

**ACHPR/Res.139(XXXIV)08:RESOLUTION ON THE HUMAN RIGHTS SITUATION IN DEMOCRATIC REPUBLIC OF CONGO**

*The African Commission on Human and Peoples' Rights , meeting at its 44th Ordinary Session held in Abuja in the Federal Republic of Nigeria from 10 to 24 November 2008 ;*

**RECALLING** Resolution 1325 of the United Nations Security Council adopted on 31st October 2000 on Women, Peace and Security as well as Sexual Crimes in the DRC;

**NOTING** the Goma Peace Accord of January 2008;

**BEARING IN MIND** the Goma Declaration of 18 June 2008 against Sexual Violence and ending Impunity in the Great Lakes Region;

**RECALLING** the resolution adopted at the 42<sup>nd</sup> ordinary session in Brazzaville, Republic of Congo on sexual crimes against women in the DRC;

**APPRECIATING** the commitment of the DRC to respect the provisions of the African Charter on Human and Peoples' Rights;

**CONCERNED** about the renewal of hostilities in the East of DRC in particular in the Kivu regions since August 2008, and in particular the fighting currently going on in Goma between the Armed Forces of DRC (FARDC) and the militia acting under their control on the one hand, and the armed groups, particularly the National Congress for the Defence of the People (CNDP), on the other

**CONCERNED FURTHER** about the serious violations of the rights of human rights defenders, in particular women defenders working in North and South Kivu Province;

**DEPLORING** the serious human rights violations committed by all parties to the conflict against the civilian population, in particular summary executions, extra judicial killings, arbitrary detentions, torture, sexual crimes, the conscription of child soldiers, which constitute violation of International humanitarian Law ;

- **CONDEMNS** the serious violations of rights guaranteed by the African Charter on Human and Peoples Rights and acts that constitute international crimes ;
- **CALLS ON** all parties to the conflict to cease hostilities with immediate effect and end all human rights violations and violations against international humanitarian law;

- **CALLS ON** all parties to guarantee the physical integrity of the civilian population, their freedom of movement and access to humanitarian assistance;
- **CALLS ON** all parties to ensure that human rights Defenders and organizations working in the field of human rights are able to carry out their legitimate activities without fear of reprisals and free of all restrictions, including harassment;
- **COMMENDS** the United Nations Security Council for adopting a Resolution S/RES/1843(2008) on 20 November 2008, to enhance the capacity of MONUC to deal with the insecurity in the conflict in DRC;
- **CALLS ON** the government of the DRC to take all necessary measures to investigate and institute legal proceedings against the perpetrators of the crimes inflicted on the DRC population;
- **URGES** all neighboring States to put an end to any form of support to the armed groups in the DRC ; and the illegal exploitation of the natural resources of the DRC;
- **URGES** the African Union and the United Nations to take all appropriate measures to ensure that all hostilities and serious human rights violations in the DRC are brought to an end.