



Plenary sitting

B8-0055/2018

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 on the Democratic Republic of the Congo
(2018/2515(RSP))

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on behalf of the S&D Group

B8-0055/2018

**European Parliament resolution on 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), notably those of 14 June 2017, 2 February 2017 and 1 December 2016,
- having regard to the statements by the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the Commission Federica Mogherini and by her Spokesperson on the situation in the DRC,
- having regard to the Resolution adopted by the UN Human Rights Council on 29 September 2017 on technical assistance and capacity-building in the field of human rights in the DRC and to the Report of the Secretary-General on the United Nations Organisation Stabilisation Mission in the DRC of October 2017,
- having regard to the UN Security Council resolution 2348 (2017) on renewing the mandate of the UN Stabilisation Mission in the DRC (MONUSCO),
- having regard to Council Decision CFSP 2017/2282 of 11 December 2017 extending until 12 December 2018 the sanctions against individuals responsible for violence and serious human rights violations in the DRC,
- having regard to the Council conclusions of 6 March 2017 on the DRC,
- having regard to the Council conclusions of 19 June 2017 on EU engagement with civil society in external relations,
- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the Cotonou Agreement,
- having regard to the African Charter on Human and Peoples' Rights of 1981,
- having regard to the Guidelines on Freedom of Association and Assembly of the African Commission on Human and Peoples' Rights of May 2017,
- having regard to the Constitution of the DRC, adopted on 18 February 2006,
- having regard to Rule 135(5) and 123(4) of its Rules of Procedure,

- A. whereas, one year after the signature of the New Year's Eve agreement, the general situation in DRC continues to deteriorate throughout the country with violent repression, killings and widespread human rights violations;
- B. whereas the UN has classified the DRC as a Level 3 emergency, the highest level;
- C. whereas the political crisis has deepened following President Kabila's refusal to step down in 2016 at the end of his constitutionally-mandated term; whereas under the Political Agreement of 31 December 2016 under the auspices of the National Episcopal Conference of Congo (CENCO), it was agreed to hold elections by December 2017; whereas this deadline was not met and the Electoral Commission has set a new date of 23 December 2018; whereas opposition parties will not agree to go beyond June 2018;
- D. whereas protests against the political situation have been met with violent resistance by government-backed forces; whereas authorities banned the demonstrations of 31 December 2017 organised by the Comité des Laics de Coordination (CLC), whereas security forces killed at least 7 people, wounded 46 people and arrest more than 140 people during the clashes;
- E. whereas the OHCHR has noted the "deliberate intention to suppress civil and political rights" by security forces, including the use of live ammunition, tear gas, rubber bullets and denying the UN access to hospitals, morgues and detention facilities;
- F. whereas armed clashes continue between the Congolese army and local militias, particularly in the Kasai provinces; whereas this has resulted in a severe humanitarian crisis including killings, torture, rape, the destruction of homes, medical facilities and schools, and the discovery of mass graves; whereas there has been no progress in bringing the perpetrators to justice;
- G. whereas since January 2017 over 1.9 million people have been displaced inside the DRC, bringing the total number of displaced people in the country to 4.25 million, mostly in the Kasai, Tanganyika and Kivu provinces; whereas the DRC is also hosting refugees fleeing Burundi, the Central African Republic and South Sudan;
- H. whereas famine is expected to affect 7.7 million Congolese and the country is suffering a national cholera epidemic;
- I. whereas in March 2017 the MONUSCO mission had its troop numbers reduced, and in June its budget was cut by 8%;
- J. whereas the authorities in the DRC have undertaken systematic harassment against civil society organisations and human rights defenders including Lutte pour le Changement (Lucha), Filimbi, the Catholic church and the Comité Laïc de

Coordination (CLC); whereas since 2016 over 200 activists and opposition supporters have been arrested and detained, often with no communication or access to a lawyer; whereas eight human rights defenders affiliated with Filimbi were arrested and detained without a warrant on 23 and 30 December 2017, whereas eleven Lucha members were arrested on 29 December 2017 while organising a sit-in in Kananga, and ten of them are still detained; whereas nearly 40 journalists were detained in 2017;

- K. whereas three Bills announced in the Congolese National Assembly – on the regulation of Non-Governmental Organisations (NGOs), Human Right Defenders (HRDs) and Counter-Terrorism are in their current forms in conflict with regional and international human rights standards and pose an unprecedented threat to the independent operation of civil society in Congo;
- L. whereas the EU extended to December 2018 the restrictive measures against individuals for the obstruction of the electoral process and human rights violations;
1. Reiterates its deep concern at the worsening humanitarian, political and security situation in the DRC; strongly condemns all human rights violations and acts of violence, in particular against peaceful demonstrators, including the ban on peaceful public demonstrations and policies of intimidating, arresting and detaining any dissident voices, calls on the Congolese authorities to proceed with the immediate and unconditional release of all prisoners of conscience and to carry out an independent investigation on the violent repression of the demonstrations of December 2017;
 2. Recalls that the Government of the DRC bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes;
 3. Expresses extreme concern at the evidence from human rights organisations, in particular the December 2017 inquiry report of the FIDH on the Massacres in Kasai expressing that a “deliberate strategy of terror and destruction, which led to crimes against humanity” is being perpetrated by the Congolese security forces and government-backed militias in the Kasai province; urges the International Criminal Court (ICC) and the UN to investigate these claims;
 4. calls upon the EU to extend the existing EU targeted sanctions to new individuals responsible for serious human rights violations;
 5. Strongly regrets that elections were not held by the 2017 deadline; insists that transparent, free and fair presidential and legislative elections are held as soon as possible in 2018 under the auspices of the Independent National Electoral Commission and call on the EU to condition any election funding upon the realisation by the Congolese Government of concrete measures showing demonstrable political will to organise elections in 2018 including in particular the publication of a realistic electoral budget as well as the guarantee of all fundamental rights and freedoms for all political parties and civil society organisations; further asks the CENI and government

of the DRC to introduce quarterly deadlines for the electoral timetable in order to monitor progress and as a demonstrable sign of the commitment of the government to holding elections recalls that only credible elections can be a way out of the current crisis ;

6. Strongly condemns all forms of harassment and threats against the civil society and the NGOs, is particularly concerned about the latest death threat against Paul Nsapu, deputy general secretary of the FIDH and President of the “Ligue des électeurs in DRC”; expresses solidarity with the peaceful protests and urges the DRC authorities and security forces to fully respect the requirements set out in the Cotonou Agreement as well as in the New Year’s Eve Agreement, in particular the right of individuals to exercise freedom of expression, assembly and demonstration;
7. Denounces the Congolese Bills on the regulation of NGOs, Human Right Defenders (HRDs) and Counter-Terrorism; urges Congolese authorities to fully respect legislative due process and bring the Bills in alignment with international and regional standards for the protection and promotion of human rights;
8. Urges the EU, its Member States and the international community to increase support and protection to human rights defenders including through the use of urgent grants under the EIDHR emergency fund for human rights defenders at risk; calls on the DRC authorities to investigate and bring to justice those who attack human rights defenders and repress democratic protests;
9. Welcomes the announcement by the UN Secretary-General of an investigation into the attack on MONUSCO troops by the Allied Democratic Forces militia on 7 December 2017, which left 15 peacekeepers dead in the North Kivu province;
10. Urges the UN to investigate claims from human rights organisations that during the December 2016 protests the DRC security forces mobilised former rebel fighters from military and refugee camps in Uganda and Rwanda to counter citizen protests in the DRC;
11. Calls for a larger deployment of MONUSCO civilian and military assets including aviation and drones, to prevent further loss of life; recalls the mandate of MONUSCO to contribute to the protection of civilians and support the implementation of the political agreement;
12. Urges the EU and its Member States to put human rights values before their economic interest and reiterates the importance of holding individuals to account for human rights abuses and other actions which undermine a peaceful solution to the DRC conflict; welcome in this regard the use of EU targeted sanctions and call on the EU to consider employing additional means as provided in the Cotonou Agreement if the situation continues to be deteriorated and that no significant progress towards a peaceful solution are made;

13. Calls on the EU to suspend all cooperation programs with the security forces and authorities in DRC, in particular the building capacity program of judicial system (REJUSCO) and calls to reorient the funds to humanitarian assistance;
14. Expresses alarm at the escalating cholera epidemic and calls for increased humanitarian aid to tackle the outbreak;
15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the ACP-EU Council of Ministers and Joint Parliamentary Assembly, the African Union, the Pan-African Parliament, and the President, Prime Minister and Parliament of the Democratic Republic of the Congo.