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Comment 1

We have already had a first validation, as a result of which the Republic of the Congo was given the status of compliant country in 2013.

This process enabled expression of all the work, which led to the successful completion of this process.

The decisive and acknowledged efforts made by CSOs and by our colleagues have been widely highlighted.

What is the point of this first paragraph, which was already the subject of extensive description at the time of the first validation in 2012 and which introduces relations with civil society?

Comment 2

See the comment above.

Page 2

Comment 1

It would be interesting here to document this passage in order to distinguish between the activities of civil society based on domains that are well defined and established in the framework of the law and in the statutes of the corresponding NGOs, political activism and implementation of the EITI.

Comment 2

See the comment above.

Page 4

Comment 1

Again, we request the editor to prove and establish what these statements have to do with implementation of the EITI in the Republic of Congo.

Comment 2

These points do not call into question the overall trend of free media expression in the Republic of the Congo.

It would be interesting to analyze and group online media, print media and the various workshops and broadcasts, even at the level of national media, in order to make a fair and equitable assessment and to demonstrate the connection with implementation of the EITI.

It would also be important to highlight the topics dealt with by various media, which related to governance, transparency and criticism of all politicians and of the Government.

Page 5

Comment 1

This statement is not correct because there is no link between the publication of the KPMG reports and this campaign.

KPMG's mission is not related to the revenues of CORAF, a subsidiary of the SNPC, as this is part of the results of its business and of the overall relationship between CORAF and the SNPC.

We do not understand the term “censorship”, since the KPMG mission is contractual between the Government and this company.

KPMG expresses in its report shipments from the Republic to this refinery and the corresponding payments, which should be made to the public treasury.

KPMG's mission is ongoing and had been suspended for reasons connected with financing.

The letters of contractual engagement were signed by the Minister in charge of Finance for the 2014, 2015 and 2016 fiscal years and publication of these reports is scheduled at the end of January 2018.

Comment 2

We remain of the opinion that the word “censorship” is ill-considered for the case of CORAF/ KPMG.

Comment 3

We do not understand this consideration of self-censorship:

The members of civil society organizations have participated actively in the process of EITI implementation for more than ten years without any limitation.

We can confirm the true patriotic desire that has been expressed for successful implementation of the EITI. Civil society organizations have been invited to several official ceremonies (Independence Day, annual official congratulations by state bodies to the Government), they have participated in workshops organized by the Government, they have organized events with representatives of the Government, they have written to the Government freely expressing their opinion on the management of resources from the extractive industries without any reprisals and consequences, they circulate freely in the

country and cross borders on a regular basis, they have on several occasions been entrusted with tasks by the Government, and they hold service passports. It would be objective to consider the following elements:

Page 6

Comment 1

- Minutes of the meetings of the Executive Committee
- Communications and publications by civil society regarding the EITI reports for 2013 and 2014 EITI reports, including PWYP, AGOPEC
- Debates on radio and television on petroleum revenues with the participation of civil society (PWYP, AGOPEC)
- Debate on RFI regarding the distribution of petroleum products and CORAF
- Numerous civil society interviews on the management of petroleum revenues on local and international social networks (AGOPEC, PWYP)
- Publication of targeted criticisms regarding management of CORAF, of business relations of the state with petroleum companies working in the Congo and with China (position papers by AGOPEC, PWYP)
- Publication on the EITI process, position paper on the EITI process addressed to the Prime Minister, the Minister in charge of Finance (PWYP, AGOPEC)

Page 7

Comment 1

Who are these activists engaged in the EITI who have been subject to intimidation, arrest and reprisals in the Republic of the Congo? It is desirable that this serious claim should be expressly documented.

Comment 2

Press freedom is an important matter, for which we must all formally work.

The constitution, various laws on the media and the transparency code are an appropriate legal framework that allows a fair and acceptable exercise of this activity. This should allow journalists to work harmoniously and avoid arrest when exercising their functions.

It would also be important to verify the process of the arrest of these journalists in order to formally document the purpose of their activities and whether it had to do with implementation of the EITI and to establish the link between the investigation and the EITI process in the Republic of the Congo.

It would appear, according to the editor of the report, that we are here dealing with an investigation of allegations of corruption ...

Page 8

Comment 1

What are these general constraints and how have public messages been affected?

Journalistic documentation, intensive participation by civil society and expression by traditional and online media seem to cast doubt on this assertion.

Page 9

Comment 1

The previous paragraphs mention demonstrations related to the elections ... What does this have to do with implementation of the EITI?

Comment 2

Please specify the names of the individuals in question and what this has to do with implementation of the EITI.

It is well known that some university professors as well as some NGO leaders are intensively involved in political activities.

This is why it remains essential to separate the implementation of the EITI from such political activism.

Page 10

Comment 1

As of today, the law does not exist because it was never approved by the President of the Republic.

In addition to Article 25 of the Constitution, it would also be important to cite the following provision of the Constitution.

SUB-CHAPTER VI:

ON THE ADVISORY COUNCIL FOR CIVIL SOCIETY AND NON-GOVERNMENTAL ORGANIZATIONS

Article 238: An Advisory Council of civil society and non-governmental organizations is instituted to advise on issues related to participation by citizens in the life of the nation with a view to promoting the rights and freedoms of citizens and republican values.

Article 239: An organic law determines the organization, composition and functioning of the Advisory Council and of civil society and non-governmental organizations.

At the time of writing of this report this organic law has never been studied and could function as a consensual basis regarding the court and legal system. It is also important to emphasize the following provision of the Transparency Code of the Republic of Congo.

CHAPTER IX: INTERVENTIONS BY THE PRESS AND CIVIL SOCIETY ORGANIZATIONS

Article 67: The State and other public administrations support the initiatives of civil society organizations concerning transparency and accountability in the management of public finances.

Page 14

Comment 1

We would emphasize that, apart from these two unfortunate incidents, which did not prevent the planned events from taking place, many other meetings, workshops, interviews, working meetings, etc., have taken place before and after, and throughout the Republic of the Congo, without any negative intervention by administrative authorities.

Page 15

Comment 1

This assertion is not correct because, as administrator of the EITI-Congo website, the Government has never, in any way, issued any injunction for the non-publication of these reports, which, incidentally, began before implementation of the EITI in the Republic of the Congo.

This is a weakness of our functioning, but it is a fact that the publication is available on our site.

Comment 2

It would be important to specify these limits and define their origins. We request documentation on this matter.

Page 16

Comment 1

It would be important to document this climate of fear and the threats and intimidations by the forces of law and order.

Comment 2

Please document these claims, which should logically be the subject of legal procedures.

Page 17

Comment 1

What was the situation of the other persons present in Brazzaville, who moved about freely?

A reception at the highest summit of the State of the Republic of Congo was held in the presence of all stakeholders and the Chairman of the International EITI Board.

Why should this person's opinion put in question that of all participants and the success of the organization and the reality of freedom, which occurred during this event?

It is also important to remember that the organization of the International Board harmonizes with and takes place in partnership with the International EITI Secretariat, which has never formally mentioned this situation to the Congolese authorities.

It is also important to recall that in addition to the Board, other activities were organized with the stakeholder group of the Democratic Republic of the Congo and no incident was formally reported by the participants.

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Comment 1

Why and how is this link made between March 2017 and April 2015?

In what context were these fears expressed?

Comment 2

Please be specific and document these claims which are certainly questionable given the quality of the discussions in the Executive Committee.

We do not accept any form of allegation of corruption made to CSOs.

We do not understand this consideration of self-censorship:

Members of civil society organizations have participated actively in the process of EITI implementation for more than ten years without any limitation.

They have been invited to several official ceremonies (Independence Day, annual official congratulations by state bodies to the Government), they have participated in workshops organized by the Government, they have organized events with representatives of the Government, they have written to the Government freely expressing their opinion on the management of resources from the extractive industries without any reprisals and consequences, they circulate freely in the country and cross borders on a regular basis, they

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Comment 2

It would be important to document this climate of fear and the threats and intimidations by the forces of law and order.

Page 20

Comment 1

We request documentation of this claim

Comment 2

The Government has never prevented civil society from publishing, communicating and disseminating EITI reports on the media of their choice.

Page 21

Comment 1

This is a serious accusation, putting at risk the cohesion of the Executive Committee, which certainly needs to be discussed and documented.

There is no need for us to repeat what has been said about campaigns conducted by CSOs, the various participation in the media and the many position notes published and formally addressed to the Government.