



Plenary sitting

B8-0060/2018

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

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on behalf of the PPE Group

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

The European Parliament,

- having regard to its previous resolutions on the DRC, including those of 9 July 2015¹, 10 March 2016², 1 December 2016³, 2 February 2017⁴ and 14 June 2017⁵,
- having regard to the Council conclusions of 23 May and 17 October 2016, and 6 March and 11 December 2017 on the DRC,
- having regard to the Statement of 9 December 2017 by the EEAS Spokesperson on the attack on MONUSCO in the DRC,
- having regard to the UN Security Council Press Statement of 28 November 2017 on Electoral Process in DRC,
- having regard to the Statement of 9 November 2017 by the EEAS Spokesperson on the publication of the election timetable of the Democratic Republic of Congo,
- having regard to the Final report of the UN Group of Experts on the DRC, issued on 10 August 2017,
- having regard to the UN Security Council resolutions 1533 (2004) and 2293(2016) on the UN Security Sanctions Committee concerning the Democratic Republic of Congo, and related resolutions on arms embargo and other targeted sanctions; and the Statement by the President of the UN Security Council of 26 July 2017,
- having regard to Action Plan on Human Rights and Democracy 2015-2019, adopted by the Council on 20 July 2015,
- having regard to the EU guidelines, among others, on: Human Rights Defenders; Human Rights Dialogues with third countries; Promotion and Protection of the Rights of the Child; Freedom of Expression Online and Offline; Freedom of Religion or Believe,
- having regard to the Universal Declaration of Human Rights (UDHR) of 1948,

¹ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0278+0+DOC+XML+V0//EN>

² <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2016-0085&language=EN&ring=P8-RC-2016-0342>

³ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2016-0479&language=EN>

⁴ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2017-0017&language=EN&ring=P8-RC-2017-0120>

⁵ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2017-0264+0+DOC+PDF+V0//EN>

- having regard to the International Covenant on Civil and Political Rights of 1966 (ICCPR), and to the International Covenant on Economic, Social and Cultural Rights of 1966 (ICESCR), and their additional protocols,
 - having regard to the UN Convention on the Rights of the Child of 1989,
 - having regard to the African Charter of 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 Congo,
 - having regard to the Cotonou Agreement,
 - having regard to Rules 135 of its Rules of Procedure,
- A. Whereas President Kabila’s constitutional mandate ended on 19 December 2016 and he has since been using tactics to delay the election to remain in power, thus aggravating political violence and unrest in the country;
- B. Whereas on 31 December 2016, under the auspices of the Catholic Bishops’ Conference of Congo (CENCO), an inclusive agreement (“Saint-Sylvestre Accord”) on transition was reached allowing President Kabila to remain in power under the condition that elections are held by the end of 2017; whereas however, the Congolese government has shown no will to implement the agreement and the deadline has now passed with no elections and President Kabila still holding to power;
- C. Whereas the Council conclusions on DRC of 6 March 2017 stated that the ‘EU reiterates its full support for the mediation role played by the Catholic Bishops’ Conference (CENCO), whose moral leadership, impartiality and legitimacy are indispensable for the success of the process and are recognised by all Congolese actors. It supports the recommendations in the message from CENCO’s plenary assembly of 22 February 2017, and calls on the region and the international community to maintain their commitment to working alongside CENCO’;
- D. Whereas on 5 November 2017, the Independent National Electoral Commission (CENI) announced a new electoral calendar rescheduling elections for 23 December 2018; whereas this calendar was immediately rejected by opposition groups, including leading opposition figure Moïse Katumbi who called on the resignation of President Kabila, the setting up of a transitional administration and the holding of elections in January 2018;
- E. Whereas on 31 December 2017, anniversary date of the Saint-Sylvestre Accord, the Catholic Church committee in the DRC, supported by opposition groups and civil society organisations, called for peaceful protests against President Kabila; whereas

these protests were violently cracked down by security forces who reportedly killed a dozen people and arrested 120 protesters;

whereas security forces brutally repressed and attacked 134 Catholic parishes, disrupting masses, arresting 6 priests and 12 altar boys, firing tear gas in Churches and intimidating and mistreating faithful, and looting their belongings;

- F. Whereas the government's response to protests has been widely condemned by human rights observers, as well as local and international actors, including religious leaders who denounced the "barbarism" of the Congolese authorities;
- G. Whereas civil space is shrinking dramatically; whereas authorities have undertaken systematic targeted action of harassment and arrests against other human rights defenders, particularly members of the civil society human rights movements LUCHA and Filimbi; whereas Catholic and other Christian clerics and laypersons (including children and women) are under threat by the DCR government and violent groups and militias because of their commitment to the democratic process and respect of the rule of law, and they are subject to harassment, violence and even murdered in systematic and targeted actions;
- H. Whereas according to human rights groups, at least 350 opposition members and activists were jailed in 2017, many of them being detained without charge or trumped-up charges, and allegedly suffering ill-treatment and torture while in detention;
- I. Whereas the government has shut down several media outlets and arrested nearly 40 journalists last year, and access to internet and social media is repeatedly restricted;
- J. Whereas the security situation in the country remains dire; whereas widespread human rights violations and crimes against humanity continue to be reported in the eastern part of the country, including massacres of civilians, torture and sexual and gender-based violence; whereas nearly 90 mass graves were found in the Kasai region;
- K. Whereas the situation in the DRC is one of the largest humanitarian crisis in the world; whereas 5,9 million people are food insecure; whereas the ongoing conflict and military operations have caused important forced displacements with approximately 3,7 million internally displaced people, including 1,3 million in the Kasai region only;
- L. whereas abductions and attacks on aid workers peacekeeping forces are increasing, thus forcing humanitarian organisations to delay the delivery of aid and suspend their activities; whereas most recently, an attack on the MONUSCO in North Kivu killed 14 Tanzanian peacekeepers and 5 Congolese soldiers, and wounded many civilians and military personnel;
- M. Whereas both the EU and the US have adopted sanctions against the DRC; whereas the EU adopted restrictive measures against sixteen senior officials, including current

Interior Minister, in response to the obstruction of the electoral process and human rights violations; whereas on 12 December 2017, the Council extended the sanctions for one year;

1. Remains deeply concerned at the deterioration of the political, security and humanitarian situation in the DRC;
2. Deplores that the agreement reached in December 2016 has failed, mainly due to the lack of political will of the President and his government, and that democracy and constitutional order have not been restored;
3. Recalls the responsibility of the Congolese authorities and institutions to effectively implement the new electoral calendar, in accordance with the Congolese Constitution and the Saint-Sylvestre Accord, in a timely, inclusive and transparent manner, and to accelerate electoral preparations in order to guarantee that elections are held by the end of this year;
4. Reiterates its doubts as to the effective role of the CENI, upon which the legitimacy of the electoral process depends; recalls that the CENI must be an independent, impartial and inclusive institution and calls on the government to ensure that sufficient resources are provided to allow a comprehensive and transparent electoral process;
5. Supports the role played by the Catholic Bishops' Conference of Congo (CENCO), whose moral leadership, impartiality and legitimacy are indispensable for the success of the process of political transition and the recommendations in the message from CENCO's plenary assembly of 22 February 2017, and calls on the region and the international community to maintain their commitment to working alongside CENCO;
6. Calls on all political stakeholders to make every possible effort to refrain from violence and actively contribute to creating a conducive and peaceful environment for the electoral period;
7. Recalls that the Government of the DRC bears the primary responsibility to protect civilians and to respect, protect and promote fundamental freedoms as a basis for democracy; recalls that freedom of expression, association and assembly is the basis of a democratic society and that any use of force against peaceful demonstrators should be prohibited in all circumstances;
8. Strongly condemns, therefore, the violent repression and the resulting deaths that occurred on 31 December 2017 and urges the Congolese authorities to conduct a thorough, impartial and transparent investigation into these events in order to hold those responsible to account;
9. Further urges the Congolese authorities to put an end to all acts of harassment, intimidation and violence towards opposition leaders, civil society representatives,

human rights activists defenders and journalists, the Catholic Church and her clerics and faithful, as well as members of other Churches, and to immediately release all political prisoners;

10. Deplores that the security situation remains extremely fragile in the eastern part of the country; condemns all human rights violations and abuses perpetrated against civilians; reminds the government of its responsibility to guarantee human rights, protect civilians, fight impunity, and restore state authority; reiterates its call for a full, thorough and transparent investigation into the massive and widespread violations of human rights and international humanitarian law that take place across the country;
11. Reiterates its deep concern regarding the alarming humanitarian situation in the DRC; calls for the EU and its Member States to continue their assistance to the people of the DRC; condemns all attacks conducted on humanitarian personnel and facilities;
12. Strongly believes that credible, transparent and peaceful elections are essential for the stability of the DRC and the region as a whole; in this context, welcomes the creation of a coordinated team of experts together with the African Union, the OIF, the SADC and the UN in charge of supporting the implementation of the electoral process and facilitate the mobilization of financial, logistical and technical assistance to the DRC;
13. Considers that the EU and Member States' financial support to the Congolese electoral process should be conditioned to its credibility and transparency;
14. Welcomes the extension of the EU targeted sanctions on those responsible for human rights violations and for undermining the democratic process in the DRC; calls on the Council to consider extending restrictive measures in the event of further violence;
15. Calls on the EU Delegation to continue to closely monitor developments in the DRC and to use all appropriate tools and instruments to support and protect human rights defenders and pro-democracy movements; calls on all relevant EU services to apply and effectively implement the existing EU Guidelines, including the Guidelines on the promotion and protection of freedom of religion or belief;
16. Reiterates its support to the African Union, as a facilitator for political dialogue in the DRC and the whole region;
17. Recalls that peace and security are preconditions for a successful election and a stable political environment; reiterates, therefore, its support to the mandate of the MONUSCO and to its renewal;
18. 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.