



Carter Center observers noted particularly flagrant abuse of the lists of exemption in Gemena in Equator and Kamina in Katanga. In Gemena there was widespread voting by students, in violation of both the electoral law and subsequent clarifications by the CEI. In Kamina, there was fraudulent use of domestic observer accreditation. Both places have very high numbers of votes by exemption, and results which were almost exclusively to the benefit of one or the other candidate.

Such serious irregularities clearly reflect attempts to manipulate the results. They are important violations of procedure and implicate a considerable number of election workers, either willingly or under pressure, in fraud. They also reflect a lack of control over the production of official documents, including observer accreditation and documents relating to official travel, which could be misused to claim the right to vote by exemption. They are nonetheless relatively insignificant in terms of their impact on the overall results. At most, 400,000 votes by exemption are in question across the country. The Center's analysis also shows that these questionable votes are evenly split between the two presidential candidates, indicating that supporters of both candidates participated actively in perpetrating such fraudulent activities, and that both candidates benefited equally.

Omitted Voters

During the preparation of the voters' lists prior to the first round of the presidential election, a difference of 1,272,142 voters emerged between the 25,712,552 voters cited in the annexes to the electoral law and the 24,440,410 voters in the CEI's database. To deal with the possibility that the discrepancy included validly registered voters who were inadvertently left off the voters' lists, the CEI created supplementary lists of omitted voters for each polling station where a significant discrepancy was found. (These included a number of "special lists" which were simply lists of omitted voters for polling stations that had no regular voters' data at all.) For the second round, this number was increased to 1,481,291 to take into account additional properly-documented voters who had turned up to vote in the first round, without being on any of the existing lists. Given this large number, and the fact that the legitimacy of voters on such lists would be harder to verify, there has been some concern that these lists would represent a potential opportunity for manipulation.

On October 29, only 270,780 voters -- 1.8 percent of the total number of voters -- availed themselves of these legitimate supplementary lists, a turnout of 18.3 percent of the presumed omitted voters. This figure includes a mere 11,265 who voted out of 414,106 allowed for on the "special lists" (a 2.7 percent turnout). Approximately 100,000 additional omitted voters appear to have been incorrectly recorded as voting by exemption. This total figure still leaves

Provincial Elections

While the irregularities cited above do not in our view amount to a significant impact on the outcome of the presidential election, the same cannot be said with confidence for the provincial elections which were held at the same time and the results for which are still being tabulated. Instead of one national tally, with millions of votes separating two candidates, provincial seats may often be determined by a few hundred votes or less. In such circumstances, the standards of credibility become much tighter, and problems such as those reported in this statement can have a determinant impact upon individual races. Once again, The Carter Center urges the CEI to make available all results broken down by polling station, so that candidates can either convince themselves that the results are true or lodge a properly supported appeal. The same strong recommendation applies to the legislative elections held on July 30, although the period for appeals has passed. The impact of such transparency measures on the credibility of the presidential process has already been enormous.

The Carter Center conducts its election observation in accordance with the Declaration of Principles of International Election Observation and Code of Conduct adopted at the United Nations in 2005.

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