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## **MOTION FOR A RESOLUTION**

to wind up the debate on statements by the Council and the Commission  
pursuant to Rule 110(2) of the Rules of Procedure

on failures in protection of human rights and justice in the Democratic  
Republic of Congo

**Charles Goerens, Renate Weber, Marietje Schaake, Leonidas Donskis,  
Sonia Alfano,**  
on behalf of the ALDE Group

**European Parliament resolution on failures in protection of human rights and justice in the Democratic Republic of Congo**

*The European Parliament,*

- having regard to its previous resolutions on the DRC, in particular the one of 18 December 2009, relating to sexual violence by armed groups and the persistence of human rights abuses in the DRC,
  - having regard to the UN General Assembly Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment of 10 December 1984, and to the UN General Assembly Declaration 3318 on the Protection of Women and Children in Emergency and Armed Conflict of 14 December 1974, in particular its paragraph 4 which calls for effective measures against persecution, torture, violence and degrading treatment of women and children,
  - having regard to the UN Security Council resolution 1325 on the protection and respect for sexual and human rights of women and children which emphasises the responsibility of all states to put an end to impunity and to prosecute those responsible for crimes against humanity and war crimes, including those relating to sexual and other violence against women and girls,
  - having regard to the law on sexual violence adopted by the DRC Parliament in 2006, which was designed to speed up the prosecution of rape cases and impose stiffer penalties,
  - having regard to the Joint Statement by Rwanda and DRC signed in Nairobi on 10 December 2007 in favour of a comprehensive solution to the presence of armed groups in the Kivus which are responsible for sexual violence and other human rights violations,
  - having regard to the EU foreign policy chief Catherine Ashton's and the European Commissioner for development, Andris Piebalgs' statement of 27 August 2010, condemning the acts of mass rapes in the DRC,
  - having regard to the UN Secretary General's report of 23 August 2010 on the recent mass rapes of civilians by members of armed groups in eastern DRC,
  - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas at the end of July 2010 during 3 nights, militia members have attacked 13 isolated villages some 20 kilometres from Goma, the capital of North Kivu,
- B. whereas according to a calculation by the UN, more than 500 rapes were perpetrated during these 3 days of attack,
- C. whereas these mass rapes occurred only 10 miles from a UN peacekeeping base in North Kivu,

- D. whereas reports by Human Rights activists detail the FDLR's (Democratic Front for the Liberation of Rwanda) and the Rwandan Hutu militia's deliberate strategy launched early this year to increase sexual violence and the widespread burning of villages, homes, schools and churches,
- E. whereas rape seems to be used as a way of humiliating women in front of their families and communities and thus destroying the integrity, morale and cohesion of those communities,
- F. deeply concerned by the inadequacy of efforts to conduct thorough investigations into such crimes, the absence of protection measures for witnesses, victims and victims' families, the lack of information regarding cases and the lack of appropriate medical care for victims,
- G. whereas through rapes, the militias intend above all to terrorise the populations in order to gain control of the Kivu areas, which is the main gateway to the principal mine of cassiterite,
- H. whereas the UN peacekeepers took two weeks to report these abuses and the Congolese government and its armed forces showed inertia in preventing such exactions,
- I. whereas Rwanda has a key role to play in finding a solution to the border conflicts,
- J. noting that former Congolese leader Jean-Pierre Bemba Gombo is facing trial at the ICC for war crimes, including rape,
  - 1. Strongly condemns the use of rape as a weapon of war and recalls that the International Criminal Court has jurisdiction over such acts, as does the Democratic Republic of Congo;
  - 2. Urges in particular that the perpetrators of sexual violence against women be reported, identified, prosecuted and punished, in accordance with national and international criminal law:
  - 3. Demands that the DRC Government, in collaboration with the international community, continues to pursue its efforts to fight impunity and swiftly investigate the latest attacks, and to ensure that the perpetrators are brought to justice;
  - 4. Expresses its concern that MONUSCO could not use its mandate and rules of engagement to provide protection against such massive rapes and other human rights abuses by armed movements in the vicinity of its peacekeeping base;
  - 5. Notes the UN Secretary-General's prompt instruction to his Special Representative on Sexual Violence in Conflict, Margot Wallström, to coordinate the UN response and follow-up on the DRC incident with a view to prevent such atrocities in the future;
  - 6. Calls on the international community, and the EU and AU in particular, to fully support the DRC government's efforts to bring an end to all forms of sexual violence and its use as a weapon of war;

7. Deplores the increasing acts of violence against aid workers and pays tribute to the extremely difficult work achieved by humanitarian organisations on the ground in highly insecure conditions;
8. Instructs its President to forward this resolution to the EU Council and Commission, the Institutions of the African Union, the SADC, and the governments of the Great Lakes Region, including the DRC and Rwanda.