

PRESS RELEASE

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Council conclusions on the Democratic Republic of the Congo

The European Union remains seriously concerned by the political situation in the Democratic Republic of the Congo (DRC) caused by the blockage in the implementation of the inclusive political agreement of 31 December 2016, as well as by the security situation in several parts of the country, where the disproportionate use of force has been observed. The situation is aggravated by the economic and budgetary crisis severely affecting the population.

The EU welcomes the agreement of 31 December 2016 which is the only way to establish the necessary legitimacy for the institutions which should manage the transition, including the Presidency. Neither the death of opposition leader Etienne Tshisekedi, nor the security situation, should provide any excuse for calling into question this process which must lead to a democratic and peaceful transition of power. This agreement provides, inter alia, for maintaining the President in office, provided that a Prime Minister nominated by the opposition is appointed and that all the institutions continue on an interim basis until the end of the year. It also rules out maintaining the current President beyond that deadline. The EU underlines the urgency of the effective implementation of the agreement by all stakeholders, in particular the presidential majority, in order to lead to elections before the end of 2017 and thus to full constitutional legitimacy. The recent appointment of a new president of the governing council of the Rassemblement, who will also be the President of the National Council for the Monitoring of the Agreement (CNSA), is a first step in this direction.

In this context, the EU reiterates its full support for the mediation role played by the Catholic Bishops' Conference (CENCO), whose moral leadership, impartiality and legitimacy are indispensable for the success of the process and are recognised by all Congolese actors. It supports the recommendations in the message from CENCO's plenary assembly of 22 February 2017, and calls on the region and the international community to maintain their commitment to working alongside CENCO. The EU condemns the recent violence against churches and other CENCO institutions and stresses that those responsible will be held accountable.

It will only be possible to overcome the deep institutional, security and socio-economic crisis suffered by the country by fully implementing the agreement of 31 December 2016 and forming a government with sufficient legitimacy to lead the country to elections. Concrete progress is vital, in particular the urgent need to appoint the Prime Minister from the 'Rassemblement' coalition. There is also an urgent need to ensure implementation of measures to ease tension, such as the release of political prisoners, an immediate end to the abuse they are suffering, the end of intimidation and arbitrary arrests of opponents and activists, and the cessation of all politically motivated legal prosecutions. The EU notes that women's participation in the political dialogue has been limited and calls for their involvement in the implementation of the agreement to be facilitated.

The EU underlines the responsibility of the Independent National Electoral Commission (CENI), and the crucial role which it must play, in the implementation of a credible and democratic electoral process. To this end, it reiterates its call for further measures on transparency and governance of the CENI, and for the urgent fixing of an electoral calendar and of a realistic and consensual budget so that the elections can be held before the end of 2017. The EU invites the National Assembly to adopt as quickly as possible the legislative measures required to hold the elections and to establish the CNSA which is called upon, in this context, to play an essential role in supervising the CENI. These elements, as well as the financial commitment of the future government, are conducive to promoting the trust that will allow the EU and the other partners to mobilise their support for the elections.

The UN Security Council will renew the mandate of MONUSCO in March. On that occasion, the priority will be to provide the mission with the resources needed to cope with the new political and security challenges in ensuring that measures to protect civilians are strengthened, and in providing relevant support for the electoral process.

The EU strongly condemns the serious human rights violations that have occurred recently in the DRC and stresses that the fight against impunity, whoever the perpetrators of those violations may be, is one of the conditions necessary for a peaceful transition and lasting stability in the country. Human rights and fundamental freedoms must be fully guaranteed by the authorities, in particular freedom of expression, including for the independent media, and freedom of association. The EU considers it essential in this respect that the work of the UN Joint Human Rights Office in the DRC (UNJHRO) should be able to take place without

hindrance throughout the country.

The EU deplores the emergence of outbreaks of violence in all three Kasai provinces and in Kongo Central, which illustrates the potential for further deterioration of the situation which the country is facing. The EU is concerned, as are the members of the UN Security Council, at recent reports of serious violations of human rights and humanitarian law committed by local militias in the Kasai region, including the recruitment and unlawful use of child soldiers and the killing of civilians by members of the DRC security forces, which could constitute war crimes under international law. The EU supports the UN Security Council's call, issued on 25 February 2017, for the government of the DRC to immediately launch a credible and impartial investigation into these events in order to bring those responsible to justice, and would also like an independent international investigative team to be invited to support the process.

The EU is deeply concerned at the deteriorating humanitarian situation in several regions of the country and wishes to emphasise the primacy of respect for humanitarian principles and the need to ensure access to the populations affected.

The situation in the East, in the Kivu provinces and in Tanganyika, also remains of concern, as do the reports of the former rebels of the M23 possibly taking up arms again. The EU recalls the responsibility of the Congolese authorities and urges the FARDC – with the support of MONUSCO – to make every effort to protect the population. As regards the M23, the EU recalls the commitments of the Nairobi declarations of December 2013 as well as the principles laid down in the Peace, Security and Cooperation Framework for the DRC and the region.

The EU reminds political leaders and members of the security forces that it is prepared to adopt new individual restrictive measures against those responsible for serious human rights violations or for incitement to violence and those who would 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 EU invites the High Representative to initiate work to this end.

The EU confirms its willingness to engage in a political dialogue at the highest level with the future government as soon as possible, in accordance with Article 8 of the Cotonou Agreement. It stands ready to provide support, including financial support, for an election process which meets all the necessary conditions. The EU is also ready to continue supporting the Congolese people faced with serious socio-economic challenges on a daily basis and encourages the resumption of dialogue in a structured manner with the international financial institutions, in order to work out a lasting solution to the current economic and budgetary crisis.

Press office - General Secretariat of the Council of the EU

Rue de la Loi 175 - B-1048 BRUSSELS - Tel.: +32 (0)2 281 6319

press@consilium.europa.eu - www.consilium.europa.eu/press