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Plenary sitting

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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 122 of the Rules of Procedure

on the situation in the RDC
(2012/2907(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the situation in the RDC
(2012/2907(RSP))**

The European Parliament,

- having regard to its previous resolutions on the Democratic Republic of Congo,
- having regard to the resolution of 27 November 2012 of the ACP-EU Joint Parliamentary Assembly on the situation of instability and insecurity in the Great Lakes Region and, in particular, in the east of the Democratic Republic of Congo
- having regard to the Cotonou Partnership Agreement signed in June 2000,
- having regard to the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966),
- having regard to Article 3 and Protocol II to the Geneva Convention of 1949, which prohibit summary executions, rape, enforced recruitment and other atrocities,
- having regard to the International Convention on the Rights of the Child of 20 November 1989, which, in particular, prohibits the involvement of children in armed conflicts,
- having regard to United Nations Security Council resolutions, particularly Resolutions 2076(2012), 2053 (2012), 1925 (2010) and 1856 (2008) on the situation in DRC
- having regard to United Nations Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1960 (2010) on women, peace and security,
- having regard to the African Union Charter on Human Rights and Peoples' Rights, which was ratified by DRC in 1982,
- having regard to the conclusions of the EU Council of Ministers of Foreign Affairs of 25 June and 19 November 2012 on the situation in the east of DRC,
- having regard to the statement of 23 June 2011 by Mrs Wallström, former Special Representative of the Secretary-General on sexual violence in conflicts,
- having regard to the statements of 7 June 2012, 12 June 2012, 10 July 2012 and 23 November 2012 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton,
- having regard to the statement on the security situation in the east of DRC of by the Heads of State and Government of the Member States of the ICGLR , 24 November 2012,
- having regard to Rule 122 of its Rules of Procedure,

A. whereas , since April 2012, elements of the Armed Forces of DRC (FARDC) have mutinied in the east of the country and whereas this mutiny quickly mutated into an armed rebellion under the name of the March 23 Movement (M23),

B. whereas 11 days after seizing it from government troops backed by UN peacekeepers, M23 has withdrawn from the key city of Goma under a regionally brokered agreement;

C. whereas on the 6th December negotiations and process of dialogue between the rebel groups and the Congolese government have started in Kampala, Uganda;

D. whereas the recent attacks carried by armed groups on the Mugunga III camp highlights the need for security at sites for internally displaced people to be prioritized, along with improved humanitarian access;

E. whereas the United Nations Group of Experts presented evidence of Rwanda backing to M23 rebels providing military support, including weapons, ammunition, training and soldiers;

F. whereas efforts of the Member States of the International Conference on the Great Lakes Region (ICGLR), the Southern Africa Development Community (SADC) and the EU have been undertaken in order to find a constructive political solution to the conflict in the east of DRC;

G. whereas the ICGLR Member States have established a joint verification mechanism to monitor troop movements in the east of DRC and have decided to deploy the neutral international force;

H. whereas the east of DRC has suffered from reiterated atrocities characterised by human rights violations and war crimes, such as mass rapes, including rapes of women and minor girls, torture and massacres of civilians and the general enrolment of child soldiers;

I. whereas recourse to sexual violence and the more widespread use of rape have enormous consequences, such as the physical and psychological destruction of the victims;

J. whereas more than 2.4 million Congolese people living in the areas affected by the fighting have been internally displaced and 420 000 have fled into neighbouring countries, and whereas they are living in inhuman conditions;

K. whereas DRC possesses an abundance of natural resources and whereas the persistent illegal exploitation of these resources helps to finance and perpetuate the conflict and remains a source of insecurity for the region as a whole;

L. whereas the repression of human rights activists and journalists in the DRC has increased and they are being arbitrarily arrested and intimidated; whereas no steps have been taken to bring those responsible to justice;

1. Expresses its strong concern about the deterioration of the general situation in the east

of DRC, which has serious political, economic, social, humanitarian and security consequences in DRC and throughout the region and calls for a constructive dialogue involving all parties;

2. Strongly condemns the attacks by M23 and all other negative forces in the east of DRC in recent months; opposes to all forms of external support to the M23;
3. Welcomes the efforts of the Member States of the ICGRL, the AU and the UN in their efforts and initiatives aimed at seeking a lasting and peaceful political solution to the crisis; Insist that a military solution will not resolve the crisis, therefore calls for a political peace process that tackle disarmament of rebels forces and the root causes of the conflict.
4. Calls for an EU position towards all the individuals that have violated the UN arms embargo on the Congo.
5. Condemns all acts of violence and all human rights violations in the east of DRC, and expresses its solidarity with the people of DRC afflicted by the war; calls on all the forces participating in the conflicts in the east of DRC to respect human rights and international humanitarian law, to cease all attacks on civilians, particularly women and children, and to afford humanitarian agencies access and protection
6. Strongly condemns the acts of sexual violence which have been committed on a massive scale in the RDC, particularly rapes of women and girls, and the recruitment of children; Urges the Government of DRC and the international community to provide all persons in need in the east of DRC with appropriate medical care, including posttraumatic and psychological support;
7. Considers it vital to conduct an impartial, in-depth investigation into all cases of human rights violations; urges that the perpetrators of human rights violations, war crimes, crimes against humanity, sexual violence against women and the conscription of child soldiers be reported, identified, prosecuted and punished in accordance with national and international criminal law;
8. Calls on RDC to set up a functioning national security Sector Reform with strong independent institutions that are accountable to the state and its people and that are able to fight and persecute crimes and corruption cases
9. Calls on the international community, and more particularly the European Union, AU and UN, to continue to do everything possible to provide more coordinated and effective aid to people in the east of DRC and contribute to efforts to respond to the humanitarian disaster;
10. Calls on the African Union and the Great lakes countries for further steps to fight illicit exploitation and trade of natural resources which is one of the reasons for the proliferation and trafficking of arms which is among the major factors fuelling and exacerbating conflicts in the Great Lakes region;

11. Supports the continuation of the MONUSCO stabilisation mission in DRC, while expressly urging it to guarantee the security and safety of Congolese civilians with greater effectiveness;
12. Calls for the DRC Parliament to create the National Human Rights Commission as outlined in the constitution, as a previous step to passing a law on the protection of victims and witnesses of human rights abuses, human rights activist and aid workers and journalists;
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 governments and parliaments of the Member States, the governments of RDC and Rwanda the institutions of the African Union, the United Nations Secretary-General, the UN Special Representative on sexual violence in armed conflicts.