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IIJD Call for Action

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The Presidential Elections at the Democratic Republic of Congo (DRC)

In an election that is crucial in the history of democratic elections for Africa and in deciding the path of the future of the Democratic Republic of Congo, the Independent Electoral Commission (IEC) recently declared Mr. Joseph Kabila as the President and winner of the DRC's elections. Mr. Kabila recorded 58.5 percent of the run off elections, defeating his opponent Jean Pierre Bemba with 41.95 percent. The Supreme Court has ten days to ratify the results and the official presidential inauguration is not set until December 10th, formalities under Congolese law, but supporters of Joseph Kabila have already turned to the streets celebrating. This election will mark the second time Mr. Kabila is elected as the DRC's President, but the first time he is democratically elected; the first time he was appointed by his father, Laurent-Desire Kabila, after he died by assassination in 2001. Mr. Kabila's former economic and political reforms had thus far ensured a smooth transition from war to stability in his old war-torn DRC, and his recent win has led many to hope that the upward positive trend for the DRC will continue. Furthermore, the DRC's presidential elections were recognized as being a milestone in fair elections due to the strong presence of international observers such as the United Nations Peacekeeping Forces, forces from European Union member states, and the Carter Center, as well as an increased number of local civil society organizations, all who played an influential role in controlling violence between supporters of both candidates and in supervising the election turnouts.

The IIJD has been closely watching the developments of the elections, and has praised and encouraged the participation of these organizations and international observers present to ensure the conditions for free and fair elections. Yet, the recent rejections of the results by Jean-Pierre Bemba and by those behind his "Union pour la Nation" (UpN) political platform as well as some powerful members of the Catholic Church in the DRC, have raised serious questions and doubts about the fairness of the election. The IIJD believes that for democratic governance to fully exist in African countries, the process of free and fair elections is essential. The IIJD will only recognize an election as free and fair if the following requirements are met; that an Independent Electoral Commission exists within the country to carry out and monitor the election process, that there is transparent electoral law accepted by all, that voters have access to vote and make their decision without intimidation or persuasion, that there is equal and unrestricted access for all forms of the media for candidates to present their views, regardless of any dissent that might be displayed for either candidate, and finally that all political candidates have access to a free campaign in all areas of the country, even in what is considered "traditional political strongholds". The IIJD affirms that if any one of these criteria is not met, an election cannot be called fair and free. If



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Bemba's claims of fraud within the election were to be proved, a serious setback to the DRC's democratic reputation and to the history of democratic elections in Africa would ensue. The IIJD would furthermore be unable to confirm that these elections were fair and free.

Bemba's claims behind his rejections of the elections are not reduced to one claim, and they have the backing of various political and religious personalities. Among one of the strongest claims his political party, the Union pour la Nation, is making is the impartiality of the Independent Electoral Commission, the DRC Commission who declared Kabila the winner. Bemba has personally said the ballots were rigged especially in the eastern and southern provinces favorable to Kabila, and that President Kabila's victory was an "electoral hold-up". Contradictions between the number of registered voters and that of actual votes counted in the polling stations have also been cited. The discrepancy in voter numbers and voter turnouts is one of the few claims that has statistical proof, and if true on a large scale could ruin the fairness of this election. Serious questions have furthermore been raised about Mr. Kabila's tactics before polling, of soldiers intimidating voters and of his use of the national TV station as a propaganda tool. In fact, the role of the media has dominated Bemba's criticisms of this election. Ten radio and television stations showing support towards one candidate or the other were suspended, in a display of a serious violation of international law on freedom of expression. Jean Pierre Bemba has received the support of several prominent members of the Catholic Church in the DRC. In a country where religious leaders have at times shown a greater importance than political leaders, the support of Catholic Church members will be influential in raising support on behalf of Bemba's claims and requests for voter recount.

Under Congolese law, Jean Pierre Bemba will have three days to contest the results of the election before the Supreme Court makes its decision. He appeared in a televised address on November 17 in which he rejected the results, and called for the international community to take action to investigate his allegations of the electoral fraud. The IIJD hopes that Bemba's allegations will be thoroughly investigated and that the Supreme Court will serve its role as a functioning member of the DRC judiciary system, taking the responsibility for making a fair and strong decision which incorporates the views and criticisms from either side. The IIJD furthermore calls for the international community and all organizations focusing on national media and election processes to set high standards, and use all of their resources to ensure that claims such as those raised by Jean Pierre Bemba will not even be raised. The IIJD recognizes however that claims such as those made by Jean Pierre Bemba should be allowed and are part of allowing dissent within the process of free and fair elections. The contradiction which has appeared in this recent election on the African continent, which the presence of international observers and the sharp claims of election fraud made by Bemba have shown are disturbing signs that further steps need to be taken to strengthen all levels of government and partnerships between African governments and international observers so that peaceful, fair and free elections will continue. The IIJD hopes a peaceful solution will be determined soon, and will prove to be one without the violence that the Democratic Republic of the Congo has already seen for so long in its history.