



HUMAN RIGHTS COUNCIL

8th SPECIAL SESSION

Resolution S-8/1 Situation of human rights in the east of the Democratic Republic of the Congo

The Human Rights Council,

Recalling General Assembly resolutions 60/251 of 15 March 2006 and 61/296 of 17 September 2007,

Reiterating its resolutions 5/1 and 5/2 of 18 June 2007 and 7/20 of 27 March 2008,

Reiterating also the principles and objectives of the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Recalling the decision of the tenth Assembly of the African Union on the peace and security situation in Africa,

Recalling also the provisions of the Pact on Security, Stability and Development in the Great Lakes Region,

Recalling further African efforts to address the situation in the Democratic Republic of the Congo, including (a) the Goma act of engagement, signed by the parties to the peace process in the region of Kivu within the framework of the Conference on Peace, Security and Development for the Provinces of North and South Kivu, held in Goma from 6 to 23 January 2008; (b) the Great Lakes Region summit of 7 November 2008 on the situation in the Democratic Republic of the Congo; (c) the Extraordinary Summit of the Heads of State and Government of the Southern Africa Development Community, held on 9 November 2008; and (d) the summit of Heads of State of members of the Commission of the Gulf of Guinea, held on 25 November 2008,

1. *Expresses* its serious concern at the deteriorating human rights and humanitarian situation in North Kivu since the resumption of hostilities on 28 August 2008, and calls upon all concerned parties to comply fully with their obligations under

international law, including international humanitarian law, human rights law and refugee law, to ensure the protection of the civilian population and to facilitate the work of humanitarian agencies;

2. *Calls for* the immediate end to all human rights violations and the unconditional respect for the rights of civilians;

3. *Expresses concern* at the deteriorating situation of refugees and internally displaced persons owing to the escalation of the conflict in Kivu;

4. *Urges* all parties to allow and facilitate humanitarian assistance and to support the ongoing efforts to establish humanitarian corridors throughout the area so as to allow access and the free movement of people and goods as well as to enable humanitarian agencies to provide badly needed food, water, medication and shelter;

5. *Condemns* the acts of violence, human rights violations and abuses committed in Kivu, in particular sexual violence and the recruitment by the militia of child soldiers and stresses the importance of bringing all perpetrators to justice;

6. *Underlines* that the Government has the primary responsibility to make every effort to strengthen the protection of the civilian population and to investigate and bring to justice perpetrators of violations of human rights and of international humanitarian law, and calls upon the international community to support the endeavours of the Government of the Democratic Republic of the Congo in its efforts to stabilize the situation in the country;

7. *Expresses* its support for the efforts of the Special Envoy of the Secretary-General for the conflict in the east of the Democratic Republic of the Congo, former President Olusegun Obasanjo, the African Union, the Southern Africa Development Community, the Office of the United Nations High Commissioner for Human Rights, the international community and the Government of the Democratic Republic of the Congo in the search for a solution to restore long-term peace and stability to the region, in particular within the Goma process and the Nairobi process, and urges all parties to cooperate with the Special Envoy of the Secretary-General;

8. *Emphasizes* the importance of strengthening the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo with a view to increasing its capacity to protect civilians and to restore peace, security and stability in the region of Kivu of the Democratic Republic of the Congo, and calls upon all States to immediately provide assistance to the Mission to increase its ability to address the dire security and humanitarian situation in the region;

9. *Calls upon* the international community:

(a) To seriously address the root causes of the conflict, including the illicit exploitation of natural resources and the establishment of militia, which are the basis of human rights violations and the humanitarian crisis in the region;

(b) To continue to contribute to the promotion of peace and stability in the Democratic Republic of the Congo, and to assist the Government of the Democratic Republic of the Congo in the rehabilitation and economic reconstruction of the country;

(c) To provide the Government of the Democratic Republic of the Congo with the various forms of assistance it requests, with a view to improving the humanitarian and human rights situation;

10. *Welcomes* the cooperation of the Democratic Republic of the Congo with the thematic special procedures of the Council and the invitation it has extended to some individual special procedures, and encourages the Government of the Democratic Republic of the Congo to strengthen its cooperation in this regard.

11. *Invites* all the thematic special procedures mentioned in its resolution 7/20 to urgently examine the current situation in the east of the Democratic Republic of the Congo with a view to providing a comprehensive report to the Council at its tenth session on how best to assist technically the Democratic Republic of the Congo in addressing the situation of human rights, with a view to obtaining tangible improvements on the ground, taking also into account the needs formulated by the Government of the Democratic Republic of the Congo;

12. *Invites* the United Nations High Commissioner for Human Rights to report to the Council at its tenth session on the human rights situation in the east of the Democratic Republic of the Congo and on the activities that the Office of the United Nations High Commissioner for Human Rights has undertaken in the region.

*Adopted without a vote
2nd meeting
1 December 2008*