



**Position Paper**  
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**DR Congo: Time for the EU to turn words into action and apply new targeted sanctions against Congolese officials**

As the European Foreign Affairs Ministers are due to discuss the Democratic Republic of Congo (DRC) at **the next Foreign Affairs Council meeting on 15 May 2017**, the European Network for Central Africa (**EurAc**) strongly believes that a second round of **European Union (EU) targeted sanctions** (travel ban and asset freeze) against senior political and security actors, closer to the inner circle of President Joseph Kabila, responsible for human rights abuses as well as for the violent crackdown on dissident voices and for undermining the democratic process, are necessary to increase the pressure on DRC officials to find a solution to the political and security crisis. At the Foreign Affairs Council meeting on 6 March, the EU [declared](#) its intention 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”. **EurAc believes that it is time to turn words into action, this declaration into a decision to apply new targeted sanctions.**

**Context**

EurAc firmly denounces the deterioration of the current political and security situation in the DRC that faces once again a perilous stalemate. The presidential majority, the Government and President Kabila have consolidated their strategy of weakening the opposition that has concretised in the nomination of Bruno Tshibala as new prime minister on 7 April and the signature of the “*Arrangement particulier*” of the 31<sup>st</sup> of December Agreement on 27 April. Bruno Tshibala’s nomination has been firmly criticized by the EU that [observed](#) the lack of consensus around the nomination considered as contrary to the spirit of the New Year’s Eve Agreement.

The signature of the “*Arrangement particulier*” by the presidential majority, the republican opposition and the opposition signatory of the 18 October 2016 Agreement (which is a dissident part of the “*Rassemblement*” of the opposition represented by Joseph Olenghankoy and Lisanga Bonganga) is a clear further attempt by the ruling power to weaken and divide the political opposition and take full control over the political process. The wing of the *Rassemblement* led by Félix Tshisekedi did not take part in the ceremony and denounced the fact that the new text of the “*Arrangement particulier*” is quite different from the one discussed during the dialogue negotiated under the mediation of the *Conférence Episcopale Nationale du Congo* (CENCO) earlier this year.

Indeed, with the new “Arrangement particulier”, President Kabila acquires control over both the nomination of the prime minister and the one of the president of the *Conseil National de Suivi de l’Accord et du processus électoral* (CNSA). This development de facto allows President Kabila to remain in power as elections are not foreseen yet for December 2017.

Meanwhile, repression and abuse continue against activists, opponents, human rights defenders and the medias: every single time the pro-democracy movement *Lutte pour le changement* (Lucha) has organised civic actions to demand the improvement of the socio-economic conditions of the Congolese population, its activists have been victim of strong repression and arrests as in the cases of Goma on 19 April where 17 activists were [arrested](#) for disturbing public order and released four days after, or as in Kinshasa on 27 April where 19 Lucha activists were [arrested](#) and subsequently released after having been violently beaten and mistreated.

The excessive violence and serious human rights abuse in the Kasai have induced deplorable developments: the dead bodies of Michael Sharp and Zaida Catalan, members of the UN Group of experts, were found two weeks after their abduction occurred on 12 March in Kasai Central province. After the decapitation on 3 April of *Commission Electorale Nationale Indépendante* (CENI)’s representative in Kasai Central, Philippe Lyidimbe, supposedly by Kamuina Nsapu militia, the electoral commission decided to delay the beginning of the electoral registration process in the region that was supposed to start on 30 April. Increasing acts of violence in the Kasai region have triggered the reaction of 165 Congolese human rights civil society organisations that have asked an independent international enquiry on the killings thus [criticizing](#) and questioning the independency of the investigation started by the Congolese military justice.

### Position

EurAc believes that these developments are extremely worrisome and that the time has come for the **EU to take a much stronger stand and adopt additional restrictive measures against those responsible for grave human rights violations and excessive use of force as well as for delaying and hindering the electoral process** to send a strong signal to President Kabila and DRC officials that violating the rights of the Congolese people is costly for those responsible. Additionally, the lack of justice for the victims or their families in Kasai, justifies even more the application of targeted sanctions and the full suspension of the EU financial support to the justice and security programmes.

In its conclusions of December 2016, the EU Council already adopted targeted sanctions against seven DRC senior officials: four security agents responsible of serious human rights violations and three senior figures for trying to obstruct a consensual and peaceful solution to the crisis. According to reliable sources on the ground, these measures have had a positive impact in the sense that they prevented these individuals and all those involved in the political dialogue from further incitation to violence and abuse, as well as from any inflammatory speech and blocking positions in the adoption of the December Agreement.

Moreover on 2 February 2017, the European Parliament passed a new [resolution](#) calling on the EU Council to ‘consider extending these restrictive measures in the event of further violence, as provided for in the Cotonou Agreement’.

**The upcoming Foreign Affairs Council meeting provides another perfect and timely opportunity for the EU to demonstrate its firm commitment to supporting democracy and the protection of human rights in the region**, values that constitute the true added value of European cooperation compared to the

approach of the DRC's other international partners. It will also be a crucial moment to avoid a new serious and large-scale security and humanitarian crisis in the Great Lakes region.

### Recommendations

In light of the worsening political and security crisis in the DRC, EurAc calls on European Ministers of Foreign Affairs and the High Representative of the EU Federica Mogherini, to take concrete steps to prevent a further escalation of violence and new abuses in the DRC and in particular to:

- **Extend EU targeted sanctions (travel ban and asset freeze) to new individuals most responsible for human rights violations and/or for hindering the democratic process**
  - On addressing the widespread human rights violations taking place across the country, including the recent widespread abuse and killings in the Kasai region by alleged DRC's armed forces, **EU targeted sanctions must be extended to new security agents responsible of serious human rights abuse;**
  - On addressing the current political stalemate of the democratic process, **EU targeted sanctions must be extended to key senior political figures and influential DRC officials**, closer to the inner circle of the President, individuals who are the most responsible for **blocking the democratic process** and current negotiations for the application of the 31<sup>st</sup> of December Agreement, and for obstructing a consensual and peaceful solution to the crisis;
- If the situation further deteriorates and no meaningful progress has been made to a peaceful solution of the current crisis, the **EU Council should consider deploying additional means of pressure**, and communicate its willingness to trigger the mechanisms for enhanced political dialogue provided for in the Cotonou Agreement;
- The **EU Council should call for an independent international investigation** on the massive human rights violations in the Kasai province. Moreover, it should support the commitment of the Congolese human rights organisations in conducting their own independent investigations and it should put pressure on the Congolese authorities to allow such inquiry. Finally, the Council should extend the sanctions to all those who obstruct such an independent investigation.