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23 January 2003

B5-0053/2003 }
B5-0059/2003 }
B5-0061/2003 }

RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 37(4) of the Rules of Procedure by

- Nirj Deva and Thierry Cornillet on behalf of the PPE-DE Group
- Francisca Sauquillo Pérez del Arco, Marie-Arlette Carlotti, Miguel Angel Martínez Martínez, Karin Junker and Glenys Kinnock on behalf of the PSE Group
- Didier Rod, Paul A.A.J.G. Lannoye, Nelly Maes and Bart Staes on behalf of the Verts/ALE Group
- Joaquim Miranda and Yasmine Boudjenah on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PPE-DE (B5-0053/2003),
- PSE (B5-0059/2003),
- Verts/ALE (B5-0061/2003),

on the illegal exploitation of the wealth of the Democratic Republic of the Congo

European Parliament resolution on the illegal exploitation of the wealth of the Democratic Republic of the Congo

The European Parliament,

- having regard to the second report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (DRC) submitted to the UN Security Council on 21 October 2002,
 - having regard to Article 21(2) of the African Charter of Human and Peoples' Rights which lays down that 'in case of spoliation, the dispossessed people shall have the right to the lawful recovery of its property ...',
 - having regard to EU accession to the Kimberley Process Certification Scheme for the international trade in rough diamonds,
 - having regard to the OECD's Guidelines for Multinational Enterprises,
- A. whereas the UN final report on the illegal exploitation of the DRC's natural resources provides detailed evidence of the widespread diversion of State funds through the plundering of natural resources and of other related criminal activities,
- B. whereas the report shows that the withdrawal of foreign armies has coincided with the development of so-called military, political and business 'elite networks' cooperating to divert public revenues and to engage in various criminal activities,
- C. whereas the issue of access to and control of key mineral resources such as diamonds, copper, cobalt, coltan and gold is one of the main causes of the civil war in the DRC,
- D. whereas some of the products resulting from the illegal exploitation of natural resources in the DRC find their way to EU Member States,
- E. whereas, since responsibility lies partly with a number of private companies in the EU, especially Belgian, German, British and French, as well as companies from Asia and the US, the UN report recommends sanctions against those companies,
- F. having regard to the serious threats to the ecosystem and, in particular, to the illegal logging of the equatorial forest in the DRC,
- G. whereas most of the national parks, in which poaching, deforestation and the illegal mining of gold and coltan are rife, lie in the eastern part of the DRC,
- H. concerned at the summary execution of illegal miners in the diamond mines administered by the DRC Government through MIBA,
- I. whereas the remarkable mineral resources of the DRC have always been internationally coveted, while the great majority of the inhabitants have never benefited from the

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PE 326.582}

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exploitation of these resources and are currently poverty-stricken (against a background of rising prices, unemployment, deterioration of infrastructure, etc.),

1. Condemns the illegal exploitation of the DRC's natural resources by its neighbours and by private international companies, and calls for concrete steps to end this state of affairs;
2. Expresses its grave concern at the findings of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo and reiterates its condemnation of all such exploitation;
3. Calls on the EU Member States, and in particular on the Belgian, German, French and British Governments, to initiate proceedings against those identified in the UN report as being suspected of involvement in the pillage of the DRC;
4. Calls on the International Criminal Court, under powers now vested in it, to investigate acts of genocide and crimes against humanity committed in Africa and elsewhere, where such acts were perpetrated to illegally secure natural resources, such as conflict diamonds and timber;
5. Calls on EU governments to respect and uphold the principles of the OECD Guidelines for Multinational Enterprises, with particular regard to the principles of integrity and transparency and the non-acceptance of double standards in these areas;
6. Calls on the UN Security Council, in line with the recommendations of its rapporteurs, to impose sanctions (travel restrictions, freezing of assets and prohibition on the holding of bank accounts) on those persons and companies whose participation in the pillage of the DRC's resources has been proven;
7. Calls on the Commission to propose to the Council a binding legal framework for the responsibility of private companies from the EU operating in third countries, with a view to combating the illegal exploitation of those countries' resources;
8. Calls, with a view to compliance with the principle of good governance, for those persons found guilty of pillaging the resources of the DRC to be dismissed from their posts and to be excluded from office during the transitional period which will precede the establishment of democracy;
9. Calls on the Council, in the context of the Cotonou Agreement, to urge the African transit countries to take action to discourage the pillaging of natural resources;
10. Welcomes the EU's accession to the Kimberley Process Certification Scheme for the international trade in rough diamonds, calls on all States involved in this trade to join the Scheme and calls for independent monitoring of compliance with the guidelines concerning the trade in diamonds which came into force at the beginning of 2003;
11. Calls for an EU initiative aimed at increased coordination and information-sharing between national police forces as regards alleged European perpetrators of illegal exploitation of natural resources in the DRC;

12. Recommends that Member States actively support the efforts being made by intergovernmental and non-governmental organisations at both international and regional levels to halt illegal logging and to agree on an international definition of ‘conflict timber’;
13. Calls for the creation, under the aegis of MONUC, of an ongoing mechanism to monitor the illegal exploitation of the DRC's natural resources, including those in the territories controlled by the rebels;
14. Calls for an embargo on arms and munitions exports to the countries involved in the conflict in the DRC;
15. Hopes that the agreement on power-sharing during the period of transition to democracy will help to put an end to the pillaging of the wealth of the DRC and that it will be implemented as soon as possible;
16. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the UN Secretary-General, the Democratic Republic of the Congo and the countries of the region.