



Plenary sitting

B8-0350/2016

8.3.2016

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 135 of the Rules of Procedure

on the Democratic Republic of Congo
(2016/2609(RSP))

Charles Tannock, Mark Demesmaeker, Angel Dzhambazki, Raffaele Fitto, Anna Elżbieta Fotyga, Ryszard Antoni Legutko, Ryszard Czarnecki, Tomasz Piotr Poręba, Monica Macovei, Ruža Tomašić, Arne Gericke
on behalf of the ECR Group

B8-0350/2016

**European Parliament resolution on the Democratic Republic of Congo
(2016/2609(RSP))**

The European Parliament,

- having regard to its previous resolutions on the Democratic Republic of the Congo, in particular that of 9 July 2015,
- having regard to the statement by HR/VP Federica Mogherini following the adoption of the new electoral law in the DRC of 25 January 2015,
- having regard to the statement by the spokesperson for the European External Action Service on the resignation of the head of the Electoral Commission in the DRC of 12 October 2015,
- having regard to the local declaration of the EU on the human rights situation in the DRC of 21 October 2015,
- having regard to the joint press release of 16 February 2016 by the African Union, the United Nations, the European Union and the International Organisation of la Francophonie underscoring the necessity of an inclusive political dialogue in the DRC and their commitment to support the Congolese actors towards the consolidation of democracy in the country,
- having regard to the Cotonou Partnership Agreement signed in June 2000,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas since January 2015 Congolese security and intelligence officials have clamped down on peaceful activists, political leaders, and others who oppose attempts to allow President Joseph Kabila to stay in power past his constitutionally mandated two-term limit, which ends later this year;

B. whereas plans for presidential elections, due to be held in November 2016, have been deliberately stalled and President Kabila has yet to declare publicly that he will step down at the end of his term;

C. whereas, as the election ambiguity has developed in the DRC, the government increasingly resorts to violent acts of repression, particularly against those who oppose President Kabila's efforts to stay in power, and the security forces respond to peaceful demonstrators with excessive force, including in January 2015, when more than 40 people were killed and dozens others wounded;

D. whereas in September 2015 seven senior political figures have been expelled from the

DRC's ruling coalition for signing a letter urging President Kabila to respect the constitution and not to cling to power after his term expires;

E. whereas the DRC's justice system has been compromised for political purposes to crush dissent and in some cases activists and political opponents are arbitrarily arrested without charge or on trumped up charges;

F. whereas this situation is worsened by the persistence and consolidation of impunity in the DRC;

G. whereas among those arbitrarily detained are Fred Bauma and Yves Makwambala, both of whom were arrested for participating in a workshop to encourage Congolese youth to peacefully and responsibly perform their civic duties, and who have been jailed now for 11 months, and whose release was already demanded by the European Parliament in its resolution of 9 July 2015;

H. whereas government officials have blocked free speech by shutting down media outlets, specifically targeting ones that aired messages about the protests, and text messaging services and the internet;

I. whereas leaders from Congo's main opposition parties, nongovernmental organisations, and pro-democracy youth movements called on Congolese citizens to stay home from work and school on February 16, 2016, for the ville morte (dead city) in commemoration of those killed during a pro-democracy march on February 16, 1992, and to protest the delays in organizing presidential elections and the government's alleged failure to respect the constitution;

J. whereas eight youth activists and at least 30 political opposition supporters were detained on or around February 16, 2016, in connection with this national strike, while other activists have received text message threats from unknown phone numbers and Employment Minister Willy Makiashi prohibited public employees from participating in the strike;

K. whereas the African Union, the United Nations, the European Union and the International Organisation of la Francophonie 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 urged all Congolese political actors to extend their full cooperation to Mr. Edem Kodjo, who was appointed by the African Union as Special Envoy to undertake consultations on the envisaged dialogue in the DRC;

L. whereas a broad consensus has emerged in Congolese society that a third presidential term is constitutionally impossible;

1. Stresses that Congolese people have the right to peacefully demonstrate and calls, in the run-up to the elections, on the government of the DRC to open up the political arena by upholding human rights and fundamental freedoms, in particular the freedom of expression, association and demonstration, and protecting all political actors, civil society actors, human rights defenders and journalists;

2. Calls for the immediate and unconditional release of activists and other political prisoners

and requires concrete commitments from the DCR authorities in the fight against impunity, especially through the launch of proper independent investigations on the human rights violations that took place during the election-related protests;

3. Urges President Kabila to publicly dispel rumours that he is vying to remain in office past the constitutional two-term limit and calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to intensify the dialogue with DCR authorities in the framework of Article 8 of the Cotonou Agreement, with the objective of obtaining definitive clarifications on the electoral process;

4. Recalls that the EU has to extend its full cooperation to an inclusive dialogue and search for an agreement between political actors in the DRC that is respectful of democracy and the rule of law, and to continue to coordinate its efforts in the DRC with other international actors;

5. Requires, as a condition for the EU's support to the electoral process, the implementation of the recommendations of the Electoral Observation Missions of 2011 and 2014, paying special attention to the independence guarantees of the CENI electoral commission, the revision of the electoral roll and the respect of the constitutional time-frame;

6. Calls for EU sanctions targeted on those responsible for the violent repression in the DRC, including travel bans and asset freezes;

7. 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.