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By Elisabeth Ferland

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DRC President Joseph Kabila. (Source: Theophile Costeur, "DRC: Kabila Eyes Lifetime Presidency and Must Be Given a Way Out," African Arguments, August 27, 2014, <http://africanarguments.org/2014/08/27/drc-kabila-eyes-lifetime-presidency-and-must-be-given-a-way-out-by-theophile-costeur/>)

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ZANZIBAR ELECTION CRISIS CONTINUES

By Alexander Noyes

After more than three months of a political crisis stemming from an [annulled](#) presidential election in October 2015, Zanzibar, the semi-autonomous island region of Tanzania, is scheduled to hold a rerun of the presidential election on March 20, 2016. The announcement of a rerun, made by the chairman of the Zanzibar Electoral Commission (ZEC), abruptly put an end to a series of negotiations between the ruling Chama Cha Mapinduzi (CCM) party, headed by Ali Mohamed Shein, and the main opposition party in Zanzibar, the Civic United Front (CUF), led by Seif Sharif Hamad. The CUF, which claims to have won the 2015 elections, has threatened to [boycott](#) the new vote, raising tensions and [fears](#) of renewed election-related violence. [more...](#)



ZEC Chairman Jecha Salim Jecha (left) announcing the annulment of election results. (Source: David Brewin, "Zanzibar – Votes Annulled," Tanzanian Affairs 113, January 1, 2016, <http://www.tzaffairs.org/2016/01/zanzibar-votes-annulled/a-way-out-by-theophile-costeur/>)

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Joseph Kabila and His Delaying Tactics

Joseph Kabila [assumed](#) the presidency after his father, Laurent Kabila, was assassinated in 2001. Since then, Kabila has gone on to win contested re-elections in 2006 and 2011. In 2011, [controversy](#) surrounded the elections, with the Carter Center saying that “serious irregularities” and “mismanagement” made it impossible to verify the election results. Despite the concerns of the international community, the results were [upheld](#) by the Supreme Court, and Kabila was inaugurated to his second elected term in December 2011.

In January 2015, Kabila lost an [attempt](#) to amend the constitution to include a census before the 2016 elections. The proposed constitutional amendment was seen by opposition parties as a way to delay the election. Since then, Kabila and his supporters have said he will [uphold](#) the constitution without explicitly saying he would not run, leading some to fear he will use delaying tactics until he can legitimize his mandate to stay in power. Only [months](#) after the violent protests in January 2015, the government, citing the country’s lack of preparation for the elections, suggested presidential elections should be delayed for up to four years.

The 2006 constitution [mandated](#) division of the existing 11 provinces into 26 by 2010. Kabila’s March 2015 plan to achieve the division by the summer of 2015 was seen as his latest attempt to hold onto power because the constitutional court had [ordered](#) that governors for the 21 new provinces be elected before the scheduled round of elections for provincial deputies and local counselors. As a consequence, the provincial and local [elections](#) did not take place in October 2015, and at the end of that month, Kabila appointed special commissioners to provisionally govern the new provinces. Opponents saw this move as a way for Kabila to install loyalists into these positions and control revenue flows and security in the new provinces. But rather than waiting for elections, the constitutional court [legitimized](#) these appointments because of the state of “political anarchy” in the new provinces.

By not holding the elections scheduled for October 2015, the government created uncertainty for the rest of the DRC’s election timeline. Under the constitution, local and provincial [elections](#) must take place before national elections. The longer these are postponed, the more likely it becomes that the November 2016 parliamentary and presidential elections will not take place as scheduled.

Opposition Calling for 2016 Elections

In November 2015, Kabila called for a [national](#) political dialogue to discuss election issues, such as funding of the voting and the calendar that must be amended following delays. Kabila has not specified when these [discussions](#) will start.



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He has agreed to international mediation, which was a demand from the Union for Democracy and Social Progress (UDPS), the DRC's largest opposition party. The UDPS is the only opposition party that has not said it will [boycott](#) these discussions.

Citizen Front 2016, a [coalition](#) of opposition political parties and civil society organizations formed in December 2015, promised to hold opposition gatherings and protests commemorating the January 2015 victims of violence and to pressure Kabila to stick to the November 2016 elections. They have also refused to take part in the national dialogue proposed by Kabila. Citizen Front 2016 gained a [victory](#) when Moise Katumbi, a former Kabila ally, joined the opposition coalition. This could signal a shift in momentum away from Kabila and a solidification of the opposition threat. Katumbi, the [former](#) governor of Katanga province, Kabila's home province, is a politician with significant popular support. He was formerly a member of the People's Party for Reconstruction and Democracy (PPRD) and an ally of President Kabila. His break with Kabila in September 2015 was over the issue of Kabila's perceived attempts to hold onto power post-2016.

Conclusion

Before voting can happen, both the government and opposition agree that voter rolls must be updated. But there is disagreement over the timeline for these updates. According to a [chart](#) prepared by the country's electoral commission (CENI) on January 10, 2016, and posted by the president of the UK-based Association for Development and Democracy in Congo, this process would lead to a delay of at least 13 months. On the other hand, [according](#) to the UK's Special Envoy to Africa's Great Lakes Region, it would be technically possible to hold the elections in November 2016, even with an update of the voter rolls. Opposition leader Katumbi agrees with the UK assessment and thinks that with [help](#) from the UN this process should take a maximum of six months. Pressure is growing on Kabila not to postpone elections and to allow the first democratic transition of power in the country since independence. If the last few months of delaying tactics are any indication, however, even if Kabila decides not to run, elections are unlikely to take place on time in November 2016.

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Background and 2015 Elections

Zanzibar is made up of the islands of Unguja and Pemba. It has a long history of disputed elections, with fraud and violence marring the 1995, 2000, and 2005 polls. Before the 2010 polls, Zanzibar sought to end this cycle of electoral violence by forming a government of national unity (GNU) between the first- and second-place finishers. As noted in the August 7, 2014, [edition](#) of *Africa Watch*, this led to a peaceful 2010 election and some surprising progress on political reconciliation under the GNU, which remained in office until the 2015 elections.

The October 25, 2015, poll was initially hailed as [peaceful](#) and orderly, and an independent vote [tabulation](#) confirmed CUF's claims that it had won. But the unilateral [annulment](#) of the election on October 28 by the ZEC on the grounds of alleged irregularities in CUF strongholds pushed Zanzibar into an extended electoral crisis. International actors decried the annulment, with the United States [suspending](#) a \$472 million Millennium Challenge Corporation grant to Tanzania. Despite reports of clashes and police intimidation (CUF [alleged](#) that over a dozen of its supporters were injured), the islands remained mostly peaceful in the interregnum. In the midst of a [series](#) of domestic and international mediation attempts to come up with a viable negotiated settlement, the ZEC unilaterally announced the March 20 rerun.

Rerun Boycott and Reaction

CUF quickly said it would [boycott the election rerun](#): "We are not going to take part in the elections ... and we kindly ask other Zanzibaris, particularly those who respect rule of law and democracy, also to boycott the fresh elections." The CUF party maintained that it had won the first round of elections, [arguing](#), "Elections are over, held in 2015, we want our victory back." The CCM party has disregarded CUF's boycott threat, with Zanzibar's minister for elections and internal affairs, Mohamed About Mohamed, [saying](#) that "the planned fresh polls will be held with or without opposition."

International actors have again voiced coordinated concern over the rerun. Fifteen Western diplomats released a [statement](#) on January 29 condemning the rerun and calling for a negotiated settlement: "We regret that an election rerun was announced, while a dialogue between parties was still ongoing. . . . For the benefit of all Tanzanians, we reaffirm our belief that the current political impasse in Zanzibar would be best addressed through a mutually acceptable and negotiated solution."

Tanzanian civil society has also questioned the legality of the rerun. Imelda Urrio, the acting head of the Legal and Human Rights Centre (LHRC), [argued](#) that the ZEC "does not have the mandate to rerun the election."

Conclusion: Prospects for Renewed Violence?

In its press release, the group of 15 Western diplomats [raised fears about looming violence in Zanzibar](#): "We are deeply concerned that the unilateral declaration of a rerun may lead to an escalation of intimidation and tensions." Hamad himself

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[warned](#) about a return to election-related violence in Zanzibar if the rerun goes ahead: “Any decision to hold fresh elections would lead to violence. . . . A re-run of the election is a desperate attempt by the ruling party to gain political legitimacy after losing the election.” This could be read as a threat by CUF. The concern that a rerun could act a flashpoint is valid, but concerted international pressure could help thwart a return to Zanzibar’s dark days of electoral violence.

As argued in the November 5, 2015, [edition](#) of *Africa Watch*, the GNU provision in Zanzibar’s constitution still stands, providing the CCM party with a significant role in the next government, regardless of which party won the 2015 elections. Given CUF’s ostensibly genuine election win and Hamad’s openness to continue with the GNU model, the international push for a negotiated settlement, with CCM as a junior partner, seems appropriate. Longer term electoral reforms might also be part of an agreement, including a truly independent ZEC.

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