



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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11.12.2012

B7-0579/2012

## 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 122 of the Rules of Procedure

on Situation in the Democratic Republic of Congo  
(2012/2907(RSP))

**Louis Michel, Marietje Schaake, Sarah Ludford, Charles Goerens,  
Nathalie Griesbeck, Robert Rochefort, Ramon Tremosa i Balcells,  
Marielle de Sarnez, Graham Watson, Annemie Neyts-Uyttebroeck,  
Izaskun Bilbao Barandica, Sonia Alfano, Kristiina Ojuland, Johannes  
Cornelis van Baalen**  
on behalf of the ALDE Group

**European Parliament resolution on Situation in the Democratic Republic of Congo (2012/2907(RSP))**

*The European Parliament,*

- having regard to United Nations Security Council resolutions, particularly Resolutions 2076(2012), 2053 (2012), 1925 (2010) and 1856 (2008) on the situation in DRC, which lay down the mandate of the United Nations Mission in DRC (MONUSCO), the Security Council declaration of 2 August 2012 and the monthly reports of the United Nations Secretary-General on this subject,
  - having regard to the conclusions of the EU Council of Ministers of Foreign Affairs of 25 June and 19 November 2012 on the situation in the east of DRC,
  - having regard to previous European Parliament resolutions on DRC and the region of Great Lakes, particularly that of 12 June 2012 on the monitoring of the elections in DRC,
  - having regard to the statement of 27 September 2012 by the President of the European Council, Herman Van Rompuy,
  - having regard to the resolution of 29 November 2012 by the ACP/EU Joint Assembly in Paramaribo,
  - having regard to the statements of 7 June 2012, 12 June 2012, 10 July 2012 and 23 November 2012 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton,
  - having regard to the reports by human rights organisations on the serious human rights violations committed in the east of DRC,
- A. whereas, since April 2012, elements of the Armed Forces of DRC (FARDC) have mutinied in the east of the country, more precisely in North Kivu province, and whereas this mutiny quickly mutated into an armed rebellion under the name of the March 23 Movement (M23);
- B. whereas this cycle of warfare is in particular linked to the conflict between armed rebel groups, M23, the Mai-Mai group, the Democratic Forces for the Liberation of Rwanda (FDLR) and the Armed Forces of DRC (FARDC);
- C. Whereas human rights defenders and journalists in DRC are subject of intimidation, abduction, assassination, which put them in difficult situation to do their job in an independent manner,
- D. Whereas the importance of a trial on appeal on Chebeya's assassination to bring those responsible for his death,

- E. having regard to the efforts of the Member States of the International Conference on the Great Lakes Region (ICGLR), the Southern Africa Development Community (SADC) and the EU to find a constructive political solution to the conflict in the east of DRC;
  - F. whereas the UN Security Council has extended until 30 June 2013 the mandate of the UN Stabilisation Mission in DRC (MONUSCO), under its Resolution 2053(2012);
  - G. whereas, since the beginning of this war, the east of DRC has suffered from reiterated atrocities characterised by human rights violations and war crimes, such as mass rapes;
  - H. whereas recourse to sexual violence and the more widespread use of rape have enormous consequences, such as the physical and psychological destruction of the victims, and must be regarded as war crimes;
  - I. whereas more than 2.4 million Congolese people living in the areas affected by the fighting have been internally displaced and 420 000 have fled into neighbouring countries;
  - J. whereas the European Union is contributing to the restoration of the justice and security (police and army) sectors and seeking to make them function well;
  - K. whereas Virunga National Park was listed by UNESCO in 1979 as a World Heritage Site because of its unique biodiversity;
  - L. whereas it is unacceptable that oil concessions were granted in Virunga National Park in violation of the Paris Convention of 16 November concerning the Protection of the World Cultural and Natural Heritage;
  - M. whereas the oil concessions granted in Virunga National Park are contrary to this Convention; linking the DRC UNESCO and the Congolese Constitution and laws, and that these concessions should therefore be cancelled;
  - N. whereas the illegal exploitation and exploration of natural resources in North Kivu is one of the causes of the presence of armed groups in the province which feeds the conflict;
  - O. whereas it is imperative to take all the necessary measures to put an end to these conflicts, disarm and dismantle the armed groups and forestall any future conflict;
1. Believes that building democratic society requires above all strong political will and ambitious vision of political leaders, governments as well as opposition, aiming at building political institutions to guarantee human, social, economic and environmental rights of the population
  2. Expresses its strong concern about the deterioration of the general situation in the east of DRC and strongly condemns the attacks by M23 and all other armed groups in the east of DRC in recent months;
  3. Reaffirms the inalienable and imprescriptible right of DRC to respect for its sovereignty

and territorial integrity;

4. Calls on all parties concerned in the region to contribute in good faith to its peaceful resolution; calls, furthermore, for the immediate implementation of the crisis resolution plan adopted in Kampala on 24 November 2012;
5. Welcomes the efforts of the Member States of the ICGRL, the AU and the UN in their steps and initiatives aimed at seeking a lasting, structural and peaceful political solution to the crisis;
6. Condemns all acts of violence and all human rights violations in the east of DRC and in the Great Lakes region, and expresses its solidarity with the people of DRC afflicted by the war;
7. Strongly condemns the acts of sexual violence which have been committed on a massive scale in the Great Lakes region; condemns the attempt to assassinate Dr Mukwege, and calls for an independent judicial inquiry to shed light on this attempt;
8. Considers it vital to conduct an impartial, in-depth investigation into all past and present cases of human rights violations and calls on all States in the Great Lakes region to place efforts to put an end to impunity at the heart of the process of improving the rule of law;
9. considers essential the implementation of a comprehensive reform of the security system to ensure the stability of the rule of law in Kivus;
10. Calls on the international community, and more particularly the European Union, AU and UN, to continue to do everything possible to provide more coordinated and effective aid to people in the east of DRC and contribute to efforts to respond to the humanitarian disaster;
11. Considers that transparent access to and control over the natural resources of DRC and equitable redistribution through the State budget, to its population as a whole, of revenue from the exploitation of those resources are indispensable for the sustainable development of the country;
12. calls on the strengthening of the legal measures to ensure a better traceability of minerals from illegal logging, with an international market control instrument on natural resources, inspired by the Dodd-Frank Act, adopted by Congress;
13. calls on the establishment of ethics' code for businesses, with particular reference to the legislation on corporate social responsibility;
14. urges the Congolese government to act promptly and firmly to prevent all irremediable damage to the Virunga National Park, due to exploration and exploitation of oil or other illegal activities;
15. urges the Congolese government to that the UNESCO's request to Total and SOCO to subscribe to the commitments already accepted by Shell and ICM (International Council on Mining and Metals), no to undertake exploration or oil operation or mining

within the World heritage properties;

16. calls on the Congolese government not to deliver any authorization of oil exploitation, pursuant the express demand of UNESCO;
17. Calls on all countries in the region and all international bodies to cooperate actively with the DRC authorities to dismantle and demobilise all the armed groups and establish lasting peace in the east of DRC;
18. Supports the continuation of the MONUSCO stabilisation mission in DRC, while expressly urging it to guarantee the security and safety of Congolese civilians with greater effectiveness; recommends promoting and facilitating the establishment of local peace initiatives by MONUSCO and the DRC Government, particularly in territories where there are strong ethnic tensions, in order to permanently stabilise the situation;
19. Instructs its Co-Presidents to forward this resolution to the Council and Commission of the African Union, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the UN Secretary-General, the UN Human Rights Council, the UN special representative on sexual violence in armed conflicts, the Member States of the International Conference on the Great Lakes Region and the Presidents, Prime Ministers and Parliaments of the Member States concerned.