

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY (SIDA)

Global Information Society Watch 2021-2022

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CONGO, DEMOCRATIC REPUBLIC OF

CIVIC SPACE ONLINE DURING AND AFTER THE PANDEMIC



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Introduction

The advent of the coronavirus pandemic has brought different challenges in almost all aspects of the daily lives of citizens around the world and has deepened inequalities in many developing countries.

The measures taken by governments to stop or reduce the spread of the COVID-19 pandemic, such as limiting the movement of individuals, social distancing and travel restrictions, quickly revealed the need to migrate different social dynamics to online platforms in order to ensure continuity. In many African countries, this negatively affected areas that were already struggling and unequal relative to countries in the global North, including in employment, education, health and transport.

Internet access statistics for the Democratic Republic of Congo (DRC) show a marked increase in access in the first year of the pandemic. However, this potential for Congolese citizens to realise their rights online was to a large extent limited by the opportunistic actions of the government, which introduced a new mobile tax, as well as by an increase in gender-based violence online. Both of these narrowed the civic space online.

Civil society organisations nevertheless saw an opportunity to use online platforms to campaign against the new government tax laws, and to raise awareness against online gender-based violence.

An increase in internet access during COVID-19

The DRC is a Central African country with nearly 90.9 million inhabitants, with an estimated internet penetration rate of nearly 23.2% in the first quarter of 2021.¹ In 2019, the country had around 16.35 million internet users on different devices, which represented a 19% penetration rate out of a population of

around 88.18 million.² This increase of around four percentage points can at least in part be explained by the COVID-19 pandemic that forced many people online, whether to work or to stay in contact with the people they care about around the world.

Despite this, internet access remains a luxury in the DRC – it is one of the most expensive countries in the world to be connected to the internet.³

The introduction of a new mobile tax

Digital rights issues – including access, the inclusion of local and marginalised communities in policy making, and censorship – have often been at the centre of advocacy activities of civil society organisations in the country. For example, over the past 10 years, under Framework Law No. 013-2002 of 16 October 2002 governing telecommunications,⁴ the country has drawn the attention of activists, both locally and globally, who have pointed to human rights violations enabled by the law. Through this law, authorities have strategically put in place mechanisms to stifle public protests and criticism of the ruling powers by shutting down the internet, including messaging services, and filtering the internet.⁵

This concern with digital rights continued under the “new normal”.

In September 2020, while the world was suffering the negative effects of the pandemic, the government, through the Minister of Posts, Telecommunications and New Information and Communication Technologies, announced the establishment of the Mobile Device Registry (RAM).⁶ This introduced a mobile device tax (known as the “RAM tax”), under which users of telecommunications services pay between USD 0.17 for a 2G device and USD 1.17 for 3G/4G/+ devices once a month over six months. According to the DataReportal website, the

1 Kemp, S. (2021, 11 February). Digital 2021: The Democratic Republic of the Congo. *DataReportal*. <https://datareportal.com/reports/digital-2021-democratic-republic-of-the-congo?rq=congo>

2 Kemp, S. (2020, 17 February). Digital 2020: The Democratic Republic of the Congo. *DataReportal*. <https://datareportal.com/reports/digital-2020-democratic-republic-of-the-congo>

3 <https://a4ai.org/mobile-broadband-pricing-usd-2019q2>

4 <http://www.leganet.cd/Legislation/Droit%20economie/telecommunication/LC.013.2002.16.10.2002.htm>

5 Dahir, A. L. (2018, 24 January). There's a decades-old law threatening digital freedom in DR Congo. *Quartz*. <https://qz.com/africa/1187727/the-dr-congo-is-using-a-decades-old-law-to-shut-down-the-internet>

6 Actualite.cd. (2020, 24 September). RDC: lancement à Kinshasa du Registre des Appareils Mobiles. <https://actualite.cd/2020/09/24/rdc-lancement-kinshasa-du-registre-des-appareils-mobiles>

number of mobile connections in the DRC increased by nearly one million between 2019 and 2020.⁷ However, civil society organisations have expressed concern that this trend will be reversed due to the introduction of the new tax.⁸

Communities were nevertheless quick to exploit some of the means available online to deepen the advocacy already initiated to counter this decision, which weighed heavily on a poor population whose living conditions had been aggravated by the effects of COVID-19.⁹

Twitter spaces played an important role in this process, which brought citizens together, and also saw the participation of several influential figures in the country, including national deputies and Congolese civil society leaders.

An increase in gender-based violence

While the pandemic has meant that many new people are now connected, and many are what we could call “overly connected”, this has not been without consequences for new infringements of human rights. In particular, civil society organisations have noted an increase in gender-based violence on the internet, accentuated by the fact that the internet is the new meeting place for many people.

Barely a day goes by in the DRC without a young woman falling victim to sexual or sexist violence perpetrated online. Lacking access to quality education – which may at least offer some context and defence against these assaults – for the most part Congolese women and girls are paying a heavy price socially, but also in their professional capacities as academics, journalists or politicians, among others.¹⁰

In order to curb, or even stop, the rise of gender-based violence online, civil society organisations including Si Jeunesse Savait, SEFEPADI, BloGoma, Jeunialissime, Oasis and Cuso International initiated the #TechSansViolences (“tech without violence”) campaign. #TechSansViolences is an awareness campaign against gender-based violence online, with the aim of alerting internet users, Congolese authorities and the community, and more particularly women, girls and sexual minorities, of the harmful effects of sexual and gender-based violence perpetrated through information and communications

technology (ICT) tools.¹¹ For almost a month, from 22 February to 20 March 2021, the campaign was conducted on the various social media platforms, mainly on Twitter, using the campaign’s hashtag.

Conclusion

Online civic space during and after the worst of the pandemic is being pushed both ways. In this sense, it can be said to be both narrowing and expanding.

The internet has played a very important role during the pandemic by mitigating many of its effects through substitution, or taking some processes and services online. However, the government has worked against this by introducing a controversial tax on mobile devices, the main way that Congolese citizens access the internet. At the same time, as more people have come online through necessity in the DRC, there has been an increase in gender-based violence online. These two factors, alongside the high cost of data for the average Congolese citizen, have limited the potential for citizens to properly realise their rights online, including access to information, education and work. Civil society has nevertheless capitalised on an increase in access by Congolese citizens to launch two important advocacy campaigns using social media.

Apart from revealing the resilience of the internet as a critical communications tool, the COVID-19 pandemic has shaped the way civil society organisations conduct their advocacy work around issues related to digital technologies, including digital rights. While the use of social media for campaigning in the DRC is not a new phenomenon, as more people come online, it has grown in prominence as a potentially effective tool for advocacy. That platforms such as Twitter are becoming more useful to the Congolese is suggested by citizen initiatives that have emerged, including SpacesRDC,¹² which provides Twitter users with a weekly calendar for meetings (#TwitterSpaceRDC), to help them align events in the DRC alongside different topics.

At the same time, the new mobile tax introduced by the government during COVID-19 does not necessarily introduce a new focus of resistance – even though advocacy is necessary to push for the law’s revision. The government has long been inclined to limit the use of the internet in various ways, and taxing mobile access is just a new way in which this is being done. However, it does suggest an intensification of government limitations, which need to be

7 Kemp, S. (2020, 17 February). Op. cit.

8 Rudi International. (2020, 18 September). Rudi International se joint à d’autres voix pour dire non à la taxe sur les téléphones mobiles en RDC. <https://rudiinternational.org/2020/09/18/rudi-international-se-joint-a-dautres-voix-pour-dire-non-a-la-taxe-sur-les-telephones-mobiles-en-rdc>

9 Ibid.

10 SOFEPADI. (n/d). Communiqué de lancement de la campagne #TechSansViolences. <https://www.sofepadirdc.org/communiqué-de-lancement-de-la-campagne-techsansviolences>

11 Cuso International. (2021, 8 October). Congolese women strengthen their digital skills to fight online violence. <https://cusointernational.org/stories/congolese-women-strengthen-their-digital-skills-to-fight-online-violence>

12 <https://twitter.com/SpacesRDC>

addressed by civil society if the internet is to enable the rights of ordinary Congolese.

Action steps

These recommendations draw on the input from different stakeholders involved in digital and human rights in the DRC:

- Civil society should realise both the potential and limitations of the internet as an advocacy tool. Given less than 25% of the population has access to the internet in the DRC, advocacy activities in this regard are only likely to impact most on those already online. In terms of pushing for legislative change, the internet can be a useful tool given that many parliamentarians and prominent civil society organisations are online. Similarly, on internet-specific issues, such as online gender-based violence, social media campaigns are appropriate. However, the limited civic space allowed by the internet needs to be kept in mind when using the internet for broad-based campaigns in the DRC.
- Develop policies conducive to the promotion of internet access and the accessibility of ICTs. Policy revision is necessary in the DRC so that

rights-based policy decisions are made that support the affordable take-up of the internet, and in the absence of restrictive regulations such as additional taxation or forms of censorship.

- Immediately revise Law No. 013-2002 to bring it in line with international norms on freedom of expression and association, as well as with government commitments in this regard.
- Through multistakeholder deliberations, revise the Mobile Device Registry (RAM) law, so that unfair taxes do not limit the take-up of the internet by ordinary Congolese who do not have the resources to do so. Encourage the government not to see the internet as a tax resource that cripples its ability to enable the rights of people in the DRC.
- Push for a dramatic lowering in data costs. Through campaigns and multistakeholder discussions, continue to advocate for data costs to come down in the DRC.
- Strengthen the participation of civil society organisations in multistakeholder forums such as the Internet Governance Forum, as a way to build both the capacity and the influence of civil society organisations concerned with digital rights.

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

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www.GISWatch.org