



Plenary sitting

B8-0374/2016

8.3.2016

MOTION FOR A RESOLUTION

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

pursuant to Rule 135 of the Rules of Procedure

on the Democratic Republic of Congo
(2016/2609(RSP))

Cristian Dan Preda, Mariya Gabriel, Tunne Kelam, Davor Ivo Stier, Andrej Plenković, Roberta Metsola, Eva Paunova, Jarosław Wałęsa, Maurice Ponga, Bogdan Brunon Wenta, Andrey Kovatchev, Lorenzo Cesa, Claude Rolin, Patricija Šulin, Milan Zver, Giovanni La Via, Dubravka Šuica, Ivan Štefanec, Jaromír Štětina, Pavel Svoboda, Ramona Nicole Mănescu, Thomas Mann, Elisabetta Gardini, Lara Comi, Stanislav Polčák, Tomáš Zdechovský, Ivana Maletić, Agnieszka Kozłowska-Rajewicz, Michaela Šojdřová, Massimiliano Salini, Romana Tomc, Sven Schulze, David McAllister, Csaba Sógor, Luděk Niedermayer, Anna Záborská, Joachim Zeller, Adam Szejnfeld, Jiří Pospíšil, Marijana Petir, Barbara Matera, Salvatore Cicu, Therese Comodini Cachia, Ramón Luis Valcárcel Siso

on behalf of the PPE Group

B8-0374/2016

**European Parliament resolution on the Democratic Republic of Congo
(2016/2609(RSP))**

The European Parliament,

- having regard to its previous resolutions on the Democratic Republic of Congo (DRC), notably that of 9 July 2015 and 17 December 2015,
- having regard to the press release of 16 February 2016 by the African Union, the United Nations, the European Union and the International Organisation of la Francophonie on the necessity of an inclusive political dialogue in the DRC and their commitment to support the Congolese actors towards the consolidation of democracy in the country,
- having regard to the local statement of 19 November 2015 following the launch of the national dialogue in the DRC,
- having regard to the statement of 9 November 2015 by the President of the UNSC on the situation concerning the DRC,
- having regard to the local statement of 21 October 2015 of the European Union on the human rights situation in the DRC,
- having regard to the statement of 12 October 2015 by the Spokesperson on the resignation of the head of the Electoral Commission in the Democratic Republic of Congo,
- having regard to having regard to UN Security Council resolutions on the DRC, in particular 2198 (2015) on renewing the DRC sanctions regime and the mandate of the Group of Experts and 2211 (2013) which renewed MONUSCO's mandate,
- having regard to the joint press statement of 2 September 2015 of the team of international envoys and representatives for the Great Lakes region on Elections in the DRC,
- having regard to the annual report on 27 July 2015 of the UNHCHR on the situation of human rights and the activities of the United Nations Joint Human Rights Office in the DRC,
- having regard to the statement of 25 January 2015 by HR/VP Federica Mogherini following the adoption of the new electoral law in the Democratic Republic of Congo,
- having regard to the report of 12 January 2015 of the UN Group of Experts on the DRC,
- having regard to the Nairobi Declarations of December 2013,
- having regard to the Peace, Security and Cooperation Framework Agreement for DRC and the Region signed in Addis Ababa in February 2013,
- having regard to the African Charter of Human and Peoples' Rights of June 1981

- having regard to the African Charter on Democracy, Elections and Governance, ratified by the DRC on 29 June 2008,
- having regard to the Congolese Constitution,
- having regard to the Cotonou Agreement,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas the next presidential and legislative elections, which are foreseen to be held in November 2016, could represent the first democratic transition of power after decades of civil war and political instability in the DRC; whereas the election will mark the end of Joseph Kabila's second of two constitutionally mandated terms as president;

B. whereas President Kabila, in power since 2001, has been accused by his opponents of using administrative and technical means to try to delay the election and remain in power beyond the end of his mandate; whereas those attempts have caused growing political tension, unrest and violence across the country;

C. whereas in June 2015, President Kabila announced the launch of a national dialogue to avoid any political crisis before the elections; whereas formal preparations for such a dialogue have not yet begun as two major opposition groups decided to boycott the process;

D. whereas in September 2015, seven senior political figures were expelled from the DRC's ruling coalition for signing a letter urging President Kabila to fully respect constitutional provisions; whereas violent clashes broke out the same month in Kinshasa where a rally opposing any bid for an unconstitutional third term was attacked by security forces;

E. whereas in November 2015, President Kabila suggested that the electoral process should be granted two to four years more in order to organise credible elections and allow time to update the voters lists and gather the necessary resources;

F. whereas local and provincial polls are expected to be held in the run-up to the presidential elections; whereas doubts were expressed as to the independence and impartiality of the Independent National Electoral Commission (CENI) following the rejection of 21 governorship candidacies out of 97;

G. whereas human rights groups are continuously reporting about the worsening of the human rights situation and of freedom of expression and assembly in the country, including the use of excessive force against peaceful demonstrators and an increase of politically motivated trials; whereas the MONUSCO registered over 260 election-related human rights violations, mainly against political opponents, civil society and journalists during the past year;

H. whereas in January 2015, following an electoral reform proposal by the Congolese government, at least 40 people died and 350 were arrested when security forces brutally repressed demonstrations in Kinshasa and Goma; whereas the bill, which was seen as an attempt to delay polls by requiring a national census to be carried before the election, was eventually withdrawn;

I. whereas one year later, on 19 January 2016, the Citizen Front 2016, a coalition of opposition parties and civil society organisations, organised a series of conferences to commemorate the killing of opposition demonstrators; whereas at these events and according to human rights observers, dozens of activists were arrested by the Congolese National Police;

J. whereas in February 2016, eight youth activists and at least 30 political opposition supporters were detained following the organisation of a national strike to protest delays in the presidential elections; whereas six of them, members of the LUCHA movement, were sentenced to two years of prison; whereas the government identified LUCHA as a criminal movement;

K. whereas freedom of press in the DRC is limited by legal restrictions, as well as by threats and attacks against journalists; whereas several media outlets were shut down;

L. whereas, despite relative progress in the government's fight against impunity, the security situation in the DRC continues to deteriorate, in particular in the eastern part of the country, due to violence caused by over 30 foreign and domestic armed groups, with constant reports on abuses of human rights and international law including targeted attacks against civilians, widespread sexual and gender-based violence, systematic recruitment and use of children by armed groups and extrajudicial executions;

M. whereas despite its great natural and human potential, the DRC has still not turned into a factor of stabilisation and development for its people, for the Great Lakes region and Africa, mainly due to the weak democratic governance;

N. whereas humanitarian actors estimate that 7,5 million people are currently in need of assistance and lack basic access to drinking water, sanitation, medical services and school; whereas the ongoing conflict and military operations have caused important forced displacements with approximately 3,000,000 internal displaced persons since 2009 and 500,000 people having fled the country to neighbouring countries;

1. Calls on the authorities of the DRC to expressly commit to respecting the Constitution and ensure the timely holding of elections by November 2016 in full accordance with the African Charter on Democracy, Elections and Governance, as well as to guarantee a environment conducive to transparent, credible and inclusive elections; stresses that a successful holding of elections will be crucial to the long-term stability and development of the country;

2. Takes note of President Kabila's initiative to launch a national dialogue and regrets that it has not yet materialised until now; calls on all Congolese political actors to engage in an inclusive and democratic dialogue, in order to peacefully agree on the terms of a credible electoral process and calendar; considers that such dialogue should set clear objectives upstream and not lead to any further delay in the organisation of the presidential election;

3. Expresses deep concern on the deteriorating security and human rights situation in the DRC, and in particular on the continuous reports of increasing political violence and the severe restrictions and intimidations faced by human rights defenders, political opponents and journalists ahead of the upcoming electoral cycle; insists on the government's responsibility to avoid any deepening of the current political crisis or escalation of violence and to respect, protect and promote the civil and political rights of its citizens;

4. Strongly condemns any use of force against peaceful, unarmed demonstrators; recalls that freedom of expression, association and assembly are a fundamental democratic principle; calls for the immediate and unconditional release of all political prisoners;
5. Reminds the authorities of the DRC of their obligations to guarantee fundamental rights, including access to justice and the right to a fair trial, as provided for in the African Charter, and other international and regional human rights instruments;
6. Calls on the Commission Vice-President / EU High Representative of the Union for Foreign Affairs and Security Policy and Member States to make full use of all policy instruments, including the recommendations issued in the final report of the 2011 EU electoral observation mission and the report of the follow-up mission that took place in 2014, and political pressure at the highest level to prevent the spread of electoral violence in the Democratic Republic of Congo and to avoid any further destabilisation of the Great Lakes region;
7. Takes note of the EU and international community's willingness to support the Congolese electoral process provided that a valid electoral calendar is published and that constitutional provisions are respected; considers that this support should concentrate on voter registration, training and securitisation of the election;
8. Calls on the government of the DRC to continue the democratisation process initiated in the country and to actively build up on the recommendations issued in the final report of the 2011 EU electoral observation mission and the report of the follow-up mission that took place in 2014, in particular regarding the revision of the electoral roll, the independence of the CENI and budgetary requirements;
9. Calls on the CENI to cooperate not only with the government but to work closely with all political parties, electoral experts and civil society to ensure the legitimisation of the electoral process; stresses that the authorities should make available to the CENI the necessary financial resources to allow a comprehensive and transparent process;
10. Recalls that peace and security are preconditions for a successful election; welcomes in this regard the renewal of the MONUSCO's mandate and the reinforcement of its competences in the field of civilian protection in the electoral context;
11. Reiterates its deep concern regarding the alarming humanitarian situation in the DRC, notably caused by the violent armed conflicts in the eastern provinces of the country; calls on the EU and its Member States to uphold their assistance to the people of the DRC to improve the living conditions of the most vulnerable populations and tackle the consequences of displacements, food insecurity, epidemics and natural disasters;
12. Acknowledges the efforts made by the Congolese authorities in the fight against impunity, and to prevent sexual violence and violence against children, although progress remains slow; insists that those responsible for violations and abuses of human rights and international humanitarian law must be brought to justice and held accountable;
13. Calls on the AU and the EU to ensure a permanent political dialogue between countries of the Great Lakes region to prevent any further destabilisation; regrets that only little progress has been made in the implementation of the Framework Agreement and calls on

all parties to actively contribute to stabilization efforts; in this regard, considers that EU's support should focus further on democracy and state-building, including deepening the reforms in the security sector and of public institutions;

14. Instructs its President to forward this Resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the African Union, and the President, Prime Minister and Parliament of the DRC.