

**ACHPR/Res.90(XXXVIII)05: RESOLUTION ON THE SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO**

*The African Commission on Human and Peoples' Rights meeting at its 38<sup>th</sup> Ordinary Session in Banjul, The Gambia from 21 November to 5 December 2005;*

**Considering** the two wars of 1996 and 1998 experienced by the Democratic Republic of Congo and their consequences in terms of serious violations of human rights and international humanitarian law;

**Considering** that the International Criminal Court has opened an inquiry into the crimes committed in the Democratic Republic of Congo from the 1<sup>st</sup> July 2002;

**Recalling** the Resolution 1592 (2005) adopted by the United Nations Security Council on the 30<sup>th</sup> March 2005 and its preceding Resolutions;

**Disturbed** by the continuing violence in the East of the Democratic Republic of Congo, in particular in the Provinces of the Northern and Southern Kivu and in the Ituri District, and by the serious human rights and international humanitarian law violations accompanying it;

1. **Calls on** the Government of National Unity and Transition to guarantee the security of civilians, including humanitarian personnel, by extending the authority of the State effectively over the entire national territory of the Democratic Republic of Congo;
2. **Requests** the Congolese government to bring to justice the perpetrators of crimes committed in Congolese territory and to cooperate fully with the organs of the International Criminal Court, most notably by adopting a law adapting the Statute of the International Criminal Court;
3. **Requests** the coordinators of the various transitional institutions in the Democratic Republic of Congo to achieve concrete progress for the effective holding of the elections, most notably by promoting the constitutional referendum and the adoption of an electoral law, as well as the registration of voters on electoral lists;
4. **Requests** MONUC to enforce its mandate relating to the enforcement of the process of disarmament, demobilisation, repatriation and reintegration of the rebel Congolese Armed Groups, as well as the protection of the civilian population;

5. **Calls** on the entire international community, in particular the countries of the Great Lakes region, to strictly implement the Arms Embargo in conformity with the various relevant Resolutions of the Security Council.