



General Assembly

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Human Rights Council

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Agenda item 10

Technical assistance and capacity-building

Senegal (on behalf of the African Group): draft resolution

19/...

Draft resolution on the human rights situation in the Democratic Republic of the Congo and the strengthening of technical cooperation and advisory services

The Human Rights Council,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

Recalling further Council resolution 10/33 of 27 March 2009, in which the Council called on the international community to support the establishment of a local cooperation mechanism by the Government of the Democratic Republic of the Congo and the international community, referred to as the human rights liaison entity,

Taking into account Council resolution 13/22 of 26 March 2010, in which the Council requested the Government of the Democratic Republic of the Congo to develop an action plan with specific timelines for the implementation of recommendations on human rights, particularly regarding the fight against impunity,

Also recalling Council resolution 16/35 of 25 March 2011, in which the Council called upon the international community to support the national efforts of the Democratic Republic of the Congo and its institutions with a view to improving the human rights situation in the country, and to respond to its requests for technical assistance,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments to which they are parties,

Noting with concern the human rights situation in the Democratic Republic of the Congo, mainly in the eastern part of the country, resulting from abuse committed by foreign and national armed groups opposing the peace process, and calling upon the Government to ensure respect for human rights and international humanitarian law,

Strongly supporting the efforts of the Government of the Democratic Republic of the Congo to put an end to the cycle of impunity for grave international crimes by strengthening its justice system,

Noting with concern cases of electoral and sexual violence, and noting with appreciation the progress made by the authorities of the Democratic Republic of the Congo in following up on the conviction of perpetrators and the provision of reparations to victims,

Acknowledging the joint role played by the Office of the United Nations High Commissioner for human rights in the Democratic Republic of the Congo and the human rights section of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in improving the human rights situation in the country,

Recognizing the existence of a national programme for the promotion and protection of human rights in the Democratic Republic of the Congo and the resolve of the Government to implement it,

Noting the decision by the National Independent Electoral Commission to continue organizing elections at the provincial and local levels,

Considering the presence of the Joint Committee on Justice as a framework for the partners to exchange ideas and coordinate their activities related to justice in the Democratic Republic of the Congo,

Noting the report on the situation of human rights in the Democratic Republic of the Congo presented by the Government, which addresses in particular judicial monitoring of the electoral process, the creation of domestically established follow-up mechanisms for human rights and the implementation of the action plan for implementation of recommendations relating to human rights,

Noting also the report of the High Commissioner on the human rights situation in the Democratic Republic of the Congo and the activities of her Office in the country,

1. *Takes note* of the commitment of the Government of the Democratic Republic of the Congo to cooperate with the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo and with the special procedures of the Human Rights Council;

2. *Thanks* the Government in this regard for hosting the visit to the country from 25 July to 5 August 2011 of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;

3. *Encourages* the Government of the Democratic Republic of the Congo to ensure that the human rights liaison entity is able to act as a framework for consultation and coordination on human rights in the country, and *approves* of the extension of that body to the provinces so as to ensure local monitoring of the human rights situation;

4. *Commends* the role played by the international community, in particular the European Union, the African Union, the Southern African Development Community, the Economic Community of the Great Lakes Countries and the Economic Community of Central African States, in supporting the efforts of the Democratic Republic of the Congo to strengthen the rule of law and improve the human rights situation in the country;

5. *Urges* the Government of the Democratic Republic of the Congo to redouble its efforts, with the support of the international community, to expeditiously put an end to all violations of human rights and bring perpetrators to justice;

6. *Welcomes* the efforts of the Government of the Democratic Republic of the Congo to put an end to all human rights violations and to assist victims of such violations;

7. *Welcomes* the holding on 28 November 2011 of the second democratic and free presidential and legislative elections in the Democratic Republic of the Congo, and *encourages* the newly elected authorities to ensure that the population's living conditions improve;

8. *Invites* the international community to continue to support the Joint Committee on Justice as a framework for the exchange of ideas and coordination of the various contributions related to justice in the Democratic Republic of the Congo;

9. *Welcomes also* the fact that the Government of the Democratic Republic of the Congo has adopted and sent to the Senate bills on the protection of human rights defenders and on the establishment of a specialized court to hear cases involving grave violations of human rights and international humanitarian law, and *encourages* it to strive for the quick adoption by the new national Parliament of these instruments;

10. *Takes note* of the initiatives taken by the Government of the Democratic Republic of the Congo to promote the administration of justice and human rights, in particular by assigning the 2,000 newly recruited magistrates to posts throughout the country, by making the juvenile courts operational, by establishing a unit for the protection of human rights defenders and by organizing open house events for the protection of victims of human rights violations and of abuse of power in the justice system;

11. *Encourages* the Government of the Democratic Republic of the Congo to continue to ratify international and regional human rights instruments and to promote human rights education;

12. *Encourages* the Government of the Democratic Republic of the Congo to complete the establishment of a national human rights commission, in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles);

13. *Invites* the Office of the High Commissioner, through its presence in the Democratic Republic of the Congo, to increase and enhance its technical assistance programmes and activities requested by the Government;

14. *Calls upon* the international community to support the national efforts of the Democratic Republic of the Congo and its institutions with a view to improving the human rights situation in the country, and to respond to its requests for technical assistance.
