

ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU 3778/05/fin.

RESOLUTION¹

on the situation in the African Great Lakes region

The ACP-EU Joint Parliamentary Assembly,

- meeting in Bamako (Mali) from 18 to 21 April 2005,
 - having regard to Article 17(2) of its Rules of Procedure,
- A. whereas peace, stability and development in the Great Lakes region continue to be hindered by a multitude of challenges,
- B. whereas the persistent illegal exploitation of natural resources in the Democratic Republic of the Congo (DRC) continues to foment the conflict and to be a source of insecurity throughout the region,
- C. whereas the countries of this region are linked by a history of inter-related conflicts and by frequent cross-border refugee flows and share similar post-conflict needs for justice and the protection of human rights,
- D. concerned by the increasing human poverty in the Great Lakes region, and the critical humanitarian situation, characterised by numerous displaced persons and refugees,
- E. whereas the consequences of conflicts have to be addressed, in particular through demilitarisation, demobilisation and reintegration of ex-combatants, repatriation of refugees, resettlement of internally displaced persons and viable economic development programmes,
- F. shocked by the fact that sexual violence and rape are used as weapons of war,
- G. whereas Rwanda is moving towards trials of hundreds of thousands of persons accused of genocide and Burundi and the DRC are rebuilding their national judicial systems and putting truth and reconciliation commissions into operation,
- H. whereas the International Criminal Court in The Hague has held in March 2005 its first hearing on the inquiry into war crimes allegedly committed in the DRC,
- I. whereas strategies have been mapped out to implement a regional pact on security, stability and development, signed in Dar Es Salaam in November 2004,
- J. whereas the Great Lakes region with its dire humanitarian and socio-economic problems merits promotion of a comprehensive development package,

¹ Adopted by the ACP-EU Joint Parliamentary Assembly on 21 April 2005 in Bamako (Mali).

- K. whereas the DRC is in an extremely delicate transitional phase, with the difficult task of setting up viable institutions following democratic elections,
- L. whereas delays in the 2005 elections in DRC are unnerving people who long for stability, as stated by UN Secretary-General Kofi Annan,
- M. whereas the district of Ituri and the provinces of North and South Kivu are still not at peace; whereas the United Nations forces have stepped up their operations in Ituri,
- N. whereas the question of the Interahamwé and the ex-FAR is a real problem in the relationship between Rwanda and the DRC and makes good relations difficult between the two countries,
- O. notes the FDLR undertaking to disarm and to cooperate in the peace process in Rwanda and urges it to make every effort to fulfil this undertaking,
- P. whereas it is more vital than ever to disarm the armed groups which are within the territory of the DRC, as provided for in the Lusaka Agreement of 1999 and the Pretoria Agreement of 2002,
- Q. whereas, without genuine peace in the region, the reconstruction efforts undertaken by the Congolese Government, cannot produce the expected results,
- R. whereas Burundi is the third poorest country in the developing country rankings and its ethnic balance remains a potentially destabilising issue as the country attempts to complete its political transition,
- S. whereas over 90% of the population voted in favour of a new constitution,
- T. whereas the constitution provides that the representation of Burundian women in public institutions shall be around 30%, a measure unprecedented in the history of the country,
- U. whereas the adoption of the new constitution is an initial stage preceding a series of elections envisaged to ratify the division of power at every level,
- V. concerned by the ongoing atrocities by the Lord's Resistance Army in northern Uganda;
- W. whereas the African Union's 'Peace and Security Council' is seeking 'bold action by the African Union' in the form of more active participation in measures to secure the surrender of weapons by illegal Rwandan armed groups; whereas the European Union has expressed its willingness to assist in this operation conducted by the African Union;
- X. whereas the International Criminal Court in The Hague may soon issue arrest warrants for senior Lord's Resistance Army (LRA) commanders in Uganda,
- 1. Calls on the heads of state and government of the Great Lakes region to promote an effective implementation of existing regional peace and development instruments in order to ensure and consolidate the foundations for regional peace and security;

2. Stresses that the resources following the Asian tsunami and the signing of a peace accord ending Sudan's 20-year civil war should not take the focus off this conflict-riven region;
3. Calls for the end of impunity from prosecution of human rights violators that has characterised the region and stresses that the Commission should urge donor nations as well as UN agencies to support mechanisms for accountability, including reformed national judicial systems;
4. Calls on the countries of the Great Lakes Region to make rejection of impunity the cornerstone of moves to strengthen the rule of law, this being the only guarantee for sustainable peace, and the right of victims to effective redress before an impartial court;
5. Calls for the International Criminal Court to extend the scope of its investigation to the entire region and initiate proceedings rapidly against the presumed perpetrators of the most serious crimes, whatever positions of responsibility they may now occupy;
6. Calls on the governments of the region and the European States to cooperate fully with the ICC;
7. Calls on the states of the region which have not yet done so to ratify the ICC Statute, adopt internal legislation on the adaptation of the Statute's provisions and ratify the additional protocol to the African Charter creating an African Court of Human and People's Rights through a declaration made under the sixth paragraph of Article 34 thereof, making possible individual redress before the Court;
8. Strongly condemns the numerous instances of sexual violence, in particular the rape of women and girls, committed in the Great Lakes region;
9. Welcomes the fact that some countries of the Great Lakes region have adhered to the NEPAD African Peer Review Mechanism in order to promote good governance and economic growth and urges those who have not yet done so to adhere to this instrument;
10. Calls on all parties and on the international community to combat all human rights abuses and violations and to take all measures to put to trial the perpetrators of such crimes in the relevant international tribunals;
11. Calls for the respect of the territorial integrity of the countries of the Great Lakes region and in particular the DRC and on all parties to the conflict to respect and comply with the 2003 Peace Agreements and the relevant United Nations Security Council Resolutions;
12. Urges Rwanda to continue efforts to integrate former rebels into civil society and the army;
13. Expresses its concern about the continued serious unrest in the district of Ituri and the provinces of North and South Kivu, and requests the immediate withdrawal of all foreign armed groups;
14. Calls for compliance with the arms embargo and effective implementation of the mechanisms adopted;

15. Calls on the UN Security Council to impose sanctions (restriction of movement, freezing of assets) on individuals (nationals and foreigners) found guilty of pillaging ACP countries in a conflict and post-conflict situation;
16. Considers that the implementation of the Dar es Salam Declaration constitutes a solid basis for the establishment of peace between the countries of the Great Lakes region, while respecting the territorial integrity of all the countries concerned;
17. Calls on the European Commission and Council to support by funding and every other means the implementation of the Dar es Salam Declaration;
18. Stresses the vital importance of the United Nations Mission in the DRC (MONUC) and calls on the international community and the EU and its Member States to send troops to form the backbone of a strengthened MONUC peace force;
19. Calls on the European Union to provide the necessary funding and logistic support to enable the African Union, in cooperation with the MONUC and the Congolese unified army and under UN mandate (Chapter VII of the Charter), to secure the surrender of weapons by the armed groups loyal to the former Rwandan leadership and present on DRC territory;
20. Calls on the Economic Community of the Central African States (ECCAS) to give active support to consolidation of the peace process in the Great Lakes region and measures to achieve stability and security in the Democratic Republic of the Congo;
21. Notes with concern the lack of payment and training of national soldiers and policemen which in itself constitutes an important security risk; calls on the EU and the international community to assist in the funding, training and equipping of the national DRC army to allow it to play a role in disarming foreign armed groups and in providing security for elections;
22. Urges the Council to consider as a matter of urgency, a new European Union mission to the DRC, along the same lines as the ARTEMIS operation, to increase security in the east of the country, particularly along the border between Rwanda and the DRC;
23. Calls for the elections to be held within the constitutionally required period so that the people of the DRC can freely and democratically choose their leaders and urges the international community to do its utmost to support the ongoing democratic process;
24. Condemns the grave violations of international humanitarian law, including acts of sexual violence against the civilian population, committed by armed groups in Burundi; supports the negotiations under way between the Government of Burundi and the Palipehutu-FNL and urges the latter to implement its declaration and cease hostilities with a view to securing a definitive peace in Burundi;
25. Expresses its support for the recommendation by the UN special mission on Burundi for the setting up of a truth and reconciliation commission and a prosecuting special chamber within Burundi's court system to deal with perpetrators of genocide, crimes against humanity and war crimes;

26. Highlights the successful referendum for the adoption of a new constitution organised in Burundi in February 2005, as well as the high turnout;
27. Calls on all parties in Burundi to move swiftly to implement the peace agreements and to refrain from taking any action that might jeopardise the peace process and the organisation of elections;
28. Stresses that the new Burundian constitution is a crucial step on the road to peace and stability in that country and throughout the Great Lakes region;
29. Expresses its concern as the food shortage worsens in Burundi and its economy is seriously debilitated;
30. Calls on the international community, and in particular the European Union to assist areas threatened by famine, especially in Burundi, the eastern DRC and northern Uganda;
31. Calls on the international community for more attention to be focussed on the conflict in northern Uganda;
32. Calls on all parties, in particular the international community, to take immediate steps to stop the proliferation of arms into the conflict zones of the Great Lakes region;
33. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Commission and the UN and AU Secretaries-General.