



PRESS RELEASE

The Election Observation Mission of the European Union deplores the lack of transparency and irregularities in the collection, compilation and publication of results

Kinshasa, December 13, 2011 - The Election Observation Mission of the European Union (EU EOM), headed by Ms. Mariya Nedelcheva, has just completed its post-election analysis that addresses the essential steps of the electoral process such as collection of results and their compilation in the 169 local centers for results compilation (CL CR) and the publication of provisional results

Eager to follow the course of action it has set since arriving in the DRC, in terms of independence, impartiality and transparency, the EU EOM has decided to publish its observations and analysis to the attention of the Congolese people and congratulate on their show of citizenship and sense of responsibility throughout these elections and also thank them for their hospitality.

The EU EOM notes that the assessments that are summarized in the following paragraphs are based on direct observation of several local centers of compilation of results across the entire country and analysis of the results CD-ROM provided by the CENI.

Missing Names Lists

The EU EOM notes that despite the recommendations made by most of observation missions in 2006, nearly 3.2 million people voted on derogation or missing names' lists, that is, more than 17% of the total number of voters. This rate was 8% in 2006. The provinces mostly affected by this phenomenon are Kinshasa (27.77%), North Kivu (24.5%), Equateur (20.29%), South Kivu (19.02%) and Bandundu (18.54%).

Compilation process at the level of CLCR (compilation local centers) and transmission in Kinshasa

The results compilation process has revealed mixed situations. The EU EOM teams have observed a more effective organization in Bas-Congo, North Kivu or in parts of Eastern Province, compared to the CLCR in Kinshasa, South Kivu, Equateur and South Katanga, which have experienced great organizational difficulties. The transmission of sealed envelopes to the CENI, Provincial Executive Secretariat (SEP) and the Supreme Court of Justice (CSJ) has not been systematic and immediate. Finally, the system of results transmission by satellite, referred to as "V-sat," was not available everywhere.

The results compilation process at the CLCR should have been guaranteed by several safeguards, such as the presence of the candidates / political parties' witnesses throughout the compilation, their signing of the compilation and Minutes sheet, as well as the public posting of the results approved across the territory (Article No. 70 of the Electoral Act). The credibility of the results from several CLCR could be questioned because this last step has not been fully respected. Therefore, the EU EOM observers have concluded that this process has not been transparent enough in Katanga, South Kivu, and Kinshasa and in Province Orientale, where several observers and candidates / political parties' witnesses were prevented from observing all the compilation stages. Finally, contrary to the electoral law, the CENI head office required several CLCRs not to immediately post the compilation results prior to sending them to the CENI head office for a "consistency check". Observers have witnessed this infringement of the law in Goma, Mbandaka, Mbanza-Ngungu, Kinshasa, Kisangani and Lubumbashi.



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"Ad Hoc Committee" and access to the National Processing Center (CNT)

In order to consolidate the results, the CENI had established an ad hoc committee, with the participation of experts, in which no witnesses candidates / political parties nor the observers were allowed. The CENI has also denied witnesses access to the National Processing Center (CNT), the anteroom before results are transmitted to the "Ad Hoc Committee." The lack of witnesses and observers, in this essential phase of consolidation and verification can only affect confidence in the published results and their credibility.

Announcement of the December 9, 2011 provisional results

A large number of results of polling stations, located across the territory, were not computerized. According to the CENI, the number of these polling stations is 4,875, of which 2,020 are in the city of Kinshasa, that is , 7.63% of the national total. Taking the average number of voters per polling station given by the CENI, 331, these 4,875 polling stations which have not been counted represent 1.6 million voters.

In addition, the publication of provisional results lacked in transparency. If the CENI has finally released detailed results by polling station, they do not, however, have the scanned copy of the minutes of each BV that were drawn at the end of counting. These results include only the typed out copies of minutes made within the CLCR, sometimes without any witnesses.

Several polling stations' results released the evening of the count and observed by our field teams, namely in Lubumbashi, do not tally with those published by the CENI.

Media

After the November 28 election, the media situation deteriorated with the closure of several opposition media without any formal decision. The CSAC has sanctioned several media close to the opposition, taking arbitrary measures. The media and journalists have started practicing self-censorship now in an atmosphere made even tenser by the publication of the presidential election results.

Candidates' Reactions

At the end of this observation, the EU EOM notes that several presidential candidates, allegedly from the opposition, said they did not recognize the results published by the CENI and would like them to be cancelled, even by the Supreme Court.

The Chief Observer, Ms. Mariya Nedelcheva said: *"It is the responsibility of political actors and Congolese institutions to conduct their own review of the election results and to identify solutions to the current situation. The EU EOM is also continuing its careful assessment of the compilation of the legislative election results until the completion of the process. "*

A final report containing all the observations and recommendations will be made public after publication of parliamentary elections final results.

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