KASAÏ AND KASAÏ CENTRAL

MONTHLY REPORT | JULY 2019

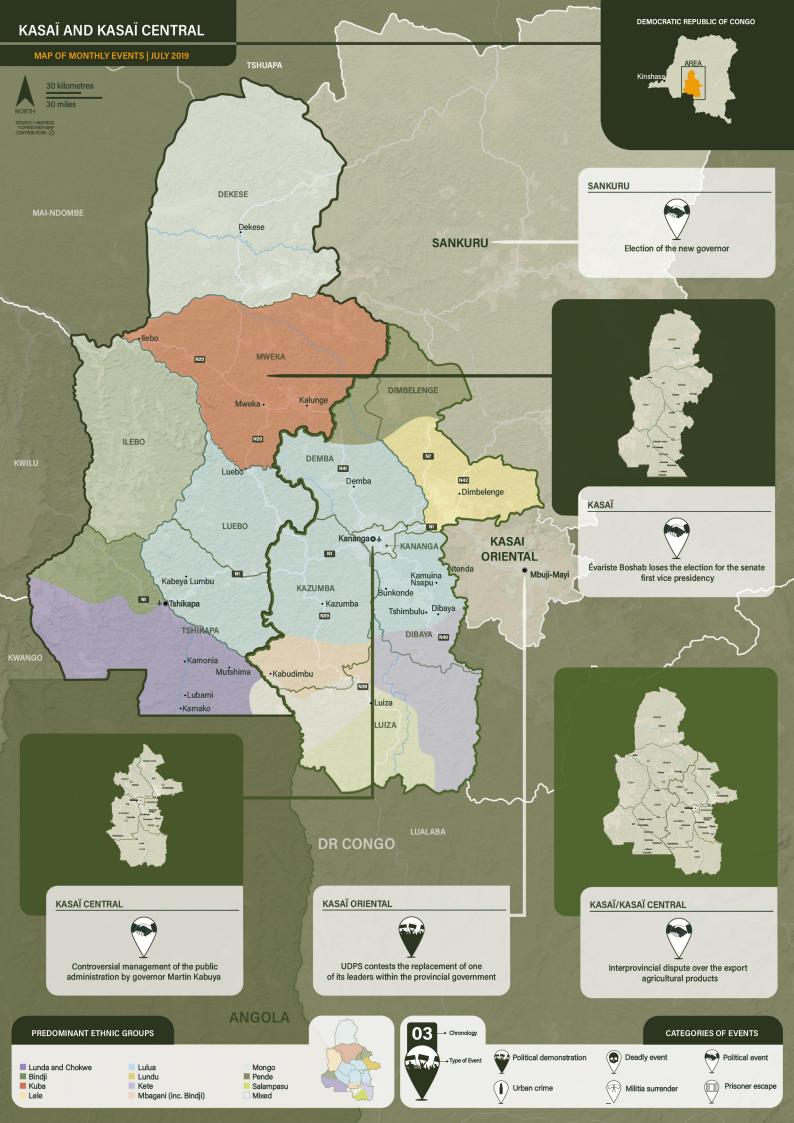


Office of Kasangidi sector, Dibaya territory, Kasaï Central





GROUPE D'ÉTUDE SUR LE CONGO



MONTHLY REPORT | JULY 2019

Highlights:

Kasaï : Évariste Boshab loses the election for the senate first vice presidency
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— [Kasaï/Kasaï Central: interprovincial dispute over the export agricultural products

Kasaï Central: controversial management of the public administration by governor Martin Kabuya

Kasaï Oriental: UDPS contests the replacement of one of its leaders within the provincial go-

A. Political and Security Situation in the Kasaï Region

Kasai: Évariste Boshab loses the election for the senate first vice presidency

The Congolese senate elected its executive in July. The poll, held on July 27, had a particular resonance in the Kasaï region. One of its most influential national politicians, Évariste Boshab, unexpectedly lost the election for the first vice presidency to the former prime minister, Samy Badibanga Ntita. Boshab is a significant national political figure who has held several prominent positions in the past: chief of staff to former president Joseph Kabila, minister of the interior, president of the National Assembly, and secretary general of the *Parti du Peuple pour la Reconstruction et la Démocratie* (PPRD). Badibanga is from Kasaï and a former member of the *Union pour la Démocratie et le Progrès Social* (UDPS), the party of current president Felix Tshisekedi.

This defeat came only a week after Lambert Mende's loss in the election for the governor's post in Sankuru. Mende was another emblematic figure under Kabila. Évariste Boshab's defeat made waves in the Kasaïan political arena, particularly since the *Front Commun pour le Congo* (FCC) electoral platform, which includes the PPRD, has a majority in the senate (91 seats out of 109). However, Samy Badibanga, a Lubaphone from Kasaï Oriental like president Felix Tshisekedi, who ran as an independent, ended up winning with 60 votes versus 44 for Évariste Boshab.

How to explain these unexpected results? Two trends are apparent: i) the result shows serious cracks within the FCC, and ii) Samy Badibanga benefited from strong support from senators from Kasaï who aligned themselves against Évariste Boshab.

In Kinshasa, a national deputy from the Kasaï region told the Congo Research Group (CRG) that Évariste Boshab is disliked both by people from his own political coalition as well as the opposition.¹ According to this deputy, a "sacred union" was created by members from both sides to prevent Boshab from being elected to the senate executive. First, within the FCC, Thambwe Mwamba allegedly feared that Boshab would overshadow him and therefore apparently mobilized senators from the Kivu region (Maniema, North Kivu, South Kivu) to vote against him. Our interlocutor also told us that several anti-Boshab groups were formed in Kasaï; this was confirmed by the governor of Kasaï and close ally of Évariste Boshab, Dieudonné Pieme. During a press conference in Tshikapa, he lamented that among those responsible for Boshab's loss there were "some Kasaïans."² Another person close to Boshab asserted that there was a Swahiliphone-Lubaphone bloc that acted against their "leader".³ Some young people from Mweka, Boshab's territory of origin, members of the the "Boshab Support Group" (*Groupe de soutien à Boshab*) (GSB) have been more vocal, encouraging him to create his own political party. Another person close to Boshab thinks that he was simply sacrificed on the altar of the coalition between President Tshisekedi and his predecessor.⁴ Joseph Kabila had apparently never given express instructions for FCC senators to vote for Boshab. According to a member of former president Kabila's entourage, Boshab imposed himself as the FCC candidate for the senate first vice presidency, through his networks and political influence within the coalition.⁵ In addition to the anti-Boshab groups in Kasaï, he added that "those [FCC members] who also wanted to be named candidate [for the first vice presidency] but were forced to give it up mobilized senators who are close to them not to vote for Boshab." He cited André Kimbuta and Édouard Mokolo wa Mpombo as examples of this phenomenon.⁶ Elected officials from Bandundu and Equateur were also recruited in this way to vote for Samy Badibanga.

Sankuru: election of the new governor

While most of the governors' elections occurred in April 2019, <u>Sankuru remained in a poli-</u><u>tical-legal stalemate around the candidacy of Joseph-Stéphane Mukumadi</u>. The latter's candidacy had first been invalidated by the Sankuru Court of Appeal following suspicions that Mukumadi holds a foreign passport. After several legal incidents, and the direct involvement of president Tshisekedi, Mukumadi's candidacy was later validated by the Council of State.⁷ The election was finally held on July 20 in Lusambo, the capital of Sankuru province. Two candidates vied for the top provincial post: Joseph-Stéphane Mukumadi and Lambert Mende, the former government spokesman and minister of communications and media under Kabila. At the end of the ballot, Joseph-Stéphane Mukumadi, who ran as an independent, won with 17 votes to 8 votes for Lambert Mende, the FCC's candidate.

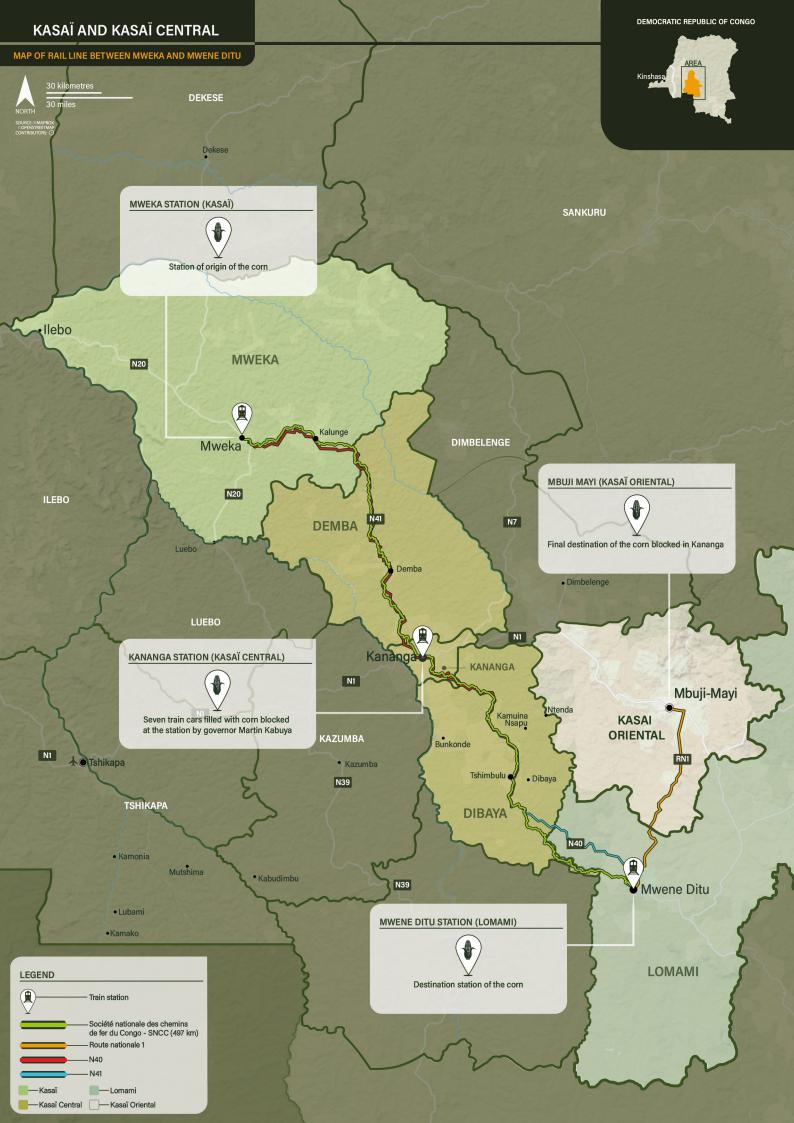
In terms of security, it should be noted that this victory was preceded by several violent incidents in Sankuru. On July 19, for example, a customary chief was killed 25 km from Lodja by attackers who allegedly accused him of being close to Lambert Mende's political party.⁸ The current security situation in Sankuru is quite worrying. Mr. Omindo Omerta, billed as president of the PPRD Youth League in Sankuru, and who is close to the national deputy Jean-Charles Okoto, was beheaded on July 30 by armed men. The civil society in Lodja had always accused Omindo Omerta of being the leader of a militia that was terrorizing part of Sankuru. Since his death, the men from Omindo Omerta's village have vowed to take revenge. In early August, they burned down about 20 houses in a village near Lodja.

Kasaï/Kasaï Central: interprovincial dispute over the export of agricultural products

In May 2019, a political dispute arose around the export tax for agricultural products from Kasaï province to Kasaï Central. Kasaï's former governor, Marc Manyanga, had signed a decree raising the tax from CFAF 250,000 to CFAF 450,000 in April, prompting complaints from traders who were exporting corn from Mweka (Kasaï) to Kasaï Central and Kasaï Oriental provinces. Central Kasai and Kasai Oriental. His successor, Governor Dieudonné Pieme, then canceled this increase on May 24.⁹

However, since June 6, four train wagons full of 160 tonnes of corn destined for Mbuji Mayi were blocked at the Kananga railway station on the orders of Kasaï Central governor Martin Kabuya.¹⁰ In a letter addressed to the lawyer of the Socété nationale des chemins de fer du Congo (SNCC) northern region office, he explained that after being elected, he met with traders in the corn industry as well as SNCC representatives in order to solve the food shortage problem in Kananga. Following this meeting, according to the same letter, he made a plea to the SNCC to send equipment to repair 50 wagons and bring them back into service. According to Kabuya, the province was able to be supplied with 27 wagons carrying 1,080 tons of corn thanks to the greater availability of wagons after they were repaired, following his plea to the SNCC. This was contradicted by SNCC agents in Kananga, however, who stated that the wagons had no problems and that they were operating the same way as they had in the past.¹¹ However, a "group of crooked individuals working together with some agents from the sales department" of the SNCC's Northern Regional Directorate reportedly changed the final destination of seven wagons from Kananga to Mwene Ditu. After receiving an order from the "highest authority" (haute hiérarchie, his own words) and after reaching an agreement with Jean Maweja, the governor of Kasaï Oriental, Martin Kabuya let three of the seven cars leave for Mwene Ditu. But he complained that since then, the owners of the corn in the four wagons remaining in Kananga have not sold their goods in town.

In a letter dated July 9 to the Attorney General at the Kasaï Central Court of Appeal, these traders' lawyer explained that his customers had reached an agreement with the SNCC in July 2018 to transport their goods from Mweka to Mwene Ditu. He accused the SNCC Northern Regional Director of blocking his customers' wagons at Kananga station "fraudulently, to the detriment of the owners".¹² On the orders of the governor, the provincial minister of interior of Kasaï, Deller Kawino, met governor Martin Kabuya in Kananga on July 24. But the latter refused to free the wagons filled with corn. In desperation, the owners of the goods ended up selling them in Kananga.



Kasaï Central: controversial management of the public administration by governor Martin Kabuya

In Kasaï Central, the management of the public administration by governor Martin Kabuya continues to raise controversy. Three provincial financial officers were arrested and jailed on July 1, on the orders of the governor, who accused them of misappropriating public funds. Their trial is in progress. In the meantime, Martin Kabuya appointed one of his relatives as the head of the Direction générale des recettes du Kasaï Central (DGRKAC) on June 13.

On the basis of a governor's assignment board, <u>the notary of the city of Kananga was also</u> <u>replaced</u>, on July 13 by another relative of Martin Kabuya. He was replaced by a public servant who does not possess a registration number.¹³ Previously, holders of this position were designated by provincial decree. And in the Kasaï Central office of the Direction générale des douanes et accises (DGDA) in Kasaï Central, two auditors assigned to Kalamba Mbuji, a customs post in Luiza territory on the border with Angola were also replaced on July 20. Their replacement came from the governor through a <u>letter addressed to the Provincial Director</u> <u>of the DGDA</u>.¹⁴ Martin Kabuya's replacements were criticized by the local DGDA trade union chapter, which pointed out that the DGDA is a national financial authority whose staff does not fall under the jurisdiction of the provincial governor.

Kasaï Oriental: UDPS challenges the replacement of one of its executives in the provincial government

On July 23, UDPS activists in Kasaï Oriental took to the streets in Mbuji Mayi to demand that their federal president, Boniface Kapembe, be reinstated to his post in the provincial government. He was replaced by Lievin Mbuyamba, a member of the Union pour la nation congolaise (UNC), who now holds the position of provincial minister of mines, energy, hydrocarbons, hydraulic resources, planning, and budget. Protests continued the following day and clashes occurred between police and UDPS supporters in Mbuji Mayi.¹⁵

B. Human Rights Situation

The human rights situation in the Kasaï region was the subject of a meeting on July 9 at the United Nations Human Rights Council in Geneva. The team of international experts on Kasai presented a report (dated May 7, released only on July 9) on the evolution of the human rights situation in the region.¹⁶ The report indicates that violence has decreased in Kasaï, but that there are still many challenges. These challenges include the Lubaphone women and children who are still being held as slaves in slavery in Tshikapa/Kamonia territory (Kasaï); the continued presence of militia groups in some areas, even if it has decreased; and impunity.¹⁷

In a letter dated July 22, 2019, the Kasaï Central Bar Association president Dominique Kambala Nkongolo noted that the experts largely made the same conclusions and recommendations as those of their 2018 report. Given the ongoing impunity in Kasai, and other difficulties related to prosecution, he regretted that the experts did not suggest to the head of state that the situation in Kasaï be referred to the International Criminal Court (ICC).

The UN Joint Human Rights Office (UNJHRO) published an overview of the human rights violations in DRC in the first half of 2019 on July 23.¹⁸ With regard to extrajudicial and arbitrary executions by state agents, **Kasaï** province recorded the greatest number in the region, with 23 cases or 13% of the national total, behind **Kasaï Central** (10, or 6%), and **Kasai Oriental** (8, or 6%). North Kivu (65) and South Kivu (27) had the highest number of executions by armed state actors at the national level. As for extrajudicial and arbitrary executions by armed groups, **Kasaï** province came in second, with 27 cases or 6% of the national total, far behind North Kivu (342 cases, 82%). **Kasaï Central** had one case. **Kasaï** province recorded 269 total human rights violations in the first half of 2019, behind North Kivu (1215), but ahead of South Kivu (240).

What emerges from this <u>biannual report</u> is that although violence by armed groups has decreased, Kasaï province still has a relatively large number of incidents, but the majority of perpetrators are state agents. This might be explained by the fairly heavy presence of the FARDC there, following the creation of the military operational zone on April 6, 2017, as well as the presence of several barriers operated by the FARDC, the Police nationale congolaise (PNC) and other state services.

Other highlights:

Three education inspectors and eight DGRKAC officers are being held in the Kananga central prison on the orders of governor Kabuya. The former are accused of diverting public monies; the latter of selling It is reproached the first diversion of public money and the second with selling question notebooks for the baccalaureate final examination to students.

Three young women presented as sex workers were arrested on the orders of governor Kabuya, who accused them of sexually inappropriate conduct (atteinte à la pudeur). After being sent to the Kananga Court of Peace, they were acquitted for lack of an infraction. In addition, the Kananga motorcycle taxi driver's association was also arrested by the Agence nationale de renseignements (ANR, the national intelligence agency) on the grounds that he had instigated civil disobedience among motorcycle drivers against paying a provincial tax. The judges of the Kananga Court of Peace acquitted him lack of an infraction.

The chief of Mboie sector in Kazumba Territory was arrested and detained for 12 days by the ANR, on the orders of governor Kabuya, who accused him of plundering state houses in Tshibala, the capital of Mboie sector.

All these arrests prompted the Ligue nationale des paysans pour les droits de l'homme (Linapedho, the National League of Peasants for Human Rights) that the governor of Kasaï Central has created a climate of terror in the province, in defiance of human rights.¹⁹

Situation of the Congolese Refugees in Angola

The camp of Congolese refugees living in Lovua in the Angolan province of Lunda Norte experienced disturbances on July 24 by refugees. They called for UNHCR to bring them back to DRC before the beginning of the next school year.²⁰ These 24,000 refugees had fled Kamuina Nsapu militias in the Kasaï region in early 2017. On July 22, they sent a letter to the Angolan governor of Lunda Norte denouncing UNHCR which, they said, is taking too long to bring them home.²¹ They had asked the Angolan authorities to provide security and supervise their return. On July 31, the governor of Kasaï Central went to the refugee camp in Lovua (Angola) and told the refugees that they would return home with the help of the Angolan army, which allegedly agreed to bring them aboard their vehicles. However, on the ground, not contingency plan has been put in place to assist these refugees upon their return. This situation could lead to a humanitarian crisis.

C. Analysis

Kasaï

Évariste Boshab's loss in the senate first vice presidency election seems to have reshuffled the cards in the Kasaï region. Especially since the one who was once considered the region's king-maker was beaten by another Kasaïan, former prime minister Samy Badibanga.

What will the consequences be of this defeat?

- 1. Governor Dieudonné Pieme (Kasaï), Évariste Boshab's protégé, is now in an uncomfortable situation. Following the controversy related to the composition of his government in June, today he is in an even weaker position due to his political mentor's loss of influence. The governor seems to be well aware of this. Will he take advantage of this situation to distance himself or, at least, try to find a balance between Boshab's political will and the need to bring other political blocs from within his province into the fold of political power? In Boshab's entourage, some already suspect Pieme of wanting to regain his freedom and turn his back on his political sponsor.²² Will Boshab let him go and lose all influence in the area? The consequence of this defeat is that Boshab's opponents are lying in wait and recruiting from within the entourage of Maker Mwangu and other discontented politicians in the province (including Chokwe politicians who are close to senator John Muyamba). They could seize the opportunity to defeat Pieme and in this way try to deprive Boshab of any hope for political survival.²³ Muyamba had asked the Chokwe provincial deputies to vote for Dieudonné Pieme during the governor's election, saying that if they did so they would be represented in his government. Yet there are no Chokwe who have been named minister in the new government, despite them having seven provincial deputies. Mwangu's supporters also say they are being sidelined in the new government.
- 2. The impact of Évariste Boshab's defeat in his territory of origin (Mweka, Kasaï) remains unpredictable. Since 2014, Boshab has been in conflict with Constantin Mbengele, currently a national deputy from Mweka and the former head of the Fonds de promotion de l'industrie (FPI). This was not always the case. According to a member of his political party, Boshab had sponsored Mbengele since 2005 to head the FPI.²⁴ But Mbengele reportedly sought to distance himself from his mentor by forming an alliance with former prime minister Matata Ponyo. This is partly because of a conflict that occurred between Boshab and Mbengele. They are from two different ethnic groups within the Kuba kingdom: Mbengele is from the majority ethnic group, of which the Kuba royal family is a part (Bushoong) and Boshab is from another, minority Kuba ethnic group, the Ngeende.

Previously, the Kuba king had been approached by Boshab in order to gain his support for Joseph Kabila before the 2006 elections. But in those first democratic elections, Jean-Pierre Bemba allegedly managed to bring him over to his side because of the relationship that apparently existed between the king and Bemba's father, Bemba Saolana, during Mobutu's rule. The king's defection to Bemba's camp is cited as event which triggered Boshab's opposition to the Kuba king Kwete Mbokashanga, especially since he was Bushoong and Boshab Ngeende.²⁵

It is unclear as yet whether and how Boshab's political adversaries (including Mbengele and the former minister of primary and secondary education, Maker Mwangu) will seek to take advantage of this situation to put themselves in a position of strength in Mweka. From July 30 to 31, Gérard Mulumba, the former bishop of Mweka diocese and the head of the president's civilian household (who is also his paternal uncle), traveled to Mweka. His mission was to inaugurate a generator that will feed the water supply system of the city, and he also clarified that the generator was sent by the presidency. During his visit, he also delivered a public speech emphasizing peace and reconciliation.²⁶ However, on the ground in Mweka, the Boshab-Mbengele conflict continues to divide people. Their mere reconciliation will not heal all wounds, especially among state officials who have lost their jobs after being accused - rightly or wrongly - of being in Mbengele's camp. The officials of the Mweka territorial administration are all pro-Boshab, following the territorial administrator. For example, the official residence of the territorial administrator in Mweka has a giant poster of Boshab in the living room. The other problem is the influence of Boshab's first wife, Adèle Pindi (who is from Kakenge, 55 km east of Mweka town), on her husband's political activities in Mweka.

According to a local civil society member, it will be difficult for some people to forgive Boshab for the mistakes made by his wife in influencing him to dismiss pro-Mbengele state officials.²⁷ Beyond these difficulties, there is, above all, the question of the management of customary power in the Bakuba chiefdom, which covers the entire territory of Mweka. For almost eight years, the Kuba king (nyimi) of the chieftaincy has been absent from Mweka; he is receiving medical care in Belgium. This absence has caused a great deal of dysfunction in the chieftaincy, because by Kuba custom it is not possible to replace a king when he is still alive. His eldest son, Jean-Marie Kwete Mbweke, who enjoys a certain amount of legitimacy among the Kuba, is an official with the Office congolais de contrôle (OCC) and lives in Kinshasa.

Sankuru

Mende's defeat can be understood on multiple levels. <u>As we mentioned in June 2019</u>, intra-ethnic conflict among the Tetela in Sankuru could have played a role, although not a decisive one, in Lambert Mende's loss. The winner of the election, Joseph-Stéphane Mukumadi, is from the same group as Mende, the so-called Tetela of "the forest"). Moreover, if one believes the results of the parliamentary elections, Mende was widely popular, having received the highest number of votes in the legislative elections.

Mende's loss is therefore apparently more due to his lack of popularity among the members of his political family, the FCC, as well as within the opposition. Indeed, Tetela figures both within the FCC (She Okitundu, Olenga Nkoyi and others) as well as the opposition (Lutundula, Nkoi, etc.) allegedly opposed Mende's election and therefore supported the new governor.

Kasaï/Kasaï Central

The blocking of the train wagons mentioned above is partly a result of the *découpage* of the provinces. Corn going to Mbuji Mayi from Mweka has to pass through Kasaï Central and Lomami provinces, where the closest train station to Mbuji Mayi - Mwene Ditu - is located. Thus, transporting goods within the same region can be problematic: in this case, the goods have to travel through four provinces instead of two.

It appears that in order to realize his promise of lowering the price of corn in the province, Kasaï Central governor Martin Kabuya blocked the wagons in Kananga. This provoked a dispute across three provinces: Kasaï, Kasaï Central and Kasai Oriental. This shows that one of the consequences of the *découpage* has been the increase in jurisdictions, which can lead to interprovincial political conflicts, especially in the Kasaï region where the provinces' economies are interdependent.

Kasaï Central

People in the political classes are now talking of an imminent change of the Kasaï Central governor.²⁸ A national deputy who is the head of a political party present in the provincial government has openly discussed this possibility, arguing that Kabuya has not been governing the province according to the program for which he was elected. Moreover, two PPRD provincial deputies have announced that their party wants a new governor, fearing a deterioration in the province's political climate because of his clientelistic practices.²⁹ Governor Kabuya, who visited Kinshasa in late July, met with President Tshisekedi. Upon his return to Kananga on August 9, he said he will "oust" anyone within the administration engaging in corrupt practices. He added, "I promise you here, anyone - CEO, advisor or anyone - who even touches a penny will be arrested. I received clear instructions from the president Tshisekedi in his efforts.

Kasaï and Kasaï Central: Monthly Report July 2019

ENDNOTES

1 Interview with national deputy, Kinshasa, July 2019

2 Press conference held on July 31, 2019 by Governor Dieudonné Pieme, Tshikapa. Listen to it here: https://soundcloud.com/congoresearchgroup/documentation-conference-of-dieudonne-pieme

3 Interview with an ally of Évariste Boshab, Kinshasa, July 2019

4 Interview with politician from Kasaï, Kinshasa, July 2019

5 Telephone interviews with two FCC politicians, Kinshasa, July 2019

6 Telephone interviews with two FCC politicians, Kinshasa, July 2019

7 https://www.jeuneafrique.com/795042/politique/rdc-comment-felix-tshisekedi-a-impose-un-candidat-face-a-lambert-mende-dans-le-sankuru/

8 Telephone interview, civil society member, Sankuru, July 2019

9 https://actualite.cd/2019/05/26/kasai-le-gouverneur-dieudonne-pieme-annule-larrete-majorant-la-taxe-devacuation-des

10 All the information in this paragraph comes from the governor's letter: Martin Kabuya, "Accusé de réception, Dos .: 4 Wagons de maïs immobilisés à quai à la gare SNCC / Kananga," July 17, 2019

11 Interview with two SNCC officials, Kasaï Central, July 19, 2019

12 Maître Antoine Buandeku'a-koy, «Plainte à la charge de la Direction de Région Nord SNCC prise en la personne de Monsieur MATO AL-FRED», July 09, 2019.

13 Martin Kabuya, "Votre Notification, Commission No. 10-171/FPA/B.4/75/01/14/CAB/GP/KC/MKM50/2019, July 13, 2019

14 Martin Kabuya, « Affectation des Douaniers au Poste Frontalier de Kalamba-Mbuji/Kasai Central », July 20, 2019

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17 http://www.rfi.fr/emission/20190710-rdc-violence-enormement-diminue-kasai

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19 https://actualite.cd/2019/07/02/kasai-central-une-ongdh-denonce-un-climat-de-terreur-instaure-par-le-gouverneur-kabuya

20 https://actualite.cd/2019/07/25/rdc-angola-les-refugies-congolais-pressent-le-hcr-organiser-leur-retour-au-pays

21 http://congoresearchgroup.org/wp-content/uploads/2019/08/drc-refugee24072019.pdf

22 Interview, Kasaï politician, Kinshasa, July 2019

23 Interview with politician and university professor from Kasaï, Kinshasa, July 2019

24 Interview, FCC politician, Kasaï, August 2019

25 Interview, civil society member, Kasaï, August 2019

26 https://www.radiookapi.net/2019/07/31/actualite/societe/kasai-le-chef-de-la-maison-civile-de-felix-tshisekedi-appelle-les

27 Interview, civil society member, Kasaï, August 2019

28 Interview with Kasaï Central national deputy, Kinshasa, July 2019

29 Interviews with two PPRD provincial deputies, Kasaï Central, July 2019

30 Press conference held by governor Martin Kabuya, Kananga, August 9, 2019



Aerial view of Tshikapa

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