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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 Pasqualina Napoletano, Josep Borrell Fontelles, Alain Hutchinson, Marie-Arlette Carlotti, Glenys Kinnock, Elena Valenciano Martínez-Orozco

on behalf of the PSE Group

on the situation in the Democratic Republic of Congo

**European Parliament resolution on the situation in the Democratic Republic of Congo**

*The European Parliament,*

- having regard to Rule 115(5) of its Rules of Procedure,
  - A. "whereas the many years of armed conflict have resulted in 4 million victims and caused the displacement of at least 1.5 million people, most of them women and children, as well as the destruction of the socioeconomic infrastructures of the DRC,
  - B. whereas over 370,000 civilians have been displaced in the province of North Kivu since fighting between the insurgents of Laurent Nkunda and the national army resumed in December 2006,
  - C. whereas UN attempts to impose ceasefire and appoint a special envoy to mediate in the conflict have so far failed,
  - D. whereas fighting continues, despite President Joseph Kabila's 15 October 2007 decision to suspend offensive operations and his call on all Congolese armed groups to disarm or integrate into the army, and there is no real dialogue with Nkunda,
  - E. whereas illegal exploitation of natural resources of the DRC by armed groups continues unabated,
  - F. whereas after the 2006 national and provincial elections Kabila held discreet talks with Nkunda and concluded an agreement for the progressive integration of Nkunda's troops into the regular armed forces but they were not able to reach a settlement,
  - G. whereas the crisis has not so far drawn in Rwanda but on the ground there is conflict, the humanitarian situation is appalling and escalation threatens to destabilise the wider region,
  - H. whereas some 425,000 civilians have been uprooted from their homes over the past year,
  - I. whereas the mandate of the UN peacekeeping mission (MONUC) in DRC was renewed by the UN Security Council in December 2007,
  - J. whereas the humanitarian funding for DRC in 2007 was a welcome increase on previous years but is still not sufficient,
  - K. whereas continued fighting in the eastern province has been accompanied by severe malnutrition, disease, rape and death, whereas sexual violence against women and children is recognised as a crime against humanity but despite this is being used by parties to the conflict as a weapon of war in the eastern Congo, whereas the situation is marked by impunity of the perpetrators and ostracism of the victims,

- L. whereas UNICEF estimates that hundreds of thousands of women and girls have been raped since the armed conflict began in 1996 and even after the signing of the peace treaties in 2002 there has been no end to the sexual violence,
- M. whereas the new law on sexual violence, adopted by the Parliament in 2006 and designed to speed up the prosecution of rape cases and impose stiffer penalties, has so far had little effect,
- N. whereas a Goma-based NGO that assists victims of sexual violence in Kivu estimates that there have been 14,000 rapes since 2004 and around 1,400 in the past six months alone, whereas the perpetrators use sexual violence as a strategy of war to terrorise and destroy communities and to implement their war agendas,
1. Calls on all the forces participating in conflicts in the east of the 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;
  2. Urges that the perpetrators of human rights violations, war crimes, crimes against humanity, sexual violence against women and the recruitment of child soldiers be reported, identified, prosecuted and punished in accordance with national and international criminal law; calls, in this regard, on the Prosecutor of the International Criminal Court to investigate atrocity crimes committed in the east of the DRC and prosecute those most responsible;
  3. Deplores the regular violations of the ceasefire by all parties to the conflict; asks all the parties to immediately cease all military actions, and particularly, mass violence, especially sexual violence, to which the civil population is subjected;
  4. Calls on the Government of the DRC and the UN operatives (MONUC) to guarantee an appropriate level of security for the members of humanitarian organisations;
  5. Supports the Goma Conference on peace, security and development for the Kivu provinces; calls on the Government of the DRC to take steps towards de-escalating the crisis and improving security; calls, in this regard, for the suspension of offensive action against Nkunda's troops and for the adoption of a containment strategy;
  6. Expresses grave concern regarding the situation of internally displaced persons (IDPs) and refugees who are still in the 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, particularly by cooperating fully with partners such as the UN World Food Programme (WFP), Caritas and the UN High Commission for Refugees (UNHCR);
  7. Urges the Government of the DRC to proceed, with MONUC, to establish a weapons-free zone, disarm new militias and former members of the Local Defence Forces (LDF), conduct operations to reassure the IDPs and secure mines and trade routes;

8. Calls on the Government of the DRC to revive joint verification mechanism with Rwanda and patrol the border intensively with MONUC to deter infiltration and capture the genocidal leaders among the Rwandan Hutus rebels (FDLR) and offer resettlement in the Congo or reintegration into the Rwandan army to those who were not involved in the genocide and are willing to demobilise;
9. Encourages the Government of the DRC to hold a round table with local communities, provincial authorities and national representatives to set clear guidelines for disarmament and political solution of the conflict in the framework of the Goma Conference;
10. Considers that access to, and the democratic control and equitable redistribution of, the country's natural wealth in favour of the population as a whole are indispensable for the sustainable development of the country; calls, in this regard, on the major donors, including the US, UK, France, South Africa and Belgium, to provide technical advice and funding for the land redistribution and improving capacity to collect taxes and prevent smuggling;
11. Calls on the UN Mission in Congo (MONUC) to establish joint monitoring teams with the national army to control troop movements around designated assembly areas for Nkunda's forces;
12. Calls on the MONUC to support joint operations with the national army to create weapons-free zones, control main communication routes and contain and disarm the FDLR;
13. Calls on the MONUC and national army to ensure that their military presence prioritise the protection of civilians and provide peacekeepers with a clear definition of protection, more operational guidance and better tools to translate the concept of protection into concrete action on the ground, including enhanced communication with the local population;
14. Strongly denounces crimes of sexual violence against women and children in the DRC and urges the government to stop impunity and to make serious efforts to implement the new law against sexual violence;
15. Calls on the Commission and the Council to prepare, with the cooperation of non-governmental organisations (NGOs) and the Government of the DRC, a humanitarian programme for the DRC with the aim of providing increased medical assistance to the Congolese people and to improving it;
16. Calls on the UN, the African Union (AU), the EU and the other partners of the DRC to continue to support efforts of that country's authorities to reform the army, the police, the security services and the Justice Department with a view to re-establishing the state and its authority, all essential elements for the consolidation of peace and security in the country and the Great Lakes region as well;

17. Welcomes the adoption, by the Parliament of the DRC, of the bill establishing the status of political opposition, and calls for its rapid promulgation and successful application;
18. Calls for support from the EU and the international community for the organisation of the local and municipal elections, initially scheduled to be held in 2007, as the last stage of the Congolese electoral process;
19. Instructs its President to forward this resolution to the ACP-EU Council, the European Commission, the Governments of the DRC and the Great Lakes countries, the Secretary-General of the UN, the Commission of the AU and Prosecutor of the International Criminal Court.