

Feb 7 2012

Negotiating electoral results in the DRC

LSE IDEAS

By Marta Iniguez de Heredia, a PhD candidate in the Department of International Relations. She was a long-term electoral observer with the Carter Center in the province of Equateur. The views expressed here are her own and in no way do they represent those of the Carter Center.



Last 28 November elections gave the incumbent president Kabila the victory amidst allegations of fraud and his most prominent rival proclaiming himself president too. Over two months after, the Independent National Electoral Commission (CENI) has still not published final legislative electoral results. The task is nevertheless vast since some districts, like that of Kinshasa, had over 5.300 candidates for 51 seats. The DRC finds itself at an interesting juncture where not much has changed but its highest political institutions are paralysed until the map of political power is finally drawn up. The problem is that this map might end up reflecting more the negotiations amongst different parties, or even Kabila's power to do away with negotiations, than the real choices voters made at the polls.

It is still too recent to make a deep political analysis of these elections and what they will entail for the DRC in the next five years. However, it seems obvious that the different attempts to manipulate electoral results have over shadowed the efforts of many to a fair and transparent process, have compromised the commitment of the Congolese people to a peaceful process, have widened gaps between the ruling and popular classes and have watered down the thought of a possible exit of the UN mission in the DRC.

Kabila's mandate has been left in a far from firm position after many international and national electoral observation missions called the results into questions and the recent international expert mission from the International Foundation for Electoral Systems (IFES) and the National Democratic Institute (NDI) advised a general review of the electoral process. Although most observation missions remarked on issues like children's voting, the use of violence to force voters to vote for a particular candidate or intimidations to stop observers doing their work, the main issues identified by these missions have been the results in Katanga, the loss of votes and the large amount of voters in the so-called omitted list.

In Katanga, voting participation was registered at 99.9% with close to 100% of those votes going for Kabila. Results from almost 3500 polling centres have been lost, 2000 of them in Kinshasa alone, which is considered a bastion of the opposition. Then about 17% of people voted by derogation or on the so-called omitted list. The first one applies to public officials, military or police personnel and electoral agents, while the latter allowed for possible mistakes in the registry. These were lists done on the spot for people to vote as long as they had a voters' card. This high number jeopardises the previous safe-guards and enacted regulations against multiple voting. Moreover, electoral agents on the day applied these measures irregularly and while not controlling those multiple-registered voters who should not have voted, many others were not allowed to vote because their names were not on the list.

The results' lack of credibility means that political power will be the fruit of negotiations between the main political contenders and not the so-call will of the people. This lack of transparency of the process has provoked a deep disappointment in a Congolese people that were already feeling more apprehensive about how the process was going to develop than enthusiastic about participating in the second democratic elections of their lifetime. Many, especially the pigmies, asserted to have only registered for the sake of having the electoral card as an identification card. They felt marginalised from the process. Similarly women were used to a large extent as electoral banners, without having given any content to what it means to have real participation and a real strategy for gender mainstreaming in the process.

As soon as results started to trickle down in December, not only did the Congolese start to riot and protest, but also common expressions to hear were: 'I won't vote again', 'this is my last time'. Voters, especially those from the middle and popular classes feel that not only their votes might have been manipulated, but that political and diplomatic compromises, and financial constraints, impose a negotiation rather than a repetition of elections.

Of course, the point is not so much the result as the process. Kabila was always playing with advantage, competing against a divided opposition, having important international allies, changing the laws in some key points that favoured his re-election a couple of months before the elections, creating phantom political parties to bulk up his allies in parliament and knowing how to

use the resources at his hand to make himself a well-known candidate, (this latter being an important asset in a place with hardly any infrastructure and communications system).



Tshisekedi, the main opposition candidate, declared himself winner as well but for the moment things have kept relatively calm. However, little can be done if UDPS (Tshisekedi's followers) decide to keep agitating and calling for a revolt against the government. The days around the first proclamation of elections and the day of elections, airports were closed, Kinshasa paralysed by riots and several police and demonstrators injured and killed in clashes. Continuous police surveillance of Tshisekedi's residence also signals that Kabila may see Tshisekedi as a potential threat rather than as an opposition leader, now officially so after the legislative results have proclaimed the UDPS as the first party behind Kabila's multiple-party alliance.

The fact that things have kept in relative calm during the electoral and recounting processes is both, as stated, the fruit of negotiations but also of Congolese people's commitment to peace. However, the fact that provisory legislative results are throwing a majority of Kabila's satellite's parties has reduced motivating elements for the acceptance of results, leaving only the unlikely possibility that Kabila proposes a succulent post or a ministerial portfolio to opposition representatives and that opposition parties take it. On the whole, security issues underlying a still fragile context in the DRC have been more poignant and the electoral process has not contributed to a more peaceful power-sharing agreement. Rather, the ongoing armed conflict in Eastern Congo remains the same, but with a central government whose nationally-backed support is widely questioned.



It is therefore important to reflect on how popular disappointment will develop. This is not something that is likely to emerge in the near future, but it is something to bear in mind especially in a time where Africa, from Egypt and Tunisia to South Africa, going through Burkina, Mali and Angola, is in revolt. This disappointment and rage has met with those of the diaspora in Johannesburg, Paris, London and several cities in Canada. Still, as stated, the electoral process has not finished and it has still the potential to destabilise what keeps being a fragile context. The stakes are high and it would be surprising if Kabila reaches the end of his mandate this time.

These elections could give international organisations a justification to argue that the DRC is still in need of intervention and accompaniment. In particular, the potential these elections had in proving the redundant role of MONUSCO has possibly turned the other way around. In this regard, although Kabila may rely in international support and alliances keeping business as usual, state-society relations act both as a deterrent and as a hook. In other words, Kabila's position in the international sphere has not been strengthened due to his electoral results.



On the whole, it seems that the electoral process is extending beyond its limits without giving a full representation of the electors' choice nor serving their purpose of legitimating political authority. Now that negotiations amongst political parties seem a more strong political settlement than elections, and having people disappointed with the value of democratic expression, the issue is how long this settlement will last for. Will Kabila make it for the full extension of the mandate? As previously mentioned, my guess is no. It is highly likely that in the next few years this settlement would be compromised by either further authoritarian politics on the part of Kabila, by new foreign political or economic interventions or by the wind of revolt reaching the shores of the Congo river.

This entry was posted in [Africa](#). Bookmark the [permalink](#).