



Plenary sitting

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17.6.2016

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the massacres in eastern Congo
(2016/2770(RSP))

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on behalf of the GUE/NGL group

**European Parliament resolution on the massacres in eastern Congo
(2016/2770(RSP))**

The European Parliament,

- having regard to its previous resolutions, in particular those of 10 March 2016 and 7 October 2010, on failures to protect human rights and justice in the Democratic Republic of the Congo and to the resolutions of the ACP-EU Joint Parliamentary Assembly,
- having regard to the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Civil and Political Rights,
- having regard to the constitution of the Democratic Republic of the Congo and, in particular, Article 56 of that constitution which states that: *‘Any agreement, convention, arrangement or other act which has the consequence of depriving the nation, natural persons or legal persons of all or part of their means of subsistence drawn from their natural resources or wealth shall, without prejudice to international provisions on economic crimes, be considered looting and be punishable by law.’*,
- having regard to the African Charter on Human and Peoples’ Rights,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to Article 3 of and Protocol II to the Geneva Convention of 1949, which prohibit summary executions, rape, enforced recruitment and other abuses,
- having regard to the UN Convention on the Rights of the Child of 20 November 1989,
- having regard to UN Security Council Resolution 2211 of March 2015, which extended the mandate of the UN Stabilisation Mission in the Democratic Republic of the Congo (Monusco) until 31 March 2016,
- having regard to the award of the 2014 Sakharov Prize to Congolese gynaecologist Dr Denis Mukwege for his struggle to protect women’s rights in the DRC,
- having regard to the position adopted by the European Parliament on 20 May 2015 on the certification of importers of certain minerals and metals originating in conflict-affected or high-risk areas,
- having regard to the report by UNEP (United Nations Environment Programme) of 15 April 2015 on the illegal exploitation of and trade in natural resources by organised criminal gangs,
- having regard to the Cotonou Agreement,
- having regard to Rule 123(2) of its Rules of Procedure,

- A. whereas the growth of armed factions, disorganisation and the absence of a stable State, the incapacity of the United Nations to give a consistent response to the genocide and its consequences and the complicity of countries with interests in the region, such as the United States and France, have led to a tragic situation in which hundreds of thousands – or even millions – have died since 1996, most of them civilians, mainly as a result of malnutrition, diseases and poverty following the wars in 1996 and 1998; whereas that situation is still having repercussions in the country today;
- B. whereas, according to the United Nations Children’s Fund (UNICEF), perinatal mortality fell by 30% between 2007 and 2014: from 148 per 1 000 births in 2007 to 104 in 2014; whereas mortality among young mothers has fallen by 35%: from 1 289 per 100 000 births in 2007 to 846 in 2014;
- C. whereas, since 2012, instability has once again been a feature of the Democratic Republic of the Congo, and several thousand have fallen victim to the consequences of that instability, such as fighting and other violence, which commonly takes place in the provinces of North Kivu and South Kivu, in the east of the country; whereas, according to the Office for the Coordination of Humanitarian Affairs (OCHA), as at 31 July 2015, nearly 1.5 million people were internally displaced, which amounts to 7% of the country’s total population; whereas more than 400 000 Congolese refugees are still living in exile; whereas refugees fleeing the serious humanitarian crisis in the Central African Republic, which is a neighbouring country, arrive in the Democratic Republic of the Congo;
- D. whereas among the warring parties are the Democratic Forces for the Liberation of Rwanda (Hutu militias), the RCD-Goma (Rassemblement congolais pour la démocratie: Congolese Rally for Democracy) supported by Rwanda against the government of the Democratic Republic of the Congo, the Lord’s Resistance Army (LRA) born of a rebellion in Uganda, the ‘mai mai’ group in Katanga and the MPA (Mouvement populaire d’autodéfense: People’s Movement for Self-Defence); whereas, although certain factions were demobilised in 2010 and, in some cases, partially incorporated into the Congolese army (FARDC), insecurity persists; whereas the exploitation of the ‘*ethnic issue*’ in the region has added much fuel to the conflict and continues to divide regions;
- E. whereas violence has increased further since the beginning of 2016; whereas, on Monday 13 June, the Congolese army announced the death of six Ugandan rebels from the Allied Democratic Forces (ADF) and one Congolese soldier during a skirmish in the region of Beni, in eastern Congo; whereas, after a relative lull, violence flared up again at the beginning of May 2016; whereas, in the night of 3 to 4 May, 17 people were reportedly stabbed to death in the village of Eringeti, 60 kilometres north-east of Beni, and 200 metres away from two Monusco camps; whereas the massacres in the Beni region reportedly resulted in some 100 deaths between February and May 2016;
- F. whereas the Congolese Government and Monusco attribute these massacres to ADF, but many experts and NGOs are more cautious, saying that ‘official forces might be involved’; whereas, in the middle of May 2016, in a confidential report by the UN sanctions committee, the group of experts which drafted it pointed the finger at Congolese soldiers and a general close to Joseph Kabila, blaming them for organising

and carrying out atrocities; whereas militants in civil society and the opposition are deploring the lack of response from Monusco and the government to these attacks, and their complicity in them; whereas several demonstrations have taken place since the massacres in an effort to demand justice, some of which have been broken up by force; whereas members of the opposition continue to be repressed;

- G. whereas, on 1 and 2 June 2016, members of the Front citoyen 2016 (the opposition) went to The Hague to ask the International Criminal Court (ICC) to investigate these massacres and the involvement of soldiers from the official army; whereas the Court has also been asked to investigate crackdowns on opposition demonstrators within the framework of the electoral process;
- H. in view of the many war crimes and crimes against humanity, the large-scale violations of human rights, the crackdown on opponents, the mass rapes of women and young girls and massive population displacements; whereas it is reported that since 1996 numbers of official victims of rape have reached at least 200 000 in the Democratic Republic of the Congo, and there have doubtless been many more, as many rapes are not recorded; whereas rape is a weapon of war used by all the warring parties, including the official armed forces; whereas forced recruitment, including of children, to make them combatants, is commonplace in the Democratic Republic of the Congo;
- I. whereas the regular army (FARDC) is routinely accused of atrocities; whereas in October 2012 the government adopted an action plan to put an end to sexual violence, the recruitment of children and other serious violations of children's rights by the armed forces and security forces; whereas, since then, the problems have continued and impunity remains unhindered;
- J. whereas the record of Monusco (UN Stabilisation Mission in the Democratic Republic of the Congo), established in 1999, has been a total failure in that it has not improved the lot of civilians, who are severely affected by the war, and its support for the national Congolese army (FARDC) has only served to encourage the latter's crimes; whereas, following the suspension in February 2015 of military cooperation between Monusco and FARDC, the UN decided on 2 March 2016 to resume military support to governmental forces;
- K. whereas the Democratic Republic of the Congo abounds in significant natural resources (gold, cassiterite, coltan, methane gas, etc.), and whereas the continued illegal exploitation of these resources, which – particularly in the east of the DRC – are still often under the control of armed paramilitary groups, is helping to finance and support conflict, and continues to breed insecurity for the region as a whole;
- L. whereas transnational companies are funding the armed conflict so that they can continue to exploit the DRC's mineral reserves; whereas that phenomenon has been repeatedly condemned in reports published by the United Nations; whereas in April 2015 Ibrahim Thiaw, the Deputy Executive Director of the United Nations Environment Programme (UNEP), stated that the annual earnings from that exploitation of natural resources exceeded USD 1 billion and that up to 98% of the profits end up in the coffers of international concerns, and the remaining 2% are used to fund armed groups in the DRC;

- M. whereas international financial institutions' structural adjustment plans have weakened the country even further, by making it into a legal and tax haven for multinationals, particularly in the mining sector; whereas the dismantling of the mainstays of the Congolese economy and the sacking of thousands of workers in accordance with the wishes of international institutions, first among them the World Bank, has deprived the population of the means of subsistence and worsened their living conditions, and also enabled the major industrial groups, which are primarily Western, to gain a monopoly over resources and control over the economy;
- N. whereas the price of foodstuffs has risen substantially since the start of the conflict, worsening the poverty and food insecurity which local people suffer and the instability of the region; whereas the situation is being exacerbated by the multinationals' land-grabbing in which the government is complicit;
- O. whereas increasing unemployment, worsening social conditions and impoverishment of the people are crucial factors in the instability affecting the region;
1. Condemns all acts of violence, all violations of human rights and all sexual violence; expresses its solidarity with all the peoples that have suffered years of conflict; once again criticises the exploitation of the '*ethnic issue*', which has led to millions of victims in the region and has only served to divide the population;
 2. Expresses particular concern over the renewed violence in the east of the country, and calls for an independent international investigation, including into Monusco and the official army, to be carried out to determine who is responsible for these massacres; calls on the international community to finally take all the specific measures required to put an end to the genocide and exploitation of resources, and to obtain reparation for the victims of the conflict;
 3. Is also concerned about violence continuing as elections approach; calls for the immediate and unconditional release of all persons held arbitrarily, and an end to the harassment of members of the opposition by the legal and police authorities;
 4. Considers that combating impunity in relation to infringements of humanitarian law and economic and financial crimes is one of the vital preconditions for re-establishing peace in the Democratic Republic of the Congo;
 5. Is particularly concerned about the situation of women in the country and the forms of crime and discrimination to which they fall victim; considers it vital that the relevant authorities and the international community step up their efforts to put a stop to mass rape being used as a technique of warfare, to ensure access to free public healthcare, particularly for reproductive health, contraception and abortion, and to foster genuine gender equality;
 6. Considers, similarly, that the relevant authorities and the international community must prioritise putting an end to the phenomenon of child soldiers;
 7. Deplores the fact that the basic needs of the Congolese people are being systematically sacrificed to the economic and geopolitical interests of multinationals and foreign powers;

8. Considers, therefore, that a lasting solution to the tragic situation in the east of the Democratic Republic of the Congo will only be achieved if action is taken to ensure that it is its people who profit from the country's natural resources; emphasises that, to that end, the country must reassert its sovereignty over its natural wealth by taking steps to monitor the activities of foreign transnational companies and by developing its own facilities for harnessing, processing and marketing its commodities, which will require it to revise and terminate all mining and logging contracts, in accordance with Article 56 of the Congolese constitution, in order to ensure that this wealth benefits as many Congolese as possible, rather than a small minority;
9. Reiterates the need to guarantee the right of the Democratic Republic of the Congo to food sovereignty, which includes the right of farmers to produce food for their people, by putting an end to land-grabbing and guaranteeing farmers access to land, seed and water;
10. Calls on the international community and, in particular, '*creditor*' countries to the Democratic Republic of the Congo (particularly Belgium) to remove the obstacles to the development of the DRC and therefore to peace, by cancelling the debt and interest on the debt which the country is continuing to pay, and by introducing real international cooperation which upholds fundamental human rights and the sovereignty of the Congolese State, instead of free trade agreements and structural adjustment plans; calls on the Congolese authorities to demand an audit of their debts and the cancellation of all illegitimate debts to foreign lenders with a view to completely cancelling the debt, in order to respond to their people's basic human needs;
11. Calls on the European Union and its Member States to increase financial support and humanitarian aid to respond to the urgent needs of these peoples; calls on the European Union and its Member States to provide assistance in the form of grants rather than loans, so as not to increase the debt burden; deplores the fact that many EU Member States have not met the target of spending 0.7% of their GDP on development aid and that some have even lowered the percentage that they spend; deplores the fact that Member States are cutting back their involvement in food aid programmes; calls for development aid not to be used to close or control borders or repatriate migrants; calls for the aid provided by the EU and the Member States in the Democratic Republic of the Congo to be used, as a priority, for problems linked to severe inequalities, poverty, chronic malnutrition, access to health and public services, particularly reproductive healthcare, and the attainment of the sustainable development goals; calls, similarly, for food aid to be increased and to be used, as a priority, for buying food from local producers;
12. Reiterates that the activities of European companies present in third countries must be entirely consistent with international human rights standards; calls, therefore, on the Member States to ensure that companies which fall under their jurisdiction do not flout human rights or the social, health and environmental standards to which they are subject when moving to, or doing business in, a third country; calls on the European Commission and Member States to take the requisite action against European companies which do not comply with those standards or which do not adequately compensate victims of human rights violations who fall directly or indirectly under their responsibility;

13. Calls on the Council to swiftly agree a compromise with the Parliament in the trialogue currently taking place on a binding regulation on conflict minerals, and to require foundries, refiners and importers of European metals, including producers of finished products such as cars or smartphones, to apply strict rules in their supply chains in an effort to put an end to the funding of armed groups and violence in conflict-affected regions;
14. Calls, with regard specifically to the Democratic Republic of the Congo, for an independent investigation into compliance by European companies with labour and environmental standards, particularly in the natural resources sector, and into the possible involvement of these companies in the funding of armed groups; calls, similarly, for an international investigation into the allegations of links between the structural adjustment plans, the financial support provided by international financial institutions and the crimes committed in the country;
15. Opposes any attempt to outsource the EU's migration policies to third countries; deplores the fact that the Rabat Process, in which the Democratic Republic of the Congo is a stakeholder, does not make it possible to challenge the underlying causes of migration in any way, but simply promotes return and readmission policies; believes that these policies conflict with the right to free movement and the right of asylum; on this aspect, calls for negotiations with the DRC within the context of the Rabat Process to be halted immediately;
16. 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, the governments of the countries of the Great Lakes region, the President, Prime Minister and Parliament of the Democratic Republic of the Congo, the Secretary-General of the United Nations, the UN Human Rights Council, and the ACP-EU Joint Parliamentary Assembly.