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*Plenary sitting*

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**B8-0054/2018**

16.1.2018

## **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 the Congo  
(2018/2515(RSP))

**Charles Tannock, Karol Karski, Angel Dzhambazki, Monica Macovei, Urszula Krupa, Ruža Tomašić, Jan Zahradil, Jana Žitňanská, Anna Elżbieta Fotyga, Branislav Škripek, Valdemar Tomaševski, Notis Marias, Zdzisław Krasnodębski**  
on behalf of the ECR Group

**European Parliament resolution on the Democratic Republic of the Congo  
(2018/2515(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the Democratic Republic of the Congo (DRC),
  - having regard to the statements by the EU Delegation to the Democratic Republic of the Congo on the situation of human rights in the country,
  - having regard to the conclusions of the Foreign Affairs Council on 11 December 2017 on the Democratic Republic of the Congo,
  - having regard to the previous statements by the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the Commission Federica Mogherini on the situation in the DRC,
  - having regard to the political agreement reached in the DRC on 31 December 2016,
  - having regard to the report of the UN Secretary-General of 10 March 2017 on the UN Stabilisation Mission in the DRC,
  - having regard to the UN Security Council resolutions on the DRC, in particular resolution 2293 (2016) on renewing the DRC sanctions regime and the mandate of the Group of Experts, and resolution 2348 (2017) on renewing the mandate of the UN Stabilisation Mission in the DRC (MONUSCO)
  - having regard to the revised Cotonou Partnership Agreement,
  - having regard to the African Charter on 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 Rule 135 of its Rules of Procedure,
- a) whereas Joseph Kabila, current President of the Democratic Republic of the Congo, is allowed to serve a maximum of two terms as President under the Constitution of the Democratic Republic of the Congo, until the deadline of December 19, 2016;
- b) whereas in the leadup to the December 2016 deadline the DRC suffered from increasingly violent protests, repression of dissidents, political opposition and activists, and internal conflict with armed rebel groups, all of which were cited by Mr. Kabila as justifications for failing to hold presidential elections at the end of 2016;
- c) whereas in the three days (December 19-22 2016) after Mr. Kabila refused to step down at the end of his constitutionally mandated two-term limit, at least 62 people were killed by security forces employed by the Government of the DRC and hundreds more violently attacked, threatened, detained without charge and allegedly tortured;

- d) whereas the Congolese security forces' crackdown on political opposition, media and civil society groups continues to grow more severe, with at least seven people killed by security forces in the employment of the DRC during a demonstration in Kinshasa on 31 December 2017, and attacks on protestors hiding in churches and other places of safe refuge by security forces also becoming more frequent;
  - e) whereas a Catholic Church-mediated agreement signed at the end of 2016 made a clear commitment to ensuring elections would be held by the end of 2017, including an agreement that Mr. Kabila would not seek a third term, and yet progress on implementing this deal has stalled entirely with no assurance that Mr. Kabila or his government are committed to organising future elections;
  - f) whereas Mr. Kabila has historically cited numerous reasons, chiefly severe instability as a result of conflict, lack of resources, poor infrastructure, and lack of legitimate voters, as causes for delaying future presidential elections, and it is increasingly apparent that Mr. Kabila is using the deteriorating situation in the DRC as a means of retaining personal power;
  - g) whereas Human Rights Watch has reported that at least 200 members of former rebel armed groups from Uganda and Rwanda were pressed into service in support of Congolese security forces attempting to protect Mr. Kabila's authority and suppress protest movements, and allegedly ordered to use lethal force against protestors "at the slightest provocation" according to HRW observers;
  - h) whereas human rights organisations including Human Rights Watch and Amnesty International continue to report on the rapidly deteriorating situation in the DRC regarding human rights, freedoms of expression, assembly and demonstration, a notable increase in politically motivated trials, detentions and excessive force used against political activists, journalists and opposition members, in particular concerning the actions of the Congolese security forces and subcontracted non-Congolese militias operating within the DRC;
  - i) whereas the toll of instability and conflict continues to affect Congolese society at all levels, with women and children being particularly affected by the violence, particularly from the use of rape as a weapon of war and from malnutrition and lack of access to basic medical aid and sanitation;
1. remains deeply concerned by the continued deterioration of the social, political, security and humanitarian situation in the Democratic Republic of the Congo, and condemns in the strongest terms all violations of human rights committed by all perpetrators, particularly where involving killings, allegations of torture, rape and other forms of sexual violence, abductions, arbitrary arrests, detentions and intimidation;
  2. underlines that the alarming humanitarian situation within the DRC also includes displacement, food insecurity, epidemics including the Ebola virus, and natural disasters; strongly condemns historic attacks conducted on humanitarian personnel and facilities, by all perpetrators, and calls upon the Congolese authorities to ensure the safety of actors working to provide humanitarian aid and support to those in need;
  3. condemns the deliberate delay of the next presidential and legislative elections in the DRC, and reminds the current incumbent, Mr. Kabila, that such delays constitute a violation of the Congolese constitution;
  4. deplores the lack of commitment to historic agreements to hold presidential and legislative elections, and calls upon Mr. Kabila and the Government of the DRC to

commit to complying with the latest agreement on 5 November 2017 to maintaining an electoral calendar with a view to guaranteeing an election no later than 23 December 2018;

5. recalls that Mr. Kabila's government is mandated to protect civilians within its territory and subject to its jurisdiction, particularly from crimes against humanity and war crimes, and recalls that the employment of mercenary groups and armed militias historically bodes ill for civilian populations in war zones;
6. reiterates the duty of government to respect, protect and promote fundamental freedoms as a basis for a democratic society, and reminds the Congolese authorities of their duty to construct a political and social environment permissive of the free and peaceful exercise of freedom of expression, association and assembly, as well as freedom of the media;
7. calls for the immediate release of those unlawfully detained within the DRC, including members of the opposition, political activists, journalists, representatives of civil societies and prisoners of conscience;
8. utterly condemns the use of rape, sexual violence, torture, intimidation, physical assault and harassment as means of quelling civil unrest, political opposition, protests and peaceful demonstrations;
9. is alarmed by allegations of the unlawful recruitment and employment of child soldiers by Congolese-sponsored militias, which would constitute war crimes under international law; considers that ending the use of child soldiers must be a priority of the Congolese authorities and the international community;
10. Welcomes the renewal of MONUSCO's mandate and the work done by the Special Representative of the Secretary-General for the Democratic Republic of the Congo to protect civilians and uphold human rights in the electoral context; stresses that the original and current mandate, which applies to all UN troops in the country, is to 'neutralise armed groups'; calls for the entire MONUSCO force to fully intervene and protect the population from armed groups, to protect women from rape and other sexual violence, and not to allow any limitations on the basis of national command;
11. Notes with concern the risk of regional destabilisation; reiterates its support for the United Nations, the International Organisation of La Francophonie and the African Union in facilitating political dialogue; calls for an intensification of engagement in the Great Lakes region in order to prevent further destabilisation;
12. Recalls the importance of holding individuals to account for human rights abuses and other actions which undermine a consensual and peaceful solution in the DRC; supports the use of EU targeted sanctions against individuals responsible for serious human rights violations; calls for further investigations of, and sanctions to be extended against, the persons responsible, at the highest level of government, for the violence and crimes committed in the DRC and for the plunder of its natural resources, in conformity with the investigations carried out by the UN Group of Experts; stresses that the sanctions must include asset freezes and the prohibition of entering the EU;
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 Pan-African Parliament, the ACP-EU Council of Ministers and Joint Parliamentary Assembly, the Secretary-General of the UN, and the President, Prime Minister and Parliament of the Democratic Republic of the Congo.