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*Plenary sitting*

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**B8-0399/2017**

7.6.2017

## 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 Democratic Republic of the Congo  
(2017/2703(RSP))

**Marie-Christine Vergiat, Merja Kyllönen, Javier Couso Permuy, Kateřina Konečná, Dimitrios Papadimoulis, Stelios Kouloglou, Kostas Chrysogonos, Sabine Lösing, Lola Sánchez Caldentey, Estefanía Torres Martínez, Tania González Peñas, Miguel Urbán Crespo, Xabier Benito Ziluaga, Neoklis Sylikiotis, Takis Hadjigeorgiou**  
on behalf of the GUE/NGL Group

**European Parliament resolution on the Democratic Republic of the Congo  
(2017/2703(RSP))**

*The European Parliament,*

- having regard to its previous resolutions, in particular that of 7 October 2010 on failures in protection of human rights and justice in the Democratic Republic of Congo<sup>1</sup>, and to the resolutions of the African, Caribbean and Pacific Group of States–European Union (ACP-EU) Joint Parliamentary Assembly,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to the African Charter on Human and Peoples’ Rights of June 1981,
- having regard to the Constitution of the Democratic Republic of the Congo (DRC) adopted on 18 February 2006, in particular Article 56 thereof, which stipulates 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 International Covenant on Civil and Political Rights of 1966,
- having regard to the resolution of the ACP-EU Joint Parliamentary Assembly of 15 June 2016 on the pre-electoral and security situation in the DRC, and those 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 statements by the EU Delegation to the DRC on the situation of human rights in the country, particularly those of 23 November 2016 and 24 August 2016,
- having regard to the annual report of the United Nations High Commissioner for Human Rights, published on 27 July 2015, on the situation of human rights and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo,
- having regard to Article 3 of the 1949 Geneva Convention and to Protocol II thereto, which prohibit, in particular, summary executions, rape, enforced recruitment and other atrocities,
- having regard to the United Nations Convention on the Rights of the Child of 20 November 1989,
- having regard to the agreement on the EU regulation on conflict minerals that was

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<sup>1</sup> OJ C 371E, 20.12.2011, p. 1.

endorsed by the Member States on 15 June 2016,

- having regard to the United Nations Environment Programme (UNEP) report of 15 April 2015 on the illegal exploitation of and trade in natural resources by organised criminal gangs,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the inability of the United Nations (UN) to offer a consistent response to the genocide and its consequences, and the complicity of countries with interests in the region, such as the United States, Belgium and France, have led to a tragic situation in which hundreds of thousands, or even millions, of people – according to some NGOs, up to six million – have died since 1996; whereas the Belgian Government was supporting Clément Kanku, the former Minister of Development, who was dismissed this month and who has close links with the militia fighters in the Kasai area;
- B. whereas Congolese President Joseph Kabila, in power since 2001, has delayed the elections and remained in power beyond the end of his constitutional mandate; whereas this has caused unprecedented political tension, unrest and violence across the country;
- C. whereas the Constitution of the DRC stipulates that a President may not serve more than two terms in office, and under that agreement Joseph Kabila will remain in power until parliamentary and presidential elections are held, no later than December 2017;
- D. whereas since 2012, instability has once again been a feature of the DRC, and whereas the consequences of that instability, such as fighting and atrocities, which have been most prevalent in the provinces of North Kivu and South Kivu, in the east of the country, have cost several thousand people their lives;
- E. whereas the situation in the Kasai region is extremely complicated, with unrest between the militia and government forces since the killing of the traditional leader Kamwina Nsapu during a military operation following a revolt against the authorities of Kinshasa in August 2016;
- F. whereas a certain amount of mediation has already taken place in Kasai, led by Shadari Ramazani, Minister of Internal Affairs since 20 December 2016, who is negotiating with the family of the deceased customary chief;
- G. whereas the agreement of 31 December 2016 was a step forward, guaranteeing that President Kabila will not seek a third mandate and laying the groundwork for a ‘national transition council’; whereas this could be the DRC’s first peaceful transfer of power since its independence in 1960; whereas the preparation of the new elections is already ongoing, with more than 24 million people registered to date;
- H. whereas rebels have intensified an anti-government insurgency in recent weeks that has left dozens dead on both sides; whereas on 29 March 2017, the bodies of US citizen Michael Sharp and Swedish national Zaida Catalan, two UN experts who had been missing for two weeks, were discovered in the central Kasai region; whereas on 13 March, the DRC Government had announced that they had ‘fallen into the hands of unidentified negative forces’; whereas on 23 April, the DRC Government showed a film

to reporters in Kinshasa, saying it showed members of an anti-government militia carrying out the killing of the two experts, but without explaining how the video came into their possession; whereas the UN is carrying out its own investigation into the killings;

- I. whereas despite the refusal of certain parties to fully implement the December agreement, there is still some room to facilitate dialogue, although it is uncertain how the sanctions imposed by the European Council on 29 May 2017 will help unless pressure is put on all sides and there is evidence of credible plans for dialogue; whereas the African Union (AU) will probably oppose the new sanctions;
- J. whereas President Kabila arrived in Kasai-Central on 30 May 2017; whereas the successor of the great customary chief Kamwina Nsapu was present, and this could be seen as a signal of reconciliation and proof of the real will of both parties to cement peace in the Kasai region;
- K. whereas since August 2016 there have been approximately 4 000 victims, 30 000 refugees who have fled to Angola and more than 1.5 million internally displaced persons, 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, a neighbouring country, are arriving in the DRC;
- L. whereas 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 forced recruitment, including of children, to make them combatants, are commonplace in the DRC;
- M. whereas transnational companies are funding the armed groups so that they can continue to exploit the DRC's mineral reserves; whereas the DRC has 80 % of the known reserves of coltan, a mineral used in particular to make capacitors for computers and mobile telephones, but whereas the benefits of the wealth thus created accrue to multinationals, not the Congolese people; whereas this state of affairs has been repeatedly condemned in reports published by the United Nations; whereas in April 2015 Ibrahim Thiaw, the Deputy Executive Director of the UNEP, stated that the annual earnings from this exploitation of natural resources exceed USD 1 billion and that the bulk of the profits – up to 98 % – end up in the coffers of international concerns, with the remaining 2 % being used to fund armed groups in the DRC; whereas the agreement reached by the Member States on 15 June 2016 on the EU regulation on conflict minerals falls well short of what is required in that it covers only 'unprocessed products', which account for 10 % to 15 % of EU imports;
- N. whereas the structural adjustment plans imposed by international financial institutions, first among them the World Bank, have weakened the country even further by turning it into a legal and tax haven for multinationals, particularly in the mining sector; whereas as a result of these structural adjustment plans the mainstays of the Congolese economy have been broken up and thousands of workers have lost their jobs, thus depriving people of their livelihoods and worsening their living conditions and enabling major industrial groups;

1. Condemns the repression orchestrated by the defence and security forces; calls for the immediate and unconditional release of all persons arbitrarily detained;
2. Expresses its particular concern about the resurgence of violence in the run-up to the elections; stresses the need to respect and protect the rights to freedom of expression, association and peaceful assembly and condemns all forms of intimidation and harassment, including judicial harassment, of human rights defenders, journalists, political opponents and other independent or critical voices;
3. Considers the fight against impunity for violations of humanitarian law and economic and financial crimes as one of the indispensable conditions for the restoration of peace in the DRC;
4. Shares the view of the AU and the UN that only a dialogue encompassing all parties and representatives of Congolese society and with strict respect for the constitution and the interests of the population, and a process of free, fair, transparent and credible elections, will help to ease the political tensions in the country;
5. Is particularly concerned about the situation of women in the country and the crimes and discriminations against them; considers it essential that the authorities and the international community step up their efforts to put an end to mass rape as a war technique, to guarantee access to public and free health care, in particular reproductive, contraceptive and abortion care, and to promote genuine gender equality;
6. Considers that the end of the phenomenon of child soldiers must be a priority of the authorities and of the international community;
7. Denounces the fact that the basic needs of the Congolese population are systematically sacrificed in favour of the economic and geopolitical interests of multinationals and foreign powers;
8. Considers, therefore, that the dramatic situation in eastern DRC can be resolved on a long-term basis if action is taken to ensure that the population finally benefits from natural resources; stresses that in order to do so the country must recover its sovereignty over its natural wealth by establishing control over the activity of foreign transnationals and by developing national infrastructures to exploit, transform and market its raw materials, which means revision and repeal of all mining and forestry contracts in accordance with Article 56 of the Congolese Constitution in order to ensure that these benefits accrue to the greatest number and not a minority;
9. Reaffirms the need to guarantee the right of the DRC to food sovereignty, which includes the right of peasants to produce food for their people, ending land grabbing and ensuring access for farmers to land, seeds and water;
10. Calls on the international community, and in particular on Belgium, to eliminate the obstacles to the development of the DRC and thus to peace by abolishing the debt and interest payments that the country continues to pay and by implementing genuine international cooperation that respects fundamental human rights and the sovereignty of the Congolese state, instead of free trade agreements and structural adjustment plans; calls on the DRC authorities to demand the audit of their debts and the cancellation of

all illegitimate debts to foreign creditors with a view to the total elimination of debt and to meeting the basic human needs of their population;

11. Calls on the EU and its Member States to increase financial and humanitarian aid to meet the urgent needs of these populations; calls for EU and Member State aid to be provided in the form of grants rather than loans in order not to increase the debt burden; deplores the fact that many EU Member States have not achieved the 0.7 % ODA/GNI target and that some have reduced their percentage of development aid; deplores the lack of participation by some Member States in food aid programmes;
12. Urges that development aid should not be used to limit or control borders or ensure the readmission of migrants; calls for EU and Member State assistance in the DRC to be a priority in order to resolve the problems of deep inequalities, poverty, chronic malnutrition, and access to health and public services, including reproductive health care, as well as for the completion of the Sustainable Development Goals; requests, in addition, that food aid be increased and be primarily intended for the purchase of food from local farmers;
13. Reaffirms that the activities of European companies operating in third countries must fully comply with international human rights standards; calls on the Member States to ensure that undertakings falling within their national law are still obliged to respect human rights and to comply with the social, health and environmental standards imposed on them if they set up or carry out their activities in a third state; calls on the Commission and the Member States to take the necessary measures against European companies that do not comply with these standards or that do not adequately compensate victims of human rights violations that are directly or indirectly related to their responsibility; asks for the rapid implementation of the agreement reached by the Member States on 15 June 2016 on the EU regulation on conflict minerals and for work to continue at EU and UN level to extend the international legislation on this matter;
14. Calls, in particular, for the DRC to set up an independent inquiry into the social and environmental standards of European companies, particularly in the natural resources sector, and the links which these companies may have with the financing of armed groups; calls also for the opening of an international investigation in order to shed light on allegations of complicity between structural adjustment plans, financial support from international financial institutions and crimes committed in the country;
15. Opposes any attempt to outsource EU migration policies to third countries; denounces the fact that the Rabat Process, of which the DRC is a stakeholder, does not allow the root causes of migration to be addressed but simply promotes return and readmission policies; considers that these policies are contrary to the right to freedom of movement and to the right of asylum and calls, in this regard, for the immediate cessation of negotiations with the DRC in the framework of the Rabat Process;
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 African Great Lakes region, the President, Prime Minister and Parliament of the Democratic Republic of the Congo, the UN Secretary-General, the UN Human Rights Council and the ACP-EU Joint Parliamentary Assembly.