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B7-0570/2012 }
B7-0572/2012 }
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JOINT MOTION FOR A RESOLUTION

pursuant to Rule 122(5) and 110(4), of the Rules of Procedure

replacing the motions by the following groups:

ECR (B7-0562/2012)
EFD (B7-0563/2012)
PPE (B7-0570/2012)
S&D (B7-0572/2012)
Verts/ALE (B7-0573/2012)
ALDE (B7-0579/2012)
GUE/NGL (B7-0580/2012)

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

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Elmar Brok, Cristian Dan Preda, Filip Kaczmarek, Bernd Posselt,
Roberta Angelilli, Mario Mauro, Eija-Riitta Korhola, Sergio Paolo Francesco
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on behalf of the PPE Group

Ana Gomes, Ricardo Cortés Lastra, Richard Howitt, Corina Crețu, Liisa Jaakonsaari, María Muñoz De Urquiza, Minodora Cliveti, Mitro Repo

on behalf of the S&D Group

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

Isabelle Durant, Judith Sargentini, Barbara Lochbihler, Bart Staes, Raül Romeva i Rueda, Jean-Jacob Bicep, Jean Lambert, Malika Benarab-Attou, Rui Tavares

on behalf of the Verts/ALE Group

Charles Tannock, Jan Zahradil, Oldřich Vlasák, Ryszard Czarnecki

on behalf of the ECR Group

Marie-Christine Vergiat, Younous Omarjee

on behalf of the GUE/NGL Group

Fiorello Provera

on behalf of the EFD Group

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

The European Parliament,

- having regard to the Cotonou Partnership Agreement signed in June 2000,
- having regard to the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966),
- having regard to Article 3 of the 1949 Geneva Convention and Protocol II thereto, which prohibit summary executions, rape, enforced recruitment and other atrocities,
- having regard to the Convention on the Rights of the Child of 20 November 1989, which, in particular, prohibits the involvement of children in armed conflicts,
- having regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which has been ratified by the countries of the Great Lakes region,
- having regard to the relevant United Nations Security Council resolutions, in particular resolutions 2076 (2012), 2053 (2012), 1925 (2010) and 1856 (2008) on the situation in the Democratic Republic of Congo (DRC), which lay down the mandate of the UN Stabilisation 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 United Nations Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1960 (2010) on women, peace and security,
- having regard to United Nations General Assembly resolution 60/1 of 24 October 2005 on the 2005 World Summit Outcome, and in particular paragraphs 138 to 140 thereof on responsibility to protect populations,
- having regard to the African Charter on Human and Peoples' Rights, which was ratified by the DRC in 1982,
- having regard to the decision of the African Union's Peace and Security Council of 19 September 2012 on the security situation in the east of the DRC,
- having regard to the conclusions of the Foreign Affairs Council meeting of 25 June and 19 November 2012 on the situation in eastern DRC,
- having regard to the UN Security Council Presidential Statement of 19 October 2012,
- having regard to the statement of 23 June 2011 by Margot Wallström, former Special Representative of the UN Secretary-General on Sexual Violence in Conflict,

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- having regard to the statement of 27 September 2012 by the President of the European Council, Herman Van Rompuy,
 - having regard to the statements of 7 June, 12 June, 10 July 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 Council conclusions on the situation in the eastern Democratic Republic of Congo issued on 10 December 2012,
 - having regard to the statement of 22 February 2011 by Andris Piebalgs, European Commissioner for Development, entitled ‘DRC: A Step towards Ending Impunity’,
 - having regard to the statement of 26 June 2012 by Kristalina Georgieva, European Commissioner responsible for international cooperation, humanitarian aid and crisis response, concerning the deterioration of the humanitarian situation in the DRC,
 - having regard to the statements by the Heads of State and Government of the member states of the International Conference on the Great Lakes Region (ICGLR) concerning the security situation in the east of the DRC, particularly that of 24 November 2012,
 - having regard to the resolution of the Organisation Internationale de la Francophonie (OIF) adopted at the 14th Summit of Francophone Countries in Kinshasa on 13 and 14 October 2012 on the situation in the DRC,
 - having regard to the letter of 21 June 2012 from the Chair of the UN Security Council committee set up by resolution 1533 (2004) concerning the DRC to the President of the Security Council, submitting the interim report of the group of experts on the DRC and the annexes pertaining thereto and requesting their publication as a Council document (S/2012/348),
 - having regard to the reports by human rights organisations on the serious human rights violations committed in the east of the DRC,
 - having regard to the Forest Law Enforcement, Governance and Trade (FLEGT) agreement between the EU and the DRC, which entered into force in September 2010,
 - having regard to its previous resolutions on the DRC, in particular that of 13 June 2012 on the monitoring of elections in the Democratic Republic of the Congo (DRC)¹,
 - having regard to Rules 122(5) and 110(4) of its Rules of Procedure,
- A. whereas, since April 2012, elements of the Armed Forces of the DRC (FARDC) have mutinied in the east of the country, more precisely in the North Kivu province, and whereas this mutiny quickly mutated into an armed rebellion under the name of the March 23

¹ Texts adopted, P7_TA(2012)0252.
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Movement (M23), calling for the application of the peace agreement signed in Goma on 23 March 2009 by the DRC Government and the armed group known as the National People's Congress (CNDP);

- B. whereas the M23 rebels constitute one of the dozen armed groups, such as the Mai-Mai group, the Democratic Forces for the Liberation of Rwanda (FDLR) and Rwandan Hutu rebels, on the one hand, and the FARDC on the other hand, fighting in this resource-rich region;
- C. whereas for nearly seven months the M23 rebel group has been occupying a large part of the North Kivu province, whereas it has established its own administration and whereas this part of the province is therefore entirely outside the control of the DRC state, causing constant instability and insecurity;
- D. whereas, 11 days after seizing the key city of Goma from government troops backed by UN peacekeepers, M23 withdrew from the city under a regionally brokered agreement;
- E. whereas, on 6 December 2012, negotiations and a process of dialogue between the rebel groups and the Congolese Government began in Kampala, Uganda;
- F. whereas the recent attacks carried out by armed groups on the Mugunga III camp highlight the need to prioritise security at sites for internally displaced people, along with improved humanitarian access;
- G. whereas the United Nations Group of Experts has presented evidence of Rwanda backing to M23 rebels providing military support, including weapons, ammunition, training and soldiers;
- H. whereas the Governments of Uganda and Rwanda have denied accusations by a United Nations panel that they have supported the M23 rebels and the capture of the eastern Congolese town of Goma;
- I. whereas the United States, the United Kingdom, Germany, the Netherlands, Sweden and the EU have all suspended some of their aid to Rwanda, in response to the UN report;
- J. whereas the member states of the ICGLR, the Southern Africa Development Community (SADC) and the EU have made efforts to find a constructive political solution to the conflict in the east of the DRC;
- K. whereas the ICGLR member states have established a joint verification mechanism to monitor troop movements in the east of the DRC and have decided to deploy a neutral international force;
- L. whereas, under UN Security Council resolution 2053 (2012), MONUSCO's mandate has been extended until 30 June 2013;

- M. whereas the east of the DRC has suffered from repeated atrocities, characterised by human rights violations and war crimes, such as mass rapes, including the rape of women and girls, torture, the killing of civilians and the general enrolment of child soldiers;
- N. 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;
- O. whereas the Congolese army (FARDC) has also committed numerous abuses in the war zones;
- P. whereas the non-prosecution of those responsible for human rights violations and war crimes promotes the climate of impunity and encourages the perpetration of fresh crimes;
- Q. 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, and whereas they are living in inhuman conditions;
- R. whereas the DRC, and in particular the eastern regions currently under the control of armed paramilitary groups, possesses an abundance of natural resources such as gold, tin and coltan, which through illegal mining activities helps to finance and perpetuate the conflict;
- S. whereas Virunga National Park was listed by UNESCO in 1979 as a World Heritage Site because of its unique biodiversity;
- T. whereas it is unacceptable that oil concessions have been granted in Virunga National Park in violation of the Paris Convention of 16 November concerning the Protection of the World Cultural and Natural Heritage;
- U. whereas the oil concessions granted in Virunga National Park are contrary to this Convention linking the DRC and UNESCO, and to the Congolese Constitution and laws, and whereas these concessions should therefore be cancelled;
- V. whereas rising unemployment, the social crisis, the food crisis, the inadequacy of basic services, the impoverishment of the population and environmental degradation are also partly responsible for the region's instability; whereas these problems require a comprehensive development plan and strategy;
- W. whereas it is necessary to deal with the consequences of the conflicts, particularly by means of demilitarisation, demobilisation and reintegration of ex-combatants, repatriation of refugees, resettlement of people who have been displaced within their own country and the implementation of viable development programmes;
- X. whereas the indigenous Batwa people of the eastern Democratic Republic of Congo (DRC), with a population of 90 000, are nevertheless victims of systematic racism, social and political exclusion and human rights violations in the DRC and in other countries in the Great

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Lakes Region;

- Y. whereas the repression of human rights activists and journalists in the DRC has increased and whereas they are being arbitrarily arrested and intimidated; whereas no steps have been taken to bring those responsible to justice;
1. Expresses its strong concern at the deterioration in the general situation in the east of the DRC, which has serious political, economic, social, humanitarian and security consequences in the DRC and throughout the region;
 2. Strongly condemns the attacks by M23 and all other negative forces in the east of the DRC in recent months; opposes any external intervention in the conflict and stresses the need to put an end to the activity of foreign-armed groups in the east of the DRC;
 3. Calls specifically on both the Governments of Rwanda and Uganda to desist from supporting the rebel group M23 as this is having a destabilising impact on the Great Lake region;
 4. Reaffirms the DRC's inalienable and imprescriptible right to respect for its sovereignty and territorial integrity;
 5. Calls on all parties concerned in the region to contribute in good faith to a peaceful resolution; calls, furthermore, for the immediate implementation of the crisis resolution plan adopted in Kampala on 24 November 2012;
 6. Welcomes the efforts of the member states of the ICGRL, the African Union (AU) and the UN in their efforts and initiatives seeking a lasting and peaceful political solution to the crisis; insists that a military solution will not resolve the crisis; calls, therefore, for a political peace process that will tackle the disarmament of rebel forces and the root causes of the conflict;
 7. Stresses the importance of the effective functioning of the joint verification mechanism and the establishment and effective deployment of the envisaged neutral international force;
 8. Calls for an EU position *vis-à-vis* all individuals who have violated the UN arms embargo on Congo;
 9. Calls on the governments of the DRC and neighbouring countries to take the necessary measures to arrive at a structural solution which will bring about lasting peace, security, stability, economic development and respect for human rights in the region through cooperation, permanent dialogue, the establishment of confidence and reconciliation; affirms its commitment to cooperating with the DRC and the Great Lakes region to this end;
 10. Condemns all acts of violence and all human rights violations in the east of the DRC and in the Great Lakes region, and expresses its solidarity with the people of the DRC afflicted by the war; calls on all the forces participating in the conflicts in the east of the DRC to respect human rights and international humanitarian law, to cease all attacks on civilians, particularly

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women and children, and to afford access and protection to humanitarian agencies coming to the assistance of the suffering civilian population;

11. Strongly condemns the acts of sexual violence which have been committed on a massive scale in the DRC, particularly the rape of women and girls, and the recruitment of children; urges the Government of the DRC and the international community to provide all persons in need in the east of the DRC with appropriate medical care, including posttraumatic and psychological support;
12. Condemns the attempt to assassinate Dr Mukwege and calls for an independent judicial inquiry to shed light on this attack, which caused the death of his bodyguard;
13. 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;
14. Calls, in particular, for the perpetrators of human rights violations, war crimes, crimes against humanity, sexual violence against women and the conscription of child soldiers to be reported, identified, prosecuted and punished in accordance with national and international criminal law; stresses that impunity cannot be tolerated regardless of who the perpetrators may be;
15. Calls on the Congolese Government to assume its full responsibility and bring impunity to an end, including the abuses perpetrated by the Congolese army (FARDC);
16. Calls on the RDC to introduce an effective national security sector reform, with strong independent institutions that are accountable to the state and its people and that are able to fight and persecute crimes and corruption cases;
17. Calls on the international community, and more particularly the EU, the AU and the UN, to continue to take every possible measure to provide more coordinated and effective aid to people in the east of the DRC and contribute to efforts to respond to the humanitarian disaster;
18. Urges the Government of the DRC and the international community to provide all persons in need in the east of the DRC with appropriate medical care, including posttraumatic and psychological support;
19. Calls on the AU and the Great lakes countries to take further steps to fight illicit exploitation of and trade in natural resources – one of the reasons for the proliferation and trafficking of arms, which are among the major factors fuelling and exacerbating conflicts in the Great Lakes region;
20. Considers that transparent access to and control over the natural resources of the DRC are indispensable for the sustainable development of the country;

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21. Calls for stronger legal measures to ensure better traceability of minerals from illegal mining, with an international market control instrument on natural resources, inspired by the Dodd-Frank Act, adopted by the US Congress;
22. Urges the Congolese Government to act promptly and firmly to prevent all irreversible damage to Virunga National Park, due to the exploration and exploitation of oil or other illegal activities;
23. Calls on the Congolese Government not to deliver any authorisation for oil exploitation, in accordance with the express demand of UNESCO;
24. Calls for efforts to be made at both national and international level to increase the authority of the state and the rule of law in the DRC, particularly in the fields of governance and security, including in close cooperation with the European Union military assistance mission (EUSEC) and the Union's police assistance mission (EUPOL), which should be continued in order to consolidate peace and security both in the country and in the Great Lakes region;
25. Calls on the Heads of State and Government of the Great Lakes region to work to bring about the actual implementation of existing regional peace and development instruments and calls on all states which are signatories to the Pact on Security, Stability and Development in the Great Lakes region to implement it fully in order to establish and consolidate the necessary basis for peace and security in the region; calls on the UN, the EU and the AU and friends of the Great Lakes region to strongly and actively support efforts to implement the Pact;
26. Calls on all countries in the region and all international bodies to cooperate actively with the DRC authorities in order to dismantle and demobilise all armed groups and establish lasting peace in the east of the DRC;
27. Urges the MONUSCO stabilisation mission in DRC to implement its mandate with greater effectiveness in order to guarantee the security and safety of Congolese civilians; 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 stabilise the situation on a permanent basis;
28. Encourages the DRC's leaders to take all the necessary initiatives to consolidate democracy and ensure the participation of all active forces among the people of Congo in the governance of the country on the basis of constitutional and legal rules;
29. Welcomes the setting-up on 6 December 2012 by the DRC Parliament of the National Human Rights Commission, as outlined in the constitution, as a prior step to passing a law on the protection of victims and witnesses of human rights abuses, human rights activists, aid workers and journalists;
30. Instructs its President to forward this resolution to the Council, the Commission, the Commission Vice-President / High Representative of the Union for Foreign Affairs and Security Policy, the African Union, the governments of the countries of the Great Lakes

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region, the President, Prime Minister and Parliament of the DRC, the Secretary-General of the United Nations, the UN Special Representative on Sexual Violence in Conflict, the UN Security Council and the UN Human Rights Council.

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