

**THE CIVIL SOCIETY GROUP
OF THE EXECUTIVE COMMITTEE
EITI CONGO**

Brazzaville, 19 January 2018

To
**The President of the
EITI International Board
OSLO**

Dear Mr. President,

The civil society stakeholder group of EITI Congo hereby informs you of the challenges, which it faces, as to the pursuance/continuation of its commitment to implement the Extractive Industries Transparency Initiative.

We understand from the preliminary conclusions of the validation process that the main concerns relate to compliance with the safeguarding requirement 1.3 in accordance with the provisions of the Civil Society Protocol, particularly as regards self-censorship by the civil society members. We wish to point out that, in comparison with the issue of self-censorship, the government's proposal to legislate on free association seems more dramatic and to represent more of a threat to liberty, by restricting the ability of civil society to function, in case the draft law, which has been passed by parliament, is enacted. We believe that the suspension of enactment may be in response to our plea for the outright retraction of this law and the preparation of legislation that is more participatory and protective of freedoms.

We would remind you that Congolese civil society is in dialogue with the International Monetary Fund (IMF) and has obtained an assurance that the question of transparency, accountability and the fight against corruption will be included in the agenda priorities for partnership between the government of Congo and the IMF. In this context, implementation of the EITI in Congo should continue and be part of the government's principal governance programmes.

In the light of this and taking account of the first conclusions of the validation, the Congolese civil society members of the Executive Committee consider that, in the current context, the suspension of the Congo would have an effect contrary to the goals of the Civil Society Protocol, which are to protect civil society actors and their working environment. Indeed, this suspension would entail the loss of a space for dialogue with the public authorities, on the one hand, and the unavailability of information on the extractive sector, on the other hand. Furthermore, civil society fears that the suspension of the Congo based on application of requirement 1.3 will lead to further blacklisting and stigmatizing of the Congo.

Mr. President,

Without wishing to question the validation process and its conclusions, we believe that the suspension of Congo from the EITI will not improve our working environment. On the contrary, it may place further limitations on the ability of civil society to express itself freely and may open the way to repression directed against civil society in a situation where the country lacks a framework, in which the security and freedom of action of CSOs can be discussed.

We therefore recommend that the safeguard clause should not be applied based solely on the issue of self-censorship. The suspension could set a precedent, particularly since we doubt the government's commitment to careful development of a programme to relaunch the EITI process in the event of its suspension.

Mr. President, we count on your understanding and wish to express our renewed commitment.

On behalf of the Civil Society Stakeholder group :

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- the Committee on Implementation
- the Committee on Validation