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VOTING MACHINE FOR DRC: RESEARCHERS DEMAND MIRU REASONABLE DUE DILIGENCE

Open letter to Mr. JIN-BOK CHUNG, CEO of MIRU SYSTEMS CO.LTD

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Lubumbashi - DRC, September 14, 2018

Dear Mr. Chief Executive Officer,

Researchers on Civil and Political Rights' Project of IRDH call up on MIRU SYSTEMS CO. LTD to undertake REASONABLE DUE DILIGENCE on selling VOTING MACHINE in the Democratic Republic of the Congo (DRC), according to the Organization for Economic Cooperation and Development (OECD) Guidelines for multinational companies. *'We recall that South Korea is OECD member since 12 December 1996, so MIRU is morally bound by those Guidelines'*, said Tshiswaka Masoka Hubert, IRDH General Director.

Congolese presidential candidates, including KATUMBI Moise, TSHISEKEDI Felix, BEMBA Jean-Pierre, KAMERHE Vital, MUZITO Adolphe and MBUSA Antipas signed a joint press release on September 12, rejecting the voting machine; civil society organizations (CSO), as well as the youth movement *Lutte pour le Changement, LUCHA* which protested on September 03, are also worried by the use of MIRU device out of any legal framework neither political consensus. This confirms people' concerns raised on August 22nd by the UN peace keeping mission in Congo (MONUSCO).

The vote of a President of the Republic and other people's representatives, is a fundamental right guaranteed under DRC Constitution and international human rights instruments. A communique

dated on September 12th, the DRC Minister of foreign affairs recalled the fact that this is the highest political activity related to state sovereignty.

Indeed, stakeholders are mobilized for December 23rd vote. However, the incidental MIRU SYSTEM's technology intervention widely divide the nation. For the party in power, the voting machine will efficiently facilitate polling operations, while opposition and CSOs believe this is a strategic logistics to enable electoral fraud. At the end, the VOTING MACHINE is no longer solving problems but amplifying risks of high political crisis. Detractors have baptized it 'Fraud Machine' or 'Cheating Machine'.

Facing this reality, the CENI which is invested with the constitutional mandate to arbitrate political competition, is minimizing opinion against voting machine. Its President had even threatened to not organize election, if people obtain decision to eliminate the machine. This attitude is contrary to organizing body's mission to act independently, neutrally and impartially during the electoral process. An *a priori* judgement, concluding that the group opposing voting machine is insignificant, leads to believe that the pre-qualified minority will never win the vote.

Dear Mr. JIN-BOK CHUNG,

Above facts show how DRC political debate is focused on MIRU SYSTEMS voting machine. It increase volatility to a political context characterized by recurrent public protests, preponderant factor to massive human rights violations. Therefore, MIRU should undertake reasonable due diligence to prevent negative incidents related to the voting machine transaction or its business relationship with CENI, even though it does not contribute directly to human rights abuses.

Reasonable due diligence is a number of basic precautions that a company have to undertake prior any risky transaction. OECD Guidelines for multinational companies command to “[...] *take fully into account established policies in the countries in which it operate, and **consider the views of other stakeholders***”. In MIRU voting machine case, main stakeholders are CSO, Churches, Youth and Women organizations.

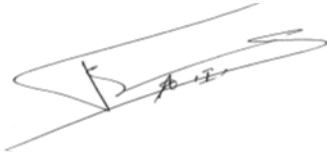
In conclusion, required due diligence for MIRU SYSTEMS CO LTD are:

- Inform the general public in DRC and Korea on MIRU SYSTEMS' policy in countries running high political risks related to voting machine protests;

- Publish measures resulting from own assessment of risks for human rights abuse related to protests against the voting machine;
- An implementation plan to avoid or minimize risks for human rights abuses ;
- Views of other stakeholders including CSO, Churches, Youth, Women and political parties, per OECD Guidelines for multinational companies' general policies.

Contact: TSHISWAKA MASOKA Hubert,

General Director

A handwritten signature in black ink, appearing to read 'Tshiswa Masoka Hubert', written over a horizontal line.

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