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Office of the Special Envoy of the Secretary-General for the Great Lakes in Africa



MEDIA MONITORING

13 February 2015

DR Congo president promulgates new electoral law

Source: BBC Newsfile

Text of report by DR Congo's UN-sponsored Radio Okapi on 12 February

[Presenter] DR Congo President Joseph Kabila Kabange this Thursday 12 February promulgated the new electoral law. Adopted by the parliament in January, the electoral law caused great controversy within the political class. Demonstrations organized by opposition parties against the new electoral law led to riots in Kinshasa and other towns in the country.

After being amended by the Senate, the controversial provision, which opposition members feared would extend the president's mandate beyond 2016, was withdrawn by a joint commission made of MPs and Senators.

COMMUNIQUE DE PRESSE n° 20150212/00036 relatif au rétablissement de l'ordre constitutionnel en RD Congo

Source: Alwihda Info

Rédigé par Gaspard-Hubert Lonsi Koko

12 Février 2015 modifié le 12 Février 2015 - 19:22

Le président de la République Démocratique du Congo, Joseph Kabila, a promulgué ce jeudi 12 février la nouvelle loi électorale, alors qu'était attendue la publication du calendrier des scrutins relatifs aux prochaines élections locales, régionales,

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provinciales, sénatoriales, présidentielle et législatives. Adoptée en janvier dernier au Parlement, après avoir été modifiée au Sénat sous la pression de la rue, la disposition controversée qui faisait craindre aux opposants une prolongation de la présidentielle au-delà de 2016 a finalement été retirée du texte adopté par la commission mixte paritaire de l'Assemblée nationale et du Sénat.

La loi promulguée par le Chef de l'Etat contient des articles non conformes aux dispositions constitutionnelles quant à la dignité et à l'égalité en droits, à l'égalité protection des lois, à la non-discrimination des Congolais en matière d'éducation et d'accès aux fonctions publiques, ainsi qu'au respect mutuel. Très étonné du fait que la Cour Suprême de Justice a pu juger ladite loi conforme à la Constitution, le Bureau du Rassemblement pour le Développement et la Paix au Congo (RDPC) se demande si cette institution s'est prononcée en toute indépendance.

En conséquence, comme le Chef de l'état, qui plus est le garant de la Constitution et de la cohésion nationale, vient de promulguer une loi injuste, le Bureau du RDPC en appelle au peuple congolais, en sa qualité de souverain primaire, pour rétablir dans la rue l'ordre constitutionnel bafoué dans les institutions de la République.

Pour le Bureau du Rassemblement pour le Développement et la Paix au Congo,

Gaspard-Hubert Lonsi Koko, Porte-parole

Congo presidential election set for Nov. 27, 2016 - commission

Source: Reuters

Reporting by Aaron Ross; Writing by Bate Felix; Editing by Janet Lawrence

Kinshasa, 12 February 2015 - Democratic Republic of Congo's election commission has set Nov. 27, 2016 for presidential and legislative elections, an official said in the capital on Thursday.

Protests erupted last month killing at least 42 people and forcing lawmakers to drop an electoral reform bill that the opposition said was aimed at keeping President Joseph Kabila in power.

Presidential and legislative elections will be held on Nov. 27, 2016, according to the election calendar presented to government and diplomatic officials in Kinshasa by election commission official Jean-Pierre Kalamba.

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RDC : la Ceni vient de rendre public le calendrier électoral global des élections

Source: MediaCongo

Kinshasa, 12 février 2015 - La Commission électorale nationale indépendante (Ceni) a rendu public ce jeudi 12 février 2015 le calendrier électoral global des élections en République démocratique du Congo.

Le rapporteur de la Ceni, Jean-Pierre Kalamba, a indiqué que la tenue de tous ces scrutins dépendrait d'un certain nombre de contraintes devant être levées avant une date critique pour chacune d'elle.

Pour la présidentielle et les législatives, il a cité au nombre de ces contraintes l'exécution du plan de décaissement des fonds nécessaires à l'organisation des scrutins, la mise à jour du fichier électoral ou encore le vote et la promulgation du projet de la loi de répartition des sièges des députés sur le territoire national.

Ci-dessous des dates clés :

- 25 octobre 2015** : Élections provinciales, municipales, urbaines et locales
- 10 décembre 2015** : Publication résultats des élections provinciales, municipales, urbaines et locales
- 17 janvier 2016**: Élections des sénateurs et députés provinciaux
- 31 janvier 2016** : Elections des gouverneurs et vice-gouverneurs
- 27 novembre 2016**: Scrutin Présidentiel et Législatif
- 07 décembre 2016**: Annonce des résultats provisoires de la Présidentielle
- 17 décembre 2016** : Publication des résultats définitifs de la Présidentielle
- 20 décembre 2016**: Prestation de serment du président élu.
- 27 janvier 2017** : Publication des résultats définitifs des élections législatives.

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DR Congo: UN rights office urges release of illegally detained protestors

Source: U.N. - Human Rights

6 February 2015 - The United Nations human rights office today raised serious due process concerns over the detention of at least 300 people " some for as long as three weeks and with no access to a lawyer " following recent demonstrations in the Democratic Republic of the Congo (DRC).

The mass arrests occurred when protests broke out in the capital, Kinshasa, and Lubumbashi, the second largest city in the DRC, a spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR) told journalists in Geneva.

Of those currently being held, at least 11 are believed to be in "incommunicado" detention, including prominent civil society representative Christopher Ngoyi Mutamba. His family members and defence lawyers have had no news of him for more than two weeks, said spokesperson Ravina Shamdasani.

"The UN joint human rights office in the DRC has been working with the authorities to secure the release of all those who have been illegally detained, as they enter their third week of detention without access to lawyers," she added.

OHCHR reiterates its call to the authorities to release all those imprisoned for exercising their right to peaceful assembly, for expression of their views, for their affiliation with the opposition or for disagreeing with the amendments to the electoral bill.

Internet and mobile text messaging services have also been restricted for more than two weeks now, causing great disruption, particularly to vulnerable communities.

"We urge the Government to promptly re-establish these services and to create a space for civil society discussion, to avoid entrenching the divisions in the country ahead of the upcoming elections," Ms. Shamdasani stressed.

DR Congo conflict: UN pulls out of planned assault on FDLR

Source: BBC News

11 February 2015 - The UN has withdrawn its backing for a planned offensive against rebels in eastern Democratic Republic of Congo after the government refused to sack two generals, a spokesman has said.

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UN troops could not join the offensive because the generals were accused of human rights abuses, he added.

The planned offensive was aimed at disarming the FDLR rebels who are seen as a threat to regional stability.

DR Congo's government has not yet commented on the UN's decision.

It has previously said that it chose its best soldiers to fight the FDLR, and it will not take instructions from the UN.

'Credible evidence'

One of the men chosen to lead the operation, Gen Bruno Mandevu, is on a UN "red list" over 121 alleged human rights violations, including summary executions and rapes, according to Reuters news agency.

The government says he is innocent until proven otherwise.

UN spokesman Nick Birnback told the BBC's Newsday programme that there was "credible evidence" against the generals and "until such time as that has been cleared, we won't work directly with them".

The UN has more than 20,000 troops in DR Congo to help the government restore order in the mostly lawless east.

Analysis: Maud Jullien, BBC News, Kinshasa

The nomination of these two red-listed generals has put the 22,000-strong UN mission in DR Congo in a tricky position.

It had been planning the operation against the FDLR for months, and after helping defeat the Tutsi-led M23 rebellion in 2013, it considered that neutralizing the Hutu rebel group was a priority for the stability of the Great Lakes region. Rwanda and the US had been pushing for the operation.

But it can't afford to risk supporting generals who have a record of alleged human rights abuses, especially after the previous operations against the FDLR, in 2009, left 900,000 displaced and 1,000 dead.

While Gen Bruno Mandevu is commander of the anti-FDLR operations, another red-listed General - Fall Sibakwe - has been named commander of a large portion of North Kivu province, where dozens of armed groups operate.

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If the Congolese government insists on maintaining these men in their positions, it will make it nearly impossible for the UN mission to carry out its mandate to neutralize armed groups in the region.

This raises the risk that neighbouring Rwanda could get involved more directly in handling the FDLR - it has previously sent its troops into DR Congo to do exactly that.

NOTE:

The FDLR was formed by Rwandans who fled to DR Congo after the 1994 genocide in Rwanda.

Rwanda sees the FDLR as a threat to its stability and, along with the UN, has repeatedly demanded its disarmament.

It has twice invaded DR Congo, saying it is trying to hunt down the militiamen who took part in the genocide.

Rwanda's critics say many FDLR fighters are too young to have taken part in the genocide.

The FDLR has been accused of recruiting child soldiers, rape and systematic looting.

United Nations Denies Issuing Ultimatum to Congo over Offensive

Source: Bloomberg

By hidden line after 'By'Malcolm Beith

13 February 2015 - The United Nations denied suspending support for an offensive against rebels in eastern Democratic Republic of Congo and said it's still debating what type of assistance it will offer.

A military operation known as Sokola II that officially began on Jan. 29 against the ethnic-Hutu Armed Forces for the Liberation of Rwanda has been delayed and plans have been altered, UN Chief of Mission Martin Kobler said in an interview Wednesday in Kinshasa, Congo's capital. The offensive was originally set to be a joint operation, before Congolese authorities changed their plans, he said.

The UN mission in Congo, known as Monusco, has continued to express concerns that human-rights violations might occur. Kobler said he and force commander Lt. Gen. Carlos Alberto Dos Santos Cruz had been meeting daily with their Congolese counterparts to discuss what kind of support Monusco will offer.

The UN on Feb. 4 threatened to withdraw its support for the offensive within two weeks unless Congo removed General Bruno Mandevu from the offensive. Mandevu is on a

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so-called UN Red List related to accusations of 121 rights violations including summary executions and rape. General Fall Sikabwe, who was put in charge of North Kivu province where various rebel groups operate, is also on the list, according to Monusco's spokesman, Charles Bambara.

The deputy spokesman for the UN secretary-general, Farhan Haq, said Feb. 5 that the appointment of the two Congolese generals to lead operations against the so-called FDLR, was "of grave concern," according to an e-mailed statement.

Rwandan Genocide

"We do not comment on generals," Kobler said, insisting that it was imperative that the possibility of human-rights violations by any member of the armed forces be prevented.

Congolese military spokesman Olivier Hamuli didn't answer calls to his phone when Bloomberg News sought comment.

The Hutu rebels have been active in eastern Congo since fleeing across the Rwandan border after the 1994 genocide. The group once numbered as many as 13,000 fighters and some of its commanders are wanted by the International Criminal Court for their role in the genocide, in which more than 800,000 people were killed. The group is one of as many as 24 insurgencies active in a region rich in tin ore, gold and tantalum, which is used in the batteries of smartphones and laptops.

Reuters reported on Tuesday that the UN paused support to Congolese troops because of the rights-abuse accusations.

Kobler said the UN is not supporting military operations right now because "there are no operations." While Operation Sokola II has officially started, no action has yet been taken by the Congolese military.

"It's their sovereign right to decide the level of support," Kobler said.

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Burundi: President Kenyatta Receives a Special Message From Burundi

Source: Kenya Presidency via AllAfrica.com

Nairobi, 12 February 2015 - President Uhuru Kenyatta today at his Harambee House Office received a special message from President Pierre Nkurunziza of Burundi.

The message was delivered by President Nkurunziza's special envoy Godefroid Niyombare who was accompanied by Ambassador Ezechiel Nibigira.

Ambassador Niyombare briefed President Kenyatta on the status of preparedness for elections in Burundi scheduled for May. He assured the President that the security situation in Burundi is calm and under control.

President Kenyatta advised Burundi to ensure that the elections are all-inclusive and assured of Kenya's support.

"We are keen on seeing elections held in a manner that will sustain peace in Burundi," President Kenyatta said.

The President affirmed Kenya's position on peace, saying the region will not realize its development aspirations without stability.

Burundi launches inquiry into reports of rebel executions

Source: AFP World News

Bujumbura, 13 February 2015 - Burundi on Friday launched a probe into reports that security forces last month executed at least 47 rebels who had surrendered, amid warnings of violence ahead of upcoming presidential elections.

Authorities in Bujumbura have already rejected a report by international monitor Human Rights Watch (HRW), which said it had interviewed 32 witnesses to the killings in the small central African country.

"I have set up a judicial commission of inquiry... to shed light on the allegations of extrajudicial executions," Attorney General Valentin Bagorikunda said, giving officers a month to investigate.

HRW said witnesses described soldiers and police ordering men to lie face down in the dirt, or lining them up along a cliff, before opening fire.

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Members of the ruling party's youth wing known as the Imbonerakure also took part, beating to death those prisoners who were not shot, throwing others off a cliff and helping to hide bodies in mass graves, HRW said.

The investigation will be led by deputy attorney general Adolphe Manirakiza, who headed a previous inquiry into a United Nations report, which said 61 people were killed in extrajudicial executions in 2011.

That inquiry concluded the reports were false.

The rebels at the centre of the latest alleged atrocities crossed into Burundi in late December from neighbouring eastern Democratic Republic of Congo.

They went on to fight a five-day battle with government troops in the Cibitoke region, around 50 kilometres (30 miles) north of the capital Bujumbura.

The army said troops had killed around 100 rebels in the battle and accused them of planning to launch a major offensive to destabilise Burundi ahead of parliamentary and presidential polls due in May and June.

HRW's Africa chief Daniel Bekele called the killings "one of the largest incidents of this kind" in recent years, charging that the involvement of government forces as well as Imbonerakure indicated "coordination and state responsibility".

A BBC report last month filmed what locals said was a place where bodies had been buried, showing discarded clothes and spent bullet casings around a pile of freshly dug earth.

HRW said the killings were "part of a broader pattern" of extrajudicial executions going back several years.

Burundi, a landlocked nation in central Africa's Great Lakes region, emerged in 2006 from a brutal 13-year civil war.

UN envoy calls for dialogue between political actors in Burundi ahead of polls

Source: XinhuaNews Service

United Nations, 11 February 2015 - A UN envoy on Wednesday called for reinforced dialogue and trust between all political actors in Burundi ahead of the country's elections scheduled to start in May.

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Cassam Uteem, UN Secretary-General Ban Ki-moon's special envoy and head of the UN Electoral Mission in Burundi, said the situation in the country demands constant consultation between the authorities and other parties after he met with heads of political parties, youth groups, civil society as well as media organizations this week.

The UN electoral observer mission tasked to watch a series of Burundian elections has started operation on Jan. 12. It will monitor five elections between May and September, including the presidential poll on June 26.

Pierre-Claver Ndayicariye, chairman of the National Independent Electoral Commission of Burundi, said earlier that one of the major challenges for the elections is the over-reporting by media on tensions between youths affiliated to various political parties, something which is counter-productive to the electoral process.

Other countries should pick a leaf from Norway

Source: The New Times (Rwanda)

12 February 2015 - Many countries harbouring Genocide suspects could learn a few things from Norwegian authorities.

The country's Supreme Court earlier this week approved the extradition of another fugitive wanted in Rwanda for his alleged role in the 1994 Genocide against the Tutsi.

Like many, Eugene Nkuranyabahizi's past has finally caught up with him, his false sense of assurance that he would get away with impunity in some far away foreign land has been washed away.

This is the second person that the Norwegian authorities have found it fit to send back to Rwanda to face justice, following Charles Bandora who was extradited in 2013 and is awaiting the outcome of his trial.

The most important thing is not extradition – though it is the preferred solution for victims – but making sure Genocide criminals have their rendezvous with justice.

Twenty years is a long time; evidence fades and witnesses pass away, therefore there is need to deal with Genocide cases with haste. If countries are unwilling to send the suspects to Rwanda, the least they can do is to try them in their own courts of law.

For countries who pride themselves as being the bastions of justice, it blows the mind that they still put up with questionable individuals without bothering to met out that same justice.

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But as the saying goes, patience is a virtue, the least survivors can do is bid their time and wait for countries still harbouring genocidaires to finally come to their senses.

Kenyan president tells South Sudanese governors to embrace peace

Source: Sudan Tribune (Paris)

Nairobi, 12 February 2015 – Kenyan president Uhuru Kenyatta has called on the visiting governors from the troubled South Sudan to embrace peace by honouring agreements signed to end the 14-month old civil war in the country.

Governors representing six of the country's ten states of Central Equatoria, Western Equatoria, Eastern Equatoria, Northern Bahr el Ghazal, Western Bahr el Ghazal and Upper Nile were dispatched by president Salva Kiir's government to explain to the regional countries their stance against proposal of leadership structure and power-sharing at the peace talks in Addis Ababa.

They in particular rejected the proposal by mediation which reinstated the rebel leader Riek Machar as first vice president in a transitional government of national unity.

The mission to meet the East African leaders was to try to shape the IGAD proposal in the interest of the government.

President Kenyatta however advised the top state executives to rise above their differences and work towards ending the war and suffering of their people.

"It is disheartening to see that the situation in South Sudan is not getting any better. It is time the conflict was brought to a conclusive end," President Kenyatta said in a statement after meeting the governors on Wednesday.

The Kenyan president who also serves as rapporteur in the regional bloc, the Intergovernmental Authority on Development (IGAD) that mediates the peace process between the warring parties, lamented that it was unfortunate that South Sudanese leaders have not honoured and fully embraced agreements they have signed.

He said South Sudan should only be using its army to defend its sovereignty but political differences need to be resolved peacefully.

"The barrel of a gun should only be used in defending South Sudan's sovereignty, but problems should be resolved through dialogue," he said, calling on the parties to be inclusive in the peace process.

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The governors were aroused mainly by the proposal which suggested that former vice-president of South Sudan, Riek Machar, turned leader of the Sudan Peoples' Liberation Movement (SPLM-IO) would become the first vice president after president Kiir.

The incumbent vice-president James Wani Igga, president Kiir's loyalist, would take the second vice-presidency position.

Three governors of Greater Equatoria region last week travelled to the venue of the talks in Addis Ababa where they presented a petition to president Kiir and IGAD mediation not to reinstate the rebel leader, Machar, in the first vice-president's position.

The government wanted Machar to either have equal status with the incumbent Igga or be pushed to the third position after Igga.

President Kiir this week vowed not to "reward" the rebel leader for his rebellion, also citing the country's transitional constitution which had not provided for a position of first vice-president.

Equatoria governors also abandoned their initial quest for federalism as part of a peace agreement that would be implemented in a transitional government of national unity and recently succumbed to the government's suggestion that the issue would only be deferred to a permanent constitutional making process for consideration.

REBELS NOT AGREED

Rebel officials also told Sudan Tribune that the leadership proposal from IGAD needed further consultations with their constituency as resolutions of the Pagak conference in December 2014 called on president Kiir to step down, never to lead a transitional government.

The rebels accuse president Kiir of massacring thousands of civilians in the capital, Juba, also they say he cannot be trusted to make the necessary reforms.

The Pagak resolutions also adopted the initial proposal by IGAD with president and prime minister, or deputies to the prime minister.

Rebels have been criticising IGAD for what they said had been "insistency in ever changing proposals, conflict of interest and reluctance to address the root causes of the conflict."

They also accuse IGAD of failure to persuade Uganda to withdraw its thousands of troops fighting on president Kiir's side in order to implement the cessation of hostilities agreement the regional bloc brokered.

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The situation also suggested that the rebel group may not agree to the position of the first vice-president as long as Kiir remained the president. However, regional and international officials exert important pressures on the two warring parties to accept the proposed deal in March.

The two warring parties could not agree on the leadership structure and power-sharing ratios in the recent round of peace talks which brought face-to-face the two principals, forcing IGAD to postpone its summit.

There are also many other critical outstanding issues to be negotiated and agreed upon such as on governance, security arrangements, wealth-sharing, reforms, justice, accountability and reconciliation.

IGAD has given up to 19 February for the two principals to consult with their respective constituencies and sign a final peace agreement by 5 March.

Observers express pessimism to beat the dateline given the many issues that are yet to be negotiated, coupled with repeated violations of the cessation of hostilities agreement signed since 23 January 2014.

UN threatens sanctions against Sudan government and rebels

Source: Associated Press

Associated Press writer Cara Anna contributed to this report

United Nations, 12 February 2015 - The U.N. Security Council threatened new sanctions Thursday against Sudanese government officials and armed groups that attack civilians in Darfur, target peacekeepers and impede efforts to end the 12-year conflict in Sudan's vast western region.

The council made the threats in a resolution adopted unanimously that extends the mandate of the panel of experts monitoring the implementation of sanctions in Darfur until March 12, 2016. Members said they intend to review the panel's mandate and take action on further extensions by Feb. 12 of next year.

Darfur has been torn by conflict since 2003 when rebels took up arms against the government in Khartoum, accusing it of discrimination and neglect. The United Nations says 300,000 people have died in the conflict and 2.7 million have fled their homes.

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Several rebel groups have signed peace deals with the government, but Darfur's two main rebel factions, the Justice and Equality Movement and the Sudan Liberation Movement, have not.

The resolution stressed that "the Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process."

The Security Council expressed deep concern at increased violence and insecurity in recent months and demanded that all parties halt military action, including aerial bombardments. It also demanded an immediate end to all acts of sexual violence against civilians, recruitment of child soldiers, and indiscriminate attacks on civilians, and urged the government to say what measures it has put in place to protect civilians in Darfur.

The resolution deplored Sudan's continuing violation of a requirement that it get prior authorization from the council's sanctions committee for all movements of weapons and ammunition into Darfur.

U.S. Ambassador Samantha Power accused Sudan of refusing to allow the U.N. to investigate a mass rape in the North Darfur village of Tabit last year. Human Rights Watch said in a report Wednesday that Sudanese army troops raped at least 221 women and girls in Tabit in a series of organized, house-to-house attacks.

"The horror of Tabit is just one horror, one attack of too many to count," said Power, who also accused the government of "obstruction, harassment and direct attacks that have impeded efforts to deliver humanitarian aid in Darfur.

Sudan's charge d'affaires Hassan Hamid Hassan rejected Power's accusations and called the Human Rights Watch report "fabricated."