

ELECTIONS IN THE DEMOCRATIC REPUBLIC OF THE CONGO

THE POLITICAL SITUATION FOLLOWING THE PARLIAMENTARY AND PRESIDENTIAL ELECTIONS

Tinko Weibezahl

On 28 November 2011 the people of the Democratic Republic of the Congo were once again called upon to elect a president and parliament for this central African country. After the first free elections following independence were held in 2006, this was to be the second election under the multiparty system. Logistical problems resulted in the election being extended by a day. One and a half weeks later, it was clear that the incumbent president Joseph Kabila had won the election, with preliminary official results giving him 48.95 per cent of the vote, while his biggest opponent, Etienne Tshisekedi, received 32.33 per cent.¹ At 58 per cent, the turnout was much lower than at the previous elections. Opposition representatives disputed the results, claiming there had been signs of massive electoral fraud. Tshisekedi called the result "a provocation to the Congolese people" and declared himself the "true winner" shortly after the election.²



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A LOOK BACK AT THE FIRST FREE ELECTIONS OF 2006

In post-conflict countries, the second elections are often a good indicator of just how far democracy has really developed and how stable the country's various institutions have really become. In this respect, it is worth looking back at the elections of 5 years ago. The first free elections

1 | Cf. Radio Okapi, "Joseph Kabila Kabange réélu président", <http://fr.allafrica.com/stories/201112091262.html> (accessed 11 Jan 2012).

2 | Cf. Simone Schlindwein, "Wahlergebnis im Kongo: Tatort Wahlbüro", *taz.de*, <http://taz.de/Wahlergebnis-im-Kongo/!83470> (accessed 11 Jan 2012).

in 2006 were monitored by 17,600 UN soldiers from the MONUC Mission, 2,000 soldiers from the EUFOR RD Congo, of which 780 were from Germany, and 80,000 members of the Congolese security forces. This was the first time that Germany had headed up an autonomous EU military operation. There were also around 1,200 election observers on the ground, including the former Canadian Prime Minister, Joe Clark.

There were 33 candidates for the office of president and 9,707 candidates for the 500 seats in the National Assembly. There was a huge turnout for the elections. Many voters travelled long distances to the polling centres, some even sleeping outside overnight. The turnout in the towns and cities was between 60 and 80 per cent.

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There was repeated rioting in the weeks leading up to the elections. The elections had originally been planned for 2005 and were seen as a key milestone in the reunification of the country after the civil war. The registration of voters had been due to start in the middle of June 2005, with the elections taking place later that year and on 17 May 2005 parliament passed the necessary new constitution. This was meant to replace the two-year-old interim constitution and form the basis for the elections. Before it came into effect, however, it had to be ratified by a national referendum, which resulted in the elections being postponed until 2006. While there was some criticism of the new constitution, it was seen as being functional and solid enough to act as the basis for the establishment of a new state. The most significant changes included more decentralization and a reduction in the power of the head of state. At the same time, many feared that the elections could sow the seeds for further military conflict and re-ignite the civil war.

At the beginning of 2006, around 17,000 military observers and soldiers from the "Mission de l'Organisation des Nations Unies en République Démocratique du Congo" (MONUC) were involved. The UN Security Council had decided against enlarging the mission and sending additional Blue Berets. However, at the request of the UN, the EU and Germany looked into how and with what means they could use military operations to support the elections

and the existing UN mission within the framework of a further mission. The result was the EUFOR RD Congo mission, which was sent to the country for the period of the elections.

The official preliminary election results were announced on 21 August 2006. Kabila received the most votes with 44.81 per cent. The election turnout was 70 per cent. As none of the candidates had an absolute majority, there was a second ballot on October 29, which, according to the UN, went off without any significant problems. In this second ballot, Kabila came out on top with 58 per cent of the votes, beating Bemba into second place. On 28 November 2006 the country's Supreme Court rejected a claim that there had been evidence of electoral fraud.

In the second ballot in October 2006, Kabila came out on top with 58 per cent of the votes. In November the Supreme Court rejected a claim that there had been evidence of electoral fraud.

The UN MONUC mission and the German army both described the elections as having been a great success. With the appointment of a government and the consolidation of parliament – helped by the constant presence of MONUC troops – the foundations were now in place to start rebuilding a country that had been destroyed by decades of plundering and war.

2011: POLITICAL AND ECONOMIC SITUATION IN THE DR OF THE CONGO

Up until 2007 the Congolese gross domestic product (GDP) showed a regular growth rate of up to 7 per cent, significantly higher than the international average. It should be said, however, that this growth was starting from a very low base, due to decades of mismanagement and civil war. Certain sectors made a significant contribution to the growth, including the mining industry (up by approximately 27 per cent), trade (approximately 22 per cent) and the construction industry (approximately 21 per cent).

Like most sub-Saharan African states, the Democratic Republic of the Congo was not greatly impacted by the early effects of the global financial crisis because its financial sector was so poorly developed, but, as a consequence, the secondary effects, in terms of a significant

drop in prices for its main exports, hit it really badly. Since October/November 2008, the most important economic indicators have shown a negative trend, which has had dramatic consequences for the country's national finances. Since 2009 GDP growth has fallen by around 2.7 per cent.

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Inflation grew significantly after 2008 and since then has remained static. The main reasons behind this massive fall in value of the Congolese currency include an increase in the money supply by the country's central bank, which the government used to try to hide its budget deficit and to finance its military activities in the east of the country, and lower levels of foreign exchange revenue due to falling raw materials prices. The dollarization of the Congolese economy is continuing apace.

Despite this, the Democratic Republic of the Congo remains a potentially very rich country due to its huge wealth of natural and agricultural resources. The key to unlocking this potential lies in the development of critical infrastructure for the transport of goods (roads, rail links, ports and waterways) as well as energy production (power stations and electricity grids). International donors have recognised this fact and are financing large-scale projects there that are also starting to attract the interest of large companies with significant financial resources. A lot of hope is being placed on hydroelectric power station projects in various regions that should result in the country becoming energy self-sufficient.

With the exception of the mining sector and, to a lesser extent, the telecommunications sector, the Congo has so far attracted little foreign investment. This is most probably due to the lack of a real industrial base, the lack of skilled workers and the ongoing fragile political situation in the country. Rampant corruption, lack of legal certainty and an incomprehensible and arbitrary tax system do much to put off potential investors. In 2009 the Democratic Republic of the Congo was ranked 182nd of 183 countries in the World Bank's Doing Business report, which measures the willingness of a country to reform in order to improve its ability to attract investment.

The social, humanitarian and human rights situation in the country as a whole is still awful, made worse by the effects of the international economic and financial crisis. Urban centres are just as affected as rural areas. Income levels are simply too low and the physical and social infrastructure is a disaster. The supply of public goods has been reduced to a minimum and is often provided by national and international non-governmental organisations, rather than by the government itself. Every social indicator ranks amongst the worst in the world. Social unrest is an almost daily occurrence due to the impoverishment of the people. Policemen, doctors, soldiers – in fact everybody in the public sector – are badly paid, if they get paid at all. Strikes by those working in public institutions are a daily occurrence.

Arbitrary decision-making and corruption exist at all levels, while regular human rights violations and an ostentatious and neo-Mobutu lifestyle on the part of the ruling elite simply add to the frustration of people who have to put up with rising food prices, high rents and school fees. These problems cannot be concealed by the existence of a few prestigious projects in the capital city. It makes a mockery of the huge hoardings advertising the building of a new national palace or an ultra-modern airport when the people walking past the hoardings are going hungry.

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Over recent times, the DR of the Congo has been coming in for more and more criticism from the West. In return for financial assistance, the international community naturally wants to see certain conditions fulfilled in the way the government is run, in the combating of indiscriminate violence and corruption and in the guaranteeing of human rights and democracy. Because so little progress is being made in these areas, another country, China, is gaining significant influence in the Congo because it has a simple formula for its economic involvement in a country like this: infrastructure in exchange for resources.

A lot of the money simply flows into the coffers of those in national and regional power. In the northeast of the Congo, for example, regional warlords finance the purchase of

weapons through the sale of natural resources. Big businesses and state-owned enterprises make sure they are awarded the sought-after prospecting licenses. China is particularly active in this area and builds roads and schools in return. The Chinese do not interfere politically, which guarantees their popularity with the government. If you take a drive through the streets of Kinshasa you will quickly become aware of just how much Chinese presence there is in the capital. Everywhere you look there is evidence of this type of economic cooperation: raw materials, mining rights and market freedom are being exchanged for roads, housing and, of course, cash. There are distinct strategic advantages for the African country in dealing

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with the People's Republic of China because the investments made by the economic superpower are not conditional on such things as good governance or the liberalisation of trade. The rivalry between China, the USA and European countries in the race for natural resources and spheres of influence is good for business and gives African governments a certain amount of flexibility when it comes to choosing development aid donors and investors. A recent Chinese loan deal with the Congo, worth several billion US dollars, certainly raised a few eyebrows.

5 years on from the first free elections, the human rights situation is still basically very unsatisfactory. Despite the fact that the Congo is formally a constitutional state, human rights laws and legal standards are widely ignored. The legal system, the police and the armed forces continue to act in an arbitrary way and indiscriminate killings by security forces are a regular occurrence. Many Congolese still lack basic rights such as food, education, access to healthcare and a reasonable standard of living. Even fundamental labour standards (such as the ban on child labour, maximum working hours, health and safety, etc.) are routinely ignored. In theory, the law guarantees gender equality in the country, but in reality women are disadvantaged in many ways. There is some freedom of the press, within certain limitations. The death penalty has not yet been abolished, although death sentences have not actually been carried out since 2002.

The DR of the Congo, 6 times bigger than Germany, does not have a properly functioning judicial system. Hardly any culprits are brought to justice. In the often ethnic-based, but economically-motivated struggles between the army, foreign rebels and militias with roots in the east of the country, rape is used as an instrument of war by the rival groups as a way of maintaining power. According to an expert from Human Rights Watch, sexual violence is used as a way of ensuring that local communities accept the power and authority of a particular armed group. The brutality and systematic nature of this practice in the Congo is without precedent.

CONTROVERSY IN THE RUN-UP TO THE ELECTIONS

In the run-up to the latest elections there were a number of disputes over changes to the constitution made by the incumbent Joseph Kabila, which, in the opinion of the opposition, significantly favoured his re-election. The most important change was doing away with the secondary ballot in the presidential election, which was passed by the National Assembly on 12 January 2011 and one day later by the Senate. Under this change, agreed by both parliamentary chambers, a candidate only needs to achieve a simple majority in the first round of the elections to be declared the winner, even if that represents less than 50 per cent of the vote. Therefore the opposition would have had to agree on a joint candidate in the first round of the elections in order to have any chance at all of winning the presidency.

This was not the only reason why many foreign observers were doubtful that the 2011 elections would be carried out fairly and properly. Some people even felt that the United Nations themselves, who were acting as independent election monitors, were not necessarily to be trusted because, although they had attested that the presidential elections in the Ivory Coast in 2010 had been carried out properly, they were not able to prevent the election results of losing candidate Laurent Gbagbo, announced by the Opération des Nations Unies en Côte d'Ivoire (ONUCI), from being officially recognised. It was feared that the same thing would happen during the elections in the

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Democratic Republic of the Congo. There was widespread criticism of the constitutional changes within the DR of the Congo itself.

At the beginning of November 2011, opposition candidate Etienne Tshisekedi declared in a TV interview that he represented the majority of the people and was therefore the de facto president, whether elections took place or not. As a result, the information minister Lambert Mende announced that his ministry was considering levelling a charge of treason against him.

Since the beginning of September 2011, there had been repeated violent protests in the capital Kinshasa against potential electoral fraud. The demonstrators accused the incumbent Kabila of allowing voters to register several times in order to influence the election in his favour. The electoral commission CENI announced that amongst the 32 million voters they had found 20,000 who had been registered twice and promised to correct the mistake.

When Tshisekedi, accompanied by thousands of his supporters, wanted to announce his candidacy for president on September 5 in Kinshasa, there were more violent clashes. As the group passed by the headquarters of the PPRD, Kabila's party, stones were thrown and cars were set on fire. Later that night, a group of masked activists attacked a building belonging to the UDPS, Tshisekedi's party, with rocks and incendiary devices. The main office of the private broadcaster Lisanga, which stood across the road, ended up being burned down. The next day a member of the UDPS was killed during armed clashes and other party members were injured. As a result, the governor of Kinshasa, André Kimbuta, banned all demonstrations during the voter registration period. Despite the ban, there were clashes during a UDPS demonstration on October 7 that resulted in 2 dead and around 10 people being injured. The rally

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was meant to increase the pressure on the electoral commission to prevent irregularities in the run-up to the elections, but it had already been banned in advance by the authorities. After that, there were almost daily violent clashes connected to the elections right up to the beginning of November, but no larger coordinated

events, so the security forces were soon able to regain control of the situation.

THE CANDIDATES

A total of 11 candidates stood in the presidential elections, of which 4 had been heavily involved in the politics of the DR of the Congo for many years.

Joseph Kabila Kabange, born in 1971, has ruled as the country's president since January 2001, when he succeeded his assassinated father, Laurent-Désiré Kabila. Kabila, who was born in the east Congolese province of South Kivu, joined his father's rebel troops in 1996 and served as a commanding officer in the First Congo War. After the fall of the dictator Mobutu Sese Seko and the takeover of power by Laurent Kabila, Joseph Kabila studied for a short time at the National Defence University of the People's Republic of China before being made a major general in

the Congolese army. In 2000 he became chief of staff of the armed forces. To begin with, people within the country itself and within the wider international community saw him as someone who might be able to bring some stability to a country that had been wracked

People within the country itself and within the wider international community saw Kabila as someone who might be able to bring some stability to a country that had been wracked by numerous wars.

by numerous wars. Initially there was some cause for cautious optimism. Kabila reduced the presence of troops from neighbouring Uganda and Rwanda who had taken part in the war and allowed the United Nations in particular to send peace-keeping forces into the country (MONUC, since 2010 known as MONUSCO). He also promised free and fair elections after a short transitional period, and these elections finally took place in July 2006, with the assistance of a contingent of German troops (EUFOR RD Congo).

Following his election victory in 2006, President Kabila outlined his predominantly domestic political goals, including the economic and social recovery of the country and reforms of the judiciary, police and armed forces. He also wanted to continue with the decentralisation of the state, which in future would be made up of 26 provinces, instead of 11. In his inauguration speech in 2006 he spoke of building transport connections and schools, providing

water and power and creating jobs and income, and he coined the idea of "five great building sites." However, the sheer extent of the destruction, the huge geographical dimensions of the country and the poor security situation presented enormous challenges to any efforts to rebuild the country.

In actual fact, the president's "five building sites" had made little or no progress during the previous 5 years. There had also been little progress in his efforts to decentralise the country. Originally, the constitution divided the country into 26 provinces, instead of 11, including the introduction of financial equalization. However, in the course of the work carried out by the relevant government commission, this plan became a casualty of constitutional reform. This kind of internal political stagnation was bound to leave its mark on the political and economic climate in the Democratic Republic of the Congo. Persecution and oppression, corruption and poverty are just as commonplace now as ever. Despite having a government with legitimate democratic credentials, the results of what is now 5 years of government work have been somewhat lacking. This has also had an impact on the individual provinces as well as on the popularity of Joseph Kabila himself.

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Etienne Tshisekedi wa Mulumba, born in 1932, served as prime minister several times under Mobutu in what was then known as Zaire. Tshisekedi was born in Luluabourg, known today as Kananga, in the province of West Kasai. During his studies in 1958 he joined Patrice Lumumba's party Mouvement National Congolais (MNC). After passing his bar exam in 1961 he became the first Congolese ever to get a doctorate diploma in law. Following Mobutu's second coup on 25 November 1965, which heralded the beginning of a period of rule that lasted until 1997, Tshisekedi became the Interior Minister in the government of Prime Minister General Léonard Mulumba. After that he also served as Justice Minister and Minister for Planning, Research and Science. In September 1969 he became the Mobutu government's ambassador to Morocco. After his return in February 1971, he served as a member of parliament, including a period as its vice-president. Alongside his governmental duties, he also held positions in state-

owned businesses such as the airline Air Zaire. However, after 1979 he emerged as a critic of Mobutu and has been imprisoned on a number of occasions since then. In 1982 he founded the initially outlawed party Union for Democracy and Social Progress (Union pour la Démocratie et le Progrès Social, UDPS) together with other critics of the system. A court sentenced him to 15 years in prison, but he was released a year later. Since that time, he has been repeatedly imprisoned, exiled or placed under house arrest.

In 1987 the UDPS was forced to unite with Mobutu's party "Mouvement Populaire de la Révolution" (MPR) and since that time the UDPS has returned to working largely underground. With the end of the Cold War and subsequent fading of international support, Mobutu felt compelled to introduce a multi-party system and Tshisekedi was appointed Prime Minister in September 1991. The government was then dissolved again by Mobutu on November 1 of the same year. A national conference convened in 1992 confirmed Tshisekedi as Prime Minister for a second time on August 15 to that year. Shortly before Mobutu was removed from office by Laurent-Désiré Kabila, following years of civil war, Tshisekedi served as Prime Minister for a third time, this time for 7 days from 2 April 1997, although, as on the 2 previous occasions, he had little real power.

Under Laurent Kabila, Tshisekedi remained a critic of the government and was once again imprisoned on a number of occasions. At the end of 1999 he went into exile in Brussels and only returned to the DR of the Congo after the death of Laurent Kabila in 2001.

Tshisekedi remained leader of the UDPS and continues to be a significant opponent of the government. In December 2005 he called in vain for a boycott of the referendum on a new constitution. After 84.31 per cent of voters voted in favour of the new constitution in the first free vote for 45 years, he announced that his UDPS would not take part in the upcoming elections. In 2011, however, he decided to stand as a candidate.

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Vital Kamerhe Lwa Kanyiginyi Nking, born in 1959 in the city of Bukavu in the province of South Kivu, started his

political career in 1984 in Etienne Tshisekedi's UDPS. In 1993 he was appointed Director of the Cabinet of the Ministry of the Environment in the multi-party government that was in place towards the end of Mobutu's rule, and in 1994 he became Coordinator of the Prime Minister's Cabinet.

Under Laurent Kabila, Kamerhe became Chief of Staff of Etienne-Richard Mbaya, Minister of Reconstruction, and between 1997 and 1998 Director of the Service National, a quasi-military service set up by the Laurent Kabila regime. He was later appointed Finance Counsellor at the Ministry of Defence and finally Deputy Commissioner in charge of UN MONUC affairs. As a founding member of the PPRD, Joseph Kabila's party, Vital Kamerhe was one of the leading personalities in the peace process in the Democratic Republic of the Congo in 2002. He was Commissioner General of the Government and responsible for monitoring the peace process in the Great Lakes region. He was one of the principal negotiators of the 2002 peace agreement. In 2003 he was appointed Minister of Information and the Press in the transitional government.

In 2004 Kamerhe became Secretary General of the PPRD and organised current president Joseph Kabila's election campaign, where he gained a reputation as a "kingmaker."

In December 2010 Kamerhe announced that he was leaving the PPRD and was founding a new opposition party, the Union pour la Nation Congolaise, and would be contesting the elections with them.

In December 2007 he was elected President of the National Assembly – a position he had to relinquish in March 2009 following that he differences of opinion with Kabila. After that, he lived mostly in Canada before finally announcing on 14 December 2010 that he was leaving the PPRD and was founding a new opposition party, the Union pour la Nation Congolaise (UNC), and that he would be contesting the elections with them.

Léon Kengo Wa Dondo, born in 1935 in Libenge in the province of Equateur, has been President of the Congolese Senate since May 2007. Under the dictator Mobutu he became Prime Minister for the first time in 1982. Following his dismissal in October 1986, he served as Foreign Minister until 1987. His almost 4 year term of office as Prime Minister was the longest in the history of the country, and in November 1988 he was appointed for a second time. He

remained in office until May 1990. Given Mobutu's grip on power, his time in office in the 1980s was more a matter of protocol than anything else.

As an advocate of the free market, it was expected that he would revitalize the ailing economy. During his time in office he expelled members of the Lebanese minority for alleged involvement in the smuggling of so-called blood diamonds. Shortly before Mobutu's fall, he announced his resignation and left office 9 days later. The transitional government had already decided that he should be removed from office. Kengo Wa Dondo initially left politics and went into exile in Belgium. In November 2003 he returned to his homeland – he was being investigated in Belgium for suspected money laundering. In December 2003 there was some confusion over an apparent warrant for Kengo Wa Dondo's arrest for the misappropriation of public funds during the Mobutu era.

In addition to these 4, there were a number of other presidential candidates, who had little chance of success. The MLC, the opposition party with the strongest representation in parliament, did not nominate a candidate. Because of ongoing legal proceedings at the International Criminal Court in The Hague, the MLC were not in a position to put forward their best known party member, Jean-Pierre Bemba, as a candidate. In 2006 Bemba received 20.03 per cent of the vote.

Kabila's 3 main challengers were not able to come to an agreement in time on one of them standing as a central opposition candidate following the announcement that there would be no second round voting. The politically unastute statement by Tshisekedi at the beginning of the negotiations that, if there were to be a joint candidate, it would naturally have to be him, certainly did not help matters. As a result, observers were convinced early that Kabila would win the vote because he had more money, more influence, better logistics and because his opponents did not seem to want to agree on a joint campaign. In the previous months there had been frequent riots and some people had even been killed. Tshisekedi's UDPS felt they had been particularly unfairly

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treated. Following the boycott of the elections in 2006, they were forced to adopt the role of extra-parliamentary opposition and were not represented on many important committees.

The main reason that there was widespread dissatisfaction surrounding the organisation of the elections was the fact that the head of the electoral commission, CENI, was a close friend of Kabila. The registration of voters was slow and far from transparent, with many people being registered twice. The logistical challenges of delivering all the election materials on time, and explaining to people exactly where they could vote, in a country that is largely covered in jungle, were not handled well enough.

THE ELECTION TIMETABLE 2011-2013

Abbé Apollinaire Malu-Malu, announced the timetable for the parliamentary and presidential elections in August 2010. This would amount to a real election marathon and is not due to end before August 2013.

The president of the Independent Electoral Commission (Commission Electorale Indépendante, CEI), Abbé Apollinaire Malu-Malu, announced the timetable for the parliamentary and presidential elections in August

2010. This would amount to a real election marathon for the people of the country and is not due to end before August 2013. The presidential elections and the national parliamentary elections were set for 28 November 2011. Provincial parliamentary elections are due to take place on 26 February 2012, Senate elections on 13 June 2012 and the election of provincial governors and deputy governors on 12 July 2012. Elections for district councils and local councils will take place on 31 January 2013, followed by the elections for district and municipal council leaders on 19 May 2013. The election process will finally come to an end with the elections for mayors and deputy mayors on 8 August 2013.

ELECTION DAY

The United Nations provided logistical support for the elections. The budget for the election was around 610 million euros, of which approximately one-fifth came from international sources. There were around 300,000 election workers and approximately 62,000 polling stations were set up. 32,024,640 members of the population were

eligible to vote. According to official figures, the turnout was 58.81 per cent.

On Election Day itself, there were a lot of complaints about polling stations opening late or not opening at all, about mistakes on electoral lists, failure to respect ballot confidentiality and voting slips that had been completed in advance. Around 15 polling stations were apparently set on fire and voter slips stolen. In the provinces there were some isolated shootings. The worst case was in the province of Katanga, where, according to the province's governor, armed men stormed the polling station in the city of Lubumbashi and killed 3 people. Some of the attackers were also killed. In Kinshasa itself, Election Day passed off relatively peacefully.

Around 15 polling stations were set on fire and voter slips stolen. In the provinces there were some isolated shootings. The worst case was in the province of Katanga.

As the expected difficulties on Election Day resulted in the election process not being completed everywhere, the Electoral Commission spokesman, Matthieu Mpita, announced that the elections would be extended by one day. The official reason given for taking this step was that not all voting slips had been delivered on time. On November 29, the second day of the elections, votes were being counted in some polling stations, while in others voting continued. On the same day, the UDPS announced their own "results", according to which Etienne Tshisekedi had been the clear winner in the elections with over 50 per cent of the vote. Where they had got these figures from was not clear.

RESULTS AND REACTIONS

When the results were finally announced late on the Friday afternoon, nobody was particularly surprised. President Kabila was the clear victor with 49 per cent, ahead of his challenger Tshisekedi, who got 33 per cent of the vote. But before Kabila supporters could even start celebrating, the inevitable happened and opposition leader Tshisekedi declared himself president as well. Youths in the slum areas started burning tyres, leaving clouds of grey black smoke hanging over the city. The police and the military were called out to put down the protests.

Every evening for days on end, the head of the Electoral Commission, Kabila's close friend Daniel Mulunda, announced partial results. And every evening it became increasingly clear that President Kabila was well ahead of his rival Tshisekedi outside of the capital. This created even more mistrust amongst the opposition. Presidential candidate Vital Kamerhe accused Kabila of systematically influencing the results and announced that he will not accept the outcome.

Jerome Bonso, coordinator of the independent "Coalition for Transparent and Peaceful Elections" in the Congo, complained that there have been countless "attempts at fraud and manipulation" during the elections. "The atmosphere is explosive. We are entering a period of extreme tension."³

Table 1

Results of the 4 main candidates in the 2011 presidential election

Candidate	Party	Share in %	Number of votes	Majority in the province
Joseph Kabila	PPRD	48.95	8,880,944	Bandundu, Katanga, Orientale, North Kivu, South Kivu, Maniema
Etienne Tshisekedi	UDPS	32.33	5,864,795	Bas-Congo, Kinshasa, West Kasai, East Kasai
Vital Kamerhe	UNC	7.74	n/a	—
Kengo Wa Dondo	—	4.25	n/a	Equateur

The European Union, the Catholic Church and election observers from the Carter Centre expressed their doubts about the credibility of the elections after a whole series of dubious incidents were documented before, during and after the vote. A good example was the fact that the results went missing from almost 2,000 polling stations in Kinshasa, a city where Etienne Tshisekedi knew he had

3 | Johannes Dieterich, "Geordnete Katastrophe bei der Wahl im Kongo", 2 December 2011, *Frankfurter Rundschau*, <http://fr-online.de/politik/kongo-geordnete-katastrophe-bei-der-wahl-im-kongo,1472596,11249562> (accessed 11 Jan 2012).

a lot of support.⁴ There were many rumours of the existence of bogus polling stations, where voting slips in favour of President Kabila had been systematically filled out in advance. There were accusations that the Electoral Commission had deliberately created chaos so that inhabitants in the capital would not be able to vote.⁵

COURT APPEAL

In the days and weeks after the elections there was widespread fear in the capital. Soldiers and police marched into the city and patrolled the streets. Banks and businesses remained closed and hardly anybody ventured onto the street after nightfall. Around 3,000 people fled by boat across the Congo River to the neighbouring Republic of the Congo. Many people are afraid that violence will escalate once again as the opposition is calling upon people to protest.⁶

As the official announcement of the election results had been postponed several times Tshisekedi called upon the people to "take responsibility". He couldn't have been any clearer in his call for people to riot. As soon as the preliminary election results were announced, there were violent clashes in many areas of Kinshasa.

On December 16, the Supreme Court of the Democratic Republic of the Congo confirmed the provisional results of the Electoral Commission (CENI) and the re-election of President Joseph Kabila as head of state. Presidential candidate Vital Kamerhe filed an appeal with the court in the hope of having the elections re-run. However, the judges ruled that his case was not strong enough to have the elections declared null and void.⁷

4 | Cf. Arne Perras, "Kritik an Wahl in Kongo", 16 December 2011, *Süddeutsche.de*, <http://sueddeutsche.de/h5D385/372828/Kritik-an-Wahl-in-Kongo.html> (accessed 11 Jan 2012).

5 | Cf. Simone Schlindwein, "Angst vor Ausschreitungen in Kinshasa", 10 December 2011, *Deutschlandfunk*, <http://dradio.de/dlf/sendungen/einewelt/1625434> (accessed 11 Jan 2012).

6 | Cf. *ibid.*

7 | Cf. Dominic Johnson, "Oberstes Gericht bestätigt Kabilas Wahlsieg", 16 December 2011, *taz.de*, <http://blogs.taz.de/kongo-echo/2011/12/16/oberstes-gericht-bestatigt-kabilas-wahlsieg> (accessed 11 Jan 2012).

OUTLOOK

There were suspicions that the election process in the DR of the Congo had been massively manipulated by the president and those loyal to him as early as the previous year. Changes to the constitution, that made it possible for somebody to claim victory with a simple majority, the appointment of party members to the Electoral Commission, the highly controversial voter registration process, the intimidation of opposition candidates and the manipulation of ballot boxes were all good reasons to rule out the possibility of Kabila being beaten long before Election Day.⁸

It was not easy for the international community to make specific demands on the rulers in Kinshasa. At the end of the day, the Democratic Republic of the Congo is a sovereign state with an elected government and – as *Zeit* journalist Andrea puts it – you cannot simply take the Electoral Commission or the vote counting process away from them.⁹ As a result, the international community had a lot less scope to intervene this time than they had in 2006.

Nevertheless, they should have encouraged the Electoral Commission to push the election back by several weeks. International observers were unanimous in their belief that many of the irregularities were the result of logistical chaos. The danger of the international community's approach to these elections lies in the current desire to avoid conflict. In order to avoid any further unnecessary destabilisation of the Congo, there is an inclination on the international stage to simply accept Kabila's election victory, as it is clearly no longer possible to determine whether or not the irregularities and manipulation actually had a decisive influence on the outcome.¹⁰ UN General Secretary, Ban Ki-moon, urged the people of the country to remain calm. Any differences of opinion should be dealt with through available "legal mechanisms" and mediation

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8 | Cf. Andrea Böhm, "Kongos Wahldebakel", 11 December 2011, *Zeit Online*, <http://blog.zeit.de/kongo/2011/12/11/kongos-wahldebakel> (accessed 11 Jan 2012).

9 | Cf. *ibid.*

10 | Cf. *ibid.*

processes. What he actually envisaged happening in concrete terms, he did not make clear. What will be especially important for the Congolese opposition now will be the continuing interest of the international community, especially America and the European Union, in the political events unfolding in the DR of the Congo.