DECENTRALIZATION AND ACCESS TO BASIC SOCIAL SERVICES IN POST-CONFLICT DRC: THE PROMISE AND THE DISillusion

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Abstract  
During the last decades, the Democratic Republic of Congo has experienced several armed conflicts, widespread political crisis, and systematic deterioration of the social infrastructure. The grass-root population bears the biggest brunt of the recurrent armed conflicts and the post-conflict state-building failure. Denial of access to basic services (including education, essential healthcare, safe water and sanitation, social protection, security) is one of the fundamental human right violations persisting in post-conflict DRC. Although the decentralization process can considerably enhance the quality and accessibility of basic service delivery system, the basic conditions for such a process to achieve this target (especially the constitutional devolution of political, financial, administrative, jurisdictional power) are not yet guaranteed. This article examines the factors impeding accessibility and quality of basic service delivery in decentralized entities of post-conflict DRC. It suggests some effective and efficient implementation of the existing policies, if post-conflict DRC is to achieve effective post-conflict recovery and pro-poor basic services delivery in the perspective of decentralization.

Keywords: Decentralization, social services, post-conflict, pro-poor service delivery.

Introduction  
The Democratic Republic of Congo has been characterized by recurrent political instability since its independence in 1960. As a result, the basic social infrastructures have systematically deteriorated, leading to extremely poor quality and accessibility of basic social services all over the country. For example, while DRC is considered to have one of the most important reserves of water in Africa, today, an estimated 50 million Congolese (75 percent of the population) do not have access to safe water, and approximately 80-90 percent do not have access to improved sanitation (World Bank/Water and Sanitation Program, 2015). It is estimated that access to primary health care is as low as 20% (Guardian, 2012) whilst more than one out of 4 children still have no access to primary education (UNICEF, 2015). Poverty remains widespread and the country could not reach any of the Millennium Development Goals (MDGs) by 2015 (World Bank, 2013).

Although DRC was named a post-conflict country since 2006 (Autessere, 2010) and launched the decentralization process as one of the strategic reforms for effective post-conflict recovery and pro-poor service delivery, little administrative, political, financial, and jurisdictional autonomy has been devolved to the decentralized administrative and territorial entities. The decentralization process itself, as foreseen in the 2006’s Constitution, has only been achieved to some extent, as the de-concentration of state functions has not been accompanied by the necessary resources (Weijs et al, 2012). Parallel tendencies of power centralization can still be observed in different sectors at national level whilst various
forms of leadership conflicts (especially the conflicts between modern administration and traditional chieftaincies) are widespread in different decentralized entities (Namegabe, 2008).

This paper describes the factors impeding pro-poor service delivery and examines the conditions and extent to which the decentralization process can enhance quality and access to basic services in a post-conflict setting in order to boost effective post-conflict recovery. It argues that, the existing decentralization-related text and other public sector reforms are not panaceas to effective decentralization and pro-poor service delivery. Different other conditions such as the political will to translate the existing policies into actions, the prevailing sociopolitical order, the availability of resources (human, finances and assets), and the prevailing macroeconomic and development-related indexes are key determinants of the success or failure of pro-poor service delivery in the context of decentralization.

The Decentralization process in DRC: An overview

Decentralization is the transfer of certain functions and authority by the central government to the lower state structures in the interest of greater efficiency (Weiss and Nzongola-Ntalaja, 2013). Ndewga and Brian (2003) break down a typical decentralization process into three overlapping phases, namely: “engaging decentralization”, “detailing decentralization” and “sustaining decentralization”. These scholars argue that, apart from the external actors (especially the development aid organizations), the dynamics of a decentralization process in a country often involves three key sets of stakeholders, including the political elites, the bureaucrats and the communities.

The problems of decentralization in sub-Saharan Africa in general and in DRC in particular cannot be addressed in isolation from the wider problems of governance prevailing in many African countries (Conyers, 2007). Considered as an integral part of a slow and gradual process of state-building in many post-conflict settings (Dabo et al, 2009), the decentralization process in the DRC is deep-rooted in the different political reforms that the country has known since the colonial and post-colonial eras (Namegabe, 2008). During the colonial period and the early independence periods, the debate remained held around the form the state should take; between a unitary state and a federation (Katshung, 2009). The country was governed by a general governor who stayed in Boma (then capital city) and who was directly reporting to the King in Belgium, meanwhile the different provinces were led by deputy governors who often claimed for more administrative authority in their respective entities (Namegabe, 2008). In 1960, the country obtained its independence from Belgium and the debate remained between centralists and federalists among the post-independence authorities. Although the “loi fondamentale” had been adopted as the constitution of post-independent Congo and despite the ambitions of the post-independence authorities to promote governance of proximity, no important administrative reforms had been achieved due to the political instability that characterized the country until 1965 when general Joseph Mobutu overthrew president Joseph Kasavubu by a coup-d’état. President Mobutu established the constitution of 1967 and made efforts to keep his power over a fully centralized administration until 1997 when Laurent Désiré Kabila overthrew his regime prior to an armed revolution (Namegabe, 2008). Except the “Ordinance No 82-006 from February 25th, 1982, concerning the territorial and administrative organization of the country”, no other important reforms had been initiated in the perspective of territorial decentralization during president Mobutu’s rule.

The post-Mobutu era was mainly characterized by the second Africa’s war in the DRC (1998-2003) and the first noticeable signs of decentralization only appeared in the constitution of 2006 (see art 2 and 3). The constitutional prerogatives on decentralization were promulgated in the presidential organic law No 08/016 from October 7th, 2008, which spelt out the composition, organization and functioning of the territorial decentralized entities as well as their relationship with the State and the provinces. According to this organic law, each decentralized entity should have financial, administrative and political autonomy. The same law stipulates that each decentralized entity should benefit from the resources of the national funds of equalization in addition to the constitutional 40% withholding tax from the national incomes in such entities. Although this Organic law planned to implement the 26 provinces stipulated by the constitution of 2006 in the 36 months following its enactment, the decoupage process was only forced to happen in 2015, while president Kabila’s last constitutional term was coming to its end. It is worth saying that although no constitutional reform has modified these prescriptions of the presidential organic law from October 7th, 2008 on decentralization, most of its predispositions have just been ignored or delayed by the current government. This is the case of the 40% of withholding tax, the national funds of equalization as well as the local and municipal elections among others (Kleinpeter-Ross, 2014).
Status of basic social services in DRC

Basic social services, notably health care, education, water and sanitation, are all considered fragile and insufficient in post-conflict DRC (Weijs et al. 2012) while travelling across the nation is almost impossible in any land vehicle, due to poor road infrastructures, (Klein peter-Ross, 2014). Despite its diverse natural resources and socioeconomic potentials, the country is considered to have some of the most alarming human development indicators around the world, including a high prevalence of poverty (87.7% of people below income poverty lines)\(^1\), one of the highest rate of unemployment (54% among young people between 15-24 years in 2012), maternal mortality ration (730 for each 100.000 births), poor schooling (4.5 years for girls and 7.7 years for boys), and 50% of the population not accessing safe water (UNDP, 2015). Basic social protection programmes do not exist all over the country (Weijs et al, 2012) and it is only in August 2015 that the government developed the first coherent document on social protection, which is not yet implemented.

Despite the many international aid interventions that can essentially be classified as forms of social protection, the prevailing governmental policies on social protection are incoherent, and the few existing social security schemes only benefit a limited number of people; the working class (Weijs et al, 2012). Besides, there is an increasing recognition that the poorest provinces are not the prime recipients of the little public social expenditure in DRC. For instance, in 2013, the government spent $4 per capita on education in Kasai Oriental, the poorest province in the DRC, against $57 for Kinshasa, the province with the lowest rate of poor people (IMF, 2015).

Despite the fact that the democratically elected governments had launched two consecutive development plans, namely the “5 chantiers de la République: articulated around health care, education, employment, electricity and safe water” (2006-2011) and the “modernity revolution programme: for strengthening the existing infrastructure”\(^2\) (2011 – 2016), not many coherent operational programmes have been implemented in the perspective of one or the other plan. Health and education are fee-based and the contribution of the state is insufficient. Through user fees, these sectors function as an alternative tax base, transferring money from the local education pools/health zones upwards through the national organizations while water and sanitation coverage and transportation infrastructures are considered extremely weak (Weijs, B. et al., 2012).

Indeed, the country has been achieving some good macr oeconomic performances over the last 3 years (Matata, 2016), but which are not perceptible as far as the quality of life at the grass-root level is concerned. Grass-root citizens are therefore playing a role of passive observers of what politicians call “macro-economic growth” and which in reality is not directly contributing to changing the quality of life at household and community levels. In other words, the lack of a sustainable bottom-up approach is one of the key factors impeding both policy practice and the quality and accessibility of basic services in DRC.

Besides, poor quality and accessibility of basic services in post-conflict DRC could also be explained by two other important factors. The first is the notable imbalances persisting among the population, with a very small group of the population (5%) owning more than 50% of the national income against the rest of the population, most of whom live on less than 1USD per day (Nsunda, 2008). Following IMF (2015:7), the GINI index in DRC increased by three points, just from 2005 to 2012, highlighting a rise in inequality. Comparison with other South Saharan African countries reveal that inequality in DRC, as measured by the consumption-based Gini index, is slightly above the South Saharan Africa’s average with 0.45 in 2012, far from countries like South Africa and Namibia with respectively 0.65 and 0.61 in the same year. Similarly, (UNDP, 2014) argued that the current share of the fifth poorest quintile of the population in DRC compared to the one from the first quintile revealed a big inequality in the distribution of the income among populations. According to this international institution of development, the stability of the GINI at 44.4 over the last several years is an illustration of no progress in inequality reduction in post-conflict DRC. The second factor is the lack of diversified economy due to poor planning and lack of sustainable policies. In fact, despite the opportunities that DRC offers in different sectors (demographic sector, cross-borders, forestry, renewable energies, arable lands, and weather.) and its diversified mineral\(^2\) and other natural

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\(^1\) Ranked 186/187 in 2014 and 176/187 in 2015 among the poorest countries around the world

\(^2\) The 2.3 million square kilometers of the national territory contains about 1,100 mineral substances located notably in four provinces (Katanga, Kasai Occidental, Kasai Oriental, Northeast Congo, and Kivu-Maniema). The DRC has about 3 percent of the global copper reserves, 45 percent of global cobalt, and 25 percent of the global diamonds reserves according to the U.S. geological survey. Other important mineral reserves include precious minerals such as gold and tantalum, but also zinc, uranium or tin (IMF, 2015). Besides, the country is said to be home to 25% of all global diamond reserves, and the world’s tenth largest reserve of gold (Sentry, 2015)
resources, almost the whole of DRC’s national economy is based on only the mining sector, which for the most is dominated by the exportation of copper and cobalt. For example, 1.06 million tons of copper and 75,600 tons of cobalt were exported only in 2014 representing respectively 3% of the global production of copper and 50% of the global production of cobalt (IMF, 2015). Although it is demonstrated by many scientific studies and expert analysis that the product diversification can substantially yield growth gains, boost local development and effectively address the issue of social sector poor financing (eg: World Bank, 2013, IMF, 2015, Weijs et al., 2012.), the government has failed to exploit the existing opportunities and resources to achieve this requirement. The poor quality and accessibility of basic services in a potentially rich country like DRC is also due to the inability of the post-conflict government to rationally exploit the existing resources and potentialities to alleviate the problem of social sector financing.

Following World Bank (2013), the paradox between the immense natural resources and poor service delivery and accessibility in post-conflict DRC could be explained by the alarming corruption that characterizes the public sector as well as other aspects such as poor planning, poor monitoring and policy implementation and political interference. In fact, DRC was ranked 147th /168 most corrupt country around the world and on the ladder between zero and 100% of the fight against corruption, DRC was still at a scale as low as 22 % in 2015, lower than the Sub-Saharan African country mean scale which is estimated at 33% (Transparency International, 2015). Apart from the issue of poor access to basic services, it is claimed that even in some areas where services are accessible to the few citizens who can afford them, the quality of such basic services is substantially low, (Weijs et al., 2012). In the education sector for example, the quality of education at all levels has been of systematic poor performances over the last decade (UNDP, 2014) while the health system has substantially deteriorated over the last 20 years; including poor health infrastructure, resurgence of communicable diseases, expenditure on health care as low as 2% of the GDP in 2009 and the likes (Malemlo Kalisya et al, 2015).

Critiques assume that the need for pro-poor service delivery in post-conflict DRC requires concerted efforts to improve both the quality and the accessibility of such services. Improving the quality of basic services entails the conciliation of the norms established by international institutions such as the UNESCO, the WHO, the IMF, World Bank, UNDP etc. with the local and cultural context whilst the accessibility of basic services is all about removing the different barriers that impede accessibility of such services for the most disadvantaged people.

**Constraints to pro-poor service delivery in the decentralized entities of post-conflicts drc**

The rationale behind most decentralization processes are often based on the assumption that the process will lead to more efficiency of resource allocation, accountability and cost-recovery in the governance of public services (Azfar et al., 1999). Similarly, Robinson (2007) argues that the leading rationale for decentralization is that it can generate financial efficiency and quality gains by devolving resources and decision-making powers to local governments for the delivery of services. It is financially attractive to national governments because part of the burden of financing services can be shifted to sub-national units and private providers which can produce these at lower cost. It is worth mentioning that the allocative efficiency aspect of decentralization occurs not only when the existing resources are used reasonably to provide services, but also when the provided services represent the consumers’ preferences. In other words, allocative efficiency in the perspective of decentralization is all about maximizing the provision of essential social services by enabling local governments to take decisions on the allocation of scarce resources, since they have a better sense of local preferences.

Decentralization is a model in which government should and can rely on local institutions to “know best”— what the needs of its constituents are, and how to serve these needs effectively and efficiently (Kleinpeter-Ross, 2014:5). The process is sought to make local governments more responsive to the needs of the citizens and take their preferences into account in determining the type of services to be provided, the level of resources required, and the optimal means of ensuring effective delivery. (Robinson, 2007). Such efforts, Robinson argues, are also predicated on the expectation that power and responsibilities will be devolved by benign central governments to elected local bodies that are accountable and responsive to their constituents and that financial resources will be available to support the provision of services at the local level through a combination of central government fiscal transfers and local taxation. This also presumes that; local administrative capacity will be adequate to deliver the expected increase in the production of services.

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3 DRC has the 2nd reserve in forest around the World after the Brazilian Amazonia, one of the most important reserve of water in Africa, one of the most important reserve in renewable energies around the world, the second reserve of arable lands, 9 borders with different neighboring countries, etc.
In the context of post-conflict DRC, there is an increasing recognition that the ongoing decentralization process is less contributing to pro-poor service delivery than expected. In fact, decentralization, as foreseen in the constitution of 2006, has been realized only to some extent and provincial authorities are nevertheless a force to reckon with, as are the traditional leaders, who still maintain a large and sometimes dominating position in the rural areas (Weijis et al., 2012). Thus, the context which covers the domain of service delivery is one of institutional multiplicity, based on incomplete decentralization, the existence of customary institutions, other sources of authority, and also humanitarian and development interventions; and an all-pervasive system of ‘taxation’, whereby people seek to use their position to supplement income (Weijis et al., 2012).

Although, this multiplicity of actors (traditional authorities, provincial authorities, humanitarian organizations, and different private actors) may also open up a path for the indigenization of social service delivery, little efforts have been done to canalize all the different initiatives in a collaborative and co-productive approach. On the contrary, the intervention of the different actors has been characterized by various forms of conflicts among the stakeholders themselves, including, conflicts of generations, conflict of leadership, conflicts of interests between donors and political authorities. To start with the conflict of generation and conflicts of leadership, these exist between some traditional citizens (opponent of decentralization) and the newly created decentralized entities. In fact, the new decentralized entities in many areas are not only reducing the prerogatives and authority of the customary traditional chiefs/Kings but also the modern approaches of governance that are associated with the decentralized agglomerations are subjected to a lot of resistance and incomprehension in some communities, especially for the conservative citizens.

As for the conflicts of interests, they are observed in two important ways. First between governmental authorities and some CSO and private sector actors who in one way or the other try to denounce the many issues of governance affecting the everyday life of citizens in post-conflict DRC. Accused of “tarnishing” the image of the government on the international scale, most of such activists are victims of organized assassinations. In many cases some activists are also victims of illegal prosecution and detention or they are simply declared “personae non grata” (person no longer allowed to stay in the country). Second, conflicts of interests are also observed between the government and international donors. Such conflicts occur in contexts whereby the political authorities wish the different aids to development and service delivery could be directly delivered to the government for the execution of development oriented projects whilst the international donors find it more reasonable to provide the available donations to NGOs, Civil Society Organizations and private sector since such structures seem to be more credible than the government.

In view of these situations, it can be argued that the decentralization process in the context of post-conflicts DRC does not bring the national development plan closer to the felt needs, problems and priorities of the people at the grass-root level and neither is the process of decentralization accompanied with accountability, participation and efficient resource allocation for pro-poor services delivery. Despite the existing strategic plans (For example, the Document for Growth and Poverty Reduction Strategies, Social protection plan, etc.) only a few policies have been translated into sectorial operational programs and even when some of these policies are operationalized in the different sectors, they are poorly implemented. This is the case of the Primary and Secondary education policy, which in the constitution and other basic texts of the country is said to be obligatory and free of charge (Art. 43 of the constitution) at yet 7.4 million children between 5 and 17 years (more than one out of 4 school age children) still have no access to primary education simply because they cannot afford the required school fees named “prime”, (UNICEF, 2015 and Global March Against Child Labour, 2014).

This situation is more alarming for the socially disadvantaged children such as those living in remote areas or girl children who constitute 53% (3.9 million) of the overall rates of children not accessing primary education. Only a few primary and secondary school teachers have been identified on the government’s payment lists with a governmental salary around 71.195 CF- (77USD) for primary school teachers, those with a secondary school degree, 74.897 FC- (81.4 USD) for the under-graduate, those with a 3 years academic degree and 76.711 FC-83,3 USD for the “licencié” the teachers with a 5 years academic degree (KongoTimes, 2016). KongoTimes reports that 15 000 CF-15 USD is subtracted from the above salaries of each teacher for issues of banking and transportation cost while all the others teachers (300 000 working in public schools) are identified as Non-paid workers (NPs). As a result, the phenomenon of school fees (prime) has persists both in primary schools and in secondary schools to supplement the low salaries that teachers get from the government and to pay the other teachers who are not paid by the government. Seen as a form of bribery by some analysts and as a social crime by
others, the “prime” phenomenon is incontestably a key factor impeding both quality and accessibility of education in post-conflicts DRC.

Poor quality and accessibility of basic services in post-conflict DRC is also mainly associated with poor decentralization of power and finances to the local entities. Although many of the emerging needs and problems could be addressed directly by the local authority in the decentralized entities, the central government has allocated only little power, finances and responsibility to the local authorities despite the constitutional dispositions recognizing them many of such prerogatives. As a matter of fact, the provincial and local authority every time have to beg both permission and finances from the central government before making decisions, including those directly allocated to them by the constitution. With regards to the bureaucracy around the supreme decision-makers (president and the ministers of state), the up-bottom approach is delaying many of the emergent issues to be sorted on the right time.

Financing of basic services in the decentralized entities

Poor financing is another challenge impeding pro-poor service delivery in the decentralized entities. Although the Article 175 of the constitution and 115 of the organic law no 08/016 from October 7th, 2008 are clear on the fact that 40% of the national income should be retained to the decentralized entities and 60% of such income sent to the central government for redistribution among the poor and rich entities, this principle has never been applied since the adoption of the constitution in 2006. The central government has rather obliged the decentralized entities to alternatively be sending to Kinshasa (the capital city) the overall incomes they mobilize in their respective entities on a monthly basis for it to redistribute such incomes to all entities. Through this approach, the central government has adopted an alternative redistribution policy named “retrocession”, which consists of sending back to the decentralized entities a flat rate percent of the generated money for executing their everyday affairs. In a context of generalized corruption, the funds which are sent back to the local governments and decentralized entities (the retrocession) is often very little for such entities to carry out significant local development programs and run pro-poor social delivery. Besides, this financial centralization of the national revenue and the public administration-related bureaucracy make the different provinces to be perceived like beggars vis-à-vis the central governments.

Likewise, the territorial decentralized entities (commune, towns, territories, etc.) are also considered mendicants vis-à-vis the provincial governments which have to redistribute the earned retrocession from Kinshasa among them. It is clear that in such a context, the alternative mechanism of redistribution (retrocession) can neither enhance accountability among the different institutions nor can it boost a fair redistribution of the national income. As a result, citizens of the richest provinces such as Katanga, South-Kivu or North-Kivu which often generate important incomes to the national government find unjust the persisting poverty and underdevelopment in their respective provinces compared to the income they generate. According to Kleinpeter-Ross (2014:38) the lack of progress towards social justice and in the implementation of effective decentralization principles fuels the frustrations which contribute to the recurrent rebel movements, violence and the continued calls for independence of some provinces. Using the specific case of the former province of Katanga (one of the most mineral-rich provinces in DRC), this scholar argues that the persisting calls for Katanga province secession to create the “Independent Republic of Katanga” that started a few days after independence in 1960 with Moise Tchombe (then governor of Katanga) and that had plunged the province into a bloody civil war was mainly motivated by the ambition of some political leaders to have effective control of the rich natural resources from this province.

The resurgence of rebel movements with the ambition of proclaiming the independence of Katanga including the “Bakata Katanga” rebels (meaning “cut-off” Katanga) and different Mai-Mai groups exemplifies the need of more autonomy for many political actors across the country. In fact, in March 2013 over 300 rebels (Bakata Katanga) marched through the streets of Lubumbashi, the capital city of Katanga province. These rebels, just part of an estimated 2,000 rebels in the province carried the 1960 Katanga independence flag proclaiming the independent state of Katanga before the national army defeated them (Sandner, 2013). Kleinpeter-Ross (2014:38) asserts that in such rich areas in natural resources the policy of decentralization translates not just into—ideally—a more direct connection to, and accountability from, local officials, it also translates very significantly into monetary terms. In Katanga, Kleinpeter-Ross asserts, the road from the capital Lubumbashi to Kolwezi, an area of high mineral concentration, remains unpaved hindering any extraction of these minerals.

4 The former province of Katanga is located in the heart of the country’s “copper belt” and also possesses cobalt, uranium, silver, gold and many other minerals.
and contributing to a cycle of poverty. Similarly, in South-Kivu, not only the road heading to Twangiza mining (around 80Km from Bukavu town) where the Canadian company Banro is extracting several ingots of gold is unpaved but also the populations around Twangiza have been victim of several economic and environmental crimes by the company with no specific intervention of the government to protect the citizens (Milo, 2015).

Another issue impeding social service financing in the decentralized entities in DRC is poor national budgeting and planning systems. In fact, the overall national budget of the government itself and the percent often allocated to basic service provision are insignificant for effective service provision. For example, although DRC has grown its national budget from 2.1 billion USD in 2006 to 8 billion USD in 2016 and 9.09 billion USD in 2015, the amount allocated to the basic social expenditure are as low as: 0.5% for safe water, 0.11% for sanitation, 8.79% for health care, 14.42% for education, 0.43% for social protection, 0.39% for electricity, etc. against 37.6% allocated to the functioning of the only central government Institutions (UNDP, 2015). Of course the priorities for some social sectors such as education in a such big and post-conflict country like DRC are numerous and conflicting and this could be one of the reasons why the impact of the 14.42% of the budget currently allocated to the sector of education is not at all perceptible at grass-root level, but also poor planning and evil practices such as resources misallocation, corruption, inefficiency, etc. are some of the incontestable burdens to poor education financing in DRC.

Critiques report that some political institutions (including the president of the republic, the parliament, and the prime minister) often present significant budget overrun due to poor planning and lack of accountability. Despite the poor finances allocated to the other institutions and sectors, in the period between 2012 and 2015, the Institution “prime minister” alone has consumed 440% of its planned budget whilst the institution “president of the republic” consumed 160% of its planned budget. Since 2012 for example the prime minister had executed 191 additional projects which were not planned in the foreseen budget, representing more than one billion USD and most of these projects have been considered non-utilitarian and non-efficient (Kamerhe, 2015).

Other critiques report that poor service provision in post-conflicts DRC is also due to poor resource generation mechanisms. Poor financial resource mobilization could be explained by three important factors, namely weak taxation mechanisms, lack of a diversified economy and corruption. To start with poor taxation and corruption, it is claimed that every year DRC-with its USD 8 billion of budget- loses more than 15 billion USD from taxation due to smuggling and weak taxation mechanisms. Most of the national income, never reaches the public cash desk and one of the worrying factors is the implication of many political authorities in issues of corruption. According to Mr. Luzolo Bambi, the advisor of president Kabila in the sector of good governance and fight against corruption, the most important victim of fiscal evasion in DRC remains the grass-roots populations which continue to be pauperized and denied access to basic services (Radio Okapi, 2015). As for the lack of a diversified source of income, it is argued that poor planning and lack of sustainable policies make the whole of DRC’s economy just rely on the only mineral sector with all the risks that such an economy bears.

It goes without saying that decentralization, as a sociopolitical and a fiscal process in post-conflict DRC has neither contributed to accountability, equity and social justice in the allocation of resources nor did it bring the governmental expenditures closer to the citizens’ basic needs. Not only the share of the national budget often allocated to basic service delivery (including education, health care, water and sanitation, social protection, etc.) is insignificant for a country with complex humanitarian and social problems like post-conflict DRC, but also in many cases, the expected/planned funds do not reach the different social services due to corruption, resources misallocation, poor accountability, political interference, etc. The lack of democratically elected local institutions such as: provincial members of parliaments, territorial administrators, municipal and local councils, etc. as well as poor citizens’ participation are some of the key factors impeding the accountability of the decision makers and frontline providers to the citizens at national, provincial and municipal levels in DRC.

**Major lessons and policy implications**

Three main lessons (with direct policy implications) emerge from this article:

1. The decentralization process as foreseen in the constitution and the organic presidential law of October 7th, 2008 is not a panacea to pro-poor service delivery. In fact, as Muggah et al., (2012: 56) put it, “local governments, especially in the context of fragile states, cannot be effective if they lack adequate mandates, autonomous resources, or revenue-
raising capacities”. In other words, if they are to promote qualitative and accessible for all basic services in the perspective of decentralization, fragile and post-conflict states need to translate the existing policies into actions, provide the decentralized entities with adequate resources for effective functioning and service provision and curb the evil practice such as corruption that impede efficient fund spending.

(2) Although it is believed to be a key driver of positive change, the decentralization process if poorly managed can turn into what Muggah et al., (2012) call a “highly politicized process” that can trigger conflicts. The lessons from the recurrent war of secession in the provinces of Katanga in South eastern DRC as well as the recurrent conflicts of leadership among traditional and modern political leaders in rural DRC exemplify the escalade of conflict triggered by poorly managed decentralization processes. It is clear that fragile and post-conflicts states like DRC need not only to promote a conflict sensitive approach in the implementation of the different policies on decentralization but also negotiate comprehensible contracts (social development-oriented contracts) with the different multi-national companies such as Banro, GECAMINE, Katanga Mining Limited, the MIBA, etc. exploiting raw material in the country.

(3) The evidence from post-conflict DRC corroborate the arguments of Azfar, et al (1999) that different factors, including the prevailing political, social, economic and financial orders can substantially influence service delivery in the context of a decentralized system. As it has been argued in this paper, the context of a failed state (especially the prevailing political interference, poor civil society participation, and the lack of political will) appears to be some of the most important factors substantially impeding both the quality and accessibility of pro-poor basic service delivery in such entities from a political point of view. Corruption, poor budgeting and poor financing, poor accountability, inefficient resource allocation, etc. substantially affect the cost, the quality and accessibility of basic services from a fiscal perspective whilst the existing means of production as well as the prevailing macroeconomic and development indicators (such as the rate of economic growth compared to the rate of demographic growth, the GDP rate, the Gini per capita, etc.) are all considered key factors reflecting at some extent the status of basic service delivery from a social development point of view. In the context of post-conflict DRC, systematic empirical research needs to be held to determine the rate at which each of the above factors influence quality and accessibility of specific basic service delivery in a post-war setting.

Concluding remarks

The Democratic Republic of Congo is a country with immense resources and effective democratic and decentralized governance of such resources can promote an efficient, accountable and cost effective basic service delivery all over the country. The focus of this article was on the effects of decentralization on quality and accessibility of social services in post-conflicts DRC. It examined whether the decentralization process launched since the promulgation of the constitution of 2006 is likely to enhance quality and accessibility of basic social services in the country. It examined such aspects in five major points: an overview of the decentralization process in DRC, the status of basic social services in DRC, the opportunities and constraints of pro-poor service delivery in the decentralized entities, financing of basic services in the decentralized entities and major policy implications. Like many other weak and post-conflicts states, DR. Congo faces specific governance and geopolitical issues which delay the effectiveness of both the decentralization process and pro-poor service delivery in many entities and which have as a result that decentralization and service delivery systems have to be examined with regard to this specific context.

In addition, the DRC’s decentralization system is unique in that while it is believed that the overall impact of decentralization on service delivery depends critically on its design and prevailing institutional arrangements (Azfar, 1999), the decentralization process in post-conflict DRC appears to be incomplete, and many of the constitutional dispositions about decentralization have been ignored or poorly managed by the government. The poor management of decentralization and service provision issues has triggered different conflicts and impeded pro-poor service delivery at the grass-root level. Above some financial and practical constraints, the main factor impeding effective decentralization and pro-poor service delivery appears to be deep-rooted in the prevailing political order. Although this paper has attempted to describe the prevailing link between poor decentralization-based factors and poor basic service delivery in post-conflict DRC, empirical research is needed to assess the relative significance and influence of the different factors impeding service delivery in the
decentralized entities in post-conflict DRC. Such data need to be collected from specific social sectors in carefully selected decentralized entities and at national level.

References


Azfar, O. et Al, (1999), Decentralization, governance, and public services: the impact of Institutional arrangements, a review of literature; IRIS Center, University of Maryland, College Park


http://www.radiokapi.net/actualite/2013/03/03/rdc-plus-dun-enfant-sur-quat-ne-va-pas-lecole-selon-lunicef


Robinson, M. (2007), Does decentralization Improve equity and efficiency in public

   Service delivery provision? In IDS Bulletin Volume 38 Number 1 January 2007 (PP7-17)


UNDP, (2015), Analyse du budget 2015 de la Republique Démocratique du Congo, Note technique


Weis, B. and colleagues, 2012, livelihoods, Basic services and social protection in Democratic Republic of the Congo, Secure Livelihoods Research Consortium, Wageniegen University


World Bank, (2013), International development association, international finance corporation and multilateral investment guarantee agency: country assistance strategy for the DRC, Report №66158