



DRC - Researched and compiled by the Refugee Documentation Centre of Ireland on 1 October 2015

Information on whether there is a list of the electorate published for elections and how are voters checked when voting.

A report published in May 2015 by the *International Crisis Group* states that:

“A crucial technical and political issue is the voter roll. For the planned October 2015 local and provincial elections, the contested 2011 roll will be used...According to the CENI, the roll will be made more reliable; operations to this end have been announced...An external audit, announced in the February 2015 electoral calendar (24 March – 12 April), has been delayed...It is to be carried out by the Organisation internationale de la Francophonie (OIF)...” (International Crisis Group (5 May 2015) *Congo: Is Democratic Change Possible?*, p.19)

In October 2012 a document issued by the *Carter Centre* points out that:

“Carter Center observers reported that the CENI posted the majority of voter lists at polling stations only two to three days before the election, a full month behind the CENI election calendar, denying the 32,024,640 registered voters the appropriate opportunity to confirm their names were on the list and to identify their polling station.” (Carter Centre (30 October 2012) *Final Report: Presidential and Legislative Elections in the Democratic Republic of the Congo, Nov. 28, 2011*, pp.48-49)

This document also states:

“On election day, observers found that voter lists were displayed outside in 80 percent of polling stations they visited. Observers reported large numbers of voters were unable to find their assigned polling station after reaching the voting center listed on their voter identification card.” (ibid, p.49)

A report issued in May 2012 by the *United States Department of State* commenting on events of 2011 notes that:

“Election day was generally peaceful but chaotic and disorganized at a number of polling stations throughout the country. For example, many individuals could not find their names on the voting lists and therefore could not vote.” (United States Department of State (24 May 2012) *2011 Country Reports on Human Rights Practices - Democratic Republic of the Congo*, Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government/Elections and Political Participation)

In September 2012 *Freedom House* states in a report commenting on the 2011 elections that:

“...many polling stations did not have voting lists posted outside, as required by law...” (Freedom House (20 September 2012) *Countries at the Crossroads 2012 - Democratic Republic of the Congo*)

A publication released in 2012 by the *Carter Centre* points out that:

“The Democratic Republic of Congo’s (DRC) 2 Law No. 04/028—Identification and Enrollment of Voters in the Democratic Republic of Congo (2004)—requires in-person voter registration for all citizens. The local registrar can vouch for the identity and nationality of the applicants...

- A certificate of nationality or a document attesting that you have applied for a certificate of nationality; Otherwise, the applicant must provide one of the following:
- An identity document;
- A national passport;
- A national driving license;
- A national pension book;
- A pupil or student card; or
- A service card...” (Carter Centre (2012) *Voter Identification Requirements and Public International Law: An Examination of Africa and Latin America*, p.47)

Human Rights Watch states in December 2011 that:

“In many areas, voters and even electoral officials were uncertain whether people could vote if their name did not appear on the voting list.” (Human Rights Watch (2 December 2011) *DR Congo: Rein in Security Forces*)

In November 2011 the *Economist* notes that:

“The electoral commission said people could vote where they had registered even if their names were not on the lists, but not all local election officials enforced this...” (The Economist (30 November 2011) *Determined to vote; Congo's elections*)

A document issued in November 2011 by the *Agence France Presse* states:

“Monitors said millions of voters had been turned away countrywide because their names were not on the rolls -- despite instructions from the elections commission to let anyone with a voter card cast a ballot.” (Agence France Presse (29 November 2011) *Opposition call to scrap DRC poll amid criticism by monitors*)

An article published by *IRIN News* in November 2011 includes commentary by an opposition candidate who states:

“...Take voter registration for instance, this process was based on criteria set out in the constitution. A total of 32.5 million voters were initially registered and when the voters' register was published online, it was found to have over 119,000 irregularities. Now, some of these have since been rectified but the problem has been the delay in this clearing process; the electoral body was supposed to publish this list at least 30 days before the start of campaigns [28 October] but this was done just recently...” (IRIN News (3 November 2011) *Analysis: DRC poll campaigns under way amid fears of pre-rigging, violence*)

Research compiled and issued in November 2010 by the *Immigration and Refugee Board of Canada* points out that:

“During a 16 November 2010 telephone interview with the Research Directorate, a representative of the communications service of the Independent Electoral

Commission...of the Democratic Republic of the Congo (DRC) explained that during the registration and identification for the 2006 elections, the CEI issued voter's cards between June 2005 and February 2006...The representative added that the voter's card acted as a temporary identity card and was issued for free by the CEI officers in the thousands of registration centres throughout the country...To acquire one, requesters had to present documents, including a certificate of loss of an identity paper or a passport..." (Immigration and Refugee Board of Canada (29 November 2010) *Democratic Republic of the Congo: Whether voter's cards have continued to be issued since the 2006 elections or whether they were only issued during the elections period; the documents required to obtain the card and the authorities that issue it (2006 - 2010)*)

An undated document issued by the *International Institute for Democracy and Electoral Assistance* notes:

"The voters card issued to those registered contained a photo that is used in authenticating voters at polling stations." (International Institute for Democracy and Electoral Assistance (Undated) *Congo, Democratic Republic of*)

The website of the Commission Electorale Nationale Independante (in French) is at: <http://www.ceni.gouv.cd/>

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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