



Inter-Parliamentary Union
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146TH IPU ASSEMBLY
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146th IPU Assembly Manama (11–15 March 2023)

Assembly
Item 2

A/146/2-P.6
11 March 2023

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 146th Assembly of the Inter-Parliamentary Union submitted by the delegation of Democratic Republic of the Congo

On 11 March 2023, the IPU Secretary General received from the delegation of Democratic Republic of the Congo a request and accompanying documents for the inclusion in the agenda of the 146th Assembly of an emergency item entitled:

“Call for urgent action to stop aggression, occupation and massive human rights violations in the Democratic Republic of the Congo in order to preserve its sovereignty and territorial integrity”.

Delegates to the 146th Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 146th Assembly will be required to take a decision on the request of the delegation of the Democratic Republic of the Congo on Sunday, 12 March 2023.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution, which clearly define the scope of the subject covered by the request. The IPU Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a recent major situation of international concern on which urgent action by the international community is required and on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response. Such a request must receive a two-thirds majority of the votes cast in order to be accepted.
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted.
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject.
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

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#IPU146

**COMMUNICATION ADDRESSED TO THE IPU SECRETARY GENERAL BY
THE FIRST VICE-PRESIDENT OF THE NATIONAL ASSEMBLY
OF THE DEMOCRATIC REPUBLIC OF THE CONGO**

10 March 2023

Dear Secretary General,

In accordance with Rules 11.1 and 11.2 of the Rules of the Assembly, I have the honour of writing to you in my capacity as the head of the delegation of the Parliament of the Democratic Republic of the Congo to request the inclusion in the agenda of the 146th IPU Assembly the following emergency item:

"Call for urgent action to stop aggression, occupation and massive human rights violations in the Democratic Republic of the Congo in order to preserve its sovereignty and territorial integrity".

Yours sincerely,

(signed)

André MBATA MANGU
First Vice-President of the National Assembly
of the Democratic Republic of the Congo

**CALL FOR URGENT ACTION TO STOP AGGRESSION, OCCUPATION AND MASSIVE
HUMAN RIGHTS VIOLATIONS IN THE DEMOCRATIC REPUBLIC OF THE CONGO IN
ORDER TO PRESERVE ITS SOVEREIGNTY AND TERRITORIAL INTEGRITY**

***Explanatory memorandum submitted by the delegation
of the Democratic Republic of the Congo***

The Democratic Republic of the Congo (DRC) is a member of several international organizations, including the United Nations (UN), the Inter-Parliamentary Union (IPU), the African Union (AU), the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS) and the East African Community (EAC).

It is located at the heart of the African continent, inhabited by over 100 million people from different ethnic groups, bordered by nine other African countries and endowed with immense natural resources, which have been a curse rather than a blessing and made the DRC a target for a number of predatory States and multinational companies since the 1884–1885 Berlin Conference.

The security situation in the DRC has been an ongoing concern to the international community. Since gaining independence, the DRC has been the focus of a succession of UN operations: the UN Operation in the Congo (ONUC)¹ (1960–1964) to deal with its independence, followed by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)² and, most recently, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)³ in relation to the crisis that broke out after the Rwandan genocide.

In 1994, the Government of the DRC, under President Mobutu Sese Seko, was forced to open the country's borders and harbour both unarmed and armed refugees, including the Hutu from the Democratic Forces for the Liberation of Rwanda (FDLR), who were blamed for the Tutsi genocide in Rwanda.

Since then, with the blessing or support of some of the most powerful elements of the international community, the eradication of the FDLR and the protection of the Tutsi has been used by the Government of Rwanda to justify its interventions in the DRC, in violation of the principles of international law that underpin the civilized community of nations.

In May 1997, Rwanda backed the rebellion of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFLC), which was led by Laurent-Désiré Kabila and ended the 32-year regime of President Mobutu Sese Seko. James Kabarehe, President Kagame's most powerful adviser, was even appointed chief of staff of the Congolese armed forces. Many other Congolese Tutsi and Rwandan citizens became commanders in the army and security forces, or ministers and advisers in the Government. This did not solve the problem.

As President Kabila started affirming his independence from Rwanda, his regime faced several rebel groups backed by neighbouring countries, notably Rwanda and Uganda, which supported the Congolese Rally for Democracy (RCD) and the Movement for the Liberation of the Congo (MLC), respectively. Troops from eight other African countries entered the DRC to support either the Government of President Kabila or one of the rebel groups. The "Great African War" left around 10 million Congolese people dead – a genocide which has been so far forgotten.

To end it and help unite a divided country, the international community (the AU, with the backing of the UN Security Council) sponsored the *Lusaka Agreement*, which paved the way for the Inter-Congolese Dialogue, held in Sun City, South Africa, in 2002. The warring parties in the DRC, assisted by the international community, adopted an interim Constitution that paved the way for the formation of an interim government of national unity in 2004, the adoption of a new Constitution and the holding of democratic elections in 2006.

¹ United Nations Security Council resolution 143 (1960) of 14 July 1960.

² United Nations Security Council resolution 1279 (1999) of 30 November 1999 determined that personnel authorized under previous United Nations Security Council resolutions would constitute the "United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)".

³ United Nations Security Council resolution 1925 (2010) of 28 May 2010 extended the mandate of MONUC until 30 June 2010 and also determined that, from 1 July, it would bear the title "United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)".

In 2011–2012, Rwanda, having previously backed the RCD, supported a new rebel group known as the National Congress for the Defence of the People (CNDP). This group was later replaced by M23, which fought against the government forces to occupy some cities in an attempt to overthrow President Kabila's regime or to negotiate its participation in the Government and the army. M23 was defeated by a MONUSCO contingent composed of troops from Namibia, Malawi and Tanzania. M23 found refuge in Uganda and Rwanda, where its members were never disarmed.

President Tshisekedi was elected in 2018 and took office in January 2019. He engaged with the leaders of Burundi, Rwanda and Uganda to work for enduring peace in the African Great Lakes region. His efforts were fruitless, as the dormant M23 took up arms again and resumed its military campaign against the DRC.

Since June 2022, M23 and the Rwandan Defence Force (RDF) that backs the group have managed to occupy vast territories in eastern DRC. Despite Rwanda's denials, the UN Group of Experts⁴ recently reported to the UN Secretary-General and to the UN Security Council that, alone or jointly with the RDF, M23 has considerably extended its zone of influence, and that the RDF has conducted several military operations in eastern DRC and provided military support to M23. RDF elements have occupied several zones. Some of these zones were inspected by the UN Group of Experts.⁵

The Group of Experts also received uncontested evidence or proof of the direct intervention of the RDF, whose elements conducted military operations in Rutshuru (eastern DRC) between November 2021 and October 2022, as well as supplying weapons, ammunition and uniforms to M23. The Group of Experts also noted that, since January 2022, at least five members of the RDF had been arrested in the DRC, and the presence of the RDF had been reported in several locations in the DRC, sometimes alongside M23.⁶

The official reason remains the same: the elimination of the remnants of the mainly Hutu FDLR and the protection of the rights of the Tutsi minority. Yet there were no more FDLR members left after President Tshisekedi allowed the Rwandan army to enter the DRC to combat them. On the other hand, Congolese Tutsi participate fully in the Government of the DRC. They enjoy the same rights as members of the other 400 ethnic groups that form the population of the DRC, and they have never called for Rwandan intervention. The true reasons behind Rwandan intervention and aggression are Rwandan expansionism (land conquest) and the exploitation of the DRC's natural resources.

Rwandan intervention in the DRC, either directly through the RDF or indirectly through M23, qualifies as aggression and can never be justified under international law. Unfortunately, the international community continues to turn a blind eye to the situation in the DRC and remains opposed to any sanction against Rwanda and M23 despite the suffering they impose on the civilian population, including killings and other human rights abuses, as well as their illegal exploitation and trade of natural resources that benefit some countries and multinational companies.

All efforts by African leaders and mediators involved in the Luanda and Nairobi processes have failed, and calls for a ceasefire, for withdrawal from the occupied territories of the DRC, and for the end of support to M23 from the UN Security Council, the European Union and other major powers, have been ignored.

The security situation in the DRC constitutes an emergency item to be included in the agenda of the 146th IPU Assembly. According to Assembly Rule 11.1, any IPU Member may request the inclusion of an emergency item in the agenda of the Assembly, accompanied by a brief explanatory memorandum and a draft resolution. According to Assembly Rule 11.2 (a), this should relate to a recent major situation of international concern on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response.

⁴ United Nations Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2022/967, 16 December 2022.

⁵ *Idem*, paras 30, 46, 48, 48, 49.

⁶ *Idem*, para. 47.

CALL FOR URGENT ACTION TO STOP AGGRESSION, OCCUPATION AND MASSIVE HUMAN RIGHTS VIOLATIONS IN THE DEMOCRATIC REPUBLIC OF THE CONGO IN ORDER TO PRESERVE ITS SOVEREIGNTY AND TERRITORIAL INTEGRITY

***Draft resolution submitted by the delegation of the
DEMOCRATIC REPUBLIC OF THE CONGO***

The 146th Assembly of the Inter-Parliamentary Union,

- (1) *Reaffirming in the strongest possible terms* its commitment to sovereignty, independence, non-interference in domestic affairs, respect for human rights, and the territorial integrity of the Democratic Republic of the Congo and all other United Nations Member States, as principles governing the civilized community of nations,
- (2) *Deeply concerned* about the security situation in the Democratic Republic of the Congo, where the 23 March Movement (M23), a terrorist group, has taken and occupies vast territories in the east of the country with the backing of certain neighbouring countries,
- (3) *Concerned* about the findings of the Group of Experts, established pursuant to United Nations Security Council resolution 1533 of 12 March 2004, on the direct intervention of the Rwandan Defence Force on the territory of the Democratic Republic of the Congo, and on Rwanda's support to M23 in occupying some territories of the Democratic Republic of the Congo in violation of international law,
- (4) *Noting* that the presence and actions of foreign armed groups in and against the Democratic Republic of the Congo and their detrimental effects on the environment and development violate the principles of international law as enshrined in the *Charter of the United Nations*, the *Constitutive Act of the African Union* and several other relevant international instruments,
- (5) *Considering* the dire humanitarian situation and the suffering imposed by M23 and its allies on the civilian population of the Democratic Republic of the Congo, including human rights abuses such as massacres, killings and forced displacements, which particularly affect women and children, who are bearing the brunt of the conflict and aggression,
- (6) *Considering also* that the illegal exploitation and trade of the natural resources of the Democratic Republic of the Congo is one of the true causes of the ongoing crisis in the east of the country and should therefore be brought to an end,
- (7) *Endorsing* calls from the international community for M23 to stop fighting and to withdraw from the occupied territories of the Democratic Republic of the Congo, and *urging* neighbouring countries, notably Rwanda, to stop supporting this terrorist movement,
- (8) *Considering* that the security situation in the Democratic Republic of the Congo constitutes a threat to international peace and security under the terms of the *Charter of the United Nations*, as well as an emergency item to be dealt with by the IPU pursuant to Rules 11.1 and 11.2 of the Rules of the IPU Assembly,
- (9) *Determined* to promote democracy, respect for human rights, and peaceful coexistence of peoples and nations in line with the mission of the IPU and the theme of its 146th Assembly,
 1. *Strongly condemns* the actions of M23 and any foreign support to this terrorist movement, and *requests* its immediate withdrawal from the occupied territories of the Democratic Republic of the Congo;
 2. *Calls for* an immediate end to the war, occupation, aggression and humanitarian crisis in the Democratic Republic of the Congo;
 3. *Urges* the international community to accelerate the cessation of the crisis by enforcing sanctions on concerned parties in case of non-compliance, and by prosecuting the perpetrators of war crimes, genocide, crimes against humanity and other serious human rights violations in the Democratic Republic of the Congo.