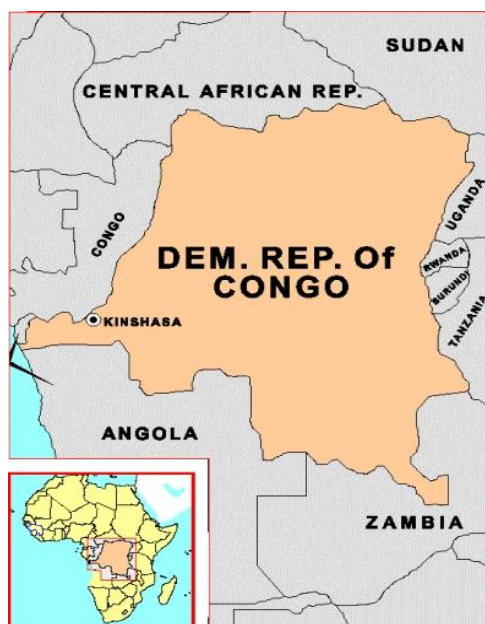


Democratic Republic of Congo: Domestic Media

Monitoring Report

*Montreal Institute for
Genocide and Human Rights Studies*

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5th August-14th August

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1. Security Update

(Radio Candip, community radio broadcasting funded by Belgian NGO, Bunia, 1530 gmt, 6 August, 2011, in French)

- Administrator of Opala Territory in Tshopo District said the return of relative calm has allowed families to return to their homes.

(Radio Candip, community radio broadcasting funded by Belgian NGO, Bunia, 1530 gmt, 7 August, 2011, in French)

- Administrative leaders of Ituri district announced that an explosive device, killed two civilians and injured six others in Kengezi-Base, north of Bunia. Ten years ago, the Sudanese People's Liberation Army abandoned mines in the area.

(Le Potentiel, privately-owned daily, article dated 11 August, 2011, in French)

“Sud-Kivu : les FDLR demeurent actives à Mwenga-Kalehe” by Pitshou Mulumba

- The FDLR remains active in Mwenga, Kalehe and Walungu, Sud-Kivu. According to Monusco, although the situation has remained relatively calm in Shabunda, constant rumors of FDLR attacks have led the population to flee. The FDLR is apparently active in Bunyakiri and surrounding areas. Monusco has therefore reinforced its troops on the Bunyakiri-Hombo axis. An attack on Hungo village has already been prevented thanks to joint FARDC-Monusco patrols. One FDLR informant and two soldiers have also been arrested and sent to DDR programs.

(L’Avenir, privately-owned daily, article dated 12 August, 2011, in French)

“Après des combats entre Les Faa et Les Flec : Le territoire de Tshela a retrouvé son calme” by Yassa

- After the deployment of the FARDC, calm has return to Tshela territory, Bas Congo, after a period of attacks led by FLEC. Calm remains nonetheless fragile and must be consolidated. Little is known about the clashes between the FARDC and Flec, but they have led to widespread displacement among the population
- The FARDC is praised for playing a positive role and for facilitating cooperation between the Congo and Angola. The president also travelled to Luanda in order to meet the Angola president and settle the situation.

(Le Potentiel, privately-owned daily, article dated 13 August, 2011, in French)

“Sud-Kivu : une attaque des FDLR fait 2 morts à Kamituga” by T.M.

- In South Kivu, an FDLR attack of Lukato mines has led to the death of two individuals and disappearance of several miners. The soldiers also looted several areas. The administrator of the province has confirmed these allegations
- Monusco has reinforced its troops in the area, particularly in Bunyakiri. Joint FARDC-Monusco patrols have also been increased in Hombo.

2. Opposition parties refuse to sign electoral Code of Good Conduct

(Le Potentiel, privately-owned daily, article dated 8 August, 2011, in French)

“Elections en RDC : Tshisekedi refuse de signer le code de bonne conduite” by Okapi

- Etienne Tshisekedi (UDPS) refused to sign CENI's code of good conduct, including because some of its militants are still being detained in jail. He says militants have beaten.
- The Code of Good Conduct calls all parties for the respect of democratic values during the electoral process. The document needs to be signed before 10th August.
- The opposition has yet to form a common candidature for the presidential elections. However, Tshisekedi does not believe he will lose the elections and contends he will win 100% of the vote. He said support was behind him.

(Le Potentiel, privately-owned daily, article dated 13 August, 2011, in French)

“Rien n'est encore perdu”

- CENI failed to create unanimity between civil society actors and politicians around the matter of the Code of Conduct. The opposition remains firm and demands clear answers from CENI before it can sign the code. Majority parties, meanwhile, have signed the document and support CENI's process. Cleavages could obstruct CENI's good functioning but the body should redouble its efforts in order to remain credible. The opposition's demands should be taken into consideration.

(Le Potentiel, privately-owned daily, article dated 11 August, 2011, in French)

“Code de bonne conduite. Le PPRD, le Palu signent ... l'Opposition refuse”

- CENI has not yet responded to the ten demands and preconditions presented by the opposition, leading several political parties to refuse to the Code of Good Conduct. Few opposition leaders were present at the signing of the document.
- Such a situation does not benefit the electoral process. The PPRD, Palu and other parties of the majority have signed the document but the opposition awaits answers.
- Several also refused to sign the code. The RTNC (Radio télévision nationale du Congo) reiterated its will to be open to all political parties but participants remain skeptical. They urge the government to remain sincere, especially since the RTNC has always worked for the state. Considering it has signed to code of conduct, the RTNC must now conform to its demands, meaning professionalism, equal and impartial treatment of all political movements.
- Religious groups have called for peaceful elections and have warned politicians and media who oppose the signing of the code. They should not pretend to be adhering of Congolese laws if they are unwilling to respect them during the elections. The Congo should not find itself in the situation of the Ivory Coast
- The UDPS refuses to sign the code as long as its militants remain in prison. CENI has been unable to respond to the UDPS' calls as the matter lies in the government's hands. The opposition also wants to audit CENI.

3. Religious groups voice concern over elections; civil society groups demand peaceful elections

(L'Avenir, privately-owned daily, article dated 11 August, 2011, in French)

- Religious groups are worried about potential violent elections and have called for a peaceful and successful process. The DRC is not immune from electoral and post-electoral violence. Religious leaders urge politicians to be tolerant and show respect for fundamental democratic values.
- The electoral code of conduct should be signed in order to ensure peaceful elections and justice. Lies, personal attacks and hate speech should be strictly avoided.
- Congolese people should not only be allowed to vote but should also accept defeat.
- CENI should remain transparent and neutral in order to ensure a peaceful political climate. Transparency will improve the legitimacy of the elections and political system
- The media, meanwhile, must remain professional and avoid distorting and falsifying news. Opinions should be presented in an impartial manner.
- The government meanwhile has been urged to ensure successful elections.
- The international community, especially Monusco, must protect the Congolese population, provide maximum security and ensure good communication between the different parties and participants.

(Le Potentiel, privately-owned daily, article dated 9 August, 2011, in French)

“Elections, « apaisées »?”

- Participants in a forum organized in June have urged political actors to multiply their efforts to settle differences with CENI regarding all electoral issues in order to ensure peaceful elections.
- The opposition accuses the Majority of anticipated campaigning and silencing of the media by the government.
- Congolese people have called for a peaceful process and urge political parties to accept the final results.
- IRIN reports that the security situation in the east remains fragile and civilians are tired of poor conditions of life. The two Kivu provinces will be a cause for concern during the elections since the situation is not under control, The ceasefire signed in 2009 by 22 armed groups has showed little result as attacks have perpetuated. According to journalist Colline Braeckman, The FARDC is not powerful enough to act a deterrent. Newly integrated elements must be trained, protected, remunerated and fed. The government should fully neutralize the FLDR in the Kivus, and the LRA and other armed groups in Oriental Province within the next 3 months.

4. Electoral law annex adopted; bill protection of human rights activists

(Le Potentiel, privately-owned daily, article dated 13 August, 2011, in French)

“Le Sénat adopte l’annexe à la loi électorale” by Stephane Etinga

- The Parliament’s High Chamber adopted the annex to the electoral law. The annex settles the matter of electoral constituencies and repartition of national and provincial deputy seats.

- The adoption of the bill was crucial to CENI's electoral calendar. The body had threatened to decouple the elections in case the law was not signed
- The minister of Justice and Human Rights also met with several senators, concerned about two bills presented to the Senate. The two bills concern the setting up of specialized human rights courts and the protection of human rights activists in the DRC.

(Le Potentiel, privately-owned daily, article dated 9 August, 2011, in French)

“Elections 2011: la Société civile s’engage à promouvoir la paix” by Ludi Cardoso

- Congolese civil society wishes to fight for nonviolent elections. During a forum organized by Monusco, civil society groups and NGOs discussed matters of peace and stability.
- Junior Tshiteya, manager of NGO Washiba, said NGOs will seek to contribute to a climate of non-violence by disseminating messages of peace. He added that women should play an important role in this process.

5. Governance: Reform of the security sector

(L’Avenir, privately-owned daily, article dated 10 August, 2011, in French)

“Atelier de validation des documents ad hoc : Le Gouvernement pour une police de proximité, professionnelle et républicaine”

- The president is determined to improve governance, especially in areas of security and justice, and with the help of national and international actors.
- Last month, the vice prime minister and minister for the interior and security presented his programme of reform of the security sector. Yesterday, the vice-minister for the interior and security established his programme of reform of the Police Nationale Congolaise. The aim is to contribute to development and reduction of poverty, and to set up priorities for the reform of the police sector, a process which should take three years.
- The chief of the British cooperation mission said reform of the police sector remains the priority: the police of proximity needs to be professional, republican, respectful of the fundamental right of civilians. The aim is to change attitudes and mentalities, to establish new working ethnic and dynamics, and set up a new institutional framework.
- Reform will only be feasible if the police, ministers, the parliament, civil society groups and the population are able to manage resources. Mechanism must be coordinated.

(L’Avenir, privately-owned daily, article dated 11 August, 2011, in French)

“Politique, spectacle, victoire électorale : des réalités parfois opposées” by A.K.

- UDPS militants are ready to support their leaders. Etienne Tshisekedi is determined to win the elections at any costs and offered a real spectacle during his visit in Katanga. Vital Kamerhe has offered his support and suggests a joint candidature. Yet despite popular support, militants should remain cautious and not yet declare themselves victorious. While support may be widespread in Katanga, the situation may be different in Kinshasa.

- Tshisekedi's attitude towards his political opponents and even potential allies is sometimes questionable.

Foreign News outlets

6. Amnesty International calls for reform of the justice system; ISS analysis of current electoral process

**(Amnesty International, 10th August 2011, in English)
Press release**

“Congo-Kinshasa: Neglected Congolese Victims Deserve Justice Now”

- A new Amnesty International report states that crimes under international law, including widespread rape and murder, are still being committed in the DRC. The NGO has called for a new strategy, the reform and strengthening of the country's judicial system in order to punish and deter human rights violations. Protection and reparations for the victims should be a priority.
- According to Amnesty "The people of the DRC have suffered war crimes and crimes against humanity - including torture, sexual violence and the use of child soldiers - on an enormous scale and yet only a handful of perpetrators have ever been brought to justice."
- Last year, the DRC proposed to set up specialized court to prosecute crimes of international law. The issue will be discussed in the parliament within the next few days. Described as a positive initiatives, Amnesty nonetheless says more steps should be taken to allow ordinary courts to complement specialized courts. The latter will try major perpetrators but other cases should be tried as well in order to bring justice to neglected victims. More reforms are needed to address problems within the judicial sector. Where protections have been successful in the past, judgement have rarely been enforced and compensation remained inexistent. Coordination between the Congo and its international partners is needed, especially since the justice system is underfunded.
- Amnesty has also called for fair trials and due process, and witnesses need to be protected during trials.

(Inter Press Service, 10th August 2011, in English)

“Congo-Kinshasa: Widespread Impunity Undermines Upcoming Polls” by Lily Hough

- While the elections dominate media headlines, widespread impunity and the fragile judicial system is undermining the electoral process. Amnesty International condemns widespread human rights violations, including the use of child soldiers, sexual violence and torture.
- Amnesty International says victims of war crimes and crimes against humanity have not been paid compensation and only a few perpetrators have been brought to justice. Access to judicial mechanisms is difficult and a lot of victims are reluctant to come forward since they do not trust the system. Help is never guaranteed.
- Courts are far from impartial as the state protects military officials. Judges and judicial staff also face pressure and threats from government and military officials.

- The reform of the judicial system should be one of the elections most important matters. Many are also fearful over the outcome of elections in cases the vote's results are disputed.
- U.S. Ambassador to the DRC James Entwistle said the credibility of the elections rely on transparency. In order to do so, candidates and voters should be allowed to practice their civic rights and duties without being intimidated.
- Almani Cyllah, Africa regional director at the International Foundation for Electoral Systems, also warned that a violent outcome could destabilize the entire region.
- Concern of the voter registration process have already been voiced and some have called for more international monitoring. Entwistle, said the flawed registration process was the result of "physical and logistical challenges" but said the number of registered voters was "a significant accomplishment. He believes the process is going well.
- Yet other experts are less convinced and deem that the elections are already far from being free and fair considering the flawed registration process. Young children have been allowed to register while other Congolese people possess multiple cards. Registration and voting centers have been set up in strategic places and will benefit Joseph Kabila as supporters of the opposition live in areas far from these centres.
- Although the president and his party argue that the decision was solely an financial one, the parliament's resolution to reduce the voting process in the presidential ballot to a one round ballot has led to criticism as it likely to benefit the president. According to experts the budget argument is simply an excuse: the government is responsible for delays as it failed to set up the electoral commission in due time, thereby disrupting the entire calendar, which then engendered costly delays. The decision was only political.
- In 2006, the electoral period was marred with politically motivated human rights abuses, including extrajudicial killings, arbitrary detention and torture. The success of the elections will depend on the government's attitude, not on the stability of the country.

7. Ugandan newspaper reports tensions within the FARDC and links with interahamwe

(The Independent, privately-owned Ugandan daily, Kampala, article dated 5 August, 2011, in English)

“Tension in Eastern DRC As Rival Forces Fight”

- Fighting erupted between the Interahamwe and the Congolese forces . Some Congolese officers have accused fellow commanders of leaking information to the interahamwe. Investigations have been launched and several culprits arrested.
- There is tension within the FARDC, particularly between the 8th Military Region in Goma and the 10th Military Region in Bukavu, who tend to see each other as enemy.
- The RDF is still present in the Congo as a result of Interahamwe presence and will not leave until the rebels are defeated. However, the Interahamwe have supporters in the Congo, including within the FARDC. Better relations are needed between the Congolese and Rwandan forces.

(Institute for Security Studies, Tshwane/Pretoria, analysis dated 10th August, 2011, in English)

“Congo-Kinshasa: Lessons Learned for a Faltering Democracy” by Melanie Roberts

- While the UN and international community provided security, financial and logistical support during the 2006 electoral period, they are now responsible for 40% of the budget (compared to 80% 5 years ago). A lack of international interest is responsible for this decline in funding.
- Yet the elections are already being disputed. The system has been reduced to a one-round ballot process, which will not benefit the opposition. CENI has also been criticized for its irregularities and prospect of potential vote rigging by the majority party. The opposition and civil society groups says the registration process was deeply flawed. Although CENI has reported a large number of registered voters, there were less registration centres than in 2006.
- By appointing a religious figure at the head of CENI, many had hoped for a more transparent electoral process. But opposition parties no longer trust Pastor Mulunda and believe he sides with Joseph Kabila.
- In July, Etienne Tshisekedi's UDPS attempted to deliver a list of complaints to CENI but the party said members were prevented from entering the building. Several people were injured during clashes with the police but the memorandum was delivered later.
- Politicians seem more interested in individual ambitions than people's interest. But Kabila has lost a lot of support and the opposition should capitalize on this if it wants to change the status quo. The MLC, the main opposition party, said Jean-Pierre Bemba would be standing as the party's presidential candidate in 2011. Bemba is still on trial in the Hague, facing several counts of war crimes and crimes against humanity. He will not be able to register on time.
- Tshisekedi is convinced he will win the elections but since elections are likely to be unfair, prospects for post-election violence are high. There have already been warnings of potential violence in the Kinshasa, the Kivus, Katanga, Bas Congo and Kasai Oriental provinces.
- According to Institute for Security Studies last-minute aid deals are not beneficial to democratic development. CENI not only under-staffed but also unskilled, a process which requires time more than money. Political parties should rely less on “ego politics” and improve their skills and professionalism. The ISS thinks “foreign financial assistance for elections is only half the solution” and democracy depends on Congolese people and their will to develop and strengthen democratic structures.