRC. Firstly, the formalisation of enterprises' procedures does not in fact benefit those seeking to leave the informal sector, including young people and women, as they are faced with complicated administrative procedures and conditions to register their business, such as having a minimum of US \$2000 to be able to open a bank account. In addition, they stress that the privatisation of public enterprises does not guarantee better conditions for workers as **subcontracting in fact increases instability in terms of wages and working conditions**.

Access to formal social protection to ensure income security is very low in DRC. The National Institute for Social Security (INSS) mainly provides **pensions** for formal sector workers, funded from mandatory contributions from employees and employers. However, less than 2% of the population benefits from this scheme.¹⁶ 88.6% of the working population is employed in the informal economy with little or no access to social assistance or social security.¹⁷ PRODESS is particularly concerned about the **precarious working conditions in the informal economy**. The draft Social Protection Policy of 2015 states that all citizens should be covered by social protection, including the unemployed, and those in the informal economy. It remains to be seen how this policy will be implemented in practice.

Finally, PRODESS is concerned at the complete lack of **assistance to young people to start their own**

¹⁶ Weijts, Hilhorst and Ferf (2012) Livelihoods, basic services and social protection in Democratic Republic of the Congo, *Secure livelihoods research consortium*

¹⁷ Politique Nationale de Protection Sociale, Document provisoire, Août 2015



businesses. The lack of opportunities for young people is also leading to an increased risk of urban violence and to a reinforcement of urban gangs known as the “kuluna”. This is why, according to PRODDDES, the development community should put special emphasis on creating opportunities for young people in terms of access to training, jobs and credit. This training should take account of the available opportunities in the labour market, as well as support the development of business skills.

3. Promoting a rights based approach to social protection

Article 36 of the 2005 Constitution states that: “The State guarantees the right to work, protection against unemployment and an equitable and satisfactory remuneration, assuring the worker as well as his family of an existence in accordance with human dignity, together with all the other means of social protection, notably retirement pension[s] and life annuities.”¹⁸ Up until very recently, there has not been any national policy bringing together all the programmes and interventions promoting social protection in DRC. However, a draft version of the Social Protection Policy, prepared in August 2015, embraces the principle of universality, stating that all citizens should have equal access to social protection regardless of their social and economic status.

According to PRODDDES, currently 4% of the population has access to social security; people working in the informal economy are mostly excluded from any coverage. However, they hope that with the formal adoption of the National Policy on Social Protection, the first steps can be taken towards rolling out a universal, rights-based system. Civil society organisations have a significant role to play in monitoring the implementation of this policy, and holding decision-makers to account. **Support is needed to enable civil society to take part in the finalisation of sector action plans under the new policy, and to ensure that the Government honours its**

18 https://www.constituteproject.org/constitution/Democratic_Republic_of_the_Congo_2011.pdf

commitments.

4. Promoting Freedom of Association and CSOs’ participation

According to SOLIDAR, Freedom of Association is not only a right per se but is also an essential precondition for the progressive realisation of Economic, Social and Cultural Rights (ESCRs) including social protection. Although the Constitution of DRC provides for freedom of peaceful assembly, cases of Government restriction are frequent, especially when permission is denied by local authorities to hold public events. People participating in unauthorised protests, marches, or meetings have been beaten, detained, or arrested. Freedom of speech is also not always respected in DRC. There are reports of Government authorities detaining, harassing and intimidating journalists, activists, and politicians when they publicly criticize the government or state security forces (SSF) and some journalists have disappeared or been killed in recent years.¹⁹ This practice has also been denounced by the European Parliament 2015 Resolution on the detention of two human rights activists.²⁰ The Constitution and the law provide all workers, except government officials and SSF members, the right to form and join trade unions, to conduct legal strikes, and to bargain collectively. However, according to the International Trade Union Confederation Global Rights Index there are systematic violations of rights, where the government and/or companies are engaged in serious efforts to crush the collective voice of workers.²¹

The NIP contains a fund to support the emergence of a platform for a strong and representative civil society, which can participate actively and constructively in economic and social planning in the country. It also highlights the role of civil society in calling authorities

19 US Department of State, Country Reports on Human Rights Practices for 2014, Democratic Republic of the Congo

20 <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B8-2015-0700&language=EN>; Democratic Republic of Congo (DRC): Human rights situation: [http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/564382/EPRS_ATA\(2015\)564382_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/564382/EPRS_ATA(2015)564382_EN.pdf)

21 International Trade Union Confederation Global Rights Index 2014: The world’s worst countries for workers



to account, particularly on human rights, preservation of the environment, public finance, conflicts' resolution and development policy.

According to PRODDDES, civil society is poorly organised in DRC and **there is no formal consultation mechanism between the State and civil society**. The NIP's CSO envelope should be used to strengthen civil society's capacity to establish and better coordinate meaningful dialogue with EU Delegation in every phase of EDF programming and the DRC Government. Finally, in line with Agenda 2030, PRODDDES also calls on the Government to adopt a national strategy and to establish a permanent dialogue with civil society for the implementation of the Sustainable Development Goals.

5. Mobilising financial resources for social protection

Economic growth in DRC has picked up since the gradual improvement in the political and security situation since 2002 and reached 9% in 2014.²² The main drivers of growth have been private investment in mining and trade, as well as increased public investment, particularly in construction. Agriculture contributes 40% of GDP, followed by trade (22%) and the mining sector (12%).²³ Indeed, DRC is rich in natural resources and has benefited from the hike in world prices and external demand for its main exports products, namely copper and cobalt. Nevertheless, this growth has not benefited the majority of the people. As highlighted by Solidarité Socialiste, DRC, the largest country in Central Africa is, paradoxically, one of the poorest countries in the world, while with its considerable economic potential, it could be one of the economic engines of Africa.²⁴ Current public spending on social protection is low, and was estimated at 3.48% of GDP in 2012. Excluding spending on health care, it amounted to just 0.73% of GDP.²⁵

22 African Economic Outlook 2015, RDC

23 African Development Bank, Democratic Republic of Congo 2013-2017 Country Strategy Paper

24 <http://www.solsoc.be/+-Republique-Democratique-du-Congo,15-+>

25 ILO World Social Protection Report 2014/15

As highlighted by PRODDDES, the draft National Social Protection Policy states the Government's intention to create a National Fund for Social Protection. Sources of possible financing are identified as taxes on consumption (particularly for luxury goods), property, imports and exports, as well as of the extractive industries. The promotion of health mutuals is also identified as a one means of financing health care, benefiting from contributions from employers and workers. **PRODDDES believes that it is imperative for the Government to guarantee the financing of the policy, to make clear its commitment to social protection.**

Priority area 3 of the NIP is support to governance and the rule of law. This includes reform of public finance in recognition of the problems related to financial management and corruption. These measures should support the Government in managing its budgets, including spending on social protection. Strengthening governance and the fight against corruption should continue to be a key area for cooperation between the EU and DRC.

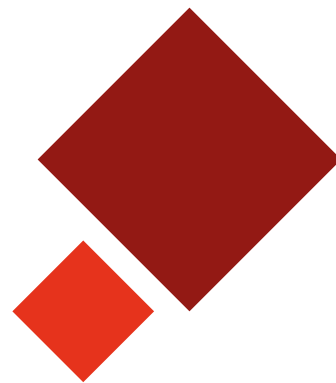




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This Social Protection Monitor Country Report was written by Dharini Bhuvanendra, based on the contributions of SOLIDAR member Solidarité Socialiste and its partner in the field PRODDDES. PRODDDES is a network of NGOs which, together with Solidarité Socialiste, works to promote democracy and economic and social rights in DRC.

The Social Protection Monitor is a tool developed by SOLIDAR, the Friedrich-Ebert-Stiftung and the Africa Platform for Social Protection to consult partner organisations on the priorities of the 11th European Development Fund's (EDF) National Indicative Programmes (NIPs).

SOLIDAR is a European network of membership based Civil Society Organisations who gather several millions of citizens throughout Europe and worldwide. SOLIDAR voices the values of its member organisations to the EU and international institutions across the three main policy sectors; social affairs, lifelong learning and international cooperation.

