



Inter-Parliamentary Union
For democracy. For everyone.

148th IPU Assembly

Geneva, 23–27 March 2024

Assembly
Item 2

A/148/2-P.6
24 March 2024

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 148th Assembly of the Inter-Parliamentary Union submitted by the delegation of the Democratic Republic of the Congo

On 24 March 2024, the IPU Secretary General received from the delegation of the Democratic Republic of the Congo a request and accompanying documents for the inclusion in the agenda of the 148th Assembly of an emergency item entitled:

“Call for urgent action to end the aggression and massive violations of human rights
in the Democratic Republic of the Congo”.

Delegates to the 148th 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 148th Assembly will be required to take a decision on the request of the delegation of the Democratic Republic of the Congo on Sunday, 24 March 2024.

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- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the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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#IPU148

**COMMUNICATION ADDRESSED TO THE IPU SECRETARY GENERAL BY THE DELEGATION
OF THE DEMOCRATIC REPUBLIC OF THE CONGO**

24 March 2024

Dear Mr. Secretary General,

Please find attached the documents supporting the emergency item requested by the Democratic Republic of the Congo at this 148th session of the Assembly of the Inter-Parliamentary Union in Geneva.

“Call for urgent action to end the aggression and massive violations of human rights in the Democratic Republic of the Congo”.

Yours sincerely,

(signed) André MBATA BETUKUMESU MANGU
Head of the delegation
Democratic Republic of the Congo

CALL FOR URGENT ACTION TO END THE AGGRESSION AND MASSIVE VIOLATIONS OF HUMAN RIGHTS IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Introduction

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).

Located at the heart of the African continent, the DRC is inhabited by over 100 million people. Bordered by nine other African countries and endowed with immense natural resources, the country has been the victim of the greed of several foreign countries and multinational companies seeking to seize these resources.

Despite the recent successful organization of free, transparent and credible elections, which resulted in the re-election of President Félix-Antoine Tshisekedi Tshilombo and the establishment of a new parliament, the DRC continues to face a situation that worsens daily in flagrant violation of international law.

Worrying security situation and violation of the DRC's sovereignty and territorial integrity

The security situation is dominated by the conflict between the DRC's armed forces and the M23 terrorists supported by neighboring countries, particularly Rwanda, with the complicity of certain members of the international community and multinationals involved in the plundering of the DRC's natural resources.

In 1994, the government of the DRC, under President Mobutu Sese Seko, was forced to open the country's borders and harbour both armed and unarmed 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, the eradication of the FDLR and the protection of the Tutsi have been used by the Government of Rwanda as a pretext to justify its interventions in the DRC, with the blessing of some of the most powerful players in the international community, who felt responsible for not having intervened in time to prevent the genocide, in violation of the principles of international law that underpin the community of so-called civilized nations. These interventions were made either directly by sending in armed forces, or indirectly through armed groups fighting against the DRC and the Congolese government, as is currently the case with the March 23 Movement (M23).

The Government of Rwanda itself has acknowledged and justified both its presence on Congolese territory and its support for the M23, for which there is no justification in international law, as these acts violate the sacrosanct principles of international law enshrined in instruments such as the Charter of the United Nations and the Constitutive Act of the African Union. These principles include:

- Respect for the sovereignty and territorial integrity of other States
- Non-interference in the internal affairs of other States
- Prohibition of the use of force against other States
- Respect for human and peoples' rights

The situation in the DRC is similar to that in Ukraine, which has been condemned by the UN Security Council and the European Union – and it should also be of interest to the IPU.

In response to the violation of these principles of international law, which the IPU is also mandated to uphold, the UN Security Council, the African Union and the European Union have issued several communiqués and declarations calling for the respect of the sovereignty and territorial integrity of the DRC, as well as for the peaceful resolution of conflicts, while clearly requesting Rwanda to withdraw from the DRC and cease all assistance to the M23.

International crimes and massive human rights violations in the DRC as a consequence of aggression

The worrying security situation in the DRC has also had serious humanitarian and human rights consequences:

- More than 12 million people killed, and a genocide that is not being recognized as such, in addition to war crimes, crimes against humanity and the crime of aggression of which the Congolese people and the DRC are victims
- More than five million people condemned to starvation and homelessness
- Millions of children orphaned and unable to go to school
- Several thousand women have been raped, making eastern DRC the rape capital of the world

For years, the international community has preferred to turn a blind eye to these crimes, as if the Tutsi genocide committed in Rwanda, in which no Congolese participated, could justify another one, this time committed in the Congo against Congolese.

Furthermore, the elimination of the last FDLR elements who committed genocide in Rwanda and the protection of the rights of the Tutsi minority in the DRC are merely pretexts for aggression against the DRC. The threat of the FDLR must not continue to be brandished after the government of the DRC authorized the Rwandan army to enter its territory to fight them, and after this army withdrew believing it had fulfilled its mission. Moreover, the Congolese Constitution grants nationality to all persons whose ethnic groups have been present on the territory since its independence on 30 June 1960.

They participate in institutions as members of the government, parliament, administration, defence and security forces. They enjoy the same rights as members of the 400 other ethnic groups that make up the population of the DRC, and do not need the intervention of a foreign country for their protection or defence.

The real reason for the aggression against the DRC is the plundering of its enormous and rare natural resources, with the complicity of foreign countries whose economies and industries feed on the blood minerals plundered in the DRC. Furthermore, these foreign countries have just signed agreements for materials not available to the aggressors.

Conclusion

On the basis of Rules 11.1 and 11.2 of the Rules of the Assembly, the security and humanitarian situation in the DRC meets the criteria for adoption as an emergency item and as such deserves to be placed on the agenda of the 148th IPU Assembly with a view to adopting a position and mobilizing a parliamentary response.

As international and regional efforts have not yet been successful, and calls by the UN Security Council, the African Union, the European Union and others for a ceasefire, withdrawal from occupied territories in the DRC and an end to all support for the M23 have had no effect, it is imperative that the IPU Assembly end its silence in the face of this worsening situation.

There is no justification for double standards, and it would be unacceptable for what is happening in the DRC, in violation of the principles of international law, to be of no concern to the IPU, as if the aggression and genocide of 12,000,000 Congolese people, the rape of millions of women, and millions of displaced persons motivated by the plundering of natural resources, were of less concern to humanity than other situations that are mobilizing the international community, such as the situation in Ukraine or Gaza.

To support the efforts made to date at international and regional level, it is more timely than ever that the legitimate representatives of the peoples of the world meeting at the 148th IPU Assembly in Geneva should consider the situation in the DRC as an emergency item and adopt an urgent resolution expressing the solidarity of the peoples of the world with the Congolese people and demanding in particular the following:

- Absolute respect for sovereignty and territorial integrity
- An end to the aggression and occupation of which the DRC is a victim
- An end to the massive violations of human rights in the DRC
- Prosecution of the M23 terrorists and all other national or foreign perpetrators of crimes committed in the DRC
- An end to all military, diplomatic, economic, financial or other support to any party involved in the conflict in the DRC
- Continuation of efforts to end the crisis in the DRC

CALL FOR URGENT ACTION TO END THE AGGRESSION AND MASSIVE VIOLATIONS OF HUMAN RIGHTS IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

The 148th Assembly of the Inter-Parliamentary Union,

- (1) *Reaffirming* in the strongest terms the principles governing the civilized community of nations, and its attachment to the principles of sovereignty, independence, non-interference in internal affairs, respect for human rights and territorial integrity with regard to the Democratic Republic of the Congo and all other Member States of the United Nations,
- (2) *Deeply concerned* by the security situation in the Democratic Republic of the Congo, where the March 23 Movement (M23) terrorist group has taken and is occupying vast territories in the east of the country with the support of certain neighbouring countries,
- (3) *Considering* the conclusions of the group of experts set up under United Nations Security Council Resolution 1533 of 12 March 2004, concerning the direct intervention of the Rwandan defence forces on the territory of the Democratic Republic of the Congo and the support given by Rwanda to the M23 group in the occupation of certain 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 Congo, as well as their harmful effects on the environment and development, violate the principles of international law enshrined in the Charter of the United Nations, the Constitutive Act of the African Union and several other relevant international instruments,
- (5) *Considering* the disastrous humanitarian situation and the suffering imposed by the M23 and its allies on the civilian population of the Democratic Republic of the Congo, in particular human rights violations such as massacres, murders and forced displacements, affecting in particular women and children as the main victims of conflict and violence,
- (6) *Considering also* that the illegal exploitation of and trade in the natural resources of the Democratic Republic of the Congo is one of the true causes of the current crisis in the east of the country, and that they must therefore be brought to an end,
- (7) *Endorsing* the calls of the international community for the M23 to stop fighting and withdraw from the occupied territories of the Democratic Republic of the Congo, and *urging* neighbouring countries, in particular Rwanda, to stop supporting this terrorist movement,
- (8) *Convinced* that the security situation in the Democratic Republic of the Congo constitutes a threat to peace and international security under the terms of the Charter of the United Nations, as well as an appropriate subject to be dealt with by the IPU, as an emergency item in accordance with Rules 11.1 and 11.2 of the Rules of the Assembly,
- (9) *Bearing in mind* the humanitarian and security crises mentioned in the emergency item resolution adopted on 14 March 2023 at the 146th Assembly, which also made reference to the DRC,
- (10) *Determined* to promote democracy, respect for human rights and the peaceful coexistence of peoples and nations, in accordance with the IPU's mission and the theme of its 146th Assembly,
 1. *Strongly condemns* the actions of the M23 and any foreign support, principally from Rwanda, for 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, violence and humanitarian crisis in the Democratic Republic of the Congo;
 3. *Urges* the international community to become more involved in ending the crisis by applying sanctions to the parties concerned in the event 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.