



TEXTS ADOPTED

P8_TA(2018)0015

Democratic Republic of the Congo

European Parliament resolution of 18 January 2018 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 2017¹, 2 February 2017² and 1 December 2016³,
- having regard to the statements by the Vice-President of the Commission / High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini, and by her spokesperson on the situation in the DRC,
- having regard to the statement by the EEAS spokesperson of 9 November 2017 on the publication of the election timetable on 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 (MONUSCO) of October 2017,
- having regard to the final observations of 9 November 2017 of the fourth periodic review on the implementation of the UN International Covenant on Civil and Political Rights by the DRC,
- having regard to the UN Security Council resolution 2348 (2017) on renewing MONUSCO's mandate,
- 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 and 11 December 2017 on the DRC,
- having regard to the Council conclusions of 19 June 2017 on EU engagement with civil

¹ Texts adopted, P8_TA(2017)0264.

² Texts adopted, P8_TA(2017)0017.

³ Texts adopted, P8_TA(2016)0479.

society in external relations,

- 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 awarding of the European Parliament’s Sakharov Prize for Freedom of Thought to Dr Denis Mukwege in 2014,
 - 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 People’s 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 Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas, one year after the signature of the Saint-Sylvestre agreement on 31 December 2016, the general situation in the DRC is continuing to deteriorate throughout the country, with violent repression, killings and widespread human rights violations; whereas 2017 has been one of the most violent years in the DRC’s recent history;
- B. whereas the UN has classified the situation in the DRC as a Level 3 humanitarian emergency, the highest level; whereas on 8 March 2017 the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, called for the creation of a commission of inquiry to investigate violence in Kasai province;
- 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 Saint-Sylvestre agreement reached 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 whereas the Independent National Electoral Commission (CENI) has announced that the elections will be held on 23 December 2018;
- D. whereas the CENI is proceeding with logistical preparations for the elections, including budgetary arrangements and the electoral register;
- E. whereas protests against the political situation have been met with extremely violent resistance by government-backed forces;
- F. whereas the Office of the United Nations High Commissioner for Human Rights (OHCHR) has noted the ‘deliberate intention to suppress civil and political rights’ by security forces, including the use of live ammunition, tear gas and rubber bullets against civilians, including altar boys, denying the UN access to hospitals, morgues and detention facilities, and preventing the UN from observing the protests;

- G. whereas the DRC has not ratified the African Charter on Democracy, Elections and Governance;
- H. whereas armed clashes continue between the Congolese army and local militias, particularly in Kasai; whereas this has resulted in a severe humanitarian crisis, with killings, torture and rape, the destruction of homes, medical facilities and schools, and the discovery of 40 mass grave sites in Kasai; whereas there has been no progress in bringing the perpetrators to justice;
- I. whereas the DRC has the highest number of new internally displaced persons due to conflict recorded globally; whereas over 1,9 million people have been displaced inside the DRC since January 2017, bringing the total number of displaced people in the country to 4,25 million, mostly in Kasai, Tanganyika and Kivu provinces; whereas the DRC is also hosting refugees fleeing Burundi, the Central African Republic and South Sudan; whereas the EU has released EUR 5 million in emergency aid for the victims of violence in Kasai;
- J. whereas in March 2017 the troop numbers of the MONUSCO mission were reduced and in June 2017 its budget was cut by 8 %;
- K. 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, according to human rights groups, at least 358 political prisoners are being held in the DRC;
- L. whereas on 29 and 30 December 2017, seven human rights defenders – Carbone Beni, Mino Bompomi, Roger Katanga Mwenyemali, Bony Dickson Mputu, Grâce Tshiunza, Cedrick Kalonji and Arciel Beni, all affiliated with the civil society movement Filimbi – were arrested and detained without arrest warrants, and whereas the whereabouts of another human rights defender, Palmer Kabeya, is unknown;
- M. whereas abductions and attacks on aid workers and peacekeeping forces are increasing, thus forcing humanitarian organisations to delay the delivery of aid and suspend their activities;
- N. whereas three draft laws introduced in the Congolese National Assembly – on the regulation of non-governmental organisations, on human rights defenders and on counter-terrorism – are, in their current form, in conflict with regional and international human rights standards and pose an unprecedented threat to the independent operation of civil society in Congo;
- O. whereas the EU extended to December 2018 the restrictive measures against individuals adopted in response to 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 the 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 conduct an independent investigation into the violent repression of the demonstrations of December 2017 and the mass graves discovered;

2. Recalls that the Government of the DRC bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including from crimes against humanity and war crimes;
3. Expresses extreme concern over the evidence from human rights organisations, in particular the December 2017 inquiry report of the International Federation for Human Rights (FIDH) on the massacres in Kasai, according to which 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 Kasai province; urges the International Criminal Court (ICC) and the UN to investigate these claims;
4. Expresses its concern at the situation of women and children in the DRC; utterly condemns the use of rape, sexual violence and torture; is alarmed by allegations of unlawful recruitment and employment of child soldiers by Congolese-sponsored militias, and considers that ending the use of child soldiers must be a priority for the Congolese authorities and the international community;
5. Strongly regrets that elections were not held by the 2017 deadline; 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 agreement; insists that transparent, free and fair presidential and legislative elections be held on 23 December 2018; recalls that CENI must be an independent, impartial and inclusive institution, and calls on the Government of the DRC to ensure that sufficient resources are provided; asks, furthermore, CENI and the Government to introduce quarterly deadlines for the electoral timetable in order to monitor progress, and as a demonstrable sign of the Government’s commitment to hold elections; recalls that only credible elections offer a way out of the crisis;
6. Stresses that opponents in exile must be able to return safely and without conditions, and that every citizen must have the right to stand as a candidate in the elections; welcomes the creation, with the participation of the African Union (AU), the *Organisation internationale de la Francophonie* (OIF), the Southern African Development Community (SADC) and the UN, of a coordinated team of experts in charge of supporting the implementation of the electoral process and facilitating the mobilisation of financial, logistical and technical assistance to the DRC; supports the contribution of the EU to the DRC electoral process, and calls on the EU to condition any electoral funding on the realisation by the Congolese Government of concrete measures showing the demonstrable political will to hold elections on 23 December 2018, including – in particular – the publication of a realistic electoral budget, as well as guarantees concerning all fundamental rights and freedoms for all political parties and civil society organisations;
7. Strongly condemns all forms of harassment and threats against civil society and NGOs; is particularly concerned at the latest death threats made against representatives of FIDH and associated organisations; urges the DRC authorities and security forces to fully respect the requirements set out in the Cotonou Agreement as well as in the Saint-Sylvestre agreement, in particular the right of individuals to exercise freedom of

expression and freedom of assembly and demonstration; calls on the Congolese authorities to ratify at the earliest opportunity the African Charter on Democracy, Elections and Governance;

8. Denounces the draft laws introduced in the Congolese National Assembly on the regulation of NGOs, human rights defenders and counter-terrorism; urges the Congolese authorities to fully respect legislative due process and to bring the draft laws into alignment with international and regional standards for the protection and promotion of human rights;
9. Urges the EU, its Member States and the international community to increase support to, and protection of, human rights defenders; calls on the DRC authorities to investigate and bring to justice those who attack human rights defenders and repress democratic protests;
10. 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 North Kivu province;
11. Expresses its concern at the latest UN troop and budget cuts; calls on the UN Security Council and the UN member states to ensure that MONUSCO receives adequate funding to carry out the tasks entrusted to it in its mandate; recalls that the mandate of MONUSCO includes contributing to the protection of civilians and supporting the implementation of the political agreement;
12. Urges the EU and its Member States to give priority to human rights values; reiterates the importance of holding individuals to account for human rights abuses and other actions that undermine a peaceful solution to the DRC conflict; welcomes, in this regard, the use of EU-targeted sanctions, and calls on the EU to consider employing additional means, as provided for in the Cotonou Agreement, if the situation continues to deteriorate and no significant progress is made towards finding a peaceful solution;
13. Points out that in April 2015 Ibrahim Thiaw, the Deputy Executive Director of the UN Environment Programme, stated that the annual earnings from the exploitation of natural resources exceed USD 1 billion and that the bulk of the profits – up to 98 % – end up in the coffers of international concerns, with the remaining 2 % being used to fund armed groups in the DRC; calls on the Commission and the Member States to take the requisite measures against European companies that fail to comply with international standards or that do not adequately compensate victims of human rights violations for which they are directly or indirectly responsible; calls for the rapid implementation of the agreement reached by the Member States on 15 June 2016 on the EU regulation on conflict minerals (Regulation (EU) 2017/821¹) and for work to continue at EU and UN level to develop international legislation on this matter;
14. Reiterates its support for the AU, the OIF and the SADC, as well as, notably, Angola, as facilitators of political dialogue in the DRC and the whole region;
15. Expresses alarm at the escalating cholera epidemic and calls for increased humanitarian aid to tackle the outbreak; urges the EU and its Member States to increase financial and

¹ OJ L 130, 19.5.2017, p. 1.

humanitarian aid through reliable organisations in order to meet the urgent needs of the population;

16. 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.