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*Plenary sitting*

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**B8-1319/2016**

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))

**Mariya Gabriel, Bogdan Brunon Wenta, Michael Gahler, Joachim Zeller, Brian Hayes, Agustín Díaz de Mera García Consuegra, Maurice Ponga, Frank Engel, Cristian Dan Preda, Ivo Belet**  
on behalf of the PPE 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 on the Democratic Republic of the Congo (DRC), in particular those of 10 March 2016<sup>1</sup> and of 23 June 2016<sup>2</sup>,
- having regard to the EU's local statements of 25 June 2016 on the human rights situation in the DRC, and of 2 August 2016 and 24 August 2016 on the electoral process in the DRC following the launch of the national dialogue in the DRC,
- having regard to the joint press releases of 16 February 2016 and of 5 June 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 supporting Congolese actors in their efforts towards the consolidation of democracy in the country,
- having regard to the statement of 15 August 2016 by the spokesperson of the VP/HR on the violence in the DRC,
- having regard to the Council conclusions of 23 May 2016 and 17 October 2016 on the DRC,
- having regard to the UN Security Council resolutions on the DRC, in particular resolutions 2293 (2016) on renewing the DRC sanctions regime and the mandate of the Group of Experts and 2277 (2016), which renewed the mandate of the UN Stabilisation Mission in the DRC (MONUSCO),
- having regard to the UN Security Council Press Statements of 15 July 2016 and 21 September 2016 on the situation in the DRC,
- having regard to the UN Secretary-General's reports of 9 March 2016 on the UN Stabilisation Mission in the DRC, and on the implementation of the Peace, Security and Cooperation Framework for the DRC and the Region,
- having regard to the report of 23 June 2016 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 the DRC and the Region signed in Addis Ababa in February 2013,

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<sup>1</sup> Texts adopted, P8\_TA(2016)0085.

<sup>2</sup> Texts adopted, P8\_TA(2016)0290.

- 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,
  - having regard to the Constitution of the Democratic Republic of the Congo, adopted on 18 February 2006,
  - having regard to the Cotonou Agreement,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the mandate of the President of the DRC is constitutionally limited to two terms and the next presidential and legislative elections were initially scheduled to be held by the end of 2016, with President Kabila’s term of office ending on 20 December 2016;
  - B. whereas over the past two years, President Joseph Kabila, in power since 2001, has been using administrative and technical means to try to delay the election and remain in power beyond the end of his constitutional mandate; whereas these ongoing delays in the electoral preparations have caused unprecedented political tension, unrest and violence across the country;
  - C. whereas in November 2015 President Kabila announced the launch of a national dialogue; whereas, subsequently, the African Union appointed former Togolese Prime Minister Edem Kodjo as national political dialogue facilitator; whereas two major opposition groups refused to participate in what they consider a non-inclusive and undemocratic dialogue, as well as a delaying tactic;
  - D. whereas the African Union, the United Nations, the European Union and the International Organisation of La Francophonie have jointly underscored the importance of dialogue and the search for an agreement between political actors that is respectful of democracy and the rule of law, and have urged all Congolese political actors to extend their full cooperation to Edem Kodjo;
  - E. whereas an agreement was signed on 18 October 2016 between President Kabila and a section of the opposition to postpone the presidential election to April 2018; whereas under the terms of this agreement, President Kabila, who was therefore allowed to remain in power after 2016, placed a new interim Prime Minister, Samy Badibanga, a member of the opposition, in charge of forming a new government;
  - F. whereas the agreement provides for the constitution of a new census and electoral register by July 2017 and the creation of a ‘Comité de suivi’ in charge of monitoring the electoral process and reporting on its effective implementation on a monthly basis;
  - G. whereas the peaceful, transparent and timely conduct of the presidential and legislative elections would have contributed greatly to consolidating the progress that has been made in the DRC over more than a decade;
  - H. whereas since January 2015, Congolese security and intelligence officials have clamped down on peaceful activists and members of the opposition and of civil society who

oppose attempts to allow President Kabila to stay in power past his constitutionally mandated two-term limit;

- I. whereas there are constant reports by human rights groups on the worsening situation with regard to human rights and freedom of expression and assembly in the DRC, including the use of excessive force against peaceful demonstrators, arbitrary arrests and detentions, and politically motivated trials; whereas four youth activists were arrested on 18 November 2016 two days ahead of a planned demonstration against the Congolese Government in Kinshasa; whereas demonstrations are currently banned in Kinshasa and Lubumbashi; whereas observers fear an escalation as opposition leaders have reiterated their call for a general strike and for an intensified street campaign in the weeks to come;
- J. whereas on 19 September 2016 violent clashes erupted in Kinshasa between police officers and demonstrators, leading to the death of more than 50 people; whereas four people died when the headquarters of three opposition parties were torched and looted;
- K. whereas, according to a report by the UN Joint Human Rights Office, 422 human rights violations by police officers and security forces were reported during the demonstrations held between 19 and 21 September 2016;
- L. whereas, following these events, the International Criminal Court's chief prosecutor sent a delegation to the DRC on 16 October 2016 to monitor on the ground the critical human rights situation and violence in the country;
- M. whereas there has been a serious deterioration in the freedom of the media in the DRC which is limited by constant threats and attacks against journalists; whereas at least ten media outlets and radio stations have been shut down by the authorities in the past two years; whereas on 14 November 2016 a TV journalist was murdered by a dozen armed men in his hometown; whereas the DRC is now ranked 152nd out of 180 in the World Press Freedom Index established by Reporters Without Borders;
- N. whereas in September 2016 the United States of America imposed targeted sanctions against two Congolese senior officials as a response to their undermining democratic processes or institutions in the DRC;
- O. whereas the situation is exacerbated by the persistence and consolidation of impunity in the DRC; whereas the security situation in the DRC continues to deteriorate, in particular in the eastern part of the country, owing to violence caused by more than 30 foreign and domestic armed groups, with constant reports of abuses of human rights and international law, including targeted attacks against civilians, widespread sexual and gender-based violence, systematic recruitment and abuse of children by armed groups, and extrajudicial executions;
- P. whereas humanitarian agencies estimate that political instability is plunging the country into chaos and causing its population, already weakened by the various past and present crises, to sink into extreme poverty and insecurity, with more than 5 million people currently in need of food assistance;
- Q. whereas the 2014-2020 National Indicative Programme for the DRC, with EUR 620

million in funding under the 11th European Development Fund, prioritises strengthening governance and the rule of law, including reforms of the judiciary, police and army;

1. Deplores the failure of the government and the CENI (Independent National Electoral Commission) to hold the presidential election within the constitutional deadline; reiterates its call for a successful and timely holding of elections, in full accordance with the Congolese Constitution and the African Charter on Democracy, Elections and Governance and insists on the Congolese Government's responsibility to guarantee an environment conducive to transparent, credible and inclusive elections as soon as possible;
2. Takes note of the agreement signed on 18 October 2016 between President Kabila and a section of the opposition; recalls that this agreement and the political dialogue that led to it failed to include all sections of the opposition and to build consensus on a political transition; calls on all players to participate constructively in a more consensual solution which would guarantee that credible, peaceful and transparent elections will be conducted as early as possible and at the latest before April 2018; recalls that President Kabila's mandate ends on 20 December and that the presidential mandate is constitutionally limited to two terms;
3. Urges all political actors to engage in a peaceful and constructive dialogue, to prevent any deepening of the current political crisis and to refrain from further violence and provocations; welcomes the efforts made by the CENCO (National Conference of Catholic Bishops) to forge a broader consensus on a political transition; calls on both the authorities and the opposition to refrain from any action or statement that could further spread unrest;
4. Expresses deep concern about the deteriorating human rights situation and the increased restriction of the political space in the DRC, and in particular the instrumentalisation of the judicial system and the violence and intimidation faced by human rights defenders, political opponents and journalists; calls for the immediate release of all political prisoners; asks the authorities to immediately lift all restrictions on the media;
5. Strongly condemns the violence that took place in the country on 19 and 20 September 2016 and insists on the government's duty to respect, protect and promote human rights and the fundamental freedoms of its citizens; recalls that freedom of expression, association and assembly is the basis of a dynamic political and democratic life and that any use of force against peaceful demonstrations should be prohibited;
6. Calls for a full, thorough and transparent investigation into the alleged human rights violations that took place during the protests to identify those responsible and hold them accountable;
7. Calls on the VP/HR and the 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 in the report of the follow-up mission of 2014, and to exert political pressure at the highest level, in order to prevent the spread of electoral violence in the DRC and any further destabilisation of the Great Lakes region;

8. Reiterates its call for the EU to impose targeted sanctions on those responsible for the violent crackdown and for undermining the democratic process in the DRC, including travel bans and asset freezes, further to the Council Conclusions of 17 October 2016; underlines that the EU must use sanctions as a lever to conduct political contacts, at the highest possible level and including in the framework of the political dialogue under Article 8 of the Cotonou Agreement, in requesting clear guarantees from the President and the new government regarding the organisation of presidential and parliamentary elections and respect for the Congolese Constitution;
9. Calls on the EU Delegation to continue to closely monitor developments in the DRC and to use all appropriate tools and instruments to support human rights defenders and pro-democracy movements; calls on the VP/HR to consider increasing the mediation capacities of the EU Delegation to cooperate with the African Union in order to support a more inclusive political dialogue and prevent the deepening of the political crisis and the further spread of violence;
10. Reiterates its support to the African Union as a facilitator in the DRC political dialogue; highlights its crucial role in preventing a political crisis in Central Africa and calls for an intensification of its engagement in favour of the full respect of the Congolese Constitution; calls for a permanent dialogue among the countries of the Great Lakes region in order to prevent any further destabilisation; welcomes in this regard the holding of the International Conference of the Great Lakes Region to assess the situation in the DRC held in Luanda in October 2016;
11. Recalls that peace and security are preconditions for a successful election and a stable political environment; welcomes, in this regard, the renewal of MONUSCO's mandate and the strengthening of its powers to protect civilians and uphold human rights in the electoral context;
12. Reiterates its deep concern regarding the alarming humanitarian situation in the DRC; calls for the EU and its Member States to continue their assistance to the people of the DRC with a view to improving the living conditions of the most vulnerable populations and tackling the consequences of displacement, food insecurity and natural disasters;
13. 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 President, Prime Minister and Parliament of the DRC, the Secretary-General of the United Nations, the UN Human Rights Council, and the ACP-EU Joint Parliamentary Assembly.