

Civil Society Declaration Concerning Elections in the Democratic Republic of the Congo

We, the undersigned members of civil society from the Democratic Republic of the Congo (DRC) and around the world, are united in support for the rights of the Congolese people to freely and democratically elect their leaders in accordance with article 5 of the Congolese Constitution, which states: “La souveraineté nationale appartient au peuple. Tout pouvoir émane du peuple qui l'exerce directement par voie de référendum ou d'élections et indirectement par ses représentants.” (“National sovereignty belongs to the people. All power emanates from the people who exercise it directly through referendum or elections and indirectly through their representatives.”).

In the preamble to the Congolese Constitution, the crisis of legitimacy is identified as the main source of the various conflicts that the DRC is going through. And the fundamental cause of this situation is the absence of credible and inclusive elections. It is, therefore, a fundamental responsibility of the Congolese government to fully support the organization of elections as set out by, and as required under, the Congolese Constitution and the government’s program, which provides in particular “to ensure and perpetuate the process of democratic alternation in summit of the State by respecting constitutional deadlines.”

In 2011, civil society, both in the DRC and internationally, questioned the legitimacy of the officially announced results. The most recent elections, which were due to be held in 2016, were postponed until 2018. The official results declared in January 2019 have also been questioned by civil society in the DRC and abroad. These two elections were marred by serious irregularities and violations of the fundamental requirements of the Constitution and Congolese laws. Unfortunately, the international community did not sufficiently support free and fair elections in these previous electoral processes.

We fear that the next elections are also going to be problematic. Already, initial preparations have been marred by irregularities and violations of fundamental procedures, all amid suspicions of corruption. In addition, it is critical to note the urgency to implement the recently published roadmap by the Congolese National Independent Electoral Commission (CENI) in order to complete all the necessary steps to guarantee the respect of deadlines, transparency, and credibility of the elections.

We call on the CENI to respect its commitments to operate in a transparent, independent, and inclusive manner, and to fulfil its crucial mandate to organize free, credible, transparent, inclusive, and democratic elections. There can be no question of linking this electoral process to others that could delay it. Thus, we ask the CENI to publish the final electoral calendar as soon as possible. We call on the President of the DRC, the Prime Minister, the Congolese Parliament, and other state actors to fulfil their duty by providing the CENI with all the necessary means for the achievement of these objectives, in order to use this process as an opportunity to restore trust between all parties involved. Along the same lines, we urge parliamentarians to carry out an inclusive and consensual review of the electoral law, taking care not to jeopardize the deadline. We also call on Justice, in particular the Constitutional Court and the Appeal Court, to fully play its role in guaranteeing that the democratic choices of the voters are respected.

We support the use, at each stage of the process, of targeted sanctions and other tools that would target any individual and/or institution that threatens the smooth running of the process.

We are committed to play our role as guardians of this process. We believe that civil society observers, from both Congolese and international organizations, should have all the necessary approvals and freedom to observe and report on the upcoming elections. Therefore, we call on international institutions committed to peace and democracy to provide all the necessary support to civic education and electoral observation efforts. In this regard, we welcome the President of the DRC's call for international election observation, and we call for the mobilization of the United Nations, the African Union, the European Union, the United States of America, and all the friends of the DRC to make it a reality.

Signed:

ASADHO	Juriste en Action (JURAC)
La Ligue des Electeurs (LE)	La voix des Opprimés (VDO)
Agir pour des Elections Transparentes et Apaisées (AETA)	La voix Intègre de Communautés Opprimées (VICOP)
Observatoire de la Dépense Publique (ODEP)	League of Youth for the Renaissance of Congo (LYREC)
LUCHA	Les Amis de Nelson Mandela pour la défense des Droits Humains (ANMDH)
FILIMBI	Les Amis de Nelson Mandela pour les Droits Humains (ANMDH)
AFRIWATCH	Maman n'a Nzela ya Développement (MND)
UNIS	Nouvelle Dynamique de la Jeune Femme (NDJF)
Dynamique des Politologues (DYPOL)	Nouvelles Dynamiques pour le Développement Rural Intégral (NODRI)
CDC ITURI	Protégions la Vie Humaine (PVH)
Initiative Bonne Gouvernance et Droits Humains	Réseau International des Activistes des Droits de l'Homme (RIADH)
OEARSE	Réseaux des Femmes pour la protection de Droit de l'Enfant et de la Femme (REFEDEF)
Justice Pour Tous	Solidarité des Albinos du Kasaï-Oriental (SAKOR)
AFRIKKI	Solidarité des Ongs pour la Démocratie, Education civique et Droit de Homme (SOLIDEC-K/DH)
Solidarité (AJS) TAL-LAFI	Trois Rivières (TR)
PAX	Vivre avec Handicap au Congo (VIHANDICO)
Réseau d'Organisations des Droits Humains et d'Education Civique d'Inspiration Chrétienne (RHODECIC)	ABFEC - Action Congo asbl
Centre de Recherche sur l'Environnement, la Démocratie et les Droits de l'Homme (CREDDHO)	Jean Claude Mputu
Alarme pour la Prise de Conscience aux Devoirs et Droits Humains (APCDDH)	Mrs. Marie Madeleine Kalala
Association Congolaise pour le Droit de l'Homme (ACDHO)	<i>African and international organizations/persons</i>
Association des Défenses des Droits de l'Homme, des victimes des Violences sexuelles et d'encadrement des enfants en rupture avec la famille (ADDHVER)	The Sentry
	Panzi Foundation

Cercle National de Réflexion sur la Jeunesse en RDC (CNRJ-RDC)

Collectif des Femmes Avocates pour la Promotion des Droits Humains (COFAP/DH)

Convention pour le Développement du peuple autochtone Pygmées (CPDA)

Coordination des Personnes Handicapées du Kasai – Oriental (COPHAKOR)

Dynamique pour la défense des Droits des Vulnérables (DDV)

Espoir de Vie pour Tous (ESVIT)

Groupe d'actions pour les Jeunes Nécessiteux (GAJEN)

Institut Congolaise pour le Droit de l'Homme (ICDH)

Human Right Watch (HRW)

Action Kivu

Never Again Coalition

American Jewish World Service

Jewish World Watch

Crane Center for Mass Atrocity Prevention

Stop Genocide Now

Resource Matters

Elizabeth Barad, Member, NYC Bar Association

Anthony W. Gambino, Former USAID Mission Director, DRC

Steve Weissman, Former Staff Director, US House of Representatives Subcommittee on Africa