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Some hanging controversial and milestones issues pertaining to the electoral process raised in our previous “updated DRC bottom up news” have been responded by the Constitutional Court keeping with the National Independent Electoral Commission stand. The Congolese Constitutional Court in Kinshasa decided not wait for the International Criminal Court (ICC) decision to reject and confirm the decision of the National Independent Electoral Commission to kick out of the electoral process Mr Jean Pierre Bemba. On the same path, applications of Mr Adolph Muzito and Mr Kizenga have been rejected. Taking this into account and Moise Katumbi case, one feels completely baffled on what could be the outcomes of the upcoming elections. The above mentioned persons seems to be key figures representing different provinces of strong influence namely Katanga, Kivu, Bandundu, Equateur and Kinshasa. Leaving them out of the process could surely lead to contested electoral results.

The issue of double citizenship raised by the National Independent Electoral Commission has given headache to many Congolese political leaders holding two citizenships against the provisions of the Congolese Constitution and Laws. The big question is “should Congolese citizen hold one or two citizenships”? The Minister of Justice has already drafted a list of a number of Congolese holding two citizenships and who must “resign from their political positions” because they are supposed being holding those positions against the law. This concern is supposed to be dealt with after the legislative elections after december 2018.

The Independent National Electoral Commission is still facing challenging logistical, financial and security obstacles that could hamper the process as a whole keeping with the 23rd December 2018 rendez-vous. Despite the fact that political leaders have not yet come to a common understanding for the use or not of the voting machine, the delivery of kits from the Korean Company would significantly have an negative impact on the process particularly the chronological calendar events. On top of all of that, one needs to bear in mind the deployment of the voting machine in 26 provinces in DRC without practical infrastructure, roads being the main challenge. Furthermore, politicians, at this stage, are confused on what could be the reaction of the population at the grassroots level on the use or not of the voting machine.

In Kinshasa, the political situation is characterized by the main opposition party, UDPS, decision to take part to the 23rd December elections with or not the use of the voting machine. Other political parties from the opposition are meeting in Johannesburg in the aim of unifying opposition political parties and the appointment of one candidate for the 23rd December elections. Thus, one is watching the government to make sure that elections are organized, senators and members of the parliament step down and president kabila willing to join the senate as a member. While the opposition is busy reflecting towards

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the appointment of one candidate, the attention of Mr Emmanuel Shadary is on building his “personality” to fit properly his current comfortable position and to win the elections.

However, the situation is still confusing. It is doubtful that the government will hold the poll. The political landscape is highly fractured. It has already raised logistical, financial and security obstacles to december elections. There is also continuing violence and humanitarian crisis in different parts of the country. Three critical scenario remain possible : On one side, the Government will push for the organization of the general presidential and legislative elections ignoring logistical, financial and security obstacles, particularly debates on the voting machine. This will lead, surely, to contested results and instability. With this in mind, one will call upon negotiation probably from SADC and UN experts for the establishment of a united government. On the other side, to prevent negative impact of « fake elections », it seems wise and advisable that SADC acts strongly and brings together key players in the process with the aim of establishing a transitional government headed by a premier minister from the civil society having powerful control on key ministries namely justice, defense, home Affairs and finances. This transitional government will have the mission to prepare smoothly well peaceful, inclusive, credible and transparent elections. The last scenario is that the incumbent president has the opportunity of maintaining instability within the country that will not allow the organization of the general presidential and legislative elections. In this perspective, President Joseph Kabila will take advantage of the situation and continues to run the country. Against this background and considering particularly the violation of human rights and international humanitarian law in the Beni territory, one expects helpful mediation strategies from SADC and UN drawing lesson from the Sun City mediation process. A room of discussions among political leaders and other key players in the electoral process is still possible for the well being of all in DRC.

In Lubumbashi, after the mining days organized by the central government in Kolwezi, there are tensions and clashes between local communities and Chinese companies in the mining sites in Katanga. In north kivu , while one is still waiting for the electoral rendez-vous, people are still facing the ebola outbreak and killings from ADF. The national army (FADR) and MONUSCO have showed some limits on their respective actions and mandates relating to the protection of civilians. In this context, will it possible to the national army and police to provide maximum security of the electoral process as a whole?

In south kivu and Ituri provinces, rebel attacks are almost every day noticed in different territories. The displacement of the population in the region is noted without any positive reaction from the central government. The humanitarian crisis becoming a “nightmare” without any responses. The same is happening with the recent expulsion of Congolese from Angola. It is important to note at this point that internal and external forces taking advantage of the critical situation on the ground in DRC are still pushing and supporting negative forces to maintain instability to continue with the illegal exploitation of minerals. An African solution is really needed at this stage. Congolese are Africans and deserve an attention of support from their brothers and sisters to boost the development of the continent as a whole.

The less skilled the people are, the poorer the country or the geographical area becomes.