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**HAUTE ACADEMIE DE LA SOCIETE CIVILE CONGOLAISE**

**HIGHER ACADEMY OF THE CONGOLESE CIVIL SOCIETY**

August 14, 2019

Dear Mr President Trump,

I am writing to request you to repeal the Presidential Proclamation 8618 ceasing the Condo-DRC's eligibility for AGOA preferences published on 21 December 2010 effective on January 1, 2011. Under section 506 (a) (1) of the 1974 Act, President Barack Obama determined that the DRC was not making continuous progress in meeting the requirements described in section 504a (1) of the 1974 Act. Accordingly, President Obama decided to terminate the designation of the DRC as a beneficiary sub-Saharan African country. In Presidential Proclamation 7657 of March 28, 2003, President Bill Clinton designated the DRC as an eligible sub-saharan African country in pursuant to section 104 of the AGOA. Proclamation 7657 also authorised the US Trade Representative (USTR) to exercise the authority provided to the President under section 506a (a) (1) of the 1974 Act to designate the DRC as a beneficiary sub-Saharan African country. The bilateral investment Treaty between the DRC and the United States concerning the reciprocal encouragement and protection of investment, with protocol, was signed at Washington on August 3, 1984. The signed Treaty entered into force July 28, 1989.

In 2008, the DRC export to the US under AGOA amounted to 5073.7 million US dollars and the trade balance was at 4889.1 million US dollars. In 2018, ten years later, and following the country's forced exit from AGOA, the DRC Exports to US amounted to 49.2 million US dollars and the trade balance was -28.3 million US dollars. Similarly, Imports from the US amounted to 184.6 million US dollars in 2018 and lowered to 78 million US dollars ten years later. In ten years, the DRC Exports volume to US decreased by 98,8% and the US Imports volume from the DRC decreased by 65,56%. The above figures clearly show that the DRC exclusion from AGOA have had negative economic impacts for the two countries threatening bilateral cooperations.

The DRC's AGOA eligibility termination further weakened the country's struggling economy. The many reasons having led to the DRC forced exit were valuable at the time the removal was proclaimed under the 1974 Act. Ten years later, the country's records have significantly improved at the right direction. Ten years ago, the US Administration pointed out severe human rights violations in the DRC as well as outraging corruption. The country has made remarkable political progress following the 30 December 2018 elections. The US Administration welcomed the presidential election result on January 23, 2019. Many other foreign countries welcomed the result as it

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secured political stability leading to the country first ever democratic Power swap between an incoming President who has been an Opposition leader for many years and an outgoing President. The elections also opened up the political arena.

Apart from the progress met with the political ground, the DRC economy is still struggling years after to country was suspended from AGOA. The DRC has implemented audacious reforms modernising the business environment. The current business scene is favouring public and private investments in the country. Investors are no longer subjected to burdening taxes and the traffic of influence. New businesses are entering the country as President Felix TSHISEKEDI vowed to assist businesses that chose to enter the Congolese market. Investors have been complaining in the past of unclear procedures and unfair business practices whenever a company pledges to settle in the DRC. A single window was set up by the DRC in 2010 facilitating businesses entrance in the country. The new era in the country is offering a lots hope to investors and the DRC citizens. The country's main financial bodies are performing well. In the recent past, the DRC populations use not to pay taxes as they saw no signs of accountability from the state officials.

The country's political scene is experiencing lesser tensions then it use to be. President Felix Tshisekedi succeeded in empowering a peaceful political environment in which every citizen is free to exercise his fundamental and political rights. The country has closed under cover prisons under President TSHISEKEDI's Leadership. Congolese are being grateful that a new wave of freedom is spreading across the country. Nowadays, the state civil servants are free to go on strike whenever their working conditions are violated. It use to be different in recent years as those people would remain silent even when their rights were not being fulfilled. The same wage is being experienced with the public sector where the employees have been granted the rights to set unions. Emblematic political prisoners have been freed and the major opposition Leaders returned home from exile. The returnees and freed are both satisfied with the reforms underway. President TSHISEKEDI's most outspoken opponents Jean-Pierre Bemba and election rival Martin FAYULU are being free to hold political gatherings and rallies across the country with no Secret Service eavesproding on them. Prominent members from the Congolese diaspora opposed to the former regime have started to return home. Many come from the group widely known as « the combattant ». They have decided to return home to live free and invest in their fatherland.

In the Democratic Republic of Congo, the right to assembly was one among the many challenges the people had to go through as they marched for freedom. Civil society movements were not allowed to speak out. The state interference silenced us in big numbers. Nowadays, under the country's new leadership, the civil society organisations have been recovered. The civil society actors are free to act against the decisions they

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believe do not fit the best interest of the people. In May 2019, I have issued a protest call against the Kinshasa local government's decision to chase out street-vendors. I strongly believe on the type of a citizen am, whose mother would do whatever possible to feed my sisters, my brothers and I, i won't stand silent to see those women fighting for their children daily lives to pack off. The decision by the local government was placed on hold. I offered as an alternative to the state to build modern markets for them. Many other civil society actors are working undisputed to get the lights to people's mind. As we act we face no intimidation from the gouvernement agents.

It's clear that with President TSHISEKEDI's commitment to value human rights, to promote a decent political climate, to create new jobs, to get foreign direct investments into the DRC, to boost the economy as well as to empower social justice, the DRC will remain peaceful as a country. I wish to invite you to be an essential part of the ongoing positive change in the country.

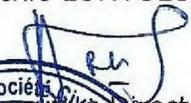
President Felix TSHISEKEDI paid his first official visit to the US. However, you have been busy all along and both of you could not meet. President TSHISEKEDI's presence signals his willingness to work closely with your Administration. The only way to help President TSHISEKEDI succeed is to help him build a stronger and resilient economy. A sustainable economy that provides job is key to maintain peace in the DRC.

President TSHISEKEDI is planing to introduce non-fee-paying public education in September this year. Keeping this commitment going over the years needs a stronger economy and growth. He would need additional profit revenues. The United States under AGOA offers a great opportunity as many customers would buy local products from the DRC.

We have advised local businesses to work on the list of eligible products for Export to US based on AGOA's preference list. The results are satisfying. Sooner upon returning into AGOA, the DRC would be able to export a range of quality products.

I strongly believe President TSHISEKEDI's moves need to be supported by the US Administration by repealing the 8618 Presidential Proclamation removing the DRC from AGOA's eligible sub-Saharan African countries.

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Executive Director



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