



Plenary sitting

B8-1316/2016

28.11.2016

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 situation in the Democratic Republic of the Congo
(2016/3001(RSP))

Charles Tannock, Mark Demesmaecker, Arne Gericke
on behalf of the ECR Group

**European Parliament resolution on the situation in the Democratic Republic of the Congo
(2016/3001(RSP))**

The European Parliament,

- having regard to its previous resolutions and recommendations on the Democratic Republic of the Congo (DRC),
- having regard to the principles of the Charter of the United Nations,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Council conclusions of 17 October 2016 and 23 May 2016 on the DRC,
- having regard to United Nations (UN) Security Council resolution 2277 (2016),
- having regard to UN Security Council resolution 2293 (2016),
- having regard to Article 8 of the Cotonou Agreement,
- having regard to the speech by Joseph Kabila on 15 November 2016,
- having regard to Executive Order 13413 of the President of the United States issued on 27 October 2006,
- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas, on 18 February 2006, the people of the DRC approved by referendum a new constitution, which was promulgated by President Joseph Kabila; whereas this constitution restricts the president to a maximum of two terms in office;
- B. whereas, in 2014, President Kabila's allies failed to secure the 60 % super-majority in the National Assembly necessary to hold a referendum to change the constitution;
- C. whereas in his speech to the Parliament of the DRC on 18 October 2016, President Kabila confirmed his intention to flout the constitutional limitations placed on the term of the presidency and to stay in power after the end of the term on 19 December 2016;
- D. whereas the Council conclusions of 17 October 2016 expressed deep concern at the deteriorating political situation in the DRC and reaffirmed that the primary responsibility for the holding of elections lies with the DRC authorities and that the crisis can only be resolved through the public and explicit commitment of all stakeholders to respect the constitution;
- E. whereas the African Union facilitated an agreement between some opposition members of parliament and President Kabila, which set out as a condition for a so-called

government of national unity that the government would resign and an opposition member, Samy Badibanga, handpicked by President Kabila, would become prime minister; whereas the opposition parties formed the Rassemblement, a group which rejected the deal and demanded that President Kabila step down on 19 December 2016;

- F. whereas the DRC Conference of Catholic Bishops (CENCO) has offered to act as an intermediary between President Kabila and the Rassemblement in order to help reach an accord;
 - G. whereas in its resolution of 23 June 2016 on the massacres in eastern Congo¹, the European Parliament called as a matter urgency for a thorough, independent and transparent investigation to be launched into the massacres at Beni, Lubero and Butembo; whereas it insisted that the elections should take place as constitutionally planned and stressed that the successful and timely holding of the elections would be crucial to the long-term stability and development of the country;
 - H. whereas the United States has imposed sanctions on Major General Gabriel Amisi Kumba and John Numbi, members of Kabila's inner circle who are believed to be among those who have encouraged the president to take a hard line against protesters and engaged in actions that undermine democracy in the DRC;
 - I. whereas the Congolese National Radio Television (RTNC) journalist Marcel Lubala was assassinated on 14 November 2016 in Mbuji-Mayi;
1. Calls on President Kabila to step down as president of the DRC on 19 December 2016 as required in the constitution, and for the appointment of a temporary president until new elections can be held;
 2. Calls on the Commission and the Vice-President / High Representative of the Union for Foreign Affairs and Security Policy to identify those who are responsible for advising or encouraging President Kabila to ignore the constitutional requirements concerning the term of office of the president and those who are responsible for violent repression and human rights violations, and to make a proposal to the Council for the imposition of restrictive measures (sanctions) on them;
 3. Deeply regrets President Kabila's reckless disregard for the constitution of the DRC and the stability of his country as demonstrated by his claim that he will continue in office after his term ends;
 4. Condemns the ban on political demonstrations and public protests, and the arrest and detention of political opponents and human rights defenders;
 5. Calls for the release of all political prisoners and the discontinuation of politically motivated prosecutions against the opposition and civil society, and for the rehabilitation of people who have been subject to politically motivated judgments;
 6. Welcomes the offer from CENCO to act as an intermediary and to assist in negotiating an agreement with the opposition forces of the Rassemblement, and encourages the

¹ Texts adopted, P8_TA(2016)0290.

President and the government of the DRC to consider this proposal;

7. States its readiness to work with international partners to assist in facilitating elections in the DRC at the earliest possible date;
8. Calls on the Congolese authorities to carry out a thorough investigation of the murder of Marcel Lubaya and to bring the perpetrators to justice;
9. Calls on the UN Security Council to carry out an independent inquiry into the massacres that took place earlier this year at Beni and Lubero;
10. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, and the President and Government of the Democratic Republic of the Congo.