With the finalisation of the electoral process, the Democratic Republic of the Congo (DRC) hopes to open a new chapter of peace, stability and democratisation. After three years of post-war transition, the parliamentary and first round of presidential elections of 30 July and the provincial and second round of presidential elections of 29 October, the war and the post-war transition process are finally and officially ended. On 6 December 2006 Joseph Kabila was inaugurated as the first elected President of the DRC. This is a historical event in the sense that it has resulted in a new political dispensation and a democratically elected government for the first time in more than forty years. But more than an end to the phase of transition, the elections mark the beginning of a new phase of post-conflict peace building, reconstruction, development and democratisation. Expectations are high; the challenges are enormous.

On 29 October the provincial and second round of presidential elections were held in the DRC. In the first round of the presidential elections, held on 30 July, none of the candidates gained an absolute majority. Vice-President Jean-Pierre Bemba and President Joseph Kabila, who gained 20% and 44% respectively, were to challenge each other in a second and decisive round of elections 3 months later. A few days after the announcement of the results of the July elections, heavy clashes erupted between Bemba’s militias and Kabila’s Presidential Guard, an indication that tensions were high and the run-up to the second round of the presidential elections would be tense and potentially violent as reported in the Institute for Security Studies Situation Report dated 26 October 2006 (http://www.issafrica.org/dynamic/administration/file_manager/file_links/DRC26-10-06.PDF?link_id=3&slink_id=3767&link_type=12&slink_type=13&tmpl_id=3)

Election day

The second round of presidential elections was held jointly with the provincial elections. Unfortunately, despite their importance, the provincial elections were carried out in the shadow of the presidential elections, which was given the popular and media attention. Campaigning by the two candidates and their respective alliances Alliance pour la Majorité Presidentielle (AMP), and Union pour la Nation (UN) was fierce and sometimes aggressive. According to national and international observers, the elections were held in a free and fair manner, and voters and electoral staff were more confident than during the 30 July polls. The unfortunate rains in Kinshasa and some other parts of the country (Bas-Congo) caused difficulties in the facilitation of the polling process but did not disturb the elections dramatically.
Overall election day was calm and without major incidents, except in Ituri, where a number of polling stations, including the ballot papers, were burned by discontented Bemba supporters. Because of the loss of the ballot papers the elections were repeated in the respective voting centres over the following days. The compilation process went much quicker and smoother than during the first round of elections, especially in Kinshasa, where MONUC had taken over the logistics from the CEI (Independent Electoral Commission).

Role of the Media

The media in the Congo is highly partisan and has the potential to stir political tension and violence, especially in Kinshasa. Although the High Authority for the Media (HAM) monitors the behaviour of the media that does not change the fact that the media fails to provide neutral and objective information. Nevertheless, in an attempt to prevent the media from provoking political tension instead of a platform for the expression of opinion, and critical but constructive debate, the HAM suspended several people, including AMP spokesperson Olivier Kamitatu, from using the media to incite, which was considered to be dangerous in the tense political climate and contrary to the electoral law.

There were high expectations of the television debate between the two candidates, which was scheduled for 26 October. This was cancelled, however, over a dispute between Bemba and Kabila – the former preferring a live debate, while the latter wanted it to be pre-recorded to allow editing before broadcast. That the debate was subsequently cancelled was generally seen as a sign of weakness on the part of Kabila.

Rising tension after Election Day and violent incidents

Within a few days after the elections, results trickled in, building up tension as it slowly but surely became clear that Kabila was taking the lead. Bemba's camp registered complaints about fraud and cheating. Bemba supporters grouped around his office on the Boulevard de 30 Juin. On the morning of 11 November a large gathering was planned for outside Bemba's office. Street-boys blocked the Boulevard de 30 Juin just outside Bemba's office, and set tyres on fire. When the police tried to disperse the street-boys, Bemba's bodyguards or militia fired at the police. The police withdrew and instantly were replaced by Kabila's Republican Guard. Sporadic shooting between Bemba's militia, the Republican Guard and MONUC went on during the morning and early afternoon, until MONUC finally brought the situation under control.

After this the situation remained tense for the next few weeks. Bemba's militia were kept in Bemba's office, prevented by MONUC and FARDC from coming out. On 14 November Bemba and Kabila agreed that Bemba's militia would be transported out of Kinshasa, in order to prevent new clashes and to facilitate their rapid integration into the FARDC. When the trucks arrived to pick them up for transport from Bemba's office, however, they refused to go. The compound was heavily guarded by MONUC troops and police to prevent them from leaving in order to start clashes. A week later the militia were still there, and a solution was still under negotiation. A solution was found only after the announcement of the result, after which Bemba's troops agreed to leave Kinshasa to join the rapid integration plan.

Electoral Results: Kabila wins an East-west divide

The same day tensions increased when Archbishop Etsou of Kinshasa took Bemba's side and declared that the elections had been fraudulent. This was not unusual as the churches in Congo are often criticised for being politicised. That evening a group of members of the UN, the political alliance behind Bemba, declared that it would reject the results with Kabila as the winner and claimed that Bemba had won the elections with 52% of the votes. These declarations stirred up tensions, and led to the release of the results by the Electoral Commission the day after in order to prevent an escalation into violence. Kabila was announced as the victor,
albeit with a lower majority than initially expected (See Table 1). The results showed a very strong regional divide: in the western part of the country the majority of the people voted for Bemba, while in the eastern part of the country Kabila secured the majority.

Table 1: Election results per province, 2nd round Presidential elections, 29 October 2006.

<table>
<thead>
<tr>
<th>Province</th>
<th>Turn-out</th>
<th>Bemba</th>
<th>Kabila</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kinshasa</td>
<td>57.7 %</td>
<td>68.0%</td>
<td>32.0%</td>
</tr>
<tr>
<td>Bas-Congo</td>
<td>51.6 %</td>
<td>74.1%</td>
<td>25.9%</td>
</tr>
<tr>
<td>Bandundu</td>
<td>50.6 %</td>
<td>60.5%</td>
<td>39.5%</td>
</tr>
<tr>
<td>Kasai Occidental</td>
<td>51.4 %</td>
<td>76.7%</td>
<td>23.3%</td>
</tr>
<tr>
<td>Kasai Oriental</td>
<td>42.7 %</td>
<td>67.4%</td>
<td>32.6%</td>
</tr>
<tr>
<td>Equateur</td>
<td>84.5 %</td>
<td>97.2%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Oriental</td>
<td>63.8 %</td>
<td>20.5%</td>
<td>79.5%</td>
</tr>
<tr>
<td>North Kivu</td>
<td>77.1 %</td>
<td>3.6%</td>
<td>96.4%</td>
</tr>
<tr>
<td>South Kivu</td>
<td>84.1 %</td>
<td>1.7%</td>
<td>98.3%</td>
</tr>
<tr>
<td>Maniema</td>
<td>80.2 %</td>
<td>1.7%</td>
<td>98.3%</td>
</tr>
<tr>
<td>Katanga</td>
<td>75.6 %</td>
<td>62%</td>
<td>93.8%</td>
</tr>
<tr>
<td>Total</td>
<td>64.9 %</td>
<td>41.05%</td>
<td>58.95%</td>
</tr>
</tbody>
</table>

Because Kinshasa was seen to be a Bemba stronghold, civil unrest and potential violence were expected with the announcement showing the election results with Bemba's defeat. However, the day after the result announcement Kinshasa was quiet. There was hardly any public transport from the various quartiers to the town centre, which prevented many people from going into town. In the town centre, many shops and restaurants remained closed for a number of days.

Bemba: Challenge election results “by all legal means”.

Bemba announced that he would challenge the electoral results “by all legal means”. He presented his case at the Supreme Court of Justice three days after the results had been announced. This however was interpreted by some as an indirect acceptance of the results and his defeat, allowing him time to reposition himself without losing face. Bemba understood that he had lost the elections and that he would not gain anything from the court. In the period between the elections and the announcement of the results daily meetings were held between Bemba, Kabila, MONUC and the CEI. The aim of these meetings was to increase transparency of the process for Bemba and Kabila and to prepare the announcement of the results. According to a representative of the international community concerned with the electoral process, Bemba realised very well that the process had not been fraudulent and that he had lost fairly. He probably never expected much from this court case. His case was very weak and the Supreme Court is known to be supportive of the government. His decision to go to court allowed him time and space to strategise, while it was hoped that the immediate tension among his followers would dissipate. He may also have felt compelled to take these steps after having made earlier claims of fraud so as not to disappoint his followers.

New violent incidents

While waiting for the results of Bemba’s case and the confirmation of the final results by the Supreme Court on 27 November, tension remains very high in Kinshasa. On 21 November a large group of Bemba supporters gathered at the Supreme Court, which soon led to chaos and shooting. Bemba’s militia entered the court building and started a fire. On the street, a van and a EUPOL (European Union Police Unit) car were plundered and set on fire. The reports that Bemba militia had police uniforms (which is unconfirmed), and later news that they were armed but in civilian dress created more chaos and nervousness among the Congolese Defence Force (FARDC and Presidential Guard).
A number of questions arise from this event. Firstly, if the militia were ‘locked up’ in Bemba’s office, who were these men and where did they come from? And, more importantly, how could this happen while MONUC troops were stationed around the Supreme Court? Why were security and protection not increased after the announcement of the results and Bemba’s court appeal? From that moment on the centre of tension was no longer the CEI but the Supreme Court. Why were people able to violently enter the Supreme Court and set it on fire under the eyes of MONUC? Why were they not stopped when they plundered the EUPOL vehicle? MONUC has again lost much credibility because of its response to incidents like these; it has not been the first time. While its response to the 11 November incident was quite effective, it failed to respond on 21 November, which raises the question of why it was there.

A week later the Supreme Court announced the final results of the elections, confirming the provisional results the CEI had announced earlier. Kinshasa was in a festive mood. Many people went on the streets to sing and dance and vehicles loaded with joyous Kabila supporters drove through town shouting and singing and waving banners. It momentarily appeared as if Bemba’s bastion, Kinshasa, had changed into a Kabila stronghold overnight. A final word came from Bemba on 28 November. He declared that, although he was still convinced that the elections had been fraudulent, he accepted the ruling of the Supreme Court. He declared that he would challenge the government by legal means, including civil protests, and take up the role of opposition leader. While he denounced violence, he also warned that he did not have absolute control over his supporters.

Nkunda Strikes Again

While Kinshasa was struggling with violence from the Bemba camp and political tension around the final results, on 25 November dissident general Nkunda launched an attack and partially seized the town of Saké, west of Goma. General Amisi, who recently left his position as commander of the 8th Military Region to become Commander of the Land Forces and in that capacity deployed more troops throughout Kinshasa in response to potential violence from the side of Bemba’s camp, was sent to Kivu to command the FARDC forces’ response to Nkunda’s attack. Although a former RCD general, Amisi joint the transition process and the new army, His recent promotion was a reflection of his closeness to Kabila. Amisi, however, has become more like a ‘mister-fix-it’ for the new government. In response to post-electoral tension, Amisi was brought to Kinshasa to control the city more firmly. Following Nkunda’s attack he was sent to deal with that situation. He is known to be ruthless, and feared by many, including Bemba’s militia. However, Amisi is a long time friend of Nkunda, having fought on the same side during the war and shared the same godfather: Rwanda. Although Amisi’s relationship with Rwanda is probably less direct than Nkunda’s, it is no secret that ties of loyalty exist.

When General Amisi was sent to the Kivus to address the crisis, the Ministers of Interior and Defence accompanied him to find a political solution to the situation and establish a ceasefire. In a joint attack by FARDC forces and MONUC, Nkunda’s troops were forced out of the town of Sake and back into the forest. A week later Nkunda attacked and took the towns of Runyuni and Banagana, close to the Rwandese and Ugandese borders. Although unconfirmed, the seizure of these towns was intended solely to collect a supply of arms from Uganda. This might explain why some 150 to 300 Ugandan People’s Defence Force members joined Nkunda in this offensive.

An interesting side effect of these latest incidents in North Kivu is that it has (again) frustrated and blocked the army’s reintegration process. The non-integrated FARDC troops deployed in North Kivu are now mobilised against Nkunda’s offensive instead of undergoing their reintegration process. Previous similar experiences suggests that this blockage is not a short-term matter but that it is likely to take several months before the reintegration process will continue.
Departure of EUFOR

The mandate for EUFOR ended on 30 November. Now that the electoral process is behind us and Kinshasa, which has been the centre of political tension for the past months, seem to have calmed down. There is no immediate threat of violence in the capital, and therefore no direct need for the EUFOR troops. Even more, during the events of 11 November EUFOR’s assistance was not requested by MONUC. MONUC is operating in the politically tense part of town, Gombe, while EUFOR only operates in this part of Kinshasa after requests for assistance by MONUC. On 21 November EUFOR assisted MONUC after the disturbances at the Supreme Court. A quick assessment of EUFOR’s results is that their mission to assist MONUC in securing Kinshasa during the elections has been relatively successful. Although there have been serious incidents, the electoral process was not seriously disturbed and took place despite occasional clashes.

At this stage, renewed large-scale violence is unlikely in the immediate future, but can nevertheless not be ruled out in the long term. Incidents are likely to take place from time to time. Political stability seems far away for the coming period in the DRC. Although Bemba has denounced violent opposition, he will remain a destabilising factor.

Bemba as Opposition Leader

In the worst case scenario, Bemba might officially play the role of political opposition leader, while in the meantime continuing to challenge the new government violently, either from within the country or from abroad. Although it is unlikely that he will win mass public support for such a strategy, this might change if the new government fails to deliver or meet the high expectations of the Congolese people. It would be relatively easy for him to foment popular unrest and lead protests. With 41% of the votes, he is at this moment a man with considerable popular support. However, Bemba needs to step up quickly as a strong opposition leader to prevent losing much of his current standing.

Although Bemba emerged from a rebel movement and has no experience in the practice of political opposition, he can indeed become the new opposition leader. The erstwhile opposition leader, Etienne Tshisekedi of the Union pour la Democratie et le Progres Social (UDPS), boycotted the elections. Bemba can now fill that void. It appears that Bemba is searching for a political position. Because he did not participate in the legislative elections he cannot take up a seat in the National Assembly. Senate elections are to be held soon, so he might try to win a seat in that body. Alternatively, he might be invited by Kabila to join the new administration. The international community has always pressed for the inclusion of the electoral losers in the new government. A government of national unity is considered to be the best strategy to secure stability for the coming years, allowing space for development, reconstruction and democratisation. However, few members of the international community or the electoral commission expect Kabila to be wise enough or willing to share power with Bemba. The overall political mentality is that everybody wants a piece of the political power cake, but nobody wants to share power. It is likely that Bemba will attempt to negotiate and/or blackmail himself into a political power position in return for peace and stability.

Even though, for the moment, it appears that Bemba has opted for a political route to challenge the electoral results and the new executive, this is no guarantee that he will not use other means in the future when the time is ripe. Any extreme action, such as a coup d’état, which was mentioned as a possible scenario in the Institute for Security Studies Situation Report dated 26 October (http://www.issafrica.org/dynamic/administration/file_manager/file_links/DRC26-10-05.PDF?link_id=3&slink_id=3767&link_type=12&slink_type=13&tmpl_id=3), seems unlikely at this moment. The Congolese, even the Kinois, the majority of whom support Bemba, are tired of conflict and seem to be willing to give the new President a chance. But if things fail to change rapidly in the Congo this could lead to political instability with some potentially grave outcomes.
The Presidential inauguration was initially scheduled for 10 December, but Kabila rescheduled to 6 December. This was probably for the first time since the beginning of the transition process that something actually took place before the initially scheduled date. Although Kabila and his camp may be content with the electoral victory, he finds himself in a far from enviable position. Kabila's entourage, nicknamed the “Katanga Mafia”, is well known to be very powerful and influential in political and governance affairs, as well as security and business. Some allege that Kabila is the puppet of this powerful group of people and, indeed, it is not evident that Kabila is the real leader in his own political party. These complex internal dynamics and power games are likely to make Kabila's task even more difficult.

In his inauguration speech Kabila said that now was “the end of recreation”, referring to the tremendous task Kabila and his new government are faced with, and implying that it is time to start working hard. It is evident that the work that needs to be done in a failed state emerging from conflict, with a tradition of corruption and bad governance, is enormous. Aside from all the technical work in terms of building of institutions, the stimulation of the economy, the improvement of living conditions of the people, improvement of health care, education and infrastructure, the most challenging task that needs to be done to give reconstruction, development and democratisation is a change of mentality. For years the political elites have enriched themselves through a system of predatory rule, which extends beyond merely large-scale corruption. In his inauguration speech Kabila also declared that this day and the successful completion of the transition period and democratic elections “marked a revolution in mentality”. It can only be hoped that this mental revolution involves not only the Congolese people but also their political elite.

Over the years predation has been institutionalised to such an extent that it has become more or less accepted by the Congolese people. Although theft and corruption are criticised, everybody participates in it at his own level and everybody expects to profit from connections and relations rather than capacity and delivery of good work. After 32 years of Mobutu, fifteen years of transition (Mobutu started a “political transition process” in 1991, followed by the transition under Laurent Kabila and the post-war transition of 2003–2006), 10 years of war and low-intensity conflict since 1996, the Congolese people rightly expect change and improvement. If there has been one success during the transition process it is that the Congolese people are more aware of their rights and the misgovernance of their political leaders, and that they have become more outspoken and demanding than ever before. Kabila (and the new government) should, therefore, not take his victory for granted. The expectations of the Congolese are very high in terms of economic growth, improvements of social welfare, job creation, and so forth. If Kabila fails to deliver, social discontent is likely to rise quickly and easily.

Democratisation process and the new political power field

It is evident that elections do not install a democratic system, merely a democratically elected executive. The challenge now is to take the next steps in the democratisation process. Instead of opening the door further for democratisation, however, it might be slammed shut. Instead of allowing a healthy democratic political climate to develop, in which political diversity can play an important and constructive role in a process of democratisation and state rebuilding, the newly elected political leaders might be tempted to follow their predecessors, Mobutu and Kabila Senior, by trying to control the opposition through intimidation, oppression, co-optation and even the creation of 'opposition' parties.

Another dynamic that affects the balance of power is that in Congolese political culture the power holder tends to have an adhesive effect on other political players. Kabila's AMP currently has a majority in parliament, but is likely to grow in strength as more MPs choose to join the winner, either openly or more discretely.
This political dynamic is likely to manifest itself in the coming months, when the new government is being formed and people seek to reposition themselves in the new political field. The magnetic effect of those in power can already be seen.

An illustrative example is Antoine Gizenga, presidential candidate and leader of one of the oldest political parties in the country, Parti Lumumbiste Unifié (PALU). He has joined AMP and is likely to become the new prime minister. Many representatives of small political parties, but also elites from the former warring parties, have declared that if given the opportunity they would prefer a position in Kabila’s new government, declaring that opposition is a hopeless task and much more can be achieved within the circles of power.

If there is no enabling environment left for a the development of a healthy and strong opposition, the DRC is likely to face the scenario followed by many countries in which (liberation) war victors develop into the dominant ruling party which for years is unchallenged, in elections as well as in parliament.

The DRC should be congratulated on its successful electoral process, which ended the transition and thereby also the war and its direct aftermath. Many people, Congolese as well as representatives of the international community, were sceptical about the possibility of the elections ever taking place. Others expected that the elections might be a trigger for renewed violent conflict, which despite some ugly incidents, has not occurred so far. The Congolese people can indeed be proud of this achievement. The hope is that these elections will be a watershed in Congolese history, rather than merely a regime change without a change of governance practices.

However, rather than a happy ending, the DRC is faced with an unstable and difficult beginning. The new regime is faced with two main challenges, which are a sine qua non for further reconstruction, development and democratisation.

First, there is the need to enhance stability across the whole country. The current violence in North Kivu and the violent incidents in Kinshasa during the electoral period confirmed that the government is unable to provide security and protect its people. A top priority for the next months and years is therefore military reform that would lead to a unified and professional armed forces and the political will to undertake this task.

The second main challenge is the need for improvement of state performance (executive, legislative and various other institutions) – radically and quickly. The state now needs to deliver what the Congolese people have been waiting for too long. If the new regime fails to change, fails to deliver and fails to improve in terms of transparency and accountability, there is a potential for dangerous social unrest and protest, increased instability and potential violence.

A force that can play a constructive and potentially key role in the demand for governance improvement is political, non-violent opposition, in and outside parliament. It remains to be seen whether the opposition within the system will be allowed sufficient space to play this important role, and whether there is the political will to do so. The tendency to align with the power holders does not create a strong political counterforce to the regime, which is essential in the difficult process of democratisation. It remains also to be seen what role Bemba can and will play as the potential new opposition leader.

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