

Testimony
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Thank you to the Co-Chairs of this Commission, James McGovern and Joseph Pitts, for holding this important and timely hearing on the historic Constitutional inflection point facing the Congolese people and its impacts on security, development, and human rights. The Congolese people consistently ask me to share with you their appreciation for the bipartisan support the United States has shown to the DRC, and their hope that we will continue to lead international efforts to support their pursuit of their country's first peaceful democratic transition of power in its long, painful history.

The crisis in the DRC was tragically easy to avoid, as it stems almost entirely from the DRC government's refusal to prepare for constitutionally required elections in an effort to extend President Kabila's hold on power beyond the end of his second mandate on December 19th. As a result, the government will soon be operating outside of its constitutional parameters, creating enormous uncertainty and sending the country headlong towards potential clashes and instability on the 19th, when the main opposition coalition, the Rassemblement, intends to take to the streets to protest the President's violation of the Constitution. Kabila's popularity in the DRC is in the single digits, and the Congolese people have made known their desire and expectation for a transfer of power.

For nearly two years, the President and opposition leaders have proposed various forms of dialogue to resolve outstanding issues related to elections, but previous effort failed to bring key stakeholders to a single table. The most substantive effort, convened under African Union auspices, made some progress earlier this Fall on a series of technical questions, but the process and resulting October 18 Agreement failed to garner the participation or support of a quorum of opposition and civil society.

While a foundation from which to start, the October 18 Agreement did not provide adequate guarantees about the President's commitment to leave power and would delay elections at least until April of 2018. Moreover, given the lack of an adequate oversight mechanism, the DRC government could use the deteriorating macroeconomic situation and continuing instability in Eastern Congo as a pretext to delay elections beyond 2018.

Under pressure from regional leaders who fear a widening crisis in the DRC, Kabila recently asked the highly-respected Conference of Catholic Bishops, or CENCO, to lead further discussions in pursuit of a more inclusive agreement. We strongly support CENCO in this role, given its credibility and neutrality, and believe its efforts provide the best chance of reaching a consensus agreement capable of averting wide-spread violence, and guaranteeing the holding of

elections. CENCO is working on borrowed time, however, as President Kabila is already implementing the October 18 Agreement, including by appointing a new Prime Minister on November 17. Moreover, the political will of the government and the opposition to make the necessary concessions to reach a credible agreement remains unclear.

Supporting CENCO's efforts is our top priority. I was in Kinshasa recently and will be returning later this week, because I believe there is still a window for the Bishops to succeed. U.S. government officials are in near constant contact with stakeholders, pressing them to work with CENCO in good faith, to offer realistic proposals, and to prioritize consensus over individual or party gain. We have seen more signs of cooperation in the past two weeks, but time is short.

We believe that an agreement is more likely to succeed in reaching consensus, averting violence, and leading the country to timely elections, if it has a few key elements, including an electoral timeline that guarantees presidential elections in 2017; a guarantee that the Constitution will not be amended; agreement that neither the transitional President nor the Prime Minister can be a candidate in the next election; and electoral safeguards to ensure a free and fair election, including impartial electoral commission (CENI) leadership, and protections of open political space.

The region and international community are nearly unanimous in wanting a consensus agreement, and stand ready to press various stakeholders. Angola and the Republic of Congo deserve particular credit for rallying regional support for a constructive solution. We are closely aligned as well with our European partners on joint messaging and maximizing pressure on hardliners.

If CENCO succeeds in brokering an agreement, the international community will have a key role to play in convincing all stakeholders to endorse it and ensure its implementation, which will necessarily include some level of electoral funding moving forward. Additionally, international engagement will be key to holding signatories to their commitments, including through the threat and use of targeted sanctions. The United States has already sanctioned three security officials, and we are continuing to consider additional targeted sanctions.

While we are working day and night to avert a crisis, we are also working with the UN and the DRC peacekeeping mission, MONUSCO, on contingency planning for a worst-case scenario. MONUSCO's mandate has a strong civilian protection component, and sufficient authorities to respond to electoral violence. However, MONUSCO's capacity and resources are limited, with fewer than 20,000 personnel spread across a country of close to 80 million people. With other Security Council partners, we have pressed MONUSCO to prioritize relocating personnel to electoral hotspots, and are working with the UN to identify steps to strengthen mission capacity.

The United States has been a major partner and proponent of peace and development in the DRC across multiple administrations, in recognition of the country's critical importance to the stability of Central Africa and the potential of the Congolese people. Our continued engagement in the coming months will be crucial to ensuring that the country turns a corner from the worst of its past towards the best of its future. Bipartisan Congressional support for the DRC has been extremely helpful in empowering our diplomacy, and supporting the democratic aspirations of

the Congolese people. With so much already invested in the region and so much at stake in the months ahead, now is the time to intensify our focus on advancing democracy, stability, and prosperity for the people of the DRC.