

March 18, 2015

**Re: Recommendations for the Democratic Republic of the Congo**

Dear Secretary Kerry,

As you know, during the last few weeks the political terrain in the Democratic Republic of the Congo has shifted dramatically.

Despite the widespread rejection of proposals that might allow President Joseph Kabila to bypass his constitutionally enshrined two-term limit -- including opposition from members of his own political coalition -- the Kabila Government attempted to legislate a national census that could delay the presidential election constitutionally scheduled for the fall of 2016. But, in an echo of the recent popular uprising that displaced Burkina Faso's longtime dictator, opposition groups, students and other elements of civil society, mounted nationwide demonstrations last month, forcing the Government to back down. Since these dramatic events, the Independent National Elections Commission (CENI) has finally released its Global Elections Calendar, which includes, for the first time, a timetable for national presidential and legislative elections in 2016.

These events have opened a way toward fulfillment of its citizens' most fundamental political aspiration: to choose a new national government that will draw on its democratic legitimacy to provide greater security, improved governance and increased economic justice. Under your leadership and that of Special Envoy Russell Feingold, the U.S. Government has wisely aligned itself with that aspiration and brought key members of the international community aboard.

However, if this is a moment of new democratic promise, it is also one of new dangers. There was violence and looting on the part of some demonstrators; even greater violence characterized the Government's repression of peaceful expression. According to reports by the press and human rights groups, hundreds of Congolese, including prominent opposition and civil society leaders, have been imprisoned. Large numbers have not been charged or were subjected to non-credible criminal accusations. This atmosphere of political intimidation undercuts prospects for a free and fair election process. The stakes will get even higher in the year and a half leading to the critical presidential election. Various spoilers and provocateurs may well seek to destabilize the political process.

Equally problematic is the Global Elections Calendar itself. As you are aware, there is widespread skepticism among Congolese opposition groups, civil society and elections experts, and international specialists and donors that the compressed schedule for local, provincial, and national elections within 13 months is realistic and feasible. Together with the announced cost of the Calendar -- \$1.145 billion -- this is promoting cynicism about whether the Calendar will become a new instrument to postpone the crucial presidential election.

Today the burning question for both the DRC and the U.S. and international community that have invested so much in that country's progress is this: How can we concretely support "a credible, timely, inclusive and peaceful election process [under the Constitution]" with "dialogue between all stakeholders" and "open political space" for "peaceful expression of opinion"? (Quotations from the Team of Special Envoys Statement of January 22, 2015)

Based on our long experience in the DRC and wide contacts with Congolese political leaders and civil society, we are convinced that it is time for even greater specificity in U.S. policy. We therefore urge you to:

- (1) Make explicit that the U.S. will only participate in financing elections based on the results of regular monitoring of CENI's performance in advancing a credible, constitutionally timely and inclusive electoral process, including its willingness to engage in meaningful dialogue on electoral issues with the opposition and civil society.
- (2) Act rapidly and with diplomatic creativity to promote international facilitation of such dialogue, a key to peaceful, credible and democratic presidential and national elections. Experience has shown that an international role is essential to achieving consensus on such urgent and important electoral issues as the Calendar, voter roll and mechanisms of election observation and civic education.
- (3) Incorporate into current U.S. Government human rights advocacy strong public identification of specific cases where individuals who have been unlawfully detained by the Government or accused of non-credible offenses.
- (4) Provide a meaningful level of assistance -- comparable to what we have furnished other important countries -- for urgent political party development. The current \$3 million, 3-year program is completely inadequate. Without more effective and accountable parties, the democratic transition the U.S. is promoting will be at risk.
- (5) Lobby other key diplomatic actors in DRC to support the approach outlined above. Particular attention should be paid to the representatives of the African Union and the United Nations.

Mr. Secretary, you have helped transform U.S. and international policy by recognizing that democratic development is fundamental not only to the Congolese people but also to U.S. and international interests in a huge and turbulent region. We urge you to take these five important steps to help ensure the success of this new policy.

Sincerely,

Eastern Congo Initiative

Enough Project

Humanity United

Open Society Policy Center

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