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2023 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. The law regulates the establishment and operation of religious groups. By law, eight major religious groups are charged with electing the head of the National Independent Electoral Commission (CENI).

On August 30 in Goma, North Kivu Province, government security forces confronted members of the Natural Jewish Messianic Faith to the Nations (FNJMN), characterized by Human Rights Watch (HRW) as a mystic religious group, who were protesting the presence of peacekeepers from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the East African Community Regional Force (EACRF) and had threatened violence against the international community and peacekeepers. Security forces fired on the protesters, reportedly killing 57 and wounding at least 75, and arresting 158. One police officer was killed. Military tribunals convicted one military officer of murder in the incident and sentenced him to death; three officers were each sentenced to 10 years in prison. The tribunals convicted the FNJMN leader, a pastor, of murder and other charges and sentenced him to death; 63 other FNJMN members received sentences of death or 10-20 years' imprisonment on similar charges. All the death sentences were commuted to life in prison.

The Islamic State of Iraq and Syria-Democratic Republic of the Congo (ISIS-DRC), known locally as the Allied Democratic Forces (ADF), a U.S.-designated terrorist organization, continued to attack civilians indiscriminately in North Kivu and Ituri Provinces, on occasion targeting churches and religious leaders. The violence targeted all communities, but most victims were Christian, the religious majority. In January, ISIS-DRC/ADF detonated an explosive at a church baptism service in Kasindi, North Kivu Province, killing 16 and injuring at least 62. In March, the group killed more than 83 Christians, including children, in attacks on villages in North Kivu.

Jehovah's Witnesses reported attacks against their members in the interior provinces. They also said that public schools run by other religious groups continued to expel students and teachers who were Jehovah's Witnesses for refusing to participate in religious activities or convert to other faiths.

U.S. embassy officers met with officials from the Ministries of Human Rights, Justice, Defense, and Interior and discussed religious freedom issues, including government relations with religious organizations. Embassy officials also regularly urged the government, security force leaders, and community and political leaders to refrain from violence and to respect the rights of civil society, including of religious groups, to assemble and express themselves freely. Throughout the year, embassy and Washington-based officials engaged with religious groups.

Section I.

Religious Demography

The U.S. government estimates the total population at 111.9 million (mid-year 2023). In 2020, the World Religion Database estimated 95.1 percent of the population was Christian, 1.5 percent was Muslim, and 2.5 percent had no religious affiliation. The Pew Research Center estimated in 2010 (latest information available) that 48.1 percent of Christians were Protestant, including evangelical

Christians and members of the Church of Jesus Christ on Earth through the Prophet Simon Kimbangu (Kimbanguist), and 47.3 percent were Roman Catholic. There are approximately 60 Protestant denominations. Other Christian groups include Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, and the Greek and Independent Orthodox Churches. There are small communities of Hindus, Jews, Buddhists, Baha'is, and followers of Indigenous religions. In contrast to the World Religion Database estimate, Muslim leaders estimate their community makes up 5 percent of the population. 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 may not 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 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 are required to register only once for the group as a whole, but nonprofit organizations affiliated with a religious group must register separately. According to the law, upon receiving a submission, the Ministry of Justice 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 justice ministry. 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, a fine of 200,000 Congolese francs (\$75), or both for groups that are not properly registered but receive gifts and donations on behalf of a church or other religious organization.

By law, eight religious groups that meet certain characteristics with regard to their status and competence in electoral matters (i.e., acting as civil society organizations) are charged with nominating the head of CENI: the Catholic Church, national umbrella organization for Protestant groups, Muslim community, Salvation Army, Independent Church of Congo, Kimbanguists, Revival Church, and Independent Orthodox Church.

The constitution permits public schools to work with religious authorities to provide religious education to students in accordance with students' religious beliefs if parents request it. Government-funded public schools administered by religious institutions may provide religious instruction. Government-owned schools may not mandate religious instruction but may offer religion as a subject.

The law prohibits insulting the head of state, the army, or government institutions and authorities; malicious and public slander; hate speech or speech to incite violence; and language presumed to

threaten national security. There are no specific penalties, however, for hate speech or incitement related to religion.

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

GOVERNMENT PRACTICES

During the year, the government repeatedly extended the state of siege in North Kivu and Ituri Provinces, in response to the continuing conflict in the eastern part of the country between government military forces and more than 15 significant and cohesive armed groups. On August 30 in Goma, government security forces confronted members of the FNJMN, who were gathering to protest the presence of MONUSCO and EACRF peacekeepers. The FNJMN is a Goma-based group, described by HRW as mystic religious, with an estimated membership of 1,000, according to the United Nations, and 5,000 according to the group's leader. A week before the protest, the mayor of Goma issued an order prohibiting the protest after the FNJMN had called for violence against MONUSCO and the international community and threatened individual peacekeepers. MONUSCO and government officials said they viewed the threats as credible. Security forces fired on the protesters, reportedly killing 57 and wounding at least 75 more, and arrested 158 individuals, including the group's leader, Pastor Ephraim Bishimwa, according to international and regional media. One police officer was killed by the protesters. Three hours after opening fire on protesters, security forces set fire to the FNJMN temple. Two hours prior to the protest, members of the security services raided a radio station that broadcast pro-FNJMN messages and killed six individuals found on site. The UN Group of Experts confirmed this timeline and events in its December report.

According to the Catholic newspaper *La Croix*, an HRW representative called the actions by the security forces "an extremely brutal and illegal way of enforcing a prohibition." On September 1, the spokesman for the UN High Commissioner on Human Rights called for the government to undertake a "thorough, effective, and impartial" investigation into the incident and for "those responsible to be held to account." The same day, the Ministry of Communication said an investigation had been opened with the Military Prosecutor's Office of the Goma garrison so that "responsibilities are cleared and the culprits can answer for their actions before justice."

Following the incident, the government replaced the military governor of North Kivu Province. Media sources linked the recall, at least in part, to his failure to foresee and prevent the violence of August 30. In early September, the military began trials of six army officers and, because of martial law in North Kivu, many of the FNJMN protesters for their roles in the protest. On October 3, Colonel Mike Mikombe of the Republican Guard elite military force was convicted of murder (for giving the orders to open fire on the protesters) and sentenced to death (commuted to life in prison); he was also dismissed from the army, according to local and international media. Three soldiers were each sentenced to 10 years in prison after convictions for murder, intentional destruction of property, and inciting military personnel to commit acts contrary to duty or disciplinary codes. Mikombe's deputy and one other officer were acquitted. On October 9, FNJMN leader Bisimwa was convicted of participation in an insurrectionary movement, criminal conspiracy, and murder (for the death of the police officer) and sentenced to death (commuted to life in prison). A total of 63 other FNJMN members reportedly received sentences of death (commuted to life in prison) or 10-20 years in prison on charges similar to Bisimwa's. Defense counsel for all parties announced plans to appeal the verdicts and sentences. At year's end, there were no reports that appellate proceedings had begun.

The Ministry of Justice did not issue any final registration permits for religious groups; it had not done so since 2014, despite the law stipulating that groups are automatically registered if the ministry does not issue a decision on their applications within six months of their submission. The government, however, continued its practice of allowing domestic religious groups that had pending registration permit requests to operate, and these groups reported they continued to do so unhindered. Foreign-based religious groups stated they operated without restriction after applying for legal status. Under existing law, which remained under review, nonprofit organizations could

operate as legal entities if a government ministry ruled favorably on their application or by default if the government did not object to their application for status. According to registration statistics for 2015, the latest year for which the Ministry of Justice had such data, there were 14,568 legally registered nonprofit organizations, 11,119 legal religious nonprofit organizations, and 1,073 foreign nonprofit organizations in the country.

The government continued to rely on religious organizations to provide public services such as education and health care throughout the country. Although recent statistics were unavailable, according to a 2015 estimate by the Ministry of Education, 72 percent of primary school students and 65 percent of secondary school students attended government-funded public schools administered by religious organizations. The government paid teacher salaries at some schools run by religious groups, depending on the needs of the schools and whether they were registered as schools eligible to receive government funding. Most schools were run by the Catholic Church.

Muslim community leaders stated that government relations with them were generally good and that Muslim individuals generally did not face discrimination from government officials. They said, however, that the government did not afford them some of the same privileges as larger religious groups and that the Muslim community suffered from a lack of representation in government institutions. For example, the government continued to deny Muslims the opportunity to provide chaplains in the military, police force, and hospitals, despite a complaint filed in 2015 with the then President and his cabinet. Catholic, Protestant, and Kimbanguist chaplains served in the police and armed forces.

In late March, a member of the ruling party introduced a bill in parliament that would have restricted certain senior government positions to candidates with two Congolese parents. The bill would have barred the presidential candidacy of Moise Katumbi, whose father was a Sephardic Jewish Greek citizen. According to the *Jerusalem Post*, the bill was criticized by Jewish leaders and others, including the chairman of the European Jewish Association, who said he was appalled by a proposed bill that would bar a leading presidential candidate solely because of his Jewish heritage. Domestic critics, primarily civil society and opposition political actors, reportedly viewed the bill as aimed at fomenting antiforeign sentiment, rather than religious intolerance, for political gain. The bill was not enacted, and Katumbi ran in the December presidential election, finishing in second place with 18 percent of the vote, according to preliminary results.

Foreign Forces and Nonstate Actors

ISIS-DRC/ADF continued to be active in the country, killing hundreds during the year. The group reportedly attacked civilians indiscriminately, regardless of religion, although most victims were Christian, reflecting their status as the majority religious group. In its June report, the UN Group of Experts noted ISIS-DRC/ADF continued its attempt to expand its area of operations beyond North Kivu and Ituri Provinces and sought to recruit and conduct attacks in Kinshasa, Tshopo, Haut Uele, and South Kivu Provinces. Ituri remained a major focus of ISIS-DRC/ADF attacks, however. In a 2021 study, the Center for Strategic and International Studies stated that since 2015, ISIS-DRC/ADF had released increasing amounts of propaganda that reflected the group's "ideological alignment with the Islamic State," including, among other objectives, "an increased focus on efforts to kill non-Muslim civilians." Both local Christian and Muslim leaders, with vocal support from the government, again condemned ISIS-DRC/ADF's attacks on civilians.

In its report covering 2023, international Christian nongovernmental organization (NGO) Open Doors said Christians who lived in the eastern part of the country, where ISIS-DRC/ADF and other groups were most active, were at risk of violence perpetrated by armed groups, some of whom specifically targeted Christians. Christians and churches in this part of the country were vulnerable to attacks, including murder, abduction, and sexual violence, according to the NGO, and church leaders who spoke out against the violence were at risk of being targeted themselves.

On January 15, for example, ISIS-DRC/ADF detonated an improvised explosive device during an outdoor baptism service at the Lubiriha Pentecostal Church in Kasindi, North Kivu Province, killing 16 and injuring at least 62 others. The report from the UN Group of Experts noted that ISIS-

DRC claimed responsibility for the attack a few hours after the bombing and said the attack was “a command from Allah” to “avenge our children that the Kafirs killed.” The government arrested 15 individuals in connection with the bombing, including Moise Mupalalo, named as an ADF collaborator in the UN Group of Experts report, who confirmed he purchased nitrate for the bomb and gave it to an ADF commander who built it.

On March 8, ISIS-DRC/ADF attacked the town of Mukondi, North Kivu Province, killing at least 38, including 11 children, and injuring 17 others. A subsequent ISIS-DRC/ADF statement claimed responsibility for the attack and said the attackers had specifically targeted Christians and burned Christian homes in the village. According to the UN Group of Experts report, ISIS-DRC/ADF also took credit for attacks in March against Christians in the villages of Kirindera, Mabinduno, Kiniga, Mabulingwa, Vulira, and Mwendiba, all in North Kivu Province, which combined killed more than 45, including a priest.

At year’s end, the trial continued of 16 ISIS-DRC/ADF members charged with killing two local imams, Sheikh Ali Amini and Djamali Moussa, in Beni, North Kivu Province, in 2021. The group stated they targeted the imams for their refusal to facilitate the recruitment of children to ISIS-DRC/ADF. The defendants, who faced penalties of life in prison if convicted, said the killings had been a direct order from the head of ISIS-DRC/ADF, Musa Seka Baluku, classified by the United States as a Specially Designated Global Terrorist.

Section III.

Status of Societal Respect for Religious Freedom

The Jehovah’s Witnesses *Religious Freedom Report* for 2023 stated there were several attacks on members in the interior provinces, areas less tolerant of Jehovah’s Witnesses than the capital Kinshasa, according to members. The report noted that on January 21 in Kasai Central Province, youths beat a group of Jehovah’s Witnesses after one Jehovah’s Witness member refused to adopt traditional funeral practices for her teenage son’s burial. Two of the victims filed a police complaint in April, but the local prosecutor had not followed up by year’s end. In April, a man in the town of Idiofa (Kwilu Province) accused his Jehovah’s Witness neighbor of sorcery and threatened to kill him. The member reported the threats to police, but they took no action. Later that month, the neighbor and his family attacked the member, beat him, looted his home, and burned it down, according to the Jehovah’s Witnesses report.

The Jehovah’s Witnesses report said that public schools run by other religious groups continued to expel students who were Jehovah’s Witnesses for refusing to participate in religious activities such as Catholic Mass. The report also said school authorities continued to fire or suspend some teachers who were members for not participating in religious activities or tithing, which the teachers believed violated their faith. For example, in South Kivu Province on August 21, a member of a local Jehovah’s Witness congregation was permanently removed from her teaching position for failing to participate in religious activities at her school. The report stated that in February, school officials at a government-affiliated Kimbanguist school in Kwilu Province fired a Jehovah’s Witness teacher when she refused to convert to Kimbanguism.

In February, demonstrators in Goma protesting the presence of MONUSCO and the EACRF vandalized churches belonging to, or predominantly used by, Rwandophone individuals. The protesters reportedly targeted the churches because they believed they sympathized with or supported Rwanda or the Rwanda-backed March 23 Movement (M23), an armed group that seized control of large portions of North Kivu Province in 2022 and 2023, according to the U.S. government, UN officials, and NGOs. Among the vandalized churches was the Rama Church, a Banyamulenge community church in the Nyabushongo neighborhood of Goma, that caved in when demonstrators attempted to remove the roof.

Section IV.

U.S. Government Policy and Engagement

The U.S. Ambassador and embassy representatives discussed a range of religious freedom issues, including government relations with religious organizations, with officials from the Ministries of Human Rights, Justice, Defense, and Interior. Embassy officials also regularly urged the government, security force leaders, and community and political leaders to refrain from violence and inflammatory rhetoric and to respect the rights of civil society, including of religious groups, to assemble and express themselves freely.

Throughout the year, embassy and Washington-based officials engaged members of the eight religious confessions charged with nominating the head of CENI and human rights organizations, including those operating in the eastern, conflict-affected provinces. In meetings with members and representatives of both the largest denominations and smaller faith communities (including Catholic archbishops from the cities of Kinshasa, Lubumbashi, and Kolwezi; Lutheran bishops; Pentecostal pastors; Jehovah's Witnesses; and Muslim community leaders), U.S. officials discussed religious groups' relationship with the government and other religious organizations, their ability to operate within the country, religious tolerance issues, and their freedom to practice their religion as they saw fit.