



Committee on International Justice and Peace

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June 17, 2021

The Honorable Antony Blinken
Secretary of State
United States State Department
2100 C Street NW
Washington, DC 20520
-transmitted via email-

Dear Secretary Blinken:

As Chairman of the Committee on International Justice and Peace I write to share my growing concern over the disappointing progress towards free and fair elections in the Democratic Republic of the Congo and to share with you the Joint Advocacy Paper entitled Towards Credible Elections in 2023 submitted by Catholic Bishops' Conference of the Congo (CENCO) and the Church of Christ of the Congo (ECC).

This Joint Advocacy Paper opens a second phase in CENCO/ECC "Agenda 2023" program designed to bring to bear Church resources to ensure free and fair elections in 2023. CENCO/ECC initiated Phase one of this program in March when they launched the electoral education activities. In April Pastor Eric Nsenga from the ECC visited the United States and our Committee staff arranged meetings with House and Senate international affairs staff and with a State Department official.

Although it might appear very early in the normal electoral cycle, CENCO/ECC are already raising serious concerns about the integrity of electoral preparations.

- The National Assembly just passed a law that gives the majority governing party six seats on the Independent National Electoral Commission, four to opposition parties and five seats to civil society. CENCO/ECC believe that this arrangement cannot protect the Commission from political bias that could threaten the legitimacy of the 2023 elections.
- The Government reacted very negatively to the Church launch of Agenda 2023 even though the Church only reiterated its commitment to help protect the Constitutional stipulations that guarantee free, fair, and peaceful elections.
- CENCO/ECC express concern over the political partisan nature of recent judicial appointments. The courts must protect their neutrality if they are called upon to adjudicate issues coming during the 2023 elections.
- CENCO/ECC are also troubled by the ethnic/nationalist trend called "Congolité" which would exclude any Congolese from high office if their mother or father are not born in the Congo. This program could artificially exclude people from exercising their political rights and could destabilize the electoral process.

CENCO/ECC ask the United States to assist them in setting up their 2023 electoral education program and their electoral monitoring initiative. In 2018 these two programs were very successful and played a crucial role in ensuring that the country held its first peaceful electoral

transfer of power from one political party to another. CENCO/ECC also ask the United States to work with them to ensure the DRC Government does not seek to delay electoral reform and that this reform effectively protects the constitutional integrity of the elections.

Our Committee supports the CENCO/ECC recommendations outlined in the Joint Advocacy Paper and calls on the United States to help the DRC consolidate a truly democratic and legitimate electoral process free from internal and external manipulation. Committee staff stand ready to support the Church and you in these important efforts.

Sincerely yours,

A handwritten signature in black ink that reads "+ David J. Malloy". The signature is written in a cursive, flowing style.

Most Reverend David J. Malloy
Bishop of Rockford
Chairman, Committee on International Justice and Peace

Enclosure: Joint Advocacy Paper Towards Credible Elections in DRC



JOINT ADVOCACY PAPER TOWARDS CREDIBLE ELECTIONS IN 2023 IN DRC NATIONAL EPISCOPALE CONFERENCE OF CONGO (CENCO) AND THE CHURCH OF CHRIST IN CONGO (ECC)

Preamble

1. Elections constitutionally mandated for 2023 in the Democratic Republic of Congo (DRC) are eagerly awaited only in so far as they contribute to the consolidation of democracy.
2. The National Episcopal Conference of Congo (CENCO) and the Church of Christ in Congo (ECC) are committed to working together to make a significant contribution to the success of this great Republican Rendezvous with destiny in order to give our country leaders who will understand that in order to remain in power, they must make the well-being of the Congolese people their primary concern.
3. Elections are not an end in themselves. CENCO and the ECC believe that the success of the elections scheduled for 2023 will depend mainly on the formation of people in their civic responsibility and the quality of the leaders who must assume positions of responsibility.

Concerns

4. In our commitment to the consolidation of democracy, there is a major obstacle, namely the fact that the Congolese people in general have lost confidence in electoral processes. There is a great risk that very few people will vote in 2023 if there are no strong signs of change in this area.
5. Also, the observations made of the civic responsibility of the people in the three previous elections clearly show a deficit in their collective consciousness that influences the choices they make for their leaders.
6. One of the signals that could restore confidence in the next election cycle is the depoliticization of the Independent National Electoral Commission (CENI), which has hitherto been controlled by the ruling majority. Unfortunately, the current nature of the discussions in the Parliament makes us fear that nothing of substance will change.

7. Indeed, after the peaceful handover of power in 2018 people hoped for substantial reforms during this presidential mandate with a view to a peaceful and a democratic handover in 2023. However, today we observe a continued status quo in the sense that the CENI is still kept under the control of the political family in power which uses the structures of justice as an instrument for its own ends, etc ...
8. We are also concerned that several senior officials of the judiciary at the national level are chosen on a partisan basis. This is already causing public distrust, which increases the fear of a deeper cooptation of the institutions of justice. Under these circumstances, if the independence of the judiciary is not clearly proven beyond a doubt, it will be difficult for people to trust the judiciary if it is called upon to resolve electoral disputes. This can lead to violent protests in order to win justice.
9. We are also concerned about a trend displayed by a faction of those in power to seek to eliminate potential competitors they fear during the 2023 elections. This risk exposes the country to societal conflict with incalculable consequences.

Our Asks :

10. It is in this context that CENCO and the ECC would call on the United States of America to remain faithful to its moral, spiritual and historical responsibility to consolidate democracy and stabilize the socio-political situation in the DRC.
11. First, CENCO and ECC request a great deal of support to set up a large-scale civic education programme whose content will be adapted to the current socio-political environment. Indeed, we still need to raise awareness in the Congolese people so that they increase their commitment to take their electoral responsibilities into their own hands.
12. Secondly, the two religious denominations count on the financial and logistical support of the American Government to organize a major professional election observation mission, capable of guaranteeing the credibility and transparency of the elections in 2023.

13. It is also worth noting that the parliamentary session of March 2021 is coming to an end without finalizing discussions on the reform of the Organic Law allowing the establishment of a new Independent National Electoral Commission. It is important that our international partners convince the Kinshasa government of the need to facilitate reforms that will guarantee a CENI whose composition reassures the population about its independence.
14. CENCO and the ECC encourage the international community to remain demanding regarding the elections in 2023. We are concerned that the slow pace of business in Parliament is a ploy to slow down electoral reforms to serve as a pretext to forestall elections ('glissement' – delay).
15. Added to this is the need to see our international partners establish an effective diplomatic campaign to stop the momentum of those seeking ways and means to make those they fear as competitors ineligible for the next presidential election. The heavy-handed exclusion of potential candidates is a real threat to social peace and national cohesion.

Kinshasa, the May 18, 2021

For the ECC

Rev. Dr André BOKUNDOA

President of ECC

For the CENCO

✠ **Marcel UTEMBI TAPA**

Archbishop of Kisangani

President of CENCO