

DR Congo: Stage Victory

International Community Being Challenged by Presidential Election

*Dunja Speiser**

For the first time in 41 years, the Democratic Republic of Congo has held democratic elections. The first round of the Presidential and Legislative Elections on July 30th went off relatively smoothly, which had not been expected considering the enormous logistical challenges. Due to the fact that the elections have not lead to a clear result and neither of the candidates achieved the absolute majority, the runoff elections between the current incumbent Joseph Kabila (independent candidate) and the Vice President Jean-Pierre Bemba (leader of the former rebellion-movement MLC) are expected to take place on October 29th. The announcement of the provisional outcome on August 20 led to some armed clashes between Kabila's Presidential Guards and the militia of Bemba in the city of Kinshasa. It was only with the help of military and diplomatic interventions by the United Nations Organization Mission in the Congo MONUC, accompanied by the European intervention troops EUFOR as well as the CIAT, the International Committee supporting the transition in the DRC, that violence was prevented from escalating. Kabila's Party-Alliance reached a majority within the National Assembly which could secure him the role as prime minister and thus the right to form the government.

On September 7th, the results of the elections for the National Assembly were announced. 234 of the total of 500 seats went to Kabila's Alliance for the Presidential Majority (AMP) and the remaining 116 seats went to the Rally of Congolese Nationalists (RENACO) supporting Bemba. The upcoming negotiations regarding the formation of a coalition-compliant absolute majority will direct all attention to the Parliament and the power-separating functions of the new political system. This system has been confirmed by the Consti-

tutional Referendum in December 2005.

While the constitutional powers of the president are limited to defense and foreign policy, it is the prime minister's task to take over the responsibility of all other governmental affairs. In the current discussion, this role has gained as much importance as the person that will be taking on this task. Since the president appoints the prime minister, we will not see a formation of government before November. However, both the AMP—and the RENACO camps

* Dunja Speiser works in Kinshasa for the Bureau of Institutional Reform and Democracy (BiRD) and is doing her doctorate on the reconstruction of post-conflict states in Africa

have already begun to court for potential coalition partners.

Due to the rather complicated Proportional Election System with open lists (Preferential Election), the mandates will be distributed among 132 parties, only five of which will reach a percentage between 5% and 22%. This very strong fragmentation actually has a clear advantage as far as the securing of peace is concerned: it inhibits the direct and absolute majority of one group, forces the parties to reach a consensus and guarantees a broad representation of the population in Parliament. The National Assembly will already meet on September 22nd. As the first democratically authorized institution, it offers an alternative to violence, for which Kabila as well as Bemba decided for after the proclamation of the election results on August 20th.

The heavy fighting between the Presidential Guards and Bemba's Militia that lasted for three consecutive days in the city-centre of Kinshasa and reached its peak when Kabila's troops attacked the residence of Vice President Bemba. During the attack, not only Bemba but also several members of the CIAT, among which there were 14 ambassadors as well as the representative of the UN- General Secretary, William Swing, were trapped inside the residence. The happenings have fueled widespread concerns over a peaceful outcome of the transition process and have raised the question as to why we have seen such an out-of-scale extent of violence.

Violence among winners

By taking a look at the first election campaign, one can clearly see the accumulation of political tensions which then on August 20th discharged in a violent display.

During the election campaign that lasted for one month, Bemba was stirring up hatred against President Kabila, mainly by focusing and putting his own stamp on the expression "Congolite", which was supposed to emphasize his national ethos and at the same time discredit the President: He

accused Kabila of not being Congolese and of selling the Congo to foreign countries during his time in office; he blamed him for being a weak President, a puppet within the International Community. In order to deliver his message and spread it among as many people as possible, Bemba mostly used his radio and TV stations, which some media experts have already compared to the Rwandan propaganda station "Radio Mille Collines". But also Kabila used the national TV stations for propaganda purposes. Especially after the elections, he accused Bemba of being a war criminal and violator of human rights.

The following considerations might have lead Kabila to exercise violence against Bemba: (1) He demonstrated his power and military strength and defined the boundaries for the upcoming election campaign. (2) By attacking the radio and TV stations of the leader of the MLC, Kabila limited Bemba's capacity to spread his propaganda in the media. (3) By firing at Bemba's residence with CIAT-members inside of it, Kabila devitalized the allegation of being a puppet of the International Community.

It is mainly in the Western part of the Congo where the politicization of Kabila's nationality and his lacking knowledge of the local language Lingala spoken in those parts of the country, seem to have been the crucial factor in favor of Bemba. The nationalistic-xenophobic strategy seems to have earned the MLC-leader, who gained 20% of all votes, a distinct majority in the provinces of Bas-Congo, Kinshasa and his home region of Equateur.

Kabila, who received 44% of the votes gained an overwhelming majority mainly in the Eastern regions such as Province Oriental, the three Kivu-regions and Katanga, the home province of his father—all of which areas were affected the most by the conflicts between 1996 and 2001. In the eyes of his voters, Kabila stands for peace and a reunification of the country. And after all, he has made good on his promise to hold democratic elections.

Difficult election campaign

The development of campaigning has proven to be one of the weak points of the whole election process. The whole time in this phase there was not such a thing as a level-playing-field for all 33 candidates. The vast majority were forced to campaign in a very limited scope due to a lack of resources. It was only Kabila and Bemba that had sufficient means allowing them to campaign throughout the whole country and gain votes by personal appearances in all regions. In their first round of campaigning, Kabila allegedly spent 50 million whereas Bemba invested 20 million US-Dollars. The most prominent candidate of the opposition, Etienne Tshisekedi who is the president of UDPS and who was supposed to have a great chance to come in second for the Presidential Elections, in the end boycotted the election. Other promising candidates have been constricted severely during their campaign.

Election day

It is extremely challenging to organize and hold elections in a country with hardly any infrastructure. Considering these circumstances, everything went off smoothly and peacefully apart from a few exceptions. More than 70% of the approximately 25 Million Congolese who had registered to vote by November 2005 came to cast their vote under free and fair conditions. They went to the nearly 50.000 polling stations and had to decide not only between the 33 Presidential candidates but also between more than 9000 candidates for the National Assembly.

While on Election Day, everything seemed to have been organized very well, the opposite was the case when it came to the counting of the votes. The chaotic circumstances in Kinshasa stirred up accusations of fraud and led to highly negative propaganda due to the prolonged process. The preferential election system, that caused four constituencies in Kinshasa to each list 900 candidates on huge ballots

of six pages, additionally aggravated the situation. Several irregularities have been reported and precise results have been out of the ordinary. It was mainly organizational deficiencies on the part of the Independent Election Commission CEI that were responsible for the shortcomings during the period of counting the votes.

Second round – chances and risks

The inevitable runoff election between Kabila and Bemba that coincides with the election for the Province Parliaments, opens up chances that can be of great use for the democratic learning process of the country: (1) Since the Election Commission and the International Community were accused of specifically lobbying for Kabila's preservation of power, both of them gain credibility in case of a fair runoff election. (2) If Kabila had won with a majority of only scarcely over 50%, it would have been extremely difficult to legitimize his presidency, especially in the politically important Kinshasa. (3) Since coalition negotiations are necessary in the National Assembly, both camps will be able to form a shadow cabinet. The election campaign and the decision of the voters take place within broad personnel debates and are limited to aspects of the contents. (4) The Election Commission gets the chance to eliminate the technical deficiencies of the first round and therefore enhance its legitimacy. (5) The lack of information in respect of the election process and the new political system can be diminished by intensively educating the people.

However, the second round also comes with certain risks: (1) Since Bemba is most likely going to continue focusing on the topic of "Congolite", there is a great danger that the xenophobic sentiment will heat up. This again would further cement the East-West schism within the Congo and could only be avoided by broad coalition negotiations and the prevention of a xenophobic policy. (2) Further violent conflicts

between the winner and the loser party would most likely be expected.

Outlook

After the first round, Kabila has a clear majority in votes, which does not necessarily mean that he can be expected to win the runoff elections. His potential voters in the Eastern part of the country seem largely tapped whereas Bemba still has the chance to mobilise a substantial number of voters in the West. The final result will also be significantly influenced by the recommendations of the eliminated candidates—especially the ones that were ranking behind the two favourites such as Antoine Gizenga (13%), Francois Joseph Mobutu (4.8%) and Oscar Kashala (3.5%). It is also Tshisekedi's behaviour that could have an impact since his boycott supposedly drove most of his supporters to the MLC-Candidate. A lot of voters, especially in Kinshasa, will probably go for "Anything But Kabila" and therefore cast their vote for Bemba. They consider Kabila to be intellectually un-cultured, to have a lack of charisma and rhetorical talent, which makes him an ineligible candidate in their eyes. Bemba's xenophobic slogans have further found a rich breeding ground—particularly among the many young people that have no employment and no perspectives and can thus easily be influenced.

After the incidents of violence, many Congolese lament about only having the choice between two military men. Both candidates secure their power by their own private armies that are beyond any national control. A lot of people are also complaining about the fact that members of the interim government were authorized to run for presidency. Had there been a ban, it would have led to the exclusion of former warlords, as can be seen in other post-conflict countries.

The current happenings reveal a number of things:

1. They refer to the neuralgic point of the transition arrangements: the insuffi-

ciently enforced security reform. Especially the integration of diverse militia into the national army has not been accomplished, the Presidential Guards have been omitted. The International Community has to enforce the following demands by all means in order to facilitate a continuing peaceful progress of democratisation: (a) the Presidential Guards as well as Bemba's Militia have to be barracked before and after the elections; (b) the weapons (including tanks) that have recently been delivered to the Kabila-Administration, need to be put under the control of MONUC; (c) the Presidential Guards need to be reduced to a small number after the elections; (d) the formation of a national army needs to be prioritized and pressed ahead with.

2. In compliance with their mandate, EUFOR has added to safeguarding the election process. It turned out that a relatively small number of soldiers can have a significant impact and that it was the right decision to focus especially on the capital in regard to the assignment. The German Bundestag should agree on extending the EUFOR-mandate. The objective costs of the assignment are high—the relative costs however a lot lower, considering the extremely high overall investments that have been made in this, which is by far the most expensive peace- and election process. In order to secure the sustainability of these investments, it is vital to secure the politically critical phase that is presently prevailing with robust military support. Only if peace will endure in the long term, will the population profit from it eventually. There has probably never been a perfect point of time for elections in a post-war society, however, the Congolese population would not have tolerated any further deferment as it demanded legitimate representatives for the new political institutions. The International Community has enabled and supported these elections and it now has to make sure that this was one further step for the Democratic Republic of the Congo in the direction of democracy that can never be reversed again.

© Stiftung Wissenschaft und Politik, 2006
All rights reserved

SWP
Stiftung Wissenschaft und Politik
German Institute for International and Security Affairs

Ludwigkirchplatz 3-4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

ISSN 1861-1761