

DEMOCRATIC REPUBLIC OF THE CONGO 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion and prohibits discrimination based on religious belief. During the year, international NGOs, media, and religious organizations reported the government subjected religious organizations and leaders, most prominently Catholic, to intimidation, arbitrary arrest, and in some cases violence due to the Catholic Church's support for credible elections, involvement in protest marches in January and February, and the implementation of the December 2016 Sylvester Agreement between the government and opposition parties. On January 21, security forces used lethal force to disrupt peaceful protests organized by the Catholic Lay Association (CLC) and some Protestant church leaders in support of credible elections and implementation of the December 2016 agreement. At least six persons were killed, and as many as 50 injured when government security forces, including members of the Republican Guard, fired tear gas, rubber bullets, and live ammunition at protesters inside church compounds. As many as 100 persons were subjected to arbitrary arrest, including several dozen choir girls. On February 25, state security forces killed two individuals, including Rossy Mukendi Tshimanga, who was shot by a rubber bullet inside a church compound during a protest organized by the CLC. Due to the political nature of many of the CLC's activities and practices, however, it is difficult to establish the government's response as being solely based on religious identity.

Antigovernment militia members in the Kasai region and in North Kivu Province attacked and targeted Catholic Church property, schools, and clergy, according to Church sources. On April 8, unidentified gunmen shot and killed Father Etienne Nsengiunva in Kyahemba in North Kivu. In Kasai, media reported the Kamuina Nsapu rebel group continued to threaten members of the Catholic Church. On April 1, unidentified armed men abducted Father Celestin Ngango in Kihondo in North Kivu after Easter Mass and demanded a ransom. The kidnappers released Ngango approximately one week later. Several CLC members said they received threats due to their support for credible elections, implementation of the December 2016 agreement, and peaceful protests.

The Charge d'Affaires and embassy officers met with the foreign minister, minister of justice, minister of human rights, national police commissioner, and other senior government officials several times during the year to raise concerns

about the use of lethal force against peaceful protesters and harassment of CLC members. U.S. embassy officials met regularly with the government to discuss religious freedom issues, including government relations with religious organizations. Embassy officials also met regularly with religious leaders and human rights organizations and discussed relations with the government, the electoral process, their concerns about abuses of civil liberties, and the government's use of excessive force in response to church-led demonstrations.

Section I. Religious Demography

The U.S. government estimates the total population at 85.3 million (July 2018 estimate). The Pew Research Center estimates 95.8 percent of the population is Christian, 1.5 percent Muslim, and 1.8 percent report no religious affiliation (2010 estimate). Of Christians, 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 Catholic. Other Christian groups include the Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints, and the Greek Orthodox Church. There are small communities of Hindus, Jews, Buddhists, Baha'is, and followers of indigenous religious beliefs. Muslim leaders estimate their community to comprise approximately 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 must register only once

for the group as a whole, but nonprofit organizations affiliated with a religious group must register separately. Upon receiving a submission, the Ministry of Justice (MOJ) issues a provisional approval and, within six months, a permanent approval or rejection. Unless the MOJ 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, a fine of 200,000 Congolese francs (\$130), or both for groups that are not properly registered but receive gifts and donations on behalf of a church or other religious organization.

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. 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

Catholic Church leaders reported acts of violence and intimidation against Church officials in response to Church support for implementation of the December 2016 agreement and for supporting peaceful protest marches in January and February. Because religious and political issues overlap, however, it was difficult to categorize some incidents as being solely based on religious identity. On January 21, security forces forcibly disrupted protests led by the CLC and some Protestant church leaders in support of elections and implementation of the December 2016 agreement. UN observers and others stated they witnessed members of the Republican Guard and other security force members fire directly at protesters, killing at least six persons and injuring as many as 50. In some cases, government security forces fired tear gas, rubber bullets, and live ammunition into church compounds. Among those killed was Therese Kapangala, a 24-year-old woman preparing to take vows as a nun. She was shot and killed outside her church in Kinshasa. The United Nations reported that 121 persons were arbitrarily arrested across the country for participation in the demonstrations. During another round of CLC-organized protests on February 25, state security forces killed two

individuals, including Rossy Mukendi Tshimanga, who was shot by a rubber bullet inside a church compound. Another person died in the town of Mbandaka from wounds sustained during a confrontation with an off-duty police officer. The United Nations reported that 194 persons were arbitrarily arrested.

CLC leaders were reportedly subjected to threats and harassment due to their support for implementation of the December 2016 agreement, credible elections, and peaceful protests. Catholic leaders and institutions were also threatened after Church leaders expressed concern over violence they attributed to government security forces and the Kamuina Nsapu antigovernment militia in Kasai. Church leaders in Kasai Province said local armed groups associated with Kamuina Nsapu forced them to accept armed group control of their communities. In 2017, members of Kamuina Nsapu vandalized and burned numerous Catholic churches, schools, and buildings.

The MOJ again did not issue any final registration permits for religious groups and had not done so since 2014, reportedly due to an internal investigation into fraudulent registration practices. The government, however, continued its practice that groups presumed to have been approved were 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 that more than 3,500 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 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 health care 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 the needs of the schools and whether they were registered as schools eligible to receive government funding.

Muslim community leaders again 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.

In July the MOJ responded with an acknowledgement of receipt to a letter from the Jehovah's Witnesses' legal representative asking that the state protect its members against the Kimbilikit cult's insistence that all community members, regardless of religion, participate in their rituals.

Section III. Status of Societal Respect for Religious Freedom

Members of the Kamuina Nsapu antigovernment militia in the Kasai region 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 threats and attacks against the Church by unidentified assailants believed to be members of the Kamuina Nsapu, other armed groups, or government security forces. In September in Kananga in Kasai Central Province, Kananga Catholic Archbishop Marcel Madila stated there was "deep fear and insecurity" throughout Kasai Central Province after a rash of robberies and assaults targeting nuns, parishes, and civilians. Archbishop Madila reported four attacks against nuns in Bena Mukangala, Kambote, Malole, and Tshilumba. In North Kivu on April 8, unidentified gunmen shot and killed Father Etienne Nsengiunva in Kyahemba.

On April 1, in Kihondo in North Kivu, unidentified armed men abducted Father Celestin Ngango after Mass and demanded a ransom. He was released one week later.

Some religious leaders reported continued tensions between Christian and Muslim communities in the north but also signs of improved relations in the eastern part of the country linked to the government's ongoing fight against the Allied Democratic Forces (ADF). On November 27, for example, both Muslim and Christian leaders peacefully marched in Beni expressing their support for joint offensive operations against the ADF.

In Budjala in Sud Ubangi Province, Voice of America reported that on March 30, Christians burned a mosque and the home of a man who allegedly killed a Christian man he caught in a sexual relationship with his wife.

Leaders of the Jehovah's Witnesses reported generally positive relations with the rest of the community but noted that 21 cases of assault on or suspected killings of Jehovah's Witnesses dating from as early as 2015 were languishing in the court system or never sent to court for criminal prosecution after the arrests of suspects. They also reported three assaults during the year that they stated were due to their religious beliefs in rural areas of Wapinda, Equateur Province, Luono, Kwango Province, and Fube, Katanga Province.

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 Charge d'Affaires met with the foreign minister, minister of justice, minister of human rights, national police commissioner, and other senior government officials to discuss concerns about the treatment of CLC members and security forces' use of excessive force against peaceful protesters. Embassy officials met regularly with government officials to discuss religious freedom issues, such as 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 respect the rights of civil society, including religious groups, to assemble and express themselves freely.

Throughout the year, U.S. officials engaged with members of religious groups and human rights organizations. In meetings with members of the Muslim Association of Congo, Jehovah's Witnesses, Apostolic Nunciature, and Jewish community of Chabad-Lubavitch of Central Africa, U.S. officials discussed religious freedom and religious groups' relationship with the government and other religious organizations. Issues discussed included the electoral process, the religious groups' concerns about abuses of civil liberties, and the government's use of excessive force in response to church-led demonstrations.