

Calendar No. _____

113TH CONGRESS
1ST SESSION**S. RES. 144**

Concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

 IN THE SENATE OF THE UNITED STATES

MAY 16, 2013

Mr. COONS (for himself, Mr. DURBIN, Mr. BOOZMAN, Mr. ISAKSON, Mr. CARDIN, Mr. CASEY, Mr. LEAHY, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. MERKLEY, and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Foreign Relations

_____ (legislative day, _____), _____

Reported by Mr. MENENDEZ, with an amendment

[Omit the part struck through and insert the part printed in *italie*]

RESOLUTION

Concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

Whereas, since the 1990s, an estimated 5,000,000 people have died due to repeated cycles of conflict, lack of governance, and atrocities in the Democratic Republic of the Congo, particularly those in North and South Kivu prov-

inces, and, since the beginning of 2012, more than 2,000,000 people have been displaced;

Whereas the United Nations and humanitarian groups have reported staggering rates of sexual violence indicating tens of thousands of cases perpetrated by security forces of the Government of the Democratic Republic of the Congo and non-state armed groups, which continue to operate with nearly total impunity;

Whereas human rights defenders in the Democratic Republic of the Congo have been subject to intimidation and attack;

Whereas the Democratic Republic of the Congo's wealth of natural resources, including minerals, have been a key driver of instability and violence;

Whereas the deeply flawed November 2011 presidential election in the Democratic Republic of the Congo presented significant political, economic, and social challenges, and provincial and local elections still have not been conducted despite plans to hold such elections in 2012;

Whereas the Democratic Republic of the Congo remains subject to recurring conflict despite one of the world's longest-running, largest, and most expensive international peacekeeping operations and extensive bilateral and multilateral efforts to address longstanding humanitarian crises, forge lasting peace, and pursue security sector reform and accountability;

Whereas members of civil society and political parties from both the majority and the opposition in the Democratic Republic of the Congo created the National Preparatory Committee (Comité National Préparatoire or CNP) to lay the groundwork for convening a national forum and dia-

logue with the goal of putting an end to the multifaceted crisis that afflicts the Democratic Republic of the Congo;

Whereas, on November 15, 2012, the United Nations Group of Experts provided compelling evidence that the crisis in eastern Congo had been fueled and exacerbated by regional actors, including through provision of significant military and logistical assistance and of operational and political support to the armed group known as the M23;

Whereas the United Nations and United States Government have imposed sanctions on the M23 and its leaders for human rights atrocities including rape, massacres, and the recruitment and physical and psychological torture of child soldiers;

Whereas, on March 18, 2013, International Criminal Court (ICC) indictee and leader of a faction of the M23 rebel group, Bosco Ntaganda, turned himself in to the United States Embassy in Kigali, asking to be transferred to the ICC in The Hague, where he voluntarily surrendered on March 22, 2013;

Whereas the Lord's Resistance Army continues to perpetrate attacks against civilian populations in affected areas of northeastern Congo, creating widespread insecurity and displacement;

Whereas the Democratic Republic of the Congo, Rwanda, and 9 other countries on February 24, 2013, signed the Peace, Security and Cooperation Framework that provides for a comprehensive approach to the ongoing conflict;

Whereas the United Nations Security Council adopted Resolution 2098 on March 28, 2013, extending the mandate of the United Nations Organization Stabilization Mission

(MONUSCO) and authorizing the creation of an intervention brigade tasked with neutralizing armed groups; and

Whereas, on March 18, 2013, United Nations Secretary-General Ban Ki-Moon appointed former President of Ireland and High Commissioner for Human Rights, Mary Robinson, to serve as Special Envoy for the Great Lakes region: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) commends United Nations Secretary-General Ban Ki-Moon's commitment and leadership to
3 resolving the crisis in the Democratic Republic of
4 the Congo and his appointment of Mary Robinson as
5 United Nations Special Envoy to the Great Lakes;
6

7 (2) supports the commitments agreed to by the
8 signatories of the Peace, Security and Cooperation
9 Framework (in this resolution, the "Framework");
10 and encourages them to work closely with the United
11 Nations, the African Union, the International Conference on the Great Lakes Region, the Southern
12 African Development Community, as guarantors of
13 the Framework, and the United Nations Special
14 Envoy, MONUSCO, and relevant international bodies and governments to develop, implement, and enforce a comprehensive peace process for the region;
15
16
17

18 (3) notes that the adoption of the Framework,
19 the appointment of Mary Robinson as United Na-

1 tions Special Envoy to the Great Lakes, and the ex-
2 panded MONUSCO mandate provide an opportunity
3 to make meaningful and sustained progress toward
4 ending the recurrent cycles of violence in the Demo-
5 cratic Republic of the Congo, especially in eastern
6 Congo;

7 (4) urges the signatories of the Framework and
8 the international community to engage and consult
9 with representatives of the Government of the
10 Democratic Republic of the Congo and civil society
11 representatives engaged in the ongoing effort to con-
12 vene an inclusive national forum and dialogue;

13 (5) urges the President to appoint a Special
14 Envoy to the Great Lakes in the near-term in order
15 to represent the United States in international and
16 regional efforts to end the conflict and secure sus-
17 tainable peace, stability, and safety for the people of
18 the Democratic Republic of the Congo by—

19 (A) working with United Nations Special
20 Envoy Mary Robinson and the broader inter-
21 national community to promote a transparent
22 and inclusive process to implement the regional
23 and national commitments under the Frame-
24 work, including the development of clear bench-

1 marks for progress and appropriate follow-on
2 measures;

3 (B) strengthening international efforts to
4 mobilize and support justice for victims and ac-
5 countability for perpetrators of sexual and gen-
6 der based violence and other human rights
7 abuses in the Democratic Republic of the
8 Congo;

9 (C) expanding efforts to develop conflict-
10 free and responsible mining and supply chains
11 for the region's vast mineral resources, in co-
12 ordination with other government, private in-
13 dustry, and international and local organiza-
14 tions;

15 (D) coordinating with international and re-
16 gional partners to expand unhindered access to
17 life-saving humanitarian assistance to popu-
18 lations in need, particularly displaced persons
19 and conflict-affected communities;

20 (E) pressing for fulfillment of the commit-
21 ment of the Government of the Democratic Re-
22 public of the Congo, as well as other regional
23 actors, to ending the threat posed by the M23,
24 the Lord's Resistance Army (LRA), the Demo-
25 cratic Forces for the Liberation of Rwanda

1 (FDLR), and other armed groups in the Great
2 Lakes region, and to facilitate enhanced coordi-
3 nation of regional efforts to counter these
4 groups; and

5 (F) mobilizing and facilitating United
6 States and international support for electoral
7 reforms in the Democratic Republic of the
8 Congo, with the goal of encouraging free, fair,
9 and credible provincial and local elections in the
10 near-term, and presidential elections in 2016;

11 (6) calls on the President to support the ere-
12 ation of a World Bank Fund for the Great Lakes
13 Region, as part of a coordinated international invest-
14 ment and development strategy aimed at deepening
15 regional economic integration and stability and
16 leveraging reform;

17 (7) calls on the President, in close coordination
18 with international and regional partners, to work
19 with the Government of the Democratic Republic of
20 the Congo to develop and implement recommenda-
21 tions to improve accountability for serious violations
22 of international humanitarian law and human rights
23 abuses in the Democratic Republic of the Congo, in-
24 cluding by considering imposition of sanctions au-
25 thorized under section 1284 of the National Defense

1 Authorization Act for Fiscal Year 2013 (Public Law
2 112-239; 50 U.S.C. 1701 note);

3 (8) calls on governments of the Great Lakes re-
4 gion of Africa to immediately halt and prevent any
5 and all forms of support to non-state armed groups,
6 including support provided by individuals inde-
7 pendent of government policy;

8 (9) calls on all relevant nations, including des-
9 tination and transit countries, to increase coopera-
10 tion on ending the illicit trade in conflict minerals,
11 wildlife, and wildlife parts, which continues to fuel
12 and fund violence and to deprive citizens of economic
13 opportunity in the Democratic Republic of the
14 Congo and the broader region;

15 (10) calls on the signatories of the Framework
16 to cooperate in the arrest and prosecution of those
17 responsible for violating international humanitarian
18 law and for serious human rights violations, includ-
19 ing gender-based violence;

20 (11) calls on the Government of the Democratic
21 Republic of the Congo to engage in meaningful and
22 inclusive electoral reforms, prepare and hold impar-
23 tially administered local and provincial elections as
24 soon as technically possible, continue to participate
25 in ongoing efforts to provide a platform for inclusive

1 dialogue within the Democratic Republic of the
2 Congo to address critical internal political issues,
3 and strengthen processes of state institution build-
4 ing;

5 (12) calls on the Government of the Democratic
6 Republic of the Congo, in coordination with the
7 international community, to undertake significant
8 security sector reform, which is a necessary compo-
9 nent for lasting stability, and renewed disarmament,
10 demobilization, and reintegration (DDR) efforts that
11 ensure that any rebel troops, especially commanders,
12 responsible for human rights violations are held ac-
13 countable and not reintegrated into the Armed
14 Forces of the Democratic Republic of the Congo
15 (FARDC); and

16 (13) urges the Government of the Democratic
17 Republic of the Congo to improve efforts to protect
18 civilians from armed groups, in cooperation with
19 MONUSCO and the African Union's Regional Co-
20 operation Initiative on the LRA.

21 *That the Senate—*

22 (1) *commends United Nations Secretary-General*
23 *Ban Ki-Moon's commitment and leadership to resolv-*
24 *ing the crisis in the Democratic Republic of the Congo*

1 *and his appointment of Mary Robinson as United*
2 *Nations Special Envoy to the Great Lakes;*

3 *(2) supports the commitments agreed to by the*
4 *signatories of the Peace, Security and Cooperation (in*
5 *this resolution, the “Framework”), and encourages*
6 *them to work closely with the United Nations, the Af-*
7 *rican Union, the International Conference on the*
8 *Great Lakes Region, the Southern African Develop-*
9 *ment Community, as guarantors of the Framework,*
10 *and the United Nations Special Envoy, MONUSCO,*
11 *and relevant international bodies and governments to*
12 *develop, implement, and enforce a comprehensive*
13 *peace process for the region;*

14 *(3) notes that the adoption of the Framework, the*
15 *appointment of Mary Robinson as United Nations*
16 *Special Envoy to the Great Lakes, and the expanded*
17 *MONUSCO mandate provide an opportunity to make*
18 *meaningful and sustained progress toward ending the*
19 *recurrent cycles of violence in the Democratic Repub-*
20 *lic of the Congo, especially in eastern Congo;*

21 *(4) urges the signatories of the Framework and*
22 *the international community to engage and consult*
23 *with representatives of the Government of the Demo-*
24 *cratic Republic of the Congo and civil society rep-*

1 *representatives engaged in the ongoing effort to convene*
2 *an inclusive national forum and dialogue;*

3 *(5) welcomes the announcement by World Bank*
4 *President Jim Yong Kim of \$1,000,000,000 in pro-*
5 *posed new funding to help the Democratic Republic of*
6 *the Congo and other countries in the Great Lakes re-*
7 *gion to provide better health and education services,*
8 *generate more cross-border trade, and to fund*
9 *hydroelectricity projects in support of the Framework*
10 *agreement;*

11 *(6) welcomes the appointment of Russ Feingold*
12 *as the United States Special Envoy for the African*
13 *Great Lakes region and the Democratic Republic of*
14 *the Congo and urges him to advance United States,*
15 *international, and regional efforts to end the conflict*
16 *and secure sustainable peace, stability, and safety for*
17 *the people of the Democratic Republic of the Congo*
18 *by—*

19 *(A) working with United Nations Special*
20 *Envoy Mary Robinson and the broader inter-*
21 *national community to promote a transparent*
22 *and inclusive process to implement the regional*
23 *and national commitments under the Frame-*
24 *work, including the development of clear bench-*

1 *marks for progress and appropriate follow-on*
2 *measures;*

3 *(B) strengthening international efforts to*
4 *mobilize and support justice for victims and ac-*
5 *countability for perpetrators of sexual and gen-*
6 *der based violence and other human rights abuses*
7 *in the Democratic Republic of the Congo;*

8 *(C) expanding efforts to develop conflict-free*
9 *and responsible mining and supply chains for*
10 *the region's vast mineral resources, in coordina-*
11 *tion with other government, private industry,*
12 *and international and local organizations;*

13 *(D) coordinating with international and re-*
14 *gional partners to expand unhindered access to*
15 *life-saving humanitarian assistance to popu-*
16 *lations in need, particularly displaced persons*
17 *and conflict-affected communities;*

18 *(E) pressing for fulfillment of the commit-*
19 *ment of the Government of the Democratic Re-*
20 *public of the Congo, as well as other regional ac-*
21 *tors, to ending the threat posed by the M23, the*
22 *Lord's Resistance Army (LRA), the Democratic*
23 *Forces for the Liberation of Rwanda (FDLR),*
24 *and other armed groups in the Great Lakes re-*

1 *gion, and to facilitate enhanced coordination of*
2 *regional efforts to counter these groups; and*

3 *(F) mobilizing and facilitating United*
4 *States and international support for electoral re-*
5 *forms in the Democratic Republic of the Congo,*
6 *with the goal of encouraging free, fair, and cred-*
7 *ible provincial and local elections in the near-*
8 *term, and presidential elections in 2016;*

9 *(7) calls on the President, in close coordination*
10 *with international and regional partners, to work*
11 *with the Government of the Democratic Republic of*
12 *the Congo to develop and implement recommendations*
13 *to improve accountability for serious violations of*
14 *international humanitarian law and human rights*
15 *abuses in the Democratic Republic of the Congo, in-*
16 *cluding by considering imposition of sanctions au-*
17 *thorized under section 1284 of the National Defense*
18 *Authorization Act for Fiscal Year 2013 (Public Law*
19 *112–239; 50 U.S.C. 1701 note);*

20 *(8) calls on governments of the Great Lakes re-*
21 *gion of Africa to immediately halt and prevent any*
22 *and all forms of support to non-state armed groups,*
23 *including support provided by individuals inde-*
24 *pendent of government policy;*

1 (9) calls on all relevant nations, including des-
2 tination and transit countries, to increase cooperation
3 on ending the illicit trade in conflict minerals, wild-
4 life, and wildlife parts, which continues to fuel and
5 fund violence and to deprive citizens of economic op-
6 portunity in the Democratic Republic of the Congo
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9 cooperate in the arrest and prosecution of those re-
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15 inclusive electoral reforms, prepare and hold impar-
16 tially administered local and provincial elections as
17 soon as technically possible, continue to participate
18 in ongoing efforts to provide a platform for inclusive
19 dialogue within the Democratic Republic of the Congo
20 to address critical internal political issues at the local
21 and national levels, and strengthen processes of state
22 institution building;

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24 Republic of the Congo, in coordination with the inter-
25 national community, to undertake significant secu-

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12 *operation Initiative on the LRA.*