



# General Assembly

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## Human Rights Council

Sixteenth session

Agenda item 10

Technical assistance and capacity-building

### Resolution adopted by the Human Rights Council\*

**16/35**

### **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* Human Rights Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

*Recalling further* Human Rights Council resolution 10/33 of 27 March 2009, in which the Council requested the international community to support the establishment of a local cooperation mechanism by the Government of the Democratic Republic of the Congo, the United Nations High Commissioner for Human Rights and the human rights liaison entity in the Democratic Republic of the Congo,

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

*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,

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\* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its sixteenth session (A/HRC/16/2), chap. I.

*Expressing concern* at the current human rights situation in the Democratic Republic of the Congo, and calling upon the Government to respect human rights law 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* the continuing high level of sexual violence, including the Walikale and Fizi rapes, and noting with appreciation the progress in the follow-up by the authorities of the Democratic Republic of the Congo with convictions of perpetrators and reparations to victims,

*Acknowledging* the joint role played by the Office of the High Commissioner 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,

*Taking note* of the decision by the independent electoral commission to set 27 November 2011 as the date for presidential and national parliamentary elections, and the creation of a new independent national electoral commission,

*Noting* the third joint report of seven United Nations experts on the situation of human rights in the Democratic Republic of the Congo;<sup>1</sup>

*Noting also* the report of the High Commissioner on the human rights situation in the Democratic Republic of the Congo and the activities undertaken in the country by her Office;<sup>2</sup>

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. *Encourages* the Government of the Democratic Republic of the Congo to continue to cooperate with the human rights liaison entity of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo as a framework for consultation and collaboration in the field of human rights in the country;

3. *Commends* the role played by the international community, in particular the African Union, the European Union, the Southern African Development Community, the Economic Community of the Great Lake 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;

4. *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;

5. *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;

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<sup>1</sup> A/HRC/16/68.

<sup>2</sup> A/HRC/16/27.

6. *Takes note* of the initiatives taken by the Government of the Democratic Republic of the Congo to promote the administration of justice, including the recruitment of 2,000 new magistrates, the establishment of juvenile courts and the drafting of a bill that, upon passage, would establish specialized chambers, within Congolese courts, to address serious violations of human rights law and international humanitarian law;

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

8. *Calls upon* the Government of the Democratic Republic of the Congo to ensure free and fair elections, protecting the rights of all citizens;

9. *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);

10. *Welcomes with satisfaction* the readiness of the Government of the Democratic Republic of the Congo to present an assessment report on its plan of action for the implementation of recommendations on human rights to the Human Rights Council at its nineteenth session;

11. *Invites* the Government of the Democratic Republic of the Congo to promote and protect human rights, including through human rights education;

12. *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;

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, and to report to the Human Rights Council at its nineteenth session;

14. *Decides* to follow up on the situation of human rights in the Democratic Republic of the Congo at its nineteenth session.

*48<sup>th</sup> meeting*  
*25 March 2011*  
[Adopted without a vote.]