

AFRICA RISK CONSULTING

DRC Monthly Briefing September 2017

DRC Summary 29 September 2017

During a speech at the United Nations (UN) General Assembly, President Joseph Kabila (2001-present) pledges to move towards elections, but refuses to offer a firm timetable. Opposition leaders Moïse Katumbi and Félix Tshisekedi, call for Kabila to resign if elections are not held before the end of 2017. Kabila defends military actions in the Kasai region, which have left 3,000 dead and 1.4 million people displaced. The UN Security Council calls for further investigations into the deaths of two UN investigators, Michael Sharp and Zaida Catalan, who were killed in the Kasai region while investigating the conflict. DRC security forces reportedly open fire on protesting Burundian refugees in the town of Kamanyola in South Kivu, killing 39 and wounding 94 people.

Kabila pledges elections to the United Nations General Assembly...

The president of the **Democratic Republic of the Congo (DRC)**, **Joseph Kabila** (2001-present), pledged to move towards elections in a speech at the **United Nations (UN) General Assembly** on 23 September.¹ While Kabila did not state the elections would be held in 2017, as per the 31 December 2016 agreement, he did state that a timeline for the presidential election would be released “soon”.² Kabila’s mandate officially ended on 19 December 2016, but the 31 December agreement allowed Kabila to remain as president until elections are held, at which time he must step down.³ The opposition claims that the agreement required Kabila to hold these elections in 2017, a claim his allies contest. The **UN Security Council** has demanded that elections be held before the end of the year and the **United States (US)** has threatened to apply sanctions if elections are not held.⁴ Additionally, representatives from the **African Union (AU)**, **European Union (EU)**, **China**, **Russia** and several **African** regional economic communities, including the **Economic Community of Central African States (ECCAS)** and the **Southern African Development Community (SADC)** met on the sidelines of the general assembly and jointly released a statement that,

“...reaffirmed the centrality of the 31 December 2016 agreement and the necessity for its full implementation to pave the way for the timely holding of free, fair, peaceful and credible elections in [DRC].”⁵

It is unlikely that the government plans to hold elections before the end of the year. According to Kabila, while 42 million of a total 45 million citizens of voting age are now on voting lists, the major logistical and security challenges present in the DRC have made election preparations difficult and slow.⁶ The final area to be processed is **Kasai**, which is currently experiencing conflict between government forces and militia members (see below), and is unlikely to be completed very quickly.⁷ According to **Commission Electorale Nationale Indépendante (CENI)** (independent national electoral commission) spokesperson **Jean-Pierre Kalamba**, the “*delay in registration means a*

¹ News24, 23 Sep 2017.

² New York Daily News, 23 Sep 2017.

³ ENCA, 31 Dec 2016.

⁴ News24, 23 Sep 2017.

⁵ Africa Times, 22 Sep 2017.

⁶ News24, 23 Sep 2017.

⁷ New York Daily News, 23 Sep 2017.

presidential election will not be possible [in 2017].”⁸ Kabila maintains that elections will happen and that other states should allow the process to run unimpeded, stating to the UN general assembly that,

*“...we can affirm that we are most certainly moving towards credible, transparent and peaceful elections. This is an irreversible process and this should be put in place without external diktats or interference.”*⁹

Aubin Minaku, DRC’s speaker of the national assembly, reiterated this to SADC’s general conference of the forum of electoral commissions on 25 September.¹⁰ Minaku expressed regret that external actors attempted to dictate how the DRC should run its elections, although Minaku thanked SADC for the support and attention it has given during the electoral process.¹¹ SADC, currently under the leadership of **South Africa’s** president, **Jacob Zuma** (2009-present), has not opposed Kabila’s continued rule and Zuma, during the closing address at the 37th SADC Summit held in **Pretoria** in August, tacitly endorsed the idea of delaying the DRC elections past the December 2017 deadline.¹²

Despite an almost complete voter roll, there is still much work to be completed before elections can commence, according to CENI president **Corneille Nangaa Yobeluo**. Yobeluo, who was also present at the SADC conference, thanked Kabila and Minaku for the government’s support and outlined the steps remaining until elections can be held, stating that,

*“...after the centralization, consolidation and processing of electors’ data, the CENI will have provided the country with a reliable file that complies with international standards and is essential to the continuation of the rest of the electoral process. Then the adoption of the law on the allocation of seats, the convocation of the electorate (with the call for candidature); control, production and deployment of both sensitive and non-sensitive equipment; the identification, recruitment and training of more or less 670,000 polling station officers; and polling, collection and aggregation of results, electoral disputes and installation of new institutions. All these activities will be reflected in the timetable that the CENI is working to publish shortly after the various evaluations in progress.”*¹³

During the UN general assembly, Kabila reportedly also met the **Belgian** prime minister, **Charles Michel**; **Guinean** president, **Alpha Condé** (2010-present), and **International Criminal Court** prosecutor, **Fatou Bensouda**.¹⁴ The meetings reportedly centered around the agreement reached with opposition leaders in 2016 which stipulated that elections would be held in 2017 and the fate of Kabila after the elections.¹⁵ The opposition **Rassemblement** coalition, which is a signatory to the 31 December agreement, stated on 14 September that Kabila:

*“... has deliberately blocked the electoral process and scuttled the accord.”*¹⁶

Opposition leaders, exiled former governor of **Katanga Province** **Moïse Katumbi** and **Rassemblement** and **Union pour la Démocratie et le Progrès Social (UDPS)** leader **Felix Tshisekedi**, signed a statement on 18 September in **New York** that called for a transition without Kabila if the elections are not held before the end of 2017.¹⁷ The statement rejected any constitutional amendments that would extend the mandate of Kabila and noted that,

⁸ News24, 12 Sep 2017.

⁹ News24, 23 Sep 2017.

¹⁰ Digital Congo, 26 Sep 2017.

¹¹ Digital Congo, 26 Sep 2017.

¹² Business Live, 31 Aug 2017.

¹³ Digital Congo, 26 Sep 2017.

¹⁴ RFI Africa, 24 Sep 2017.

¹⁵ RFI Africa, 24 Sep 2017.

¹⁶ Bloomberg, 25 Sep 2017.

¹⁷ Bloomberg, 25 Sep 2017.

“In order to prevent the legal void and chaos in the run-up to the elections by 31 December 2017 (we) demand a transition without Mr. Kabila, who has become illegal and illegitimate.”¹⁸

It is likely that elections will be postponed at least into 2018. CENI is not ready to organise and implement the elections, and the body remains chronically underfunded (although it is a matter of opinion whether this is an intentional tactic to delay the elections or not). International donors are not prepared to contribute the funds that would be needed for the election to occur before the end of the year. The international community is unwilling to commit funds without a clear timetable (see *ARC Briefing DRC July 2017*) and Kabila has previously stated that the election would cost \$1 billion (see *ARC Briefing DRC January 2017*). The opposition’s calls for Kabila to step down in the event of a absence of elections will not be heeded, either by Kabila, who is still uncertain of his future post-presidency, or the international community, who are worried of the potential power vacuum and associated political instability if Kabila were to step down without an election.

...while defending his military campaign in Kasai

During his speech to the UN general assembly, Kabila defended his military campaign in the Kasai region, arguing that they were fighting terrorism in the region.¹⁹

“In the Kasai, a mystical tribal militia is using the civilian population, including children, as human shields, attacking people and state buildings, sowing terror.”²⁰

Fighting began in Kasai after the death of a tribal chief, **Kwamina Nsapu** (formerly known as **Jean-Prince Mpandi**), in August 2016.²¹ Nsapu led a secessionist movement against Kabila’s government and government forces then allegedly murdered Nsapu.²² Nsapu’s forces – known as the **Kwamina Nsapu Militia** – have carried out attacks on government forces and civilians since then.

Kabila’s comments to the UN come days after he presided over a forum for peace in **Kananga**, the main city in Kasai Central, on 19 September.²³ Local opposition declared that the forum of peace was nothing more than a “*mini congress for the [ruling] Parti du peuple pour la reconstruction de la démocratie (PPRD)*” and that what was needed was the removal of the governor of Kasai Central, **Alex Kande**,²⁴ who is already facing a motion of censure by the **Assemblée provinciale du Kasai-Central** (Kasai Central provincial assembly office), although the motion has been postponed several times.²⁵ The **Association Congolaise pour l’accès à la justice (ACAJ)** (Congolese association for access to justice) has stated that Kande has blocked all development projects in the region, which has led to the conflict.²⁶

The Kasai Central region has now become the DRC’s biggest security challenge. Kabila is being further pressed to resolve the fighting in Kasai, in which 3,000 people have died and over 1.4 million are displaced, after two UN experts, **Zaida Catalan** and **Michael Sharp**, were killed in March.²⁷ Kabila told the UN general assembly that his government,

“...[is] determined to ensure that light is shed on the exact circumstances of this crime and to ensure that this horrendous act... will not remain unpunished.”²⁸

DRC authorities have arrested nine suspects reportedly involved in the killings.²⁹ An internal UN inquiry reported that Catalan and Sharp were murdered by militia members from central DRC, though

¹⁸ Jeune Afrique, 19 Sep 2017.

¹⁹ News24, 23 Sep 2017.

²⁰ News24, 23 Sep 2017.

²¹ News24, 23 Sep 2017.

²² News24, 23 Sep 2017.

²³ Jeune Afrique, 18 Sep 2017.

²⁴ Jeune Afrique, 18 Sep 2017.

²⁵ Actualite.cd, 29 Aug 2017.

²⁶ Radio Okapi, 13 Sep 2017.

²⁷ News24, 23 Sep 2017.

²⁸ EWN, 23 Sep 2017.

a UN security council meeting in August urged UN secretary-general **Antonio Guterres** to establish a follow-up investigation to determine responsibility.³⁰

Authorities have cracked down on dissension in the Kasai region, reportedly even forcing their entry into a UN security base to arrest a journalist, **Edouard Diye Tshitenge**, who was planning to present a manifesto on 28 August that demanded the removal of Kabila.³¹ UN officials condemned the use of force to enter the UN facility and a statement from **Maman Sidikou**, head of the **Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo (MONUSCO)** (United Nations DRC stabilisation mission) stated that it was,

*"... concerned about this very serious incident, especially because it took place under the command of a senior officer, [General **Marcellin Assumani**]. A group of soldiers ... forced entry into a MONUSCO base under the pretext of pursuing a journalist who had taken refuge there ... The increased harassment and threats targeted at journalists show a restriction of the space of freedom of speech."³²*

The conflict has been both a blessing and a curse for the Kabila government. On one hand, the conflict has meant that completing voter registration in the region is next to impossible, considering many have left their homes to flee the violence. Kabila can thus argue that, while he is willing to accept elections, it is due to forces outside of his control that have prevented CENI from completing its mandate. On the other hand, the conflict has spread from a small grievance with limited coverage to an international situation. What international, or regional, support Kabila may have left could be eroded by the heavy-handed response to the militia, which has led to increased refugees in neighboring **Zambia** and **Angola**, which was once an ally of Kabila but now a critic calling for his removal.

DRC security forces open fire on Burundian refugees

DRC security forces reportedly opened fire on protesting refugees on 15 September in the town of **Kamanyola** in **South Kivu**, killing 39 and wounding 94 people.³³ The protests began due to the arrest on 12 September of four **Burundian** refugees whom the **Forces Armées de la République Démocratique du Congo (FARDC)** (DRC armed forces) allege were armed with weapons.³⁴ A few hundred Burundian refugees then went to the **National Intelligence Agency** on 15 September to protest their detention.³⁵ Authorities fired warning shots in the air to disperse the protesters.³⁶ Some protesters began to throw stones, while one refugee grabbed a gun from a FARDC soldier and shot him, which led to the FARDC soldiers returning fire.³⁷ The DRC media and communications minister and presidential spokesperson, **Lambert Mende**, stated that the encounter was an attack and that,

"[FARDC] suffered an attack by armed persons. They are not refugees. Who identified them as refugees? An inquiry is opened to identify them."³⁸

However, this is counter to UN reports that the protesters were refugees and asylum seekers and that the peaceful protest,

"...took an ugly turn and the security forces fired live fire indiscriminately into the crowd."³⁹

²⁹ Reuters, 23 Sep 2017.

³⁰ Reuters, 23 Sep 2017.

³¹ News24, 30 Aug 2017.

³² News24, 30 Aug 2017.

³³ Al Jazeera, 19 Sep 2017.

³⁴ Al Jazeera, 19 Sep 2017.

³⁵ Al Jazeera, 19 Sep 2017.

³⁶ Al Jazeera, 19 Sep 2017.

³⁷ Al Jazeera, 19 Sep 2017.

³⁸ Al Jazeera, 19 Sep 2017.

³⁹ Al Jazeera, 19 Sep 2017.

FARDC forces have also been accused of disproportionate measures in Kasai (see above), which has led to an influx of refugees fleeing to Zambia. Reportedly 1,800 DRC residents have sought refuge in Zambia in September, the highest number recorded since 1970.⁴⁰ **UN High Commissioner for Refugees (UNHCR)** chief representative in Zambia **Pierrine Aylara** declared that

“...it is the government of the DRC that is said to be persecuting its own people by killing, maiming and torching houses, as well as committing rape and looting food ... government soldiers have become increasingly brutal to the civilian population as they are unable to tell who does, and does not belong, to this rebel group.”⁴¹

The Zambian president, **Edgar Lungu** (2015-present), stated through his spokesperson, **Amos Chanda**, that

“Zambia is concerned that the refugee situation could escalate and lead to a serious humanitarian crisis.”⁴²

The influx of refugees to neighbouring countries will reduce any support Kabila may have with regional countries. Decreased support may lead to DRC’s neighbours deciding to remove Kabila by force, similar to how Kabila’s father, **Laurent Kabila** (1997-2001) removed **Mobutu Sese Seko** (1965-1997) as president, acting from Laurent Kabila’s base in Zambia. Decreased support thus risks region-wide intervention if events continue to impact the regional economic and political situation.

Planner

31 Dec 2017 **(DRC)** Final date for elections to be held as per the December 2016 agreement;

Chronology

29 Sep 2017 **Kinshasha (DRC)** *This Day Live*. **Nigeria-based First Bank Ltd** acquires a 100% stake in **FBNBank DRC**;

28 Sep 2017 **Kinshasha (DRC)** *The East African*. Minister of telecommunications, **Leon Juste Ibombo**, announces launch of a fund to improve connectivity in rural and landlocked areas;

26 Sep 2017 **Johannesburg (South Africa)** *Mining Weekly*. **United Kingdom (UK)-based Red Rock Resources** enters into an agreement with **Isle of Man-based Cobalt Blue** to establish a joint venture to explore for cobalt near **Kolwezi**;

23 Sep 2017 **New York (US)** *New24*. **Democratic Republic of the Congo (DRC)** President **Joseph Kabila** (2001-present) addresses the **United Nations General Assembly** and affirms that elections will be held, though Kabila does not state a date;

19 Sep 2017 **Kananga (DRC)** *Jeune Afrique*. Kabila presides over a peace forum in **Kasai-Central** in attempt to bring various actors closer to dialogue;

19 Sep 2017 **Vancouver (Canada)** *Mining Weekly*. **Toronto Stock Exchange-listed First Cobalt** exits its DRC cobalt operations in favour of Canadian mines;

18 Sep 2017 **New York (US)** *Bloomberg*. Opposition leaders, exiled former governor of **Katanga Province Moise Katumbi** and **Rassemblement and Union pour la Démocratie et le Progrès Social (UDPS)** leader **Felix Tshisekedi**, sign a statement that calls for a transition without Kabila if the elections are not held before the end of 2017;

⁴⁰ The Southern Times, 18 Sep 2017.

⁴¹ DefenceWeb, 29 Sep 2017.

⁴² Business Insider, 22 Sep 2017.

15 Sep 2017 **South Kivu (DRC)** *Al Jazeera*. DRC security forces open fire on protesting **Burundian** refugees, killing 39 people;

10 Sep 2017 **Kinshasa (DRC)** *News24*. The **World Health Organisation** warns of a possible cholera outbreak;

28 Aug 2017 **Kasai (DRC)** *News24*. DRC security forces enter a UN base without permission in an attempt to arrest an anti-Kabila journalist;

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