



Plenary sitting

B8-0058/2018

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 situation in the Democratic Republic of Congo
(2018/2515(RSP))

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on behalf of the ALDE Group

B8-0058/2018

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

The European Parliament,

- having regard to its previous resolutions, in particular those on the Democratic Republic of the Congo (DRC) of 23 June 2016¹, 1 December 2016², 2 February 2017³ and 12 June 2017,
- 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 on 3 January 2018,
- 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 political agreement reached in the DRC on 31 December 2016,
- 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,
- having regard to the Statement of the High Commissioner to the Interactive dialogue on the Democratic Republic of the Congo, 35th session of the Human Rights Council on 20 June 2017;
- having regard to the Council conclusions of 17 October 2016, 6 March 2017 and 11 December 2017 on the DRC,
- having regard to the Joint Declaration of the African Union -European Union Summit in Abidjan on 30 November 2017,
- 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 note by the UN Secretary General of 30 June 2017 on the approved resources for peacekeeping operations for the period from 1 July 2017 to 30 June 2018,
- 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),

¹ Texts adopted, P8_TA(2016)0290.

² Texts adopted, P8_TA(2016)0479.

³ Texts adopted, P8_TA(2017)0017.

- having regard to the joint statement on the DRC by the African Union, the United Nations, the European Union and the International Organisation of La Francophonie of 16 February 2017,
 - 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 the the Democratic Republic of Congo is historically a vast country with immense economic resources as the main base of the civil war made of multiple conflicts, affecting several parts of the country with widespread civilian suffering the result; whereas political violence and government repression intensified as President Joseph Kabila clung to power beyond his constitutionally mandated two-term limit which ended on 19 December 2016, despite widespread opposition and international condemnation;
- B. whereas pro-government and opposition groups agreed on 31 December 2016 to a deal mediated by the Catholic Church that sought to avert a full-fledged crisis;; whereas one year after this agreement was signed elections failed to be held and the situation in the country has evolved; whereas the political space shrinks, President Kabila continues to cling to power by subterfuge and unconstitutional methods and security forces commit more and more human rights violations;
- C. whereas the year 2017 has been one of the most violent years in DRC's recent history, with ongoing conflict in the Kivu region, renewed fighting in Tanganyika and a brutal conflict in Kasai region with accusation of atrocities committed, mass graves and videos showing alleged killings, including the killing of two UN Group of Experts members; whereas the wave of violence that began in August 2016 with the killing of traditional local chief has transformed the Greater Kasai region of DRC in one of the most serious humanitarian crisis in the world;
- D. whereas the number of Congolese forced to flee from their homes has reached 3.9 million, the highest number of internally displaced people in Africa; whereas in July 2017, the EU released €5 million in emergency aid for the victims of violence in DRC's Kasai region ; whereas this large scale displacement caused by the armed conflict has pulled the international focus away from the political situation
- E. ; whereas nevertheless the opposition groups have continued to organize protests throughout the country of which the most notable occurred on 3 April 2017 in Kinshasa, Goma, Kananga, Mbuji-Mayi and Lubumbashi and on 10 April in at least 10 cities a government ban;

- F. whereas in late 2017 polls were reportedly pushed back to December 2018 by the electoral commission and the delay generated a wave of anger across the country; whereas opposition parties, civil society, youth movements and about 150 Catholic churches in the country planned peaceful demonstrations on 31 December 2017; whereas the governor of Kinshasa had said he would not grant permission for street demonstrations in the city and the security forces set up checkpoints across Kinshasa and the government issued an order to shut down text messaging and internet services;
- G. whereas despite appeals notably from the UN to respect people's right to protest, a violent repression was conducted by the government's security forces using excessive force against their own citizens, using live ammunition against protesters resulting in the deaths of at least seven people and launching tear gas inside churches, and arresting civilians – including altar boys dressed in their liturgical robes;
- H. whereas Congolese security forces denied the UN Human Rights Office access to morgues, hospitals, and detention centers as they attempted to determine the extent of the violence;
- I. whereas authorities in the Democratic Republic of Congo have undertaken systematic targeted action of harassment and arrests against youth-led civil society movements, activists and human rights defenders;
- J. Whereas in the Congolese National Assembly three controversial bills dealing with the regulation of NGOs, Human Right Defenders (HRDs) and Counter-Terrorism are currently under consideration; Whereas these laws would threaten the independence of civil society;
- K. whereas the MONUSCO, the largest and most costly peacekeeping mission is operating and trying to keep peace in the country; whereas at least fifteen UN peacekeepers were killed and dozens wounded on 7 December 2017 in Semuliki in the east of the country in the deadliest attacks ever on the UN peacekeeping forces in Africa;
1. condemns the violent repression by the national security forces of the demonstrations organized by civil society on December 31; reminds the Congolese authorities that their duty is to protect their citizens and not to repress them, to promote fundamental freedoms as a basis for democracy and to restrain them;
 2. reiterates its call for the opening of an independent and comprehensive committee of inquiry, including UN experts, in order to shed light on all the violence in the country, **including the violent repression of demonstrations**; requires Congolese authorities to carry out the necessary cooperation in the investigations to establish who is responsible for the human rights violations and bring to justice the perpetrators;
 3. calls on President Kabila to hold his security forces accountable, respect the human rights of his citizens, and follow through with his commitment to step down after credible elections in December 2018, in accordance with the political

agreement of 31 December 2016 and the DRC constitution in order to achieve a peaceful transfer of power to democratically elected authorities ;

4. underlines that no credible electoral process can take place in a climate of harassment and repression; remains deeply concerned at the continuous restriction and violation of freedom of expression ahead of elections due to be held; regrets once more time the stalling tactic used by the government to further delay the polls;
5. Reiterates that DRC authorities must end all harassment, intimidation and arbitrary detention of human rights defenders and civil society activists, and enable them to carry out their legitimate work free of restriction and fear;
6. stresses that it is fundamental for the credibility of the Independent National Electoral Commission that the last date of 23 December 2018 for the elections is respected; stresses that any election funding should be strictly conditioned on clear political will of the Congolese authorities to organise elections in 2018, including a credible reassessment of financial and logistical needs and benchmarks by the National Electoral Commission (CENI) under the auspices of the international coordinated team of experts, as well as on the restoration of civic and democratic space.
7. demands the full respect of the Cotonou Agreement by the Congolese Government; underlines that if the situation worsens further and no significant progress is made, the EU should use other means of exerting pressure and communicate its' willingness to trigger the mechanisms for a stronger political dialogue as laid out in Article 8 of the Cotonou agreement;
8. Emphasises that the European Union and its Member States must continue to invest in providing support and protection to human rights defenders, as key actors in sustainable development, including by means of urgent grants under the EIDHR emergency fund for human rights defenders at risk, and to fully implement the EU Guidelines on Human Rights Defenders in the DRC and around the world;
9. Welcomes the decision of the Belgian government to review its relations with DRC and to reallocate the funds directly to humanitarian and other initiatives contributing to the needs of the Congolese population;
10. welcomes the extension by the Council of the EU of its sanctions against the DRC until 12 December 2018; stresses however the importance of renewing the existing sanctions and extending them to new individuals, key senior security forces officers, political figures and influential officials, closer to the inner circle of President Kabila, responsible for serious human rights violations;
11. reiterates its deep concern about the alarming humanitarian situation in the DRC, including displacement, food insecurity, epidemics and natural disasters; expresses its full solidarity with the victims of the floods and cholera in Kinshasa; urges the EU and its Member States to increase financial and humanitarian aid through reliable organisations, in order to meet the urgent needs of the population, particularly after the recent floods and epidemic; requests the

Congolese authorities to ensure the smooth and timely delivery of aid to the population by humanitarian organisations;

12. fully supports the special investigation of the UN into attacks on peacekeepers on 7 December 2017 and welcomes the appointment veteran UN peacekeeping official Dmitry Titov to lead the special investigation ;
13. expresses its concerns about the latest UN troop and budget cuts; calls on the UN Security Council and Member States to Ensure that MONUSCO receives adequate funding to carry out the tasks outlined in its mandate and that any reduction in MONUSCO's troop or funding levels is based on improvements in the security situation;
14. denounces the three future Bills threatening the independence of civil society and urges the Congolese authorities to bring them in alignment with international and regional human rights standards;
15. instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission / High Representative of the European 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.