Status of Human Rights in the DRC for the 47th Session of the Universal Periodic Review

Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights around the Democratic Republic of the Congo (DRC) for the 47th session of the Universal Periodic Review (UPR).

Background

2. Located south of the Sahara in Central Africa, the DRC stands as the largest country in the Sub-Saharan region.[1] The population of the DRC is approximately 108.4 million people, as of January 2, 2024.[2] The population is predominantly Christian, with 94.98% percent of the population identifying as Christian, 2.51% as Ethnic Religionist, 1.47% as Muslim, 0.45% as non-religious, 0.43% as Baha'i, 0.15% as Hindu, 0.01% as Buddhist, and 0.01% as New Religionist.[3] Despite the country being predominately Christian, in its 2024 World Watch List, Open Doors (an international human rights organization) ranked the DRC as the 41st worst place for Christians.[4] This ranking stems from the fact that rebel groups in the eastern regions of the country are targeting and killing Christians.[5]

3. The DRC's last review was held on May 7, 2019.[6] As a result of the review, the DRC received 267 recommendations, 239 of which it supported.[7] In particular, it was recommended by Poland, and supported by the DRC, that the government "[t]ake legal measures enabling effective protection of minorities, including religious ones, which would be complemented by educational campaigns on the importance of freedom of religious beliefs."[8]

Legal Framework

4. Article 22 of the Constitution of the DRC states that:

---

[1] *Democratic Republic of Congo: Overview,* THE WORLD BANK, (Sept. 25, 2023), https://www.worldbank.org/en/country/drc/overview.
[2] *DR Congo Country Profile*, BBC NEWS, (Jan. 2, 2024), https://www.bbc.com/news/world-africa-13283212.
[3] *World Religion*, THE ASS'N OF RELIGION DATA ARCHIVES, (2022), https://www.thearda.com/world-religion/national-profiles?u=57c#s_2.
[4] *World Watch List 2024*, OPEN DOORS, https://www.opendoors.org/en-US/persecution/countries/ (last visited Mar. 4, 2024).
[5] *Congo DR (DRC)*, OPEN DOORS, https://www.opendoors.org/en-US/persecution/countries/drc/ (last visited Mar. 4, 2024).
[6] *Universal Periodic Review – Democratic Republic of the Congo*, OHCHR, https://www.ohchr.org/en/hr-bodies/upr/cd-index (last visited Mar. 4, 2024).
[7] *Democratic Republic of the Congo Infographic*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/CD/Infographics3rdCycle_DRC.pdf (last visited Mar. 4, 2023).
[8] *UPR of Democratic Republic of the Congo (3rd Cycle – 33rd Session): Thematic List of Recommendations*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/CD/UPR33_DRC_ThematicListofRecommendations_E.docx (last visited Mar. 4, 2024).

> All persons have the right to freedom of thought, of conscience and of religion.
>
> All persons have the right to manifest their religion or their convictions, alone or as a group, both in public and in private, by worship, teaching, practices, the accomplishment of rites and the state of religious life, under reserve of respect for the law, for public order, for morality and for the rights of others.
>
> The law establishes the modalities for the exercise of these freedoms.[9]

5. The DRC is also a party to the ICCPR and has a responsibility to, among other things, ensure protections for religious freedom.[10] Under Article 18 of the ICCPR:

> 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
>
> 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.[11]

Religious Persecution

6. An Islamic extremist group called the Allied Democratic Forces (ADF)[12] that has pledged allegiance to ISIS is attacking and killing Christians in the DRC.[13] Christians, particularly in the eastern part of the country, are being ruthlessly murdered, abducted, and raped.[14] Churches in that part of the DRC are being attacked.[15] Further, the ADF terrorists kidnap Christian women, rape them, and forcibly marry them to keep the women as "trophies."[16] In 2021 alone, the ADF killed more than 1,300 civilians in the DRC.[17] Because of the violence in this region, many Christians have been forced to leave their homes in order to seek refuge.[18] According to Eale Bosela, the regional director for the Association for Christian Theological Education in Africa, "[t]he Eastern Congo has become a theater of

[9] CONSTITUTION OF THE DEMOCRATIC REPUBLIC OF THE CONGO 2005 rev. 2011 art. 22, https://www.constituteproject.org/constitution/Democratic_Republic_of_the_Congo_2011.
[10] *Ratification Status for Democratic Republic of the Congo*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=48&Lang=en (last visited Mar. 4, 2023).
[11] International Covenant on Civil and Political Rights art. 18, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights.
[12] *ISIL-Linked Armed Group Kills 19 Villagers in DR Congo, Says Official*, ALJAZEERA (Nov. 13, 2023), https://www.aljazeera.com/news/2023/11/13/armed-group-members-tie-up-kill-congo-villagers-local-official.
[13] *Democratic Republic of the Congo*, OPEN DOORS UK, https://www.opendoorsuk.org/persecution/world-watch-list/drc/ (last visited Mar. 4, 2024).
[14] *Democratic Republic of the Congo*, *supra* note 13.
[15] *Id*.
[16] *Id*.
[17] *Over 18 People Dead in Rebel Attack in Eastern Congo*, ALJAZEERA (June 6, 2022), https://www.aljazeera.com/news/2022/6/6/over-18-people-dead-in-rebel-attack-in-eastern-dr-congo.
[18] *Democratic Republic of the Congo*, *supra* note 13.

violent extremism" and "[p]eople are being massacred like animals."[19]

7. On February 21, 2024, a group of Christians were murdered after ADF militants invaded a church meeting in the village of Manzia.[20] These Christians had simply gathered together for a morning devotion when ADF men mercilessly fired shots into the church, killing at least fifteen people, including the lead pastor, whose three children and pregnant wife survived him.[21] In the same month, ADF attacked a church in Bayeti, abducted the pastor and his wife, and killed five people, two of whom were the pastor's children.[22] February 2024 also saw ADF attack a Pentecostal church in the village of Beni, killing at least eight people and taking no less than thirty people hostage.[23]

8. In November 2023, armed militants belonging to the ADF killed nineteen villagers with machetes and other weapons in eastern DRC.[24] Some villagers were reported to have drowned as they attempted to cross the Lamia River in order to flee the violence.[25]

9. On October 24, 2023, ADF militants raided a village in the North Kivu province at night.[26] According to a local Christian youth leader, "[w]hen the people heard gunshots at the beginning, they thought thieves had come into the village which is not unusual but when the cracking of bullets lasted for an hour, they then knew it was the ADF."[27] During these attacks, ADF militants used guns and machetes to kill twenty-six Christians, at least twelve of whom were children.[28] In addition to the senseless killings, militants also burned down twelve homes.[29]

10. In the first two weeks of August 2023, ADF terrorists killed fifty-five civilians in the eastern regions of the DRC.[30] In one of the attacks, militants killed nineteen people in just one night.[31]

11. Over a two-week period in March 2023, ADF militants killed seventy-two Christians in eastern DRC and displaced thousands more.[32] In one of the attacks during that period, ADF butchered thirty-one Christians, most of whom were young children and women.[33]

---

[19] Jayson Casper, *Terrorist Attack on Congolese Church Prompts Plea for Christian Advocacy*, CHRISTIANITY TODAY (Jan. 18, 2023), https://www.christianitytoday.com/news/2023/january/congo-church-attack-kasindi-kivu-drc-terrorism-adf.html.
[20] *At Least 15 Christians Killed in Another Devastating Attack in DRC*, OPEN DOORS UK (Feb. 21, 2024), https://www.opendoorsuk.org/news/latest-news/drc-attack-christians/.
[21] *Id*.
[22] *Pastor Kidnapped and His Children Killed in DRC as Attacks Increase*, OPEN DOORS UK (Feb. 9, 2024), https://www.opendoorsuk.org/news/latest-news/drc-pastor-kidnapped-adf/.
[23] *Eight Dead After Attack on Pentecostal Church in DRC*, VATICAN NEWS (Feb. 1, 2024), https://www.vaticannews.va/en/world/news/2024-02/pentecostal-church-attack-beni-democratic-republic-congo.html.
[24] *ISIL – Linked Armed Group Kills 19 Villagers in DR Congo, Says Official*, *supra* note 12.
[25] *Id*.
[26] *26 Christians Killed in North Kivu, DRC*, OPEN DOORS CANADA (Oct. 26, 2023), https://www.opendoorscanada.org/26-christians-killed/.
[27] *Id*.
[28] *Id*.
[29] *Id*.
[30] Godfrey Olukya, *ADF Rebels Kill 55 People in Past 2 Weeks in DR Congo*, ANADOLU AGENCY (Aug. 15, 2023), https://www.aa.com.tr/en/africa/adf-rebels-kill-55-people-in-past-2-weeks-in-dr-congo/2967736#.
[31] *Id*.
[32] Lyndsey Koh, *ADF Rebels Butchering Christians in Eastern DRC*, MISSION NETWORK NEWS (Mar. 22, 2023), https://www.mnnonline.org/news/adf-rebels-butchering-christians-in-eastern-drc/.
[33] *Id*.

12. In January 2023, ADF militants reportedly detonated a bomb during a Christian church service in North Kivu province.[34] The ADF killed fourteen Christians and injured sixty-three.[35]

13. Between July 24 and August 1, 2022, seventeen Christians were killed as a result of attacks by Islamic extremists in eastern DRC.[36] In one of the attacks, extremists attacked two churches and killed seven Christians when the churches were set on fire.[37] It is believed that these attacks were carried out by the ADF.[38]

14. On July 7, 2022, ADF attacked the predominantly Christian town of Lume and burned down a health center resulting in the deaths of four patients.[39] In addition to those killed at the health center, militants also killed nine more civilians before leaving the town.[40]

15. On June 25, 2022, ADF militants attacked a Christian community in eastern DRC.[41] During the attack, militants killed six women, three men, and injured two others.[42] Later that day, militants killed five men on a road leading toward the Ugandan border.[43]

16. On February 13, 2021, Islamic extremists raided a village in northeastern DRC.[44] During the raid, the extremists burned down a Catholic church and killed thirteen civilians.[45]

17. In January 2021, ADF militants raided the Mwenda village in eastern DRC and killed twenty-two civilians, ten of whom were women.[46] According to a local civil society leader, ADF militants used guns and machetes to carry out the massacre.[47]

18. Between November 20 and December 3, 2020, ADF militants killed more than thirty Christians across five villages in the northeastern region of the country.[48] It was also reported that ADF militants raped ten girls and kidnapped fifteen.[49] One villager, who survived the attack, shared that ADF militants tried to force his wife and their four children to convert to Islam, but when they refused to convert, the militants shot his wife in the head while their four children were cut into pieces with a sword.[50]

---

[34] Casper, *supra* note 19.
[35] *Id*.
[36] *17 Christians Killed in Democratic Republic of Congo*, CHRISTIANITY TODAY (Aug. 23, 2022), https://www.christiantoday.com/article/17.christians.killed.in.democratic.republic.of.congo/139093.htm.
[37] *Id*.
[38] *Id*.
[39] *Democratic Republic of the Congo: Full Country Dossier*, OPEN DOORS (Feb. 2023), https://www.opendoors.org/persecution/reports/Full-Country-Dossier-DRC-2023.pdf.
[40] *Id*.
[41] *Id*.
[42] *Id*.
[43] *Id*.
[44] Erikas Kambale, *Suspected Islamists Kill 16 in Eastern Congo Attack*, REUTERS (Feb. 15, 2021), https://www.reuters.com/article/uk-congo-security-idUSKBN2AF0R9/.
[45] *Id*.
[46] *DR Congo: At Least 20 Killed in Raid on Village*, DEUTSCHE WELLE (Jan 6, 2021), https://www.dw.com/en/dr-congo-at-least-20-killed-in-raid-on-village/a-56138421.
[47] *Id*.
[48] Godfrey Olukya, *Anglicans Raped and Killed in Democratic Republic of Congo*, VIRTUE ONLINE (Dec. 3, 2020), https://virtueonline.org/anglicans-raped-and-killed-democratic-republic-congo.
[49] *Id*.
[50] *Id*.

19. On February 18, 2020, the ADF attacked Christians in northeast DRC and killed eleven people.[51] Many Christians were forced to flee the region and are taking refuge in neighboring Uganda.[52] According to a local Christian leader, "[t]here is a pattern, every time the military in the DRC mount an operation against the ADF, the civilians are attacked as retribution."[53]

20. Thankfully, the government has recognized the threat the ADF poses to Christians and civilians and has taken military action against them.[54] From May 6, 2021, through December 2023, the military has killed more than 1,000 ADF members and has arrested 702 members.[55] Additionally, in 2021, the DRC partnered with Uganda to conduct joint operations to target and drive out the ADF.[56] These joint efforts have been met with great success. For example, in one of the operations, military forces killed 200 ADF militants in airstrikes.[57]

Recommendations

21. We are encouraged by the DRC's efforts to engage and fight back against the ADF. We request that the DRC strengthen and continue its efforts to stop the ongoing death and destruction by combatting the ADF. It is our hope that the DRC will be successful in its fight against the ADF and provide safety for the people of the DRC. Further, we request that the government provide aid and resources to both Christians and non-Christians so that those who have been driven from their homes can safely return.

---

[51] *Eleven Congolese Christians Killed in ADF Islamist Militant Attack*, ANGLICAN INK (Feb. 26, 2020), https://anglican.ink/2020/02/26/eleven-congolese-christians-killed-in-adf-islamist-militant-attack/.
[52] *Id*.
[53] *Id*.
[54] Godfrey Olukya, *DR Congo Army Has Killed Over 1,000 ADF Rebels During State of Siege: Official*, ANADOLU AGENCY (Dec. 6, 2023), https://www.aa.com.tr/en/africa/dr-congo-army-has-killed-over-1-000-adf-rebels-during-state-of-siege-official/2920107.
[55] *Id*.
[56] *DRC: 200 ADF Rebels Killed in Ugandan Strikes in September*, AFRICA NEWS, https://www.africanews.com/2023/12/14/drc-200-adf-rebels-killed-in-ugandan-strikes-in-september// (last visited Jan. 17, 2023).
[57] *Id*.