

PRESS RELEASE

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Council conclusions on the Democratic Republic of the Congo

1. The European Union is deeply concerned by the political situation in the Democratic Republic of the Congo (DRC). It strongly condemns the acts of extreme violence that took place on 19 and 20 September 2016, in particular in Kinshasa. Those acts have further exacerbated the deadlock in the DRC due to the failure to call the presidential election within the constitutional deadline. In that regard, the EU recalls its conclusions of 23 May 2016 and reaffirms the primary responsibility of the DRC authorities for the holding of the elections.
2. The political crisis in the DRC can only be resolved through the public and explicit commitment of all stakeholders to respect the current Constitution, in particular as regards the limitation of presidential terms of office, and through a substantive, inclusive, impartial and transparent political dialogue. In accordance with the spirit of UN Security Council Resolution 2277 (2016), that dialogue must lead to the holding of presidential and legislative elections as soon as possible in 2017. If the current presidential term comes to an end without prior agreement on the electoral calendar, the EU will have to consider the impact on its relations with the Government of the DRC.
3. The dialogue facilitated by the African Union in Kinshasa, and supported by the EU as member of the Support Group, must pave the way for a new phase of a more inclusive political process in the coming weeks. The manner in which the transitional period leading up to the elections will proceed must be clarified by 19 December 2016. The EU underlines the urgency of the situation and the importance of participation in this process by all the major political families and civil society, including the Catholic Bishops Conference of Congo. It calls on the majority in power and the opposition to seek the necessary compromises underpinned by a very broad popular consensus.
4. To create a climate conducive to dialogue and the holding of the elections, the Government must make a clear commitment to ensuring that human rights and the rule of law are respected and must cease all use of the justice system as a political tool. The EU calls for the release of all political prisoners and the discontinuation of politically motivated prosecutions against the opposition and civil society as well as for the rehabilitation of people who have been subject to politically motivated judgments. The banning of peaceful demonstrations and the intimidation and harassment of the opposition, of civil society and of the media are obstacles to the preparation of a peaceful and democratic transition. Against this backdrop, the EU's commitment to new programmes for reform of the police and justice cannot be guaranteed. The EU calls on MONUSCO to take dissuasive action within its mandate to protect the civilian population and within the limits of its resources and structures, and calls on the authorities to cooperate fully in implementing the Resolution adopted at the 33rd session of the Human Rights Council.
5. The large number of arrests following the events of 19 and 20 September raise serious concerns regarding compliance with legal procedures and the commitment to ensuring the independence of the judiciary. The EU urges all stakeholders, from both the authorities and the opposition, to reject the use of violence. It reiterates that the primary responsibility of the security forces is to maintain law and order while at the same time ensuring that fundamental freedoms are respected. An independent investigation should make it possible to swiftly determine the individual responsibilities of each stakeholder. MONUSCO and the UN Joint Human Rights Office (UNJHRO) in the DRC must be allowed to carry out their documentation work unhindered. The EU has also taken note of the statement of the Prosecutor of the International Criminal Court of 23 September 2016, in which she affirmed that she is monitoring the situation on the ground with the utmost vigilance.
6. The EU reiterates its profound concern at the situation in the east of the country, particularly in Beni. In this context, the EU would draw attention to UN Security Council Resolution 2293, which establishes the UN sanctions regime for individuals and entities responsible for serious human rights violations.
7. Faced with the risk of instability in the country and the threat that this represents to the region, the EU will remain fully engaged. The Member States are already in agreement on the need to coordinate their approaches to the issuance of visas for holders of diplomatic and service passports. The EU will use all the means at its disposal, including individual restrictive measures against those responsible for serious human rights violations, those who promote violence and those who would try to obstruct a consensual and peaceful solution to the crisis, one that respects the aspiration of the people of the DRC to elect their representatives. The Council invites the High Representative to initiate work to this end.
8. The EU recalls the significant efforts it has made in recent years to assist the country and confirms its willingness to step up these efforts. To this end, it reiterates its request of 2 June 2016 that the Government initiate as quickly as possible a political dialogue at the highest level, in accordance with Article 8 of the Cotonou Agreement. It stands ready to provide support, including financial support, for a transparent election process based on an inclusive political agreement and a clear timetable approved by stakeholders, provided that all the conditions set out in the Constitution and in UN Security Council Resolution 2277 are met. Under these circumstances, the EU will remain engaged as a member of the Facilitation Support Group and will work closely with its partners, particularly those in Africa. It welcomes the considerable efforts being made by the region to reconcile positions, particularly through the upcoming summit on the DRC organised in Luanda by the International Conference on the Great Lakes Region, the United Nations and the African Union, and a planned SADC ministerial meeting.

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