

# Opportunities and challenges in the DRC

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Almost a year after his inauguration, the question of whether or not President Felix Tshisekedi can effectively lead the Democratic Republic of Congo (DRC) and make any fundamental changes to how the country is governed is more pertinent than ever. This report explores different trajectories and scenarios and identifies possible opportunities to turn the current situation into an opportunity for substantial change and reform in the DRC.

## Key findings

- ▶ The change in leadership in the DRC is an opportunity for the country to embark on a path of better governance, to the benefit of the Congolese population.
  - ▶ The fact that Joseph Kabila and his elite are no longer in the presidency means that it will become increasingly difficult for Kabila to hold his political coalition together and maintain the loyalty of his supporters.
  - ▶ If Tshisekedi simply accepts the status quo, adheres to the political coalition with Kabila and does not attempt significant reform of key institutions, he will be actively undermining his ability to return to the presidency in 2023, as the FCC is unlikely to allow him a second mandate. It is therefore in Tshisekedi's interest to shift the political balance, and to use that to drive key reforms, notably of the CENI. The Congolese population would likely reward Tshisekedi with a legitimate electoral victory in 2023 if he were able to make such demonstrable progress.
- The priorities for the 2019–2023 period should be to:
- Address pressing socio-economic priorities and focus government on the economy and jobs
  - Reform the Constitutional Court and the CENI so that the 2023 elections are free and fair and the winners of all political contests are legitimate
  - Restore political freedoms
  - Improve the quality of governance
  - Come up with a political, military, economic and regional strategy to address conflict in the eastern DRC and the wider Great Lakes region

## Recommendations

- ▶ Domestic and international actors should urge Tshisekedi to make transformational changes to governance, reform key institutions and ensure socio-economic development.
- ▶ Civil society should maintain pressure on government institutions on key issues such as corruption, institutional reform and governance. It should place an emphasis on playing a constructive watchdog role.
- ▶ All actors should explore avenues to encourage Kabila to retire from politics.
- ▶ The international donor community should choose strategic areas where it can support transformational change in the DRC.
- ▶ The international community should support efforts to drive a regional peace process in the eastern DRC and the Great lakes region.
- ▶ Regional organisations such as SADC, the AU and the ICGLR should encourage the governments of the region to engage in a political process to end conflict.

## Introduction

On 24 January 2019, Felix Antoine Tshisekedi, the candidate of *Cap pour le changement* (CACH) – the coalition formed by the *Union pour la démocratie et le progrès social* (UDPS) led by Tshisekedi and the *Union pour la Nation Congolaise* (UNC) led by Vital Kamerhe – was inaugurated as the president of the Democratic Republic of Congo (DRC).

The DRC's presidential and legislative elections, held on 31 December 2018, had been delayed for two years. Popular opposition to a third term for incumbent Joseph Kabila had created mounting instability in the country, prompting the region to pressure Kabila to designate a successor candidate. He nominated Emmanuel Ramazani Shadary.

Election results were contested even before they were formally announced, on 10 January 2019. The *Conférence Episcopale Nationale du Congo* (CENCO, the Catholic Church's Conference of Bishops), a key civil society actor throughout the pre-electoral crisis, deployed a network of thousands of domestic observers and ran a rigorous parallel vote-counting process.

Can Tshisekedi effectively lead the country and make any fundamental changes to how the DRC is governed?

In a bid to stave off a crisis and to pressure the CENI not to announce false results, the CENCO said on January 7 that it knew who had won. CENI data leaked after the *Commission électorale nationale et indépendante* (CENI) pronounced Tshisekedi the winner indicated that the real winner was Martin Fayulu, with close to 59.42% of the vote. Cenco data indicated Fayulu had won with 62.8% of the vote. Nonetheless, the CENI announced Tshisekedi as the winner of the presidential contest, and the Constitutional Court later rejected the legal challenges introduced by Fayulu and his Lamuka coalition.

The Congolese population appears to have accepted this outcome for now – knowing that it does not reflect the actual vote – on the grounds that Tshisekedi is preferable to Kabila.

Although the announcement of Tshisekedi's victory is the result of a political deal between CACH and Kabila,

it is not clear whether Tshisekedi was aware that the outcome of the legislative elections would give the *Front Commun pour le Congo* (FCC, the political platform led by Kabila) massive dominance over the national and provincial assemblies, and thereby substantially restrict his presidential powers.

According to the CENI, the FCC won an overwhelming majority of seats in Parliament, with 350 seats in the National Assembly and 98 of 109 seats in the Senate. The FCC also won control of 20 out of 26 provincial assemblies, and the governorship of 23 provinces. Detailed electoral results were never published by the CENI.

The FCC and CACH are now engaged in a political alliance that commits them to rule together in Parliament and in government. This outcome effectively means that the political platform of former president Kabila is able to nominate the prime minister and the bulk of the government ministers, maintain complete and extensive control over the national legislative agenda, dominate key institutions and run matters in most provinces.

Early signs – notably the fact that it took nine months to agree on a government – indicate that the alliance is steered by the political ambitions of both camps and that its functioning is handicapped by the dominance of the FCC.

Almost a year after his inauguration, the question of whether or not Tshisekedi can effectively lead the country and make any fundamental changes to how the DRC is governed is more pertinent than ever.

## Current challenges facing the DRC

The priorities for the 2019–2023 period should be to:

- Address pressing socio-economic priorities and focus government on the economy and jobs
- Reform the Constitutional Court and the CENI so that the 2023 elections are free and fair and the winners of all political contests are legitimate
- Restore political freedoms
- Improve the quality of governance
- Come up with a political, military, economic and regional strategy to address conflict in the eastern DRC, in conjunction with key regional and international actors like the Southern African Development

Community, MONUSCO, the International Conference on the Great Lakes region and the African Union (AU)

This report explores different trajectories and scenarios and identifies possible opportunities to turn the current situation into an opportunity for substantial change and reform in the DRC.

## Opportunities for the taking

Tshisekedi's arrival in power provides an opportunity for the DRC to be placed on a path of better governance, to the benefit of the Congolese population. This is so despite the contested electoral outcome, and not simply because Tshisekedi is from the political opposition. Rather, the opportunity for political change arises from several factors:

- The fact that Kabila and his elite are no longer in the presidency means that it will become increasingly difficult for Kabila to hold his political coalition together and maintain the loyalty of his supporters, especially those who are disgruntled at not having been designated as the successor candidate in the presidential election and, more generally, as a result of the political compromise that led to their loss of power. These people will be looking for a new political home, which CACH may give them. Such fracturing could also lead to entirely new political formations. There are two essential elements in this dynamic: first, how the possible fragmentation of the FCC plays out in the national assembly, meaning whether individuals who leave the party are able to do so with their MPs in tow, gradually altering the balance of power in parliament. If this balance is altered, it would give Tshisekedi the leverage he needs. Second: whether Tshisekedi himself is able to encourage such fragmentation, notably by welcoming FCC dissidents into his party or coalition.<sup>1</sup> He should and can incentivise FCC actors to leave that coalition and gradually drift towards CACH, or create independent groups that can become part of a wider pro-Tshisekedi alliance, notably in parliament, and in the lead-up to the 2023 elections.
- The Congolese population has tacitly given Tshisekedi a mandate – not through the ballot box, but by choosing to accept the official outcome of the election. This is a de facto bargain that the population has struck: that anyone is better than Kabila or someone from his political camp. It gives

Tshisekedi a fragile social contract with the population, but this is neither open-ended nor unconditional; the Congolese people also expect to see real, tangible change, especially when it comes to socio-economic issues. Although Tshisekedi is significantly hamstrung by the FCC majority in Parliament, if he wants to he can harness the power of the population to position himself as a force for positive change that is being constrained by the old-school FCC. This gives him the leverage to push back against the FCC majority. However, this will require Tshisekedi challenging the FCC.

- If Tshisekedi simply accepts the status quo, adheres to the political coalition with Kabila and does not attempt significant reform of key institutions, he will be actively undermining his ability to return to the presidency in 2023, as the FCC is unlikely to allow him a second mandate. In fact, although the accord between CACH and the FCC is not in the public space, sources from both sides of the alliance indicate that the quid pro quo is that CACH will support an FCC candidate in the 2023 elections and not field its own candidate. It is therefore in Tshisekedi's interest to shift the political balance and to use that to drive key reforms, notably of the CENI and the Constitutional Court. The Congolese population would likely reward Tshisekedi with a legitimate electoral victory in 2023 if he were able to make such demonstrable progress.

If Tshisekedi accepts the status quo, he will undermine his ability to return to the presidency in 2023

- Even if Tshisekedi were willing to incorporate the FCC, there is no advantage to this arrangement for Kabila, who is holding out the political return of his coalition as the carrot keeping his FCC together. Such a balancing act, if it were to succeed for the first five years, would most likely not survive a second five-year mandate. A loss of control over his political coalition, and a collapse of the same would render Kabila highly vulnerable to legal pursuits and other significant threats to his standing and wealth.
- By the same token, Kabila has little interest in allowing Tshisekedi to succeed. If the status quo prevails, this makes remaining in a political coalition tantamount to political suicide for Tshisekedi.

- Relations between the FCC and CACH, as well as between the UDPS and the UNC will also play a substantial role in how the political landscape in the DRC evolves in the coming years. This will be determined largely by the relationship between the senior leaders of these parties and alliances. However, the grassroots members, notably of the UDPS and of the PPRD, will also play a role here. In recent months, members have made it known that they do not support the political alliance their leaders have engaged in.<sup>2</sup> This will be particularly difficult for Tshisekedi to manage, as many do not consider that he is the rightful leader of the party, while others are unhappy with his decision to surround himself with outsiders rather than long-time UDPS activists.
- The Lamuka coalition remains intact for the moment. Rather than seeing the political opposition as a challenge to his authority, Tshisekedi can extend an olive branch and offer to work together with the opposition, notably on key issues in parliament.

## Tshisekedi – Year One

### Political freedoms

Tshisekedi's first year in office has been one of high expectations from the Congolese population and hopeful anticipation by the international community. Tshisekedi made a positive first impression early on when he freed high-profile prisoners, relaxed restrictions on public gatherings and allowed former Katangan governor and opposition politician Moïse Katumbi to return to the country.

However, the country still has a long way to go in terms of political freedoms, freedom of assembly and freedom of speech. There is also the issue of human rights abuses committed by the country's security forces, and the invasive and opaque nature of the *Agence nationale de renseignement* (ANR, the National Intelligence Agency). Tshisekedi has also kept most of the Kabila-era security sector players in office and has surrounded himself by others.

### Poverty reduction

The socio-economic situation in the DRC is dire and an urgent priority. Tshisekedi has initiated numerous high-profile infrastructure development projects in Kinshasa, and announced that from the 2019–2020 school year,

primary education in government schools would be free. This came into effect in September 2019.<sup>3</sup>

Since the end of the Mobutu era, parents have had to pay school fees to compensate for the lack of government funding. This has presented a substantial burden to the average Congolese household and the new measure will have an immediate positive impact. While eliminating school fees is a step in the right direction, it has created a new problem, which is the lack of payment of teachers whose salaries are several years in arrears. The non-payment of teachers' salaries is what give rise to the informal practice of parents paying school fees.

Tshisekedi's first year in office has been one of high expectations from the Congolese population

A new government was finally sworn in in September, after eight months of drawn-out deliberations between the FCC and CACH. In line with the FCC's overwhelming majority in Parliament, the FCC got 42 ministries against CACH's 23.

None of the best-known Kabila hardliners is part of the new government, although most FCC ministers have been part of the Kabila political machine in less high-profile capacities for some time.

The long delay in forming the new government does not bode well. After the political paralysis that had set in during the extended electoral delay between 2015 and 2018, the fact that the formation of the government was not a matter of urgency shows that the DRC's new hybrid elite is less preoccupied with the population and its many urgent needs than with itself.

In the end, aside from the repartition of who gets how many ministries, the composition of the new government does not tell us much. And now that the waiting game is over, it is time to set new benchmarks for the Tshisekedi government.

### Peace in the east

Although it is too early to tell whether such engagements are sincere and can lead to sustained dialogue and cooperation, the change in leadership in the DRC has created new momentum and opportunities

to revitalise a regional approach to peace in the eastern DRC and the wider Great Lakes region.

Regional and international actors who want to support Tshisekedi can do so by emphasising that peace in the eastern DRC does not depend only on domestic dynamics but also on improved governance and more functional democracy in Rwanda, Uganda and Burundi, all of which face armed opposition groups that are using the eastern DRC as a rear base.

The DRC has always had more than its fair share of spoilers, and the recent change in leadership has not changed that. Tshisekedi's chance is that his controversial ascendance to the presidency was accepted as a change that was an improvement on the status quo. He faces tough realities and constraints, but with civil society, the population and the international community on the side of change, he also has formidable allies if he wants to set the DRC on a new path.

Tshisekedi's cooperative attitude towards and engagement with MONUSCO is a very positive first step

Stabilising the eastern DRC was one of Tshisekedi's campaign promises and he has said it is a key area for his government. This is an obvious priority, but a complicated task, and one that numerous national and international actors, notably the United Nations Organization Stabilization Mission in the DRC (MONUSCO), have been engaged in with limited success for 20 years.

Tshisekedi's more open and cooperative attitude towards and engagement with MONUSCO is a very positive first step in the right direction. So too is his concerted engagement with regional leaders from Uganda, Rwanda and Angola.

In October Tshisekedi announced that the heads of the armies of the DRC, Rwanda, Uganda and Burundi would be meeting to coordinate joint military operations against the various national and international armed groups operating in and from the eastern DRC. Tshisekedi first mooted the idea of a new regional force for eastern DRC at the July SADC summit.<sup>4</sup> Following the meeting a document describing joint military operations on

Congolese territory, and signed by the heads of the Congolese, Rwandan and Burundian armies was leaked to the public. The prospect of a return of foreign armies to eastern DRC sparked a public outcry. The army subsequently announced that no foreign armies would be operating within the DRC, but there is lingering confusion over the matter.<sup>5</sup>

While stabilising the eastern DRC must be a priority, and the region must be involved, Tshisekedi severely misjudged the reaction to the announcement that foreign troops would be involved in military operations on Congolese soil.

Rwanda, Uganda and Burundi have a long history of destabilising the eastern DRC, having supported successive rebel groups in the country since 1996. None of these countries is a neutral player in the region, and the Congolese population has many bad memories of the role they have played in the country's history.

Although the governments of these countries have some legitimate security concerns arising from the inability of the *Forces armées de la république démocratique du Congo* (FARDC, the Congolese armed forces) to control the country's territory, past military operations involving these countries have not been successful at eradicating these armed groups, while there has been a very high cost paid by the Congolese population.

### Institutional reform

The mandate of the CENI's leadership expired on 30 June 2019. New members are still due to be nominated this year. The current system of nomination is that six members of the CENI are nominated by the majority party in Parliament, four by the political opposition and three – including the president of the commission – by civil society.

Although the CENI underwent reforms following the 2011 elections, many observers feel that these reforms were insufficient and did not address the administrative, structural and legislative issues inherent in the current system. Some have proposed that a better way to balance the CENI leadership is to allow the ruling party, the political opposition and civil society to each appoint five members of the commission.<sup>6</sup>

At the moment, the determining majority in the CENI is held by the political majority, which has a vested interest

in a particular electoral outcome and which has imposed this bias in recent political contests.

An additional challenge raised by electoral analysts is the fact that Congolese civil society is far from being apolitical. Civil society organisations are regularly co-opted and corrupted by the government and the ruling party, as are, to some extent, political opposition parties.<sup>7</sup> This has an adverse effect on the desired balance of forces within the CENI.

A final concern is that the CENI – regardless of how it is composed – cannot become an independent, legitimate technical institution if it is operating in an environment that is undemocratic, and where the strongest political force can impose itself on the body and dictate the outcome of an election.<sup>8</sup>

CENI cannot become an independent, legitimate technical institution if it is operating in an environment that is undemocratic

There have been suggestions that the way to mitigate this dynamic is to appoint a Congolese figure who has integrity and is considered above politics and incorruptible. Names such as Dr Denis Mukwege and Cardinal Laurent Monsengwo have been proposed. An alternative would be to hand over the organisation of elections to a different body such as the Ministry of interior, but analysts concur that this would not eliminate the problem of political pressure.<sup>9</sup>

Jerome Bonso, an electoral expert who heads the organisation *Agir pour des élections transparentes et apaisées* (AETA), argues that the whole CENI project should be examined, given the changed political context of the DRC.

Bonso argues that the manner in which the CENI is composed is the result of the political compromises that had to be reached to end the 1998–2003 war in the DRC. This was a time when there was a general lack of confidence between political players, civil society and the population, leading to the establishment of confidence-building institutions in which all parties were given a voice.

Two decades later the context had changed, and it is time to review the relevance of these structures and processes. This must be done after a thorough evaluation of what has worked and what has not, a process that Parliament must lead.<sup>10</sup>

The appointment of an independent Constitutional Court must go hand in hand with reform of the CENI if the DRC's electoral processes are to become truly independent and credible. The 2006 Constitution called for the creation of a Constitutional Court, however it was not until October 15, 2013 that the law establishing the court was passed. According to this law, the Constitutional Court is composed of nine members, three of whom are appointed by the president, three by the *Conseil supérieur de la magistrature* and the three others by the National Assembly. Due to the strong influence that the



CIVIL SOCIETY ORGANISATIONS ARE REGULARLY CO-OPTED AND CORRUPTED BY THE GOVERNMENT AND THE RULING PARTY

president is able to exert over the Conseil supérieur de la magistrature, the president has the greatest influence over the composition of the Constitutional Court.<sup>11</sup>

In recent years, Kabila has stacked the court with judges who are largely accountable to him. This has been evident in most of the court's rulings related to the two-year electoral delay, as well as the contested outcome of the 2018 presidential and legislative elections.<sup>12</sup>

## Scenarios

### Best-case scenario

In the best-case scenario there is a gradual shift of power away from Kabila and towards Tshisekedi as a result of a drift of political personalities towards the presidency.

This also shifts the balance in the National Assembly away from the dominance of the FCC. A gradual loss of FCC dominance ultimately paves the way for greater reform, notably of key institutions on which the Kabila political elite has relied to stay in power.

With this strengthening of the presidency, Tshisekedi and his allies are enabled to take initial bold steps to improve governance, address corruption, reform key electoral institutions so that the 2023 elections are free and fair, and restore political freedoms.

In addition, with more parliamentary support the Tshisekedi government has greater leeway to address instability in the eastern DRC, including by dismantling existing networks of illicit economic activity. This inevitably threatens the vested interests of many of the people who are pillars of Kabila's FCC.

A weakened Kabila accepts that he has to largely withdraw from politics, and focuses on his economic activities. He is given certain domestic and international guarantees that allow him to do this without fear that he will face legal consequences either for his actions while president or for his ill-gotten wealth.

A key element of this dynamic is that Kabila's acceptance of the new political balance paves the way for the security services and the military to accept Tshisekedi as the only legal authority in the country. This represents a real break with the past and with the post-electoral political arrangement.

In this scenario, the DRC is engaged in the initial phases of a longer-term, gradual transition to a democracy that

can consolidate its progress in the medium-to-long term, where the state is not captured by the country's military and political elite, delivers services, can be held accountable and facilitates economic growth.

### Best-case scenario – version 2.0

In a slight variation on the best-case scenario, change is driven by Kabila's conscious decision to withdraw from the political scene and allow DRC politics to evolve naturally without his interference. Factors that may push Kabila to exit the political stage range from iron-clad guarantees that he will not face legal prosecution for corruption or other matters related to his time in office, to threats that if he does not go, the opposite will be the case.

Kabila may also be motivated by a combination of circumstances that allow him to both keep his wealth and re-emerge with a burnished reputation as the man who did not violate the constitution and stand for a third term, and as the one who handed power peacefully to an opposition leader.

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This is a scenario that should be explored as a possible avenue for positive change in the DRC. Key members of Kabila's family and his close entourage would have to be given similar assurances, and the process would have to be swift so as not to incite active opposition, which could scupper such a withdrawal.

### Stagnation scenario

In this scenario the political arrangement that emerged from the 2018 elections remains intact until elections are held in 2023. Kabila's FCC controls Parliament and the provincial assemblies, and the FCC itself remains more or less intact.

In this situation there is no substantial reform of key domestic institutions such as the CENI or the Constitutional Court, as such reforms would eliminate two key pillars of Kabila's strategy to stay in power and recapture the presidency in 2023. There is also no tangible change in how the country is governed.



Attempts to address corruption are largely token and do not address the extent of state capture or rent seeking by the Kabila political and military elite.

Kabila and Tshisekedi's working relationship remains stable, as does the distribution of power between their political platforms, the FCC and CACH. Prime Minister Sylvestre Ilunga Ilunkamba is able to keep the government on track and no open dissent emerges between the members of the government or between the government and the presidency.

With Kabila's approval, Tshisekedi makes some improvements to the state of human rights and political freedoms in the country; just enough to try to appease an international audience. Political opponents such as Katumbi, Fayulu and Jean-Pierre Bemba are allowed to operate freely.

Tshisekedi continues to engage openly and positively with international actors, breaking with Kabila's hostile and isolationist attitude. This modest progress is accepted by some international players, who choose to support and engage with the Tshisekedi government.

Civil society and the Congolese population, disillusioned and frustrated with the lack of real change and Tshisekedi's increasing compliance with the FCC's dominance and strategy, continue to engage in protest action. This prompts violent crackdowns from the security forces, which remain in the hands of Kabila-era hardliners. Violence and confrontation reach levels experienced in the 2015–2018 period, and the social contract is again broken.

However, no progress is made on key transformational issues such as corruption, democratic reform, or improved service delivery. The political elite remains preoccupied with its own benefits, while the different centres of power in government and between central government and the provinces further slow down or even paralyse governance and service delivery.

Tshisekedi's progress in improving security in the eastern DRC, through either an effective DDR process or some level of political negotiations with some of the armed groups, may be restricted by the strong interests in maintaining the status quo of instability.

Income from these networks provide Kabila with the financial resources he needs to maintain his own wealth and to feed his network, while the ability to control who

gets access to the benefits of these illegal activities is what underpins, to a great extent, his control over the FARDC.

Kabila, who maintains control over the bulk of the DRC's security services, including the FARDC, through an entrenched patronage system, has no interest in seeing Tshisekedi succeed in this area for two reasons. Firstly, he, his biological family and members of his political elite derive their own benefits from the illicit economic activities prevalent in the eastern DRC and, secondly, real progress in stabilising the eastern DRC would bring Tshisekedi real popular support, a development that would not work in Kabila's favour in 2023.

The FARDC's role in stabilising the east is key – either it can play a facilitating role or it can frustrate efforts at real, sustainable change. In this scenario the latter attitude prevails, as it is necessary to protect vested interests and maintain existing economic activities and networks.

Regional actors also have important stakes in the economic opportunities generated by chaos and instability in the eastern DRC. Rwanda and Uganda in particular have benefitted from the Congolese state's inability to assert effective control over this area, and have stoked instability in this part of the country. How they will respond to a change in approach to the east will therefore have a substantial impact on Tshisekedi's success.

Tshisekedi has developed positive relations with key countries in the region, noticeably Rwanda

So far, Tshisekedi has developed positive relations with key countries in the region, most noticeably Rwanda, with President Paul Kagame even attending his father Etienne's funeral in Kinshasa in May 2019.

What is less clear is whether these relationships signal real change in regional dynamics or are driven by the need to appear to be welcoming the new leadership.

Certainly, a positive working relationship with the Congolese leader is important to all neighbours of the DRC. But the question remains whether that means that regional leaders are willing to fundamentally change their policies in the eastern DRC, refrain from interfering in and

destabilising it, withdraw from the many illegal economic activities they are engaged in and cede control over the management of security dynamics in the eastern DRC back to the Congolese government and army.

While it is beyond the scope of this report to explore those questions, it is important to note that the attitudes of regional leaders are as much a part of the resolution of instability in the eastern DRC as the attitude of the Kabila elite and its military counterparts.

### **Fragmentation and chaos scenario**

In this scenario the political arrangement between Kabila and Tshisekedi remains intact, but only because the two parties know that they have to co-exist until the 2023 elections. The relationship becomes increasingly hostile over the five-year mandate, but neither party wants to opt for an extreme break-up. This means that the FCC does not initiate impeachment proceedings to get rid of Tshisekedi, while Tshisekedi refrains from dissolving Parliament on the grounds that the government is dysfunctional and calling for new legislative elections.

In this scenario the different centres of power are engaged in constant conflict, with a disastrous impact on the functioning of the government. Because Kabila has essentially no stake in helping Tshisekedi, the pretence that Tshisekedi is really in charge is abandoned, as is the pretence that the FCC-CACH coalition exists in order for the parties to govern together. The prime minister, who comes from the FCC coalition, has very little ability and incentive to make the government work effectively and to coordinate effective policy and decision-making.

Fighting in the FCC and CACH preoccupies the government and the political elite in Kinshasa. The DRC is plunged into political paralysis similar to the one experienced during the pre-electoral period between 2015–2018, when the whole country was essentially held hostage to the question of when elections would be held and whether or not Kabila would stand for a third term.

As a result, the population grows disillusioned with the political deal it chose to accept in the aftermath of the contested election outcome, and popular frustration once again mounts.

Fragmentation of the government is particularly dangerous in the DRC, where government management is poor and the authorities already have limited control over the country's territory.

In addition to the push–pull at the level of the government there are also different power struggles between central and provincial governments, and between Kinshasa and the 26 provincial governors, which could easily create even more fragmentation and concurrent paralysis. If the fragmentation extends to the military and security sector, one could start to see the emergence of parts of the country that back one political actor versus other parts that back a rival political leader.

Given the prevalence of active and inactive armed groups, and the ready supply of weapons in the DRC, this could easily degenerate into open conflict between parts of the country. In a scenario of eroded authority, there is also the risk of rising inter-community violence.

Fragmentation of the government is particularly dangerous in the DRC, where management is poor

In this scenario of extended chaos, investment stalls, international donors and actors increasingly withdraw, and economic development and growth stagnate. The run-up to the 2023 elections becomes a tense battleground with dynamics similar to those of the 2015–2018 electoral crisis.

### **Kabila's third term?**

In this scenario Kabila decides to find a way to run for a third term – one avenue might be changing the constitution to provide for an indirect presidential contest – a strategy that was quietly mooted during the period of uncertainty ahead of the 2018 elections.

Even if Kabila does not run himself, in order to regain access to power, he and his political alliance will have to manipulate the electoral process, which they can easily do if the CENI and the Constitutional Court are not fundamentally reformed and remain as politicised as they were in 2018.

### **Kabila's political future and holding the FCC together**

In the first six months of 2019 Kabila said several times that he may consider running for president in the future, and in late October 2019 television ads started to circulate announcing Kabila's return to the political scene.<sup>13</sup>

Many argue that in order for that to happen he will have to find a way to change the constitution, which states that a president can hold one five-year term, renewable once. Because Article 220 of the Congolese constitution states clearly that the term limit clause cannot be amended, it has so far been impossible for Kabila to change the two-term limit.

A new debate is gradually emerging about whether the constitution limits mandates to two mandates in total, or whether it can be interpreted to limit mandates only to two mandates served consecutively. The latter would allow Kabila to come back in 2023 and stand for the presidency.

This debate emerged following the *Parti du Peuple pour la Reconstruction et la Démocratie* (PPRD) party congress in October 2019, with Nehemie Mwilanya, Kabila's former chief of staff and now head of the PPRD, stating that the PPRD wanted to designate Kabila as its presidential candidate in 2023 and that nothing stood in the way of its doing so.

This is the first concrete sign of the new strategy that the PPRD and its political allies might use to push for Kabila's return in 2023. It will undoubtedly spark strong resistance and is already causing tensions with the UDPS.

Another argument that is now being made against Kabila's standing again is that his new status as senator for life – conferred on all former heads of state – prevents him from holding any other government office, and that he therefore cannot run for president in 2023. This is the position currently held by the UDPS and rejected by the PPRD.<sup>14</sup>

The Constitutional Court will be fundamental to how this debate is interpreted. Jean Mbuyu, Member of Parliament (MP) for the PPRD and a constitutional lawyer, stated on Radio Okapi in late October 2019 that Kabila would be the PPRD's candidate in 2023: '[T]he constitution does not prevent a senator for life from presenting himself [for the presidency].'<sup>15</sup>

However, with its overwhelming majority in Parliament, another avenue that the ruling party may well be considering is changing the manner in which the president is elected, from a direct vote to an indirect vote. This would be a fundamental change to the Congolese political system, and would require a new constitution.

Such a move could open the door – as it has in several of the DRC's neighbours – to the argument that a new constitution resets the clock on mandates already served, thereby allowing Kabila to return to the presidency.

Whether Kabila intends to follow through with a third presidency is unclear. For now, it is more likely that he makes such statements in order to reassure his political entourage and the FCC that they will officially return to full (presidential) power in the near future, and that he will remain at the centre of power, holding it all together, until then. Without Kabila at its centre, holding out the prospect of future power, it is likely that his political platform will dissolve.<sup>16</sup>

However, even if Kabila finds a way to engineer his return to the presidency or names a different candidate for the 2023 elections, it will be a long shot for the FCC to win the presidency in a free and fair contest. The last few years in the DRC have demonstrated that neither Kabila nor his political party are popular.

So forceful was domestic opposition to a third term for Kabila that normally reluctant regional organisations such as the Southern African Development Community (SADC) and the African Union (AU) joined forces with the United Nations (UN), the United States, the United Kingdom, France, Belgium and the European Union (EU) to convince Kabila to nominate a successor candidate for the 2018 elections.

The last few years have demonstrated that neither Kabila nor his political party are popular

His choice, Shadary, did so poorly in the polls (according to the leaked election results and testimony from the CENCO observers) that Kabila decided not to impose him on the population, for fear it could spark widespread violence and protest.

It seems unlikely that Kabila and his entourage can substantially rehabilitate their reputation in the next five years and emerge as a party that can win free and fair elections. This means that the FCC will have to keep control over key institutions such as the Constitutional Court and the CENI.

Reforms of those institutions would have to be passed by Parliament; for as long as Kabila controls FCC MPs, this will not happen. As the stakes are so high, Kabila and his hardliners will do whatever they can to prevent a shift in loyalties towards Tshisekedi, Kamerhe and their CACH coalition, or towards Fayulu, Katumbi and/or Bemba.

A key element of Kabila's political survival strategy also has to be to keep Tshisekedi from being visibly successful, as this would clearly make it even harder for him to orchestrate a plausible electoral victory for his party in 2023. This means that the role of the current government is to prevent not just institutional reform that can threaten the Kabila elite but also Tshisekedi from governing better than his predecessor.

While it is possible that Kabila could extend his current arrangement with Tshisekedi to another term, this is risky and most likely a second-best outcome for Kabila. This is also certainly not something Kabila would want to have to sell to his entourage – and certainly not this early into the mandate – as it would give Tshisekedi more power and likely accelerate flight from the FCC.

### How does the FCC start to fray?

Over the last 17 years Kabila has increasingly exerted control over politics, power and government in the DRC, ultimately growing into a role where he has imposed himself as the commander-in-chief. Now someone else is president, and there are two centres of power – even if the FCC dominates the government and other institutions.

The existence and draw of this other centre of power makes it much harder for Kabila to keep his political coalition intact than when he was president and no one could compete with his ability to dole out patronage.

Like many other political parties and platforms in the DRC, Kabila's FCC has been held together by the fact that he can dispense patronage in the form of positions and money; it has no common platform, political ideology or government programmes that substantially distinguish it from other political players. There is no ideological 'glue'.

Despite his desire to impose himself on his political allies, in addition to having to contend with the pull of the presidency Kabila also has to manage divergent views and ambitions within his own party.

In the recent contests for the presidency of the Senate and the presidency of the National Assembly, some members of the FCC challenged the candidate chosen by Kabila. Bahati Lukwebo, the leader of the *Alliance des Forces Démocratiques du Congo* (AFDC), an FCC-affiliated party with 41 seats in the National Assembly, challenged Alexis Thambwe Mwamba, the candidate Kabila chose for the position of president of the Senate. Mwamba was elected, and Lukwebo was ejected from the FCC for defying Kabila.

A similar dynamic emerged in the contest for the presidency of the National Assembly, with Henri Lokondo, a member of the *Parti Lumumbiste Unifié* (PALU) *et Allies* coalition within the FCC,<sup>17</sup> challenging the candidate chosen by Kabila, Jeanine Mabunda, who was ultimately elected. Tshisekedi can and should take advantage of this dissent and provide a political home for FCC members who chose to leave the Kabila-led alliance. If he is able to demonstrate clearly that there is a political future for those who leave Kabila and align with him, he will be encouraging greater momentum in this direction.

In wrangling for positions, regional and generational differences and rivalries have always been a feature of Kabila's ruling political alliance. The recent wave of discontent in the FCC goes back to the decision to nominate Shadary as the PPRD's candidate for the 2018 elections. Many of Kabila's staunchest supporters felt betrayed by this decision – although most would have felt betrayed in any case as long as they were not designated.

The recently formed government excludes many people who have been Kabila's most vocal supporters

The political compromise that Kabila struck with Tshisekedi was another blow to his loyalists, who are not happy that they have to share power. And finally, the recently formed government excludes many of those people who have been Kabila's most vocal supporters.

Very few Kabila hardliners – Lambert Mende, Henri Mova Sakanyi, Leonard She Okitundu, Nehemie Mwilanya, Aubin Minaku or Matata Mponyo, among others – have a strong independent political base, or parliamentary seats

that they could bring to Tshisekedi. While it is currently very unlikely that they would distance themselves from Kabila, if they chose to publicly disassociate themselves from Kabila and move into the Tshisekedi camp it would weaken Kabila and possibly create a domino effect of defections away from the former president.

Less prominent people in the PPRD and the FCC are more likely candidates for a political drift away from Kabila at this stage. Some are known to have approached Tshisekedi about a potential shift in political allegiance to CACH, however Tshisekedi failed to provide them with sufficient reassurances that they would continue to have a prominent political career once in his camp.<sup>18</sup> One possible explanation for Tshisekedi's reluctance to welcome dissidents with open arms is that he already has to balance a variety of forces within the UDPS and between the UDPS and CACH. Adding high-profile refugees from the Kabila camp to the mix would make it even harder to balance these many competing forces, especially as the Kabila transplants would want senior positions. Vital Kamerhe is likely another obstacle; Kamerhe may see such transplants as a threat to his own influence and power.

A possible explanation for Tshisekedi's reluctance to welcome dissidents with open arms is that he already has to balance a variety of forces within the UDPS

In fact, Kabila's political platform experienced just such a dramatic political loss in recent years. In 2016, seven of the parties making up the ruling *Majorité Présidentielle* (MP) left in protest when Kabila wanted to seek a third term. This led to the formation of the G7 and cost Kabila many of the big political names that were part of his coalition, including Olivier Kamitatu, the leader of the *Alliance pour le renouveau du Congo* (ARC); Jose Endundo, the leader of the *Parti Démocrate Chrétien* (PDC); and Pierre Lumbi, leader of the *Mouvement Social pour le Renouveau* (MSR); as well as Christophe Lutundula of the *Alliance de Démocrates pour le Progrès* (ADP); Charles Mwando Nsimba, leader of the *Union nationale des démocrates fédéralistes* (UNADEF); and Gabriel Kyungu of the *Union nationale des fédéralistes du Congo* (UNAFEC). Katumbi, the governor of Katanga and PPRD member, also formally left the PPRD at that stage.

Parliamentary politics in the DRC have a long history of being determined by money. Even when decisions are uncontroversial, the ruling majority has to 'purchase' the votes of its own deputies. A key player in this dynamic is the president of the National Assembly, whose job it is to keep MPs in line. This is an expensive undertaking, and will be particularly so now that MPs are aware of the leverage that they have in maintaining a balance in Kabila's favour.

If Kabila introduces legislation on key issues such as term limits or the electoral system – which may be designed to allow him to return to office in 2023, or to make it easier to manipulate elections – financial incentives will be crucial. It is possible that Kabila could find himself in a bidding war with Tshisekedi (or even Katumbi) for MPs' votes.



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## The FCC-CACH Alliance

The alliance between the Kabila-led FCC and the Tshisekedi-led CACH was born in the months following Tshisekedi's January inauguration, and effectively commits the two parties to govern together. Cooperation between the two alliance partners was most evident in the formation of the government in August; a government in which the FCC has 42 ministries and CACH has 23. The considerable length of time that it took to form the government – a full eight months from Tshisekedi's inauguration – has prompted observations that the alliance itself, and the parties that compose it, face significant internal power struggles.

In addition, there are few signs that the FCC, the more powerful political partner in the alliance by virtue of its 350 seats in parliament is interested in actually sharing power with CACH. For example, in the first public disagreement between the two, in March the Senatorial elections prompted allegations that the FCC had paid off UDPS MPs to vote for FCC Senatorial candidates.<sup>19</sup>

There are few signs that the FCC is interested in sharing power with CACH

Since then the alliance partners have differed publicly on a number of issues. Tensions came to a head in November 2019 when FCC supporters burned effigies of Tshisekedi in Kolwezi, reportedly as a reprisal against the burning of images of Kabila by UDPS supporters. UDPS supporters burned effigies of Kabila in Kinshasa, sparking a war of words between the two alliance partners.

Jean-Marc Kabund a Kabund, the UDPS president a.i. and first vice-president of the National Assembly convened a meeting of UDPS Supporters in Kinshasa at which he said: "We must be on maximum alert. Sometimes our partners behave like partners, sometimes as adversaries." He added a thinly-veiled threat aimed at Kabila, saying that in other countries like Angola and South Africa, former presidents were not immune from criminal prosecution.<sup>20</sup>

In a statement issued on November 12 in response to Kabund's statement, "The FCC condemns ... the

extreme, provocative, irresponsible, defamatory and insulting proposals against its moral authority [Kabila] and all its members. Proposals of a nature to plunge the country into a grave political and institutional crisis of which, as a result of its political immaturity, it does not appreciate the consequences."<sup>21</sup>

Although both parties have since appealed for calm and reiterated their commitment to working together, the incident does reveal the volatility of the relationship and the clear potential for this to lead to a split in the future. One key element in the strained relationship is that while there may be a commitment to support the alliance among the parties' various leaders – who reap the greatest benefit from the alliance – the rank and file supporters of FCC on one hand, and CACH on the other, often do not support the alliance at all.

Félicien Kabamba a professor at the University of Kinshasa says:

"The alliance FCC-Cach has given birth to a coalition that is very eventful and turbulent, far from being a stable alliance, this alliance seems to alternate between cooperation and conflict ... This dynamique was initially confined to the sidelines of the coalition ... officials from both sides attempted to confine these disagreements to the side-lines.

This is a coalition at the top of the pyramid, rather than a coalition of the base. The two bases are very removed from one another, and they are also very antagonistic, whether it is FCC or CACH. Neither the [leadership of] FCC nor of CACH have succeeded in reducing the large gap that separates the two bases. This will be a problem.

The other issue is that this is not a coalition that is built on a shared vision of government management, but rather on political calculations. [Also] the head of state is not the head of the majority [coalition], so this is a majority that has a bicephal leadership, each chief continues to control his troops, which creates a lot of conflict."<sup>22</sup>

## The political opposition

How the political opposition evolves over the course of the coming years will be a key element to watch, and could have an important impact on the overall political balance in the country.

Over the course of 2019, the Lamuka coalition has succeeded in keeping its core elements together. However, cracks have started to emerge, with the key players making contradictory remarks about the strategy going forward. Fayulu continues to call for new elections to be held in the coming years, and for the creation of a High-level body on institutional reform and a transition period leading to elections earlier than 2023.<sup>23</sup>

Neither Jean-Pierre Bemba of the MLC nor Katumbi are supportive of the strategy of ongoing contestation of the election results.<sup>24</sup> Katumbi, who was able to return to the DRC thanks to Tshisekedi, and who knows Tshisekedi very well, has indicated that he wants to cooperate with the new president, and is now in the process of creating his own party. Although the members of Lamuka seem to see some value in staying together for now, in the long-run it is very likely that the coalition will rupture as a result of competing interests and differences in strategy.

For Tshisekedi the main aim should be to create a cooperative working relationship with the political opposition. While the manner in which the elections panned out unquestionably put him at odds with Lamuka, he should make an effort to reach out to the political opposition. Like with civil society, Tshisekedi can leverage the opposition political platform – notably on the reform of institutions like the CENI – in his favour.

Such an approach would also test the opposition's commitment to transformation and democracy, as cooperating with Tshisekedi on transformational reform could mean boosting his political standing, and therefore his chances of winning the 2023 elections. Down the line, this could mean that Tshisekedi will ultimately break out of the CACH-FCC alliance and enter into a more formal arrangement with the opposition.

### **Role of the international community**

The international community can play a significant role in shaping the next four years into a positive and transformational period for the DRC. In order to do this, it will have to work closely with Tshisekedi, but refrain from over-reaching.

It would be counter-productive and damaging if the relationship between Tshisekedi and key foreign donors and allies were to be perceived as his being a donor puppet who is being steered by and in foreign interests. This is an image that Kabila and his camp would no

doubt manipulate to their advantage. It would also alienate the Congolese population, as well as numerous important African allies.

Rather, the international community can support Tshisekedi discreetly on key transformational issues, notably corruption in the mining sector. This is an area that lies at the heart of the vested interests of Kabila's political and biological family, and that is essentially a high-risk, no-go zone for Tshisekedi.

Tshisekedi can leverage the opposition political platform – notably on the reform of institutions like the CENI – in his favour

On his own, it is very unlikely that the Congolese president would be able to get significant traction on such an important area, especially as the Ministry of Mines<sup>25</sup> is controlled by the FCC, as is the industrial copper and cobalt mining parastatal Gecamines, which is run by close Kabila ally Albert Yuma.

At the same time, the reengagement by the IMF provides an opportunity to shine light onto this opaque yet vital area of the Congolese economy. The IMF broke off its support to the DRC in 2012 over its failure to publish all mining, oil and forestry contracts as per a Congolese government decree. This led to the suspension of IMF assistance worth US\$560 million.

In August 2019, as a result of the elections, the IMF concluded its first Article four consultative mission to the DRC since 2015. It concluded that '[t]ransparency and accountability in the management of natural resources are major challenges facing [the] DRC'.<sup>26</sup>

To enhance transparency and accountability in the management of natural resources, it called for the public tendering of mining assets, publication of all mining contracts, disclosure of true ownership of contractual parties, and publication of audited financial statement of state enterprises.<sup>27</sup> A follow-up governance assessment mission took place in October 2019.

In this dynamic, the onus will ultimately fall on the government to follow the process the IMF is imposing in order to proceed, but the process is initiated and imposed by an external process and entity, not Tshisekedi.

Equally important is the fact that the resumption of IMF aid and engagement has potentially huge benefits for the DRC and the Congolese. If the FCC-led Congolese government of Ilunkamba is unwilling to comply with the IMF's requests for greater transparency while Tshisekedi supports such an opening, then the narrative becomes one that pits a pro-population, pro-transparency Tshisekedi against an FCC elite that does not want the secrets of the mining industry and its possible involvement in it to get out.

This narrative allows Tshisekedi to position himself as a champion of better governance for the sake of economic growth whose ambitions are being hamstrung by a reluctant and selfish political elite that wants to protect its own interests. This is a narrative that would build up Tshisekedi's political credibility and galvanise popular support.

This is just one example of how an externally led process can help to catalyse action in a high-risk area dominated by the vested interests of the political elite, with the international community acting as the lightning rod.

The resumption of IMF aid and engagement has potentially huge benefits for the DRC and the Congolese

Another key area in which international actors can assist is by urging Kabila to exit the political scene. This would have to involve giving him guarantees that his financial assets would not be seized and that he would not face legal consequences for his actions while in office. This is both controversial, as it would perpetuate a culture of impunity, and complicated, as other leaders have been given similar guarantees in the past but still ended up facing justice.

Nonetheless, for reasons cited elsewhere in this brief, convincing Kabila to remove himself from the centre of the FCC and from the political stage would most likely have positive repercussions for the political trajectory of the DRC.

### Relations with the region

Foreign affairs, and in particular relations with other countries in the Great Lakes region, is an area where Tshisekedi has relative autonomy. He has used the first 11 months of his presidency to put this independence to good use, traveling extensively within the region and establishing relationships with key countries. As noted above, the relationship with Rwanda has been a significant focus.

The relationship between the DRC and the Rwandan leadership has always been an important axis of stability or instability in the Great Lakes region. Kabila and Kagame have long been perceived to be at odds with one another as a result of Rwanda's sustained support to anti-government rebels in the DRC.

In fact, the nature of their relation has over the years subtly evolved to a point where both leaders benefit: Rwanda has enjoyed relatively easy access to



A KEY AREA IN WHICH INTERNATIONAL ACTORS CAN ASSIST IS BY URGING KABILA TO EXIT THE POLITICAL SCENE



economic networks in the eastern DRC, with many former *Congrès national pour la défense du peuple* (CNDP) and M23 commanders holding senior positions in the FARDC, while Kabila has not faced a new Rwandan-backed challenge since 2013.

The question that remains to be answered is whether or not the change in leadership favours the development of a more balanced relationship between the two countries: one that will lead to an end of conflict, and to Rwanda refraining from meddling in Congolese affairs, or whether Tshisekedi's potential challenge to the status quo will threaten Rwanda and reignite old dynamics.

Tshisekedi also needs to be careful of getting too close to Kagame. Many Congolese are extremely suspicious of Rwanda and Kagame, and a president who is perceived to be too close or too closely aligned with Rwandan interests will quickly alienate Congolese public opinion.

Tshisekedi has also developed a positive relationship with Angola, the other regional relationship that is key to stability in the region. Together with Angola, he brokered the signing in August 2019 of the Memorandum of Understanding (MoU) between Uganda and Rwanda. The DRC is actively involved in its follow-up mechanism.

Angola, Rwanda and the DRC signed a peace and security pact in June, a significant diplomatic step in repairing the strained relationship between Rwanda and Angola, which have vied for hegemonic status in the DRC for over 20 years.

In November Tshisekedi travelled to Uganda for the second time and held talks with Ugandan President Yoweri Museveni, notably on regional security dynamics. Uganda has been reluctant to engage in a regional force in DRC, possibly concerned about Rwanda's role in such a force.

Although it is too early to assess whether there is a real commitment to changing regional conflict dynamics, the change of leadership in the DRC has revitalised the dialogue between key countries on regional peace and security. This can be a substantial source of strength and independence for the new president, especially if it starts to translate into a tangible improvement in the security situation. The international community, the UN, the AU, SADC and the ICGLR can play an important role in supporting the regional approach, which must

also address crucial political elements of instability across the Great Lakes region.

## Civil society

Congolese civil society has a significant role to play during this period. While the likeliest scenarios do not project a positive trajectory for the DRC, this does not mean that the gains made by civil society and the political opposition during the 2015–2018 period cannot be consolidated, especially with the right support.

Congolese civil society organisations and activities will be more important than ever, as the likeliest trajectories involve a tightening of the political space. Therefore, civil society, including the CENCO, the *Comité laïc de coopération* (CLC) and the *Eglise du Christ au Congo* (ECC), will have to continue to play the vital role of maintaining the high levels of engagement of the Congolese population.

These organisations, as well as the youth-led civil society movements Filimbi and the *Lutte pour le changement* (La Lucha), have succeeded in maintaining their visibility and relevance in the post-election period. They have done so despite the enormous setback they experienced as a result of the contested outcomes of the presidential and legislative elections and the rejection of the CENCO's rigorous election observation. The emergence of apolitical and youth-driven civil society organisations such as La Lucha and Filimbi is a positive outcome of the populations' sustained battle for elections. It is important that they and other legitimate, locally-driven and credible organisations across the country are encouraged to expand their roles to a national level in order to be able to inform and mobilise the population on key issues.

The change of leadership has revitalised the dialogue between key countries on regional peace and security

The international community can play an important role in strategically funding and supporting the activities of such institutions. If Tshisekedi wants to address some of the key governance problems of the DRC, the country's active and rigorous civil society will be a valuable and constructive ally for him. It can act as a watchdog on transformational issues such as corruption, advocate for reform, and monitor legislative matters.

While CACH does not have the numbers in Parliament to push through major reforms, even in association with the key opposition formations, Tshisekedi does have the support of a population that is yearning for change. He can leverage this, and work with civil society to mobilise pressure – even on the FCC.

This is undoubtedly risky, but at the same time Kabila and his political family are familiar with the power of popular pressure and protests. They have been forced to compromise their political strategy as a result: sustained popular opposition to a third presidential term, coupled with regional fears of instability, forced Kabila to concede and designate a successor candidate for the 2018 presidential election.

Then, when election results showed how poorly Shadary had performed, Kabila surprised everyone and made the shrewd decision to put forward

Tshisekedi as the real winner, thus averting the outbreak of large-scale protests and violence that many feared would result if Shadary was announced as the winner.

## **Conclusion**

The next four years are crucial in determining the trajectory of the DRC. There is the potential to turn the mitigated outcome of the recent elections into an opportunity for a sea change in how the country is governed, but this process must be planned and executed well if it is to succeed.

International and domestic actors must work together and engage the Tshisekedi government openly and constructively on where the risks and opportunities lie, and must be willing to accompany and support the difficult decisions that this process will require.

## Notes

The author would like to thank Hans Hoebeker and Fred Bauma for their helpful comments and suggestions.

- 1 The recent departure from the FCC of Bahati Lukwebo, a key figure in the FCC, does not augur well for this dynamic. Tshisekedi failed to take advantage of this substantial break and was unable to provide Bahati with a new political home. It is possible that this may change if the FCC-CACH alliance grows increasingly frayed.
- 2 *Effigies de Tshisekedi et Kabila brulees: Kabund suspend ses discussions avec le FCC, Mwilanya appelle a l'apaisement*, Radio Okapi, <https://www.radiookapi.net/2019/11/11/actualite/politique/effigies-de-tshisekedi-et-kabila-brulees-kabund-suspend-les>
- 3 There have been some problems associated with the introduction of free primary school care, notably questions over payments for seventh and eighth grade, and strikes by school teachers. However, on the whole, it can be seen as a step towards improving the standard of living of the Congolese population.
- 4 Senior UN source, Nairobi, September 2019
- 5 <https://afrique.lalibre.be/42597/rdc-les-operations-militaires-dans-lest-avec-les-armees-voisines-divisent/>
- 6 Jonas Tshiamala, speaking as a guest analyst on *Dialogue entre Congolais (DEC)*, *La Nouvelle Societe civile reclame la reforme de la CENI*, Radio Okapi, July 15, 2019.
- 7 There is also the issue of the *dedoublement* of political parties: the common practice whereby a political party splits or its leadership decides to break out of an alliance and the ruling party then declares that the members who have remained behind have ownership of the party's name, membership and structure.
- 8 Alain Lomanja, independent analyst, DEC, Radio Okapi, 15 July 2019 and *Report 1*.
- 9 Ibid.
- 10 Jerome Bonso, DEC, Radio Okapi, 15 July 2019, *Report 1: Politicization of the institutions responsible for the electoral process*, Congo Research Group, October 2018.
- 11 *DRC: A Dangerous Path to the Polls, Report 1: Politicization of the institutions responsible for the electoral process*, Congo Research Group, October 2018, 15.
- 12 Ibid, 3.
- 13 In a recent statement, Nehemie Mwilanya, Kabila's former chief of staff and current national coordinator of the FCC, outlined three priorities for the Congolese government: consolidating peace and stability in the country, addressing the socio-economic expectations of the population and reducing costs related to elections, as well as the number of elections in each electoral cycle. See *FCC, Voici les 3 défis à relever par le gouvernement Ilunga selon le FCC*, <https://fcc.cd/?RDC-Voici-les-3-defis-a-relever-par-le-gouvernement-Ilunga-selon-le-FCC>
- 14 Tryphon Bekamba, UDPS, DEC, Radio Okapi, 28 October 2019.
- 15 *Dialogue entre Congolais (DEC) Presidentielle 2023, Le PPRD soutient la candidature de Joseph Kabila*, Radio Okapi, 28 October 2019.
- 16 This is the argument that FCC and PPRD hardliners used to justify why Kabila waited for so long to announce that he would not pursue a third term as president in 2018.
- 17 <https://www.jeuneafrique.com/760244/politique/rdc-henri-thomas-lokondo-un-electron-libre-du-fcc-candidat-au-perchoir/>. Lokondo was suspended by the Palu in August 2019 after a dispute over the formation's proposed candidates for the government.
- 18 Conversation with Congolese civil society leader, November 2019.
- 19 *Henri-Thomas Lokondo juge sa suspension du regroupement PALU et Alliés d'irrégulière*, <https://www.radiookapi.net/2019/08/15/actualite/politique/henri-thomas-lokondo-juge-sa-suspension-du-regroupement-palu-et>
- 20 RFI, Nov 13, 2019 <http://www.rfi.fr/afrique/20191113-rdc-kabund-udps-vigilance-effigies-brulees-tshisekedi>
- 21 *RDC: le FCC condamne "les propos outranciers" de Kabund a l'egard de Joseph Kabila*, Radio Okapi, November 12, 2019, <https://www.radiookapi.net/2019/11/13/actualite/politique/rdc-le-fcc-condamne-les-propos-outranciers-de-kabund-legard-de-joseph>
- 22 *Dialogue Entre Congolais, Dissension entre l'UDPS et le FCC*, Radio Okapi, November 13, 2019.
- 23 Interview with Adolphe Muzito, <http://www.rfi.fr/emission/20191115-rdc-opposant-adolphe-muzito-veut-pas-rester-statique>
- 24 In November there were growing tensions between Katumbi's *Ensemble pour la democratie*, which has 69 seats in parliament and Bemba's MLC, which has 29, over the repartitioning of opposition posts in the National Assembly. 29, <https://www.jeuneafrique.com/843555/politique/rdc-bras-de-fer-a-lassemblee-entre-les-partis-de-jean-pierre-bemba-et-de-moise-katumbi/>
- 25 The new minister of mines is Willy Kitobo Samson, an experienced mining engineer from Katanga, who was the minister of mines in Haut-Katanga province from 2016–2018. Kitobo has been a member of the PPRD since 2010, and held the post of PPRD federal executive secretary from 2016–2018.
- 26 IMF, Democratic Republic of the Congo, Country Report No. 19/285, September 2019, <https://www.imf.org/en/Publications/CR/Issues/2019/09/04/Democratic-Republic-of-the-Congo-2019-Article-IV-Consultation-Press-Release-Staff-Report-and-48648>
- 27 Ibid.

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### Acknowledgements

The ISS is grateful for support from the members of the ISS Partnership Forum: the Hanns Seidel Foundation, the European Union and the governments of Australia, Canada, Denmark, Finland, Ireland, the Netherlands, Norway, Sweden and the USA.

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ISSN 2617-7781 Print  
ISSN 2617-779X Digital

