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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Eva-Britt Svensson, Luisa Morgantini

on behalf of the GUE/NGL Group

on Democratic Republic of Congo and mass rape as war crime and crime against humanity

European Parliament resolution on Democratic Republic of Congo and mass rape as war crime and crime against humanity

The European Parliament,

- having regard to the United Nations Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the United Nations Convention on the Elimination of all forms of Discrimination against Women (CEDAW) of 18 December 1979, to the United Nations Declaration on the Elimination of Violence against Women of 20 December 1993,
 - having regard to the General Assembly Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment of 10 December 1984, and to the General Assembly Declaration 3318 on the Protection of Women and Children in Emergency and Armed Conflict of 14 December 1974, in particular paragraph 4 which calls for effective measures against persecution, torture, violence and degrading treatment of women,
 - having regard to the Beijing Declaration and Platform for Action resulting from the Fourth United Nations World Conference on Women of 4-15 September 1995, in particular critical concern area E on Women and Armed Conflict, and to the outcome document of the United Nations Beijing +5 Special Session on further actions and initiatives to implement the Beijing Declaration and the Platform for Action of 5-9 June 2000,
 - having regard to its previous resolutions on DRC
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas many years of armed conflict have resulted directly and indirectly in 4 million direct and indirect victims and caused the displacement of at least 1.5 million people, most of them women and children, as well as destruction of the socioeconomic infrastructures of the DRC,
- B. tremendously worried by the continuing occurrence of rapes and other forms of sexual violence against women and the ingrained culture of impunity for such crimes, which constitute grave and systematic violence women's' human rights,
- C. whereas sexual violence and gender based violence must always be considered a war crime and crime against humanity,
- D. whereas women who have been raped during war are often stigmatised by their local communities and often not provided with health care or psychological trauma services,
- E. deeply concerned by the insufficiency of efforts to conduct thorough investigations of

such crimes, the absence of protection measures for witnesses, victims and victim's families, the lack of information regarding cases and lack of appropriate medical care for victims,

F. concerned about the situation of insecurity which makes hardly possible for humanitarian organisations to reach the vulnerable populations with food and non-food items, such as medicines, so there is a risk of epidemic of malaria, HIV and other serious diseases,

G. considering the presence of foreign armed groups, including the ex-Rwandan Armed Forces (ex-FAR)/Interahamwe (Democratic Forces for the Liberalisation of Rwanda (FDLR)), which continue to commit, with impunity, atrocities such as murder, rape, torture and raids, thereby forcing civilians to become displaced to the east of DRC and in the neighbouring countries, which constitutes a threat to the security, stability and development of the country,

H. whereas it is imperative to take all necessary measures to put an end to the conflicts, dismantle the armed groups and all paramilitary groups and forestall any future conflict so as to consolidate peace and democracy, promote stability and development in the region for the wellbeing of all the peoples of the Great Lakes region,

I. whereas the multi-party presidential and legislative elections took place in DRC on 30 July and 29 October 2006 respectively, whereas municipal elections are currently being organised,

1. Strongly condemns rape, forced impregnation, sexual slavery and all other forms of gender-based violence;
2. Calls the international community to formally recognise rape, forced impregnation, sexual slavery and any other forms of sexual violence as crimes against humanity and war crimes, including as form of torture and a grave war crime, whether they occur in a systematic or non-methodical manner;
3. Calls on all forces participating in conflicts in DRC to respect human rights and international humanitarian law, to cease all attacks on civilians and to allow humanitarian agencies to come to the assistance of the civilian population;
4. Urges that the perpetrators of human rights violations, war crimes, crimes against humanity, sexual violence against women and recruitment of child soldiers be reported, identified, prosecuted and punished in accordance with national and international criminal law;
5. Calls for zero tolerance of the sexual violence against girls and women and demands severe criminal penalties against the perpetrators of these crimes; recalls the importance of access to reproductive health services in conflict situations and refugee camps and calls for the guarantee of immediate access for all women and girls who have been victims of rape to post-coital contraception;
6. Calls on the government to strengthen the participation of women in the process of peace negotiations and calls the state institutions to ensure that the promotion of women's

rights and gender equality is one of the priorities in the post war period;

7. Expresses grave concern regarding the situation and the number of internally displaced persons and refugees who are still in neighbouring countries and calls on the DRC authorities and the host countries to do everything in their power to facilitate the safe return of the Congolese refugees;

8. Takes due note of the mutual commitments by Burundi, the DRC, Uganda and Rwanda, and in particular the Joint Communiqué signed by the Governments of Rwanda and the DRC in Nairobi on 9 November 2007, with a view to finding a concerted and lasting solution to the security problem in the region, and commends the parties for their efforts;

9. Urges all interested parties and the international community to find a global, peaceful solution on the basis of mutual dialogue and cooperation in order to maintain peace and security, to promote the protection of civilians and the respect of human rights;

10. Instructs its President to forward this resolution to Instructs its President to forward this resolution to the Council, the Commission, the co-Presidents of the ACP-EU Joint Parliamentary Assembly, the African Union, the SADC, and the Governments of the DRC and Rwanda.