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To: Delegations

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Subject: Democratic Republic of the Congo
- Council conclusions (23 May 2016)

Delegations will find attached the Council conclusions on the Democratic Republic of the Congo adopted at the 3466th meeting of the Council on 23 May 2016.

Council conclusions on the Democratic Republic of the Congo

1. With elections just a few months away, the Democratic Republic of the Congo (DRC) is at a crucial juncture, and the European Union (EU) is deeply concerned by the many challenges it faces. UN Security Council Resolution (UNSCR) 2277, adopted unanimously on 30 March 2016, emphasises that the primary responsibility for preparing and holding elections in accordance with the relevant constitutional provisions lies with the authorities of the DRC. The EU calls on the government of the DRC and all other stakeholders, particularly the Independent National Electoral Commission (CENI), to create, as a matter of urgency, the conditions necessary to hold free, transparent, inclusive and peaceful elections, in particular presidential and legislative elections. It considers that only a constitutionally legitimate and democratically elected executive will be able to provide stability and bring together all the country's key players to consolidate the significant progress made in recent years and to tackle the many security, humanitarian, governance and development challenges which still remain. While noting the ruling of the Constitutional Court of 11 May 2016, the EU stresses that a democratic government draws its legitimacy from regular elections held within constitutionally established timeframes, that the responsibility for organising elections lies with the government, and that the country's current instability is in large part due to the lack of clarity in this regard.

2. The EU calls on the authorities of the DRC to resume the electoral process as soon as possible by taking practical steps. In accordance with UNSCR 2277, it invites the CENI to provide a revised timetable as quickly as possible and arrangements that will allow the various political stakeholders to express their views on the situation. It calls on the government of the DRC to swiftly draw up an electoral budget and to update the electoral register. The EU will be able to provide the DRC with support, in particular for the electoral process, only once the government has made a clear political and financial commitment. In this respect, the EU stresses the importance of the good offices, technical assistance and logistical support of the UN Stabilisation Mission in the DRC (MONUSCO). It commends the work of the UN Special Representative of the Secretary-General, Maman Sidikou.

3. In view of the current deadlock and rising tensions, the EU underlines the urgent need for a concise and focused political dialogue between all representative political stakeholders, to allow them to swiftly reach a consensus on a clear roadmap, based on a timetable and credible budget requirements, in particular for the presidential election, drawn up by the CENI in accordance with the constitution. In this regard, the EU fully supports UNSCR 2277 and the principles of the African Charter on Democracy, Elections and Governance. In this context, in close coordination with regional and international partners, the EU is supporting African Union (AU) facilitator Mr Edem Kodjo in his UN-backed mission to implement a truly credible, constructive and inclusive dialogue, and calls on all stakeholders in the DRC to lend him their full cooperation.

4. The call for a political dialogue must be accompanied by the right to freedom of expression for all. The EU is concerned by the obstacles to political debate in the DRC, which have been highlighted by recent events in Lubumbashi, Goma and Kinshasa. Faced with the increasing number of reports of harassment and intimidation of political leaders, media professionals and members of civil society, including human rights defenders, the EU reiterates that in the run-up to the elections ensuring respect for human rights, particularly civil liberties, and safeguarding an open political space are crucial prerequisites for real and credible dialogue. With this in mind, the EU considers MONUSCO's task of documenting and reporting on human rights violations in accordance with UNSCR 2277 to be essential, and commends the vital work of the UN Joint Human Rights Office (UNJHRO) in the DRC. It emphasises the need for the government of the DRC to honour its commitments in this area, in accordance with the constitution and with the agreements ratified by the DRC, including the international human rights conventions and the Cotonou Agreement. In this respect, the EU wishes to step up its dialogue with the government of the DRC.

The EU recalls that all stakeholders, including officials of judicial and security institutions, have an individual responsibility to act in full compliance with the rule of law and human rights, and will have to face the consequences should they fail to do so.

5. The security situation in the east of the DRC remains precarious, causing population displacements and significant humanitarian needs. The EU strongly condemns the continued attacks by armed groups and the extreme violence being inflicted on the population of the DRC, particularly in the Beni region, and calls on the armed forces of the DRC (FARDC), with the support of MONUSCO, to ensure the protection of civilians.

The EU condemns all forms of violence, including sexual violence, which is still prevalent in the country, and the recruitment and use of child soldiers by armed groups. It calls on the authorities of the DRC to actively pursue their efforts to put an end to these crimes.

6. The EU calls for the resumption of the joint operations between the FARDC and MONUSCO to neutralise the Democratic Liberation Forces of Rwanda (FDLR), the Allied Democratic Forces (ADF) and other armed groups. To address the root causes of the conflict and bring lasting stability to the east of the country and to the wider Great Lakes Region in general, all the countries which signed the Addis Ababa Framework Agreement in February 2013 must honour their commitments. In this context, the EU calls on the authorities to tackle the illegal exploitation of the country's natural resources. It also calls for efforts to implement the Framework Agreement to be stepped up, and commends the work of the Special Envoy of the UN Secretary-General for the Great Lakes Region, Mr Said Djinnit.

7. The EU is a major partner of the Great Lakes Region. Along with its Member States, it has provided substantial support to the DRC, investing approximately EUR 10 billion over the last ten years in peacekeeping, humanitarian aid and development.