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2017 Report on International Religious Freedom - Democratic Republic of the Congo

Executive Summary

The constitution provides for freedom of religion and prohibits discrimination based on religious belief. On September 15, government security forces shot and killed 36 Burundian refugees and asylum seekers belonging to a Christian movement critical of the president of Burundi. The Burundians were protesting the forcible deportation of some members of their community to Burundi. On December 31, state security forces in Kinshasa arrested Catholic priests and parishioners, blocked citizens from entering church, and used teargas, rubber bullets, and live ammunition to disrupt peaceful protests organized by Catholic leaders in support of credible elections. At least five people were killed. During the year, religious organizations and leaders, most prominently from the Catholic Church, were subjected to intimidation, harassment, and in some cases violence due to their support for credible elections and implementation of the December 2016 St. Sylvester Agreement between the government and opposition parties. In May Ne Mwanda Nsemi, the leader of the Bundu dia Kongo (BDK) spiritual, political, and separatist movement, escaped from prison and in August BDK members attacked police and civilians in Kinshasa, resulting in 40 deaths. In April Catholic leaders publicly denounced violence and harassment toward clergy following efforts by the Council of Catholic Bishops (CENCO) to implement the December 2016 Agreement. In the Kasai regions, several Catholic leaders were threatened, often by unidentified assailants, after criticizing the government's failure to implement the December 2016 Agreement and abuses perpetrated by Kamuina Nsapu militia (Nsapu) and government security forces.

Nsapu militia members vandalized, attacked, and in some cases burned numerous Catholic churches, schools, and buildings. In North Kivu, unknown assailants abducted two Catholic priests at gunpoint and disappeared.

The U.S. Charge d'Affaires and embassy officials met regularly with the government, religious leaders, and civil society organizations to discuss religious freedom issues, such as government relations with religious organizations, violence in Kasai and in the east, the country's ongoing political crisis, and interfaith peacebuilding efforts. In October the U.S. Ambassador to the United Nations met with CENCO representatives in Kinshasa.

Section I. Religious Demography

The U.S. government estimates the total population at 83.3 million (July 2017 estimate). The last national census was performed in 1981, and many existing demographic statistics vary in estimates and reliability. The Pew Research Center estimates 95.8 percent of the population is Christian, 1.5 percent is Muslim, and 1.8 percent report no religious affiliation (2010 estimate). Of the Christian groups, 48.1 percent are Protestant, including evangelical Christians and the Church of Jesus Christ on Earth through the Prophet Simon Kimbangu (Kimbanguist), and 47.3 percent are Catholic. Other Christian groups include the Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), and the Greek Orthodox Church. There are small communities of Hindus, Jews, Buddhists, Bahais, and followers of indigenous religious beliefs. Muslim leaders estimate their community to be approximately 5 percent of the population, rather than the 1.5 percent reported by Pew.

A significant portion of the population combines traditional beliefs and practices with Christianity or other religious beliefs.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution prohibits religious discrimination and provides for freedom of religion and the right to worship subject to "compliance with the law, public order, public morality, and the rights of others." It stipulates the right to religious freedom cannot be abrogated even when the government declares a state of emergency or siege.

The law regulates the establishment and operation of religious groups. According to the law, the government may legally recognize, suspend recognition of, or dissolve religious groups. The government grants tax-exempt status to recognized religious groups. Nonprofit organizations, including foreign and domestic religious groups, must register with the government to obtain official recognition by submitting a copy of their bylaws and constitution. Religious groups must register only once for the group as a whole, but nonprofit organizations affiliated with a religious group must register separately. Upon submission, the Ministry of Justice and Human Rights (MOJ) issues a provisional approval and, within six months, a permanent approval or rejection. Unless the ministry specifically rejects the application, the group is considered approved and registered after six months even if the ministry has not issued a final determination. Applications from international headquarters of religious organizations must be approved by the Presidency after submission through the MOJ. The law requires officially recognized religious groups to operate as nonprofits and respect the general public order. It also permits religious groups to establish places of worship and train clergy. The law prescribes penalties of up to two years' imprisonment and/or a fine of 200,000 Congolese francs ($130) for groups which are not properly registered but receive gifts and donations on behalf of a church or religious organization.

The constitution allows public schools to work with religious authorities to provide religious education to students in accordance with students' religious beliefs if parents request it. Public schools with religious institution guardianship may provide religious instruction, but government-owned schools may not mandate religious instruction.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Because religious and political issues overlap, it was difficult to categorize some incidents as being solely based on religious identity.

On September 15, government security forces shot and killed 36 Burundian refugees and asylum seekers in Kamanyola outside of Bukavu in the eastern part of the country. The Burundians were Christian followers of Eusebie Ngendakumana, who said she had visions of the Virgin Mary in Burundi. The followers were critical of the Burundi president and were killed while protesting the forcible deportation of some of their members back to Burundi. The motive for the killings was unclear. Since 2015, over 2,000 Burundian members of this movement have sought refuge in the country.

In March authorities arrested Ne Muanda Nsemi, the leader of the BDK separatist political-religious group, which calls for the secession of Kongo Central, after a series of clashes between Nsemi and government forces. Nsemi, who is believed by his followers to have religious or mystical powers, used women and children as human shields during the standoff to keep government security forces from raiding his compound. In May Nsemi escaped from jail, along with as many as 4,000 other prisoners, when unknown assailants attacked Kinshasa's Makala Prison. On August 7, BDK members attacked police and civilians in Kinshasa, killing several. According to the UN Joint Office of Human Rights, government security forces killed an unspecified number of civilians during the ensuing security force response.

On December 31, government security forces used teargas, rubber bullets, and live ammunition to disrupt peaceful protests in Kinshasa organized by Catholic Church leaders calling for credible elections and implementation of the CENCO-mediated December 2016 Agreement between the government and opposition parties. Church leaders and civil society organizations reported that state security forces arrested priests and churchgoers, encircled at least 134 parishes in Kinshasa, interrupted Mass in five churches, blocked access to two churches, forcibly entered at least 18 churches, and deployed tear gas in 10 others. At least five people were killed and as many as 92 were injured. More than 100 people were arrested, some of whom were held incommunicado. Some of those who were severely injured were shot by live ammunition or rubber bullets while inside church compounds. Security forces shot at least one person in the head at point blank range and then shot with rubber bullets a priest who was carrying the injured parishioner.

Catholic Church leaders reported acts of violence and intimidation against Church officials in response to Church support for elections and implementation of the December 2016 Agreement, which called for elections by December, prevented President Joseph Kabila from seeking a third presidential term or changing the constitution, and called for the release of political prisoners and an end to politically motivated prosecutions. For instance, Catholic seminaries were targets of vandalism in February and March in what CENCO said was retaliation for its mediation of the December 2016 Agreement and support for its implementation. On February 12, unknown assailants vandalized Saint Dominique's Church in Kinshasa. On February 18, assailants ransacked and burned part of a seminary in Malole in the town of Kananga in Kasai Central Province. On February 19, assailants vandalized a Catholic church in Kinshasa's Limete neighborhood. According to Church leaders, assailants "overturned the tabernacle, ransacked the altar, smashed some of the benches, and attempted to set fire to the church." On February 21, unidentified individuals broke into the parish of St. Mary in Lukalaba of Kasai Oriental, breaking windows and stealing liturgical books and other objects. That same day in Lubumbashi, unidentified individuals vandalized the St. Jean parish building and attempted to break into the parish of St. Kizito. Following these incidents, Cardinal Laurent Monsengwo, the Archbishop of Kinshasa, said in a public statement that the Catholic Church was "being targeted deliberately in order to sabotage her mission of peace and reconciliation." Catholic clergy were also threatened after CENCO released a statement on April 21 expressing concern about the government's failure to implement the December Agreement as written.

Catholic leaders and institutions were also threatened after Church leaders expressed concern over violence they attributed to government security forces and the Kamuina Nsapu militia in Kasai. According to the UN Joint Office of Human Rights, on February 4-5 in Luiza territory, government security forces killed 49 civilians including 39 children who had taken refuge at a Catholic mission. In June the Catholic Church reported that as many as 3,383 people had been killed in Kasai since August 2016. The Apostolic Nunciature also reported that from October 2016 to June 2017, 232 Catholic Church buildings and schools in Kasai were attacked amid fighting between government security forces and the Nsapu militia. Church leaders also stated that some Catholic officials in Kasai who publicly denounced the behavior of government security forces were subjected to government harassment and attacks against their congregations. Catholic Bishops in Luiza and Luebo sought refuge in Kinshasa after receiving death threats from both Nsapu militia and members of government security forces.

The MOJ again did not issue any final registration permits for religious groups and has not done so since 2014, reportedly due to an internal investigation into registration practices resulting in fraud. The government, however, continued its practice that groups have been presumed to have been approved and have been permitted to organize. Unregistered domestic religious groups reported they continued to operate unhindered. The MOJ previously estimated that more than 2,000 registration applications for both religious and nonreligious NGOs remained pending and 3,569 associations with no legal authorization continued to operate. Foreign-based religious groups reported they operated without restriction after applying for legal status. Under existing law, which was under review, nonprofit organizations could operate as legal

entities by default if a government ministry gave a favorable opinion of their application and the government did not object to their application for status. According to 2015 registration statistics, the latest year for which the MOJ had statistics, there were a total of 14,568 legally registered nonprofit organizations, 11,119 legal religious nonprofit organizations, and 1,073 foreign nonprofit organizations. Religious nonprofits that were legally operating and registered included 404 Catholic, 93 Protestant, 54 Muslim, and 1,322 evangelical nonprofits, the latter including those belonging to the Kimbangu Church.

The government continued to rely on religious organizations to provide public services such as education and healthcare throughout the country. According to the Ministry of Education, approximately 72 percent of primary school students and 65 percent of secondary school students attended government-funded schools administered by religious organizations. The government paid teacher salaries at some schools run by religious groups depending on sectors, areas, and needs.

Muslim community leaders said the government did not afford them some of the same privileges as larger religious groups. The government continued to deny Muslims the opportunity to provide chaplains for Muslims in the military, police force, and hospitals, despite a complaint filed in 2015 with the president and his cabinet.

Section III. Status of Societal Respect for Religious Freedom

Nsapu militia members attacked and targeted Catholic Church property, schools, and clergy, according to Church sources. In Kasai, Kasai Central and Kasai Oriental Provinces, the Catholic Church reported that threats and attacks against the Church by Nsapu, other armed groups, and government forces prevented several churches from freely administering services. On February 18, Nsapu ransacked and set the Malole Catholic Seminary on fire, and then prevented the evacuation of 25 seminarians, forcing them to be airlifted to safety by UN peacekeepers. Nsapu members also robbed parishes along the road from Tshimbulu to Luiza in Kasai Central Province, making the area insecure for travel and forcing schools to close. Clergy in these areas reported receiving threats from Nsapu members and said members kidnapped four priests. Numerous Catholic schools were burned, attacked, or closed due to lack of security. In many instances, observers stated it was not clear whether government forces or Nsapu members perpetrated the attacks.

Some religious leaders reported continued tensions between Christian and Muslim communities in the eastern part of the country linked to the government's ongoing fight against the Allied Democratic Forces and other armed groups in North Kivu Province. On April 2, armed men reportedly assaulted three priests in Paida after attacking their parish. According to news reports and a statement by the local Catholic diocese, two Catholic priests in North Kivu were kidnapped by unidentified individuals in July. As of the end of the year, neither priest had been released.

In South Kivu Province, Muslims in the Katana area said they had not received funds to rebuild their mosque after it was burned down in October 2016, despite a promise in November 2016 from the former governor of South Kivu to provide funds to rebuild the mosque.

Section IV. U.S. Government Policy and Engagement

The U.S. Charge d'Affaires and embassy officials met regularly with government officials, religious leaders, and civil society organizations to discuss religious freedom issues, such as government relations with religious organizations, violence in the Kasais and in the east, and the country's ongoing political crisis. The discussions included numerous meetings with CENCO on the electoral process and implementation of the December 2016 St. Sylvester Agreement. The Charge d'Affaires and embassy representatives regularly urged the government and other community and political leaders to refrain from violence and respect the rights of civil society, including religious groups, to assemble and express themselves freely.

The embassy also discussed these issues with religious leaders and human rights organizations, particularly in the eastern part of the country and Kasai, and used social media to highlight religious freedom issues and promote tolerance. Embassy officials, for instance, met with members of religious communities in Kasai, Kinshasa, and in the eastern region of the country, among other places, to discuss their respective groups' ability to practice their faith freely.

In addition, the U.S. Ambassador to the United Nations met with CENCO in October in Kinshasa, and in November a representative of the State Department's Bureau of Democracy, Human Rights, and Labor met with director the Episcopal Justice and Peace Commission.

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