

P6_TA(2008)0563

Response of the European Union to the deteriorating situation in the east of the Democratic Republic of Congo

European Parliament resolution of 20 November 2008 on the EU response to the deteriorating situation in the east of the Democratic Republic of Congo

The European Parliament,

- having regard to the Conclusions of the Council of the European Union on the situation in the Democratic Republic of Congo (DRC) of 11 November 2008,
- having regard to its resolution of 23 October 2008 on the Democratic Republic of Congo: clashes in the eastern border areas of the DRC¹,
- having regard to its resolution of 21 February 2008 on North Kivu²,
- having regard to its resolution of 17 January 2008 on the situation in the Democratic Republic of Congo and rape as a war crime³ and its previous resolutions on violations of human rights in the DRC,
- having regard to its resolution of 15 November 2007 on the European Union's response to situations of fragility in developing countries⁴,
- having regard to the resolution of the ACP-EU Joint Parliamentary Assembly of 22 November 2007 on the situation in the DRC, particularly in the east of the country, and its impact on the region,
- having regard to the Commission communication of 25 October 2007 entitled “Towards an EU response to situations of fragility – engaging in difficult environments for sustainable development, stability and peace” (COM(2007)0643) and the Commission staff working document annexed thereto (SEC(2007)1417),
- having regard to Resolution 60/1 of the United Nations General Assembly of 24 October 2005 on the 2005 World Summit Outcome, and in particular paragraphs 138 to 140 on the responsibility to protect populations,
- having regard to the conclusions of the Southern African Development Community summit, which stated that it was prepared to send peace-keeping troops to North Kivu “if necessary”,
- having regard to the Council statement of 10 October 2008 on the situation in the eastern part of the DRC,

¹ Texts Adopted, P6_TA(2008)0526.

² Texts Adopted, P6_TA(2008)0072.

³ Texts Adopted, P6_TA(2008)0022.

⁴ OJ C 282 E, 6.11.2008, p. 460.

- having regard to the report of the mission by its Committee on Development to North Kivu in 2008,
 - having regard to the European Consensus on Humanitarian Aid signed on 18 December 2007,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the fighting between the DRC army, the Mai Mai militia, the rebel troops (National Congress for the Defence of the People (CNDP)) of ousted General Laurent Nkunda and the fighters of the Democratic Forces for the Liberation of Rwanda (FDLR) as well as troops of Uganda's Lord's Resistance Army has been escalating and continues to cause tremendous hardship to the civilian populations of North Kivu,
- B. whereas on Sunday, 16 November 2008, the UN envoy, former Nigerian President Olusegun Obasanjo, met with the rebel leader Laurent Nkunda and reached an agreement with him on the creation of a tripartite committee to monitor a ceasefire between the army and the rebels, and whereas there is an urgent need for support from the powers which are partners of the countries involved, with a view to ensuring a solution,
- C. whereas intense international diplomatic efforts involving regional and European facilitators are under way, with the aim of preventing the fighting in North Kivu from escalating into a repeat of the wider 1998-2003 Congo war, which involved six neighbouring states; whereas a regional summit on the crisis in the east of the DRC was organised on 7 November 2008 in Nairobi,
- D. whereas since the beginning of the violence millions of people have been killed and displaced and whereas an estimated 250 000 have been displaced since the resumption of fighting in the DRC by General Laurent Nkunda in August 2008, causing a humanitarian catastrophe in the east of the country,
- E. whereas in spite of its mandate by virtue of Chapter VII of the United Nations Charter, authorising the use of all necessary means to discourage all attempts to use force, and to protect civilians, the United Nations Mission in the DRC (MONUC):
- has not had the necessary means to protect civilians since the recent resumption of fighting in the east of the DRC and to disarm and repatriate the Hutu fighters from Rwanda who are present on DRC territory,
 - has been forced to wait for the green light from India and Pakistan to send Indian and Pakistani soldiers into combat, contrary to the provisions of the mandate on the basis of which MONUC has been deployed in the DRC,
 - did not intervene to stop the massacre of more than 200 people which took place on 5 November 2008 in Kiwanja despite the fact that one of its military bases is located there,
- F. whereas the UN Security Council discussed the situation in eastern DRC once again on 11 November 2008 without agreeing to reinforce MONUC with an additional 3 000 troops as requested by MONUC,
- G. whereas only 6 000 MONUC soldiers are deployed in North Kivu out of a total of 17 000

soldiers present on DRC territory,

- H. whereas the member states of the UN Security Council – which includes Belgium, France, Italy and the United Kingdom – have always refused to give MONUC supplementary means to fulfil its mission; whereas the Council of the European Union is calling for enhanced cooperation between the EU, its Member States and MONUC,
- I. whereas following the initiative of European Commissioner Louis Michel, a regional summit took place in Nairobi, during which the Presidents of the DRC, Joseph Kabila, and of Rwanda, Paul Kagame, agreed to implement immediately all the agreements made in the past, with a view to ensuring peace and sustainable political stability,
- J. whereas, however, that meeting has not been followed by any immediate ceasefire in the east of the DRC, and violent fighting has continued between parties to the conflict, which has severely affected the civilian population,
- K. whereas MONUC has clearly established that Laurent Nkunda's fighters are receiving support from Rwanda, and the United Nations Secretary-General Ban Ki-moon has called on African leaders to assume their "historical responsibility at this critical moment for the region, for Africa and for the world",
- L. whereas humanitarian organisations are currently responsible for 200 000 refugees in the camps around the town of Goma and estimate that there may be as many as 1 million civilians hiding in the bush in order to escape the violence; whereas the situation in the refugee camps is deteriorating from day to day and the UN High Commissioner for Refugees expresses fears of possible militarisation of refugee camps,
- M. whereas the recruitment of child soldiers in the east of the DRC has increased significantly since the escalation of the conflict,
- N. whereas it appears that DRC troops and fighters belonging to the FDLR are both involved in the exploitation and sale of minerals in the east of the DRC,
- O. whereas the plan to end the crisis in the east of the country, established by DRC parliamentarians, calls for a general mobilisation in favour of military, political and diplomatic dialogue between the parties involved in the conflict,
- P. whereas the Ministers of Foreign Affairs of France and of the United Kingdom, Bernard Kouchner and David Miliband, recommended strengthening MONUC rather than sending a European force to North Kivu but at the same time affirmed that the possibility of sending a European force was not excluded if it became necessary,
- Q. whereas the epidemics in North Kivu are worsening, with cholera, measles and whooping cough spreading as huge numbers of displaced people are being lodged in temporary sites,
 - 1. Is extremely concerned at the increase in clashes in North Kivu and the consequences for the population of the east of the DRC and the region as a whole, particularly the humanitarian consequences resulting from the recent offensive by the CNDP, which has displaced and killed large numbers of people in North Kivu;
 - 2. Expresses its deep outrage at the massacres, crimes against humanity and acts of sexual

violence against women and girls in the eastern provinces of the DRC, and calls on all relevant national and international authorities systematically to bring the perpetrators to justice; calls on the UN Security Council, as a matter of urgency, to take all measures capable of genuinely preventing any further attacks on the civilian population of the eastern provinces of the DRC;

3. Welcomes the decisions taken by the Commission and the Member States to increase humanitarian aid to the civilian population affected by this crisis; draws attention to the difficulties faced by the humanitarian organisations in delivering humanitarian assistance thanks to the security situation in North Kivu; calls on all parties to guarantee access to vulnerable communities and to ensure the safety of aid workers so that the humanitarian presence can continue; recalls that military means and capacities should be used to back up humanitarian aid operations only in very specific circumstances and as a last resort;
4. Reiterates its firm belief that the Amani and Nairobi processes are still the appropriate framework for stabilising the situation in the east of the DRC in the long term;
5. Urges Laurent Nkunda to respect his own declaration supporting the peace process for the east of the DRC, made after talks with the Special Envoy of the Secretary-General of the United Nations and the former President of the Republic of Nigeria, Olusegun Obasanjo; calls in this regard on the CNDP to rejoin the Amani peace process without delay; reaffirms its support for the DRC authorities in the search for a political solution to the crisis; welcomes the plan put forward by the DRC parliamentarians, which calls for a general mobilisation in favour of military, political and diplomatic dialogue;
6. Considers that an international conference on the Great Lakes should be convened to find a viable political solution to the conflict and promote sound regional economic integration, which will benefit all countries of the region;
7. Stresses the need for further efforts to put an end to the activity of foreign armed groups in the east of the DRC, in particular the FDLR; calls on the governments of the DRC and of other countries in the region to take the necessary steps to this end; welcomes the DRC-Rwanda agreement, announced by the foreign ministers of the two countries, allowing Rwandan intelligence teams to go into the DRC and cooperate with the DRC army to end the FDLR presence in the region;
8. Calls on the African Union, the UN Security Council and key international players, including the EU, the USA and China, to increase pressure on all parties to push forward with the peace process, finding a solution to the problem of control of the mineral resources and aiming for a broad peace agreement rather than only a ceasefire, and further calls on these actors to put pressure on Rwanda and Uganda to give a commitment to end the free movement and operations of Nkunda's troops on their territory;
9. Urges all parties concerned to restore the rule of law and fight impunity, specifically in connection with the mass rapes of women and girls and the recruitment of child soldiers;
10. Calls on the Government of the DRC to develop a plan with Rwanda and MONUC to isolate and capture the leaders of the genocide among the FDLR and offer resettlement in the DRC or reintegration in Rwanda to those who were not involved in the genocide and are willing to demobilise;

11. Calls on the DRC authorities to put an immediate stop to any looting and violence by government soldiers, as witnessed by the UN Office for the Coordination of Humanitarian Aid;
12. Calls on the EU Member States to implement the recommendation of the UN Panel of Experts on the illegal exploitation of the DRC's natural resources, including sanctions against those persons and companies whose participation in the pillage has been proven, in order to contribute to the stabilisation of the country;
13. Points out that the illegal exploitation of natural resources in the east of the DRC is a source of funding for the rebel groups and, therefore, of instability in the region; reiterates the importance of combating such illegal exploitation by rebel groups and governments in the region; calls in this respect on the DRC authorities, in collaboration with MONUC, to close down the economic bases of rebel groups by preventing them from accessing mineral supplies (particularly diamonds, coltan and gold) and trading networks;
14. Calls on the Council and the Commission to insist in talks with the governments of the DRC and neighbouring countries on the implementation of effective systems of traceability and proof of origin of natural resources, namely gold, cassiterite (tin ore), coltan, cobalt, diamonds, pyrochlore and timber, which should include acceptance of the deployment, on their territory, of UN-mandated monitors to observe imports of natural resources from the DRC and to ensure the protection of these UN-mandated monitors;
15. Reiterates its call for the effective establishment of monitoring mechanisms analogous to the Kimberley process for the certification of the origin of natural resources from the DRC imported into the EU;
16. Calls on the Commission and the Member States to ensure that European companies do not trade in, handle or import products derived from minerals that have been sourced in a manner that benefits armed groups in the DRC, and hold accountable any that persist in such practices;
17. Calls on the Council and the Commission to make every effort to find a political solution, which is the only way to put an end to the conflicts in the DRC; welcomes, in this regard, the initiative taken by Commissioner Michel to organise a meeting of the President of the DRC and the President of the Republic of Rwanda in Nairobi; calls on the Commission to engage with the authorities of the DRC with a view to implementing the agreement regarding the return of FDLR fighters to Rwanda; urges the authorities of the DRC and the Republic of Rwanda to step up their cooperation in order to implement the commitments agreed on in Nairobi, and to give priority to dialogue and consultation with a view to helping to bring about lasting peace in the east of the DRC and stability in the region;
18. Calls for zero tolerance of the sexual violence against girls and women which is used as a weapon of war and for severe criminal penalties to be imposed on the perpetrators of these crimes; draws attention to the importance of access to health services in conflict situations and refugee camps, especially in the light of the recent outbreaks of cholera, whooping cough and measles;
19. Reaffirms its support for MONUC in the present dramatic circumstances in which, despite its shortcomings, its presence remains indispensable, and calls for every effort to be made to allow it to carry out its mandate in full and to use the force of arms to protect those under

threat; in this respect, calls on the Council, and in particular, Belgium, France, Italy and the United Kingdom, to play a leading role in ensuring that the United Nations Security Council and the Department for Peacekeeping Operations supports MONUC by strengthening its operational capacities in terms of appropriate equipment and manpower;

20. Calls on the Council to urge the UN Security Council to provide MONUC with the mandate and the means to address the exploitation of minerals by armed groups, including by monitoring and controlling key border posts, airstrips, selected mining areas and supply routes;
21. Insists that, if additional military forces are deployed, their mandate should focus on the protection of civilians, as well as supporting and contributing to respect for new peace agreements which could be concluded;
22. Calls on the Council and the Commission to draw up, together with the Government of the DRC, the UN and other major donors, a new plan for large-scale disarmament, demobilisation and reintegration (DDR) in the DRC based on the EU concept for support to DDR and an ambitious security sector reform strategy for the country based on the EU's Policy Framework for Security Sector Reform, both to be adequately financed by both Community and CFSP funding;
23. Calls on the Government of the DRC to do everything possible to identify those responsible for the war crimes committed in the region, and to bring them to justice;
24. Calls on the Council and Commission to implement with immediate effect large-scale humanitarian and medical assistance and reintegration programmes for the civilian populations in the eastern parts of the DRC, with a particular focus on assistance for women and girls affected by crimes of sexual violence, in order to meet immediate needs and in anticipation of the reconstruction which will be required; notes the key role played by women in rebuilding shattered communities;
25. Notes with interest the appointment of a team of facilitators including the former President of the Republic of Nigeria, Olusegun Obasanjo, and the former President of the United Republic of Tanzania, Benjamin Mkapa; calls on the Council to work together with the International Conference on the Great Lakes Region and the African Union to stabilise the situation in the east of the DRC;
26. Calls on the Council to work with international and regional mediators to address the economic agendas of the warring parties explicitly in the context of current mediation efforts;
27. Calls on the Council and Commission to closely follow the humanitarian and security situation in the east of the DRC, with a view to determining in more detail the different lines of action that may be envisaged in the light of circumstances;
28. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Chairman of the Commission of the African Union, the President of the Pan-African Parliament and the governments and parliaments of the Democratic Republic of Congo and of the other member states of the Southern African Development Community.