

Election Preparations in the Democratic Republic of Congo

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2010 and 2011 have seen – and will see – a number of high profile elections across the African continent. And citizens are coming out in large numbers to register as voters and exercise their franchise in these elections – regardless of the political environment, the credibility of election commissions responsible for conducting them, or the commitment of political parties and candidates to respect legal frameworks and eschew violence. Like people everywhere, the DRC’s citizens want to choose those who would govern them. Developments in North Africa and the Middle East are powerful reminders of how citizen discontent can manifest itself in the absence of credible elections and functioning political institutions.

Unlike the DRC’s transition elections of 2006, the 2011 electoral process is firmly in the hands of Congolese themselves. The role of the international community – and in particular the UN – is much lighter now, as these elections are expected to consolidate gains made during the past five years and further the DRC along the democratic path of its own

choosing. If the 2006 elections marked the DRC's break from the past, the 2011 elections are meant to show the way forward. Congolese stakeholders must agree on the rules of the game for this election, produce their own referees and ensure that there are mechanisms in place to promote stakeholder dialogue and political compromise. The stakes are indeed high – credible elections in 2011 would lay down a marker for more representative government institutions and could lead to improved public accountability and political stability that are so necessary for sustained economic development. A flawed election process will at worst lead to renewed large scale conflict and at best keep the DRC on the status quo path of poor governance.

The challenges facing the country as it prepares for these elections are enormous. Many in and outside the DRC question whether elections can be held as scheduled on November 28 – before the end of Kabila's mandate on December 6. The slow pace of voter registration – scheduled to end on July 1, when the process is only complete in two of the country's 11 provinces – raises questions over the ambitious electoral calendar. The country's electoral law is still under review in the National Assembly. Renewed incidents of violence are

cause for concern, not just in the troubled East – but in other provinces as well, including Bas Congo, Equateur and Bandudu.

Changes to the electoral framework seen as favoring incumbent President Joseph Kabila have raised fears that the electoral process may be manipulated well before election day, including the constitutional amendment allowing the president to be elected by a simple majority, thereby scrapping the need for a second round, and the replacement of the more inclusive Independent Election Commission (CEI) with the seemingly more partisan Independent National Election Commission (CENI).

The CENI itself is underfunded, especially with regard to donor commitments. This is most glaringly manifest in the faltering voter registration process where CENI workers in some parts of the country have allegedly demanded compensation from citizens attempting to register, as they themselves are not getting paid.

Chairman Mulunda deserves credit for opening up a channel for dialogue with political parties. Given that the electoral

calendar could slip, regular and transparent dialogue between the CENI, political parties, and civil society will be the only way to keep the country's electoral stakeholders engaged in the process. Regular dialogue mechanisms – used effectively in many countries, including Ghana, Guinea and most recently Nigeria – can be the forum where stakeholders find ways to compromise and reach consensus on any necessary changes to the election calendar and where discussion can be held on the management of election results. They provide forums for parties to negotiate codes of conduct, an initiative underway but incomplete in the DRC.

Civil society must be fully empowered to monitor the upcoming elections, alongside members of the international community. Citizen election monitoring builds voter confidence in the process and can serve as a deterrent to violence – particularly when early warning systems are put in place. Well before the elections, civic groups (along with the CENI) also have an important role to play in disseminating current and accurate information about the election process, as well as about the parties and candidates contesting. The government's disturbing treatment of civil society leaders, opposition figures and journalists makes it difficult – and

potentially dangerous – for such activities to be carried out, and calls into question government commitment to a participative and open election process.

Cote d’Ivoire’s recent election provides a cautionary tale for the DRC. Gbagbo and his party went into the election fully expecting to win, even as the alliance between Bedie and Ouattara indicated that he might lose. But while a political party code of conduct was in place – and even as election day proceeded calmly amidst high voter turnout – Gbagbo refused to accept defeat, setting the country on a destructive course that ended in his arrest – and hundreds of lives lost, widespread property damage, and the further polarization of the country. A tall order for President Ouattara to address.

More worth emulating is the experience of Nigeria, a country with twice the population of the DRC and corresponding logistical challenges. Last month’s elections – though far from perfect – were nonetheless seen by Nigerians and Nigerian watchers as a breakthrough in a country where each successive election since the end of military rule had been worse than the previous one. Two factors contributed immeasurably to their success – strong leadership at the helm of the electoral

commission that promised and followed through on a commitment to transparency; and high levels of citizen engagement in the process. While the violence that broke out in the northern part of the country cast a shadow on these otherwise credible elections, the main challenger – former military ruler Muhammadu Buhari – is now pursuing his allegations of fraud through Nigeria’s courts.

Electoral stakeholders in the DRC must make hard choices in the coming months. If the elections are to be held on time, then all must play a role in maintaining momentum and contributing to their success. If a postponement is necessary, wide consultations must be held before decisions are announced – and clear remedies must be articulated to avoid a constitutional crisis when Kabila’s mandate ends on December 6.

The international community must step up to the plate as well with financial and technical support. The CENI requires both, especially as it is widely acknowledged that the transfer of critical know-how from UN experts in 2006 was far from complete. Support for both citizen election monitoring groups and international observers will be critical as well –

organizations must recruit, train and deploy monitors to observe and report on all aspects of the election process, including the post-election period. The CENI must expedite the issuance of credentials for all observers and give them unfettered access to all steps of the process, and most importantly take into consideration their observations and recommendations to strengthen the conduct of these elections.