

After the Carter Center international election observation mission (IEOM) released its preliminary statement of findings and conclusions on Dec. 22, 2023, the core team of nine election experts and 24 long-term observers (LTOs) continued to observe ongoing electoral processes in 11 provinces, including extended voting, and the compilation and announcement of results.

The IEOM found that despite significant efforts to ensure that voters were not disenfranchised by operational difficulties that prevented numerous polling stations from opening on time, the *Commission Électorale Nationale Indépendante* (CENI) and other authorities did not always appear to be in full control of election day activities in some locations. This was reflected in the CENI's late decisions about the extension of election day activities, the lack of information about the number and locations of polling stations unable to open, reported instances of sabotage and

polling station, an important and welcome step toward increasing transparency. Further detail about the presidential results, such as the total number of registered voters by polling station, would be desirable for complete transparency. In addition, further information should be made available about the results for approximately 15% of polling stations that according to the CENI have not yet been “centralized.”<sup>2</sup> On Jan. 9, 2024, the Constitutional Court validated the reelection of President Félix Tshisekedi, dismissing complaints by one opponent and one private citizen.

The CENI announced the provisional results for the National Assembly election on Jan. 13, a 10-day delay with respect to the electoral calendar. The CENI has published consolidated provisional results by constituency. The publication of the full results of the National Assembly elections by polling station, including number of registered voters, would be an important step to ensure the full transparency of the process.

Numerous political parties and candidates have alleged that irregularities marred the election process. Noting the CENI’s declared intention to investigate alleged irregularities, the Carter Center IEOM urges complainants to follow the established legal procedures for challenging results and urges courts to consider complaints fairly and independently. The IEOM also recommends that the CENI provide further information about the election day process to ensure transparency and build public confidence.

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only on the basis of electronic results from the electronic voting devices, and CLCRs were asked to provide evidence only if electronic results were not transmitted or if there was evidence of irregularities in the information that CENI headquarters had concerning a given polling station.

Because the CENI did not undertake tabulation procedures according to the law, it was not conducted



voting devices, rather than the manual tabulation at the CLCR level provided for by the legal framework. The total number of ballots cast was 18,813,469. The total number of votes “canceled and sanctioned” was 748,079, and there were 88,839 blank ballots.<sup>9</sup> Thus, the total number of valid votes was 17,976,551.<sup>10</sup>

The law establishes that only those parties or political groupings receiving at least 1% of the total number of valid votes are considered in the distribution of National Assembly seats. In total, 44 parties or political groupings met the 1% threshold (179,765 votes). The most voted party was Tshisekedi’s UDPS with 1.6 million votes — 9.2% of the valid votes — which resulted in 69 seats.

On Jan. 17, the CENI published the full list of candidates elected for each National Assembly constituency and the number of votes attributed to all contesting candidates in each constituency.<sup>11</sup> Thus, candidates had the ability to verify within the legal deadline whether the copies of results forms received by their party agents matched the tabulated results presented by the CENI.

The provisional results show little progress in the representation of women and other vulnerable groups. The number of women elected (61 out of 477 seats) increased slightly since 2008 (20.8%) from 49 (10.3%) in 2008. The number of seats reserved for vulnerable groups (12) remained the same as in 2008.

- Address the timing of the conduct of elections in the two constituencies where elections were canceled.

The Carter Center will continue to follow the resolution of election disputes in the courts and assess the degree to which complaints and appeals are dealt with fairly and independently.<sup>13</sup>

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<sup>13</sup> International standards relevant to electoral dispute resolution indicate that a competent and unbiased tribunal should be in charge of resolving electoral conflicts to ensure citizens' rights to a fair and public hearing (U.N. ICCPR, art. 14(1)).