



THE EUROPEAN ASSOCIATION OF  
JEHOVAH'S CHRISTIAN WITNESSES

September 9, 2013

From The European Association of Jehovah's Christian Witnesses

Contribution to the Report of the U.N. High Commissioner for Human Rights  
on the implementation of the new review mechanism of the Human Rights Council,  
established by GA Resolution 60/251  
and by the Human Rights Council in Resolution 5/1 of 18 June 2007  
for the 19th session of the UPR (Dates of the WG: April/May 2014).

# DEMOCRATIC REPUBLIC OF THE CONGO

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## SUMMARY OF THE SUBMISSION

**The Christian community of Jehovah's Witnesses has been present in the Democratic Republic of the Congo since the 1930s. Though peace-loving, they have often been victims of violent attacks by members of the ancestral cult of Kimbilikiti.**

**Urgent action is needed by the government of the Democratic Republic of the Congo to punish those responsible for the attacks against Witnesses and to prevent another wave of brutal and deadly persecution.**

### I. INTRODUCTION

1. The European Association of Jehovah's Christian Witnesses is a charity registered in the UK. It provides support to Jehovah's Witnesses facing violations of fundamental human rights in various parts of the world.
2. The Christian community of Jehovah's Witnesses has been present in the Democratic Republic of the Congo since the 1930s. Today, there are over 177,500 Jehovah's Witnesses in the Democratic Republic of the Congo worshipping in over 3,200 congregations. Though peace-loving, they have often been victims of violent attacks by the ancestral cult of Kimbilikiti.
3. This submission is based on the reports of the victims to the national office of Jehovah's Witnesses in Kinshasa.

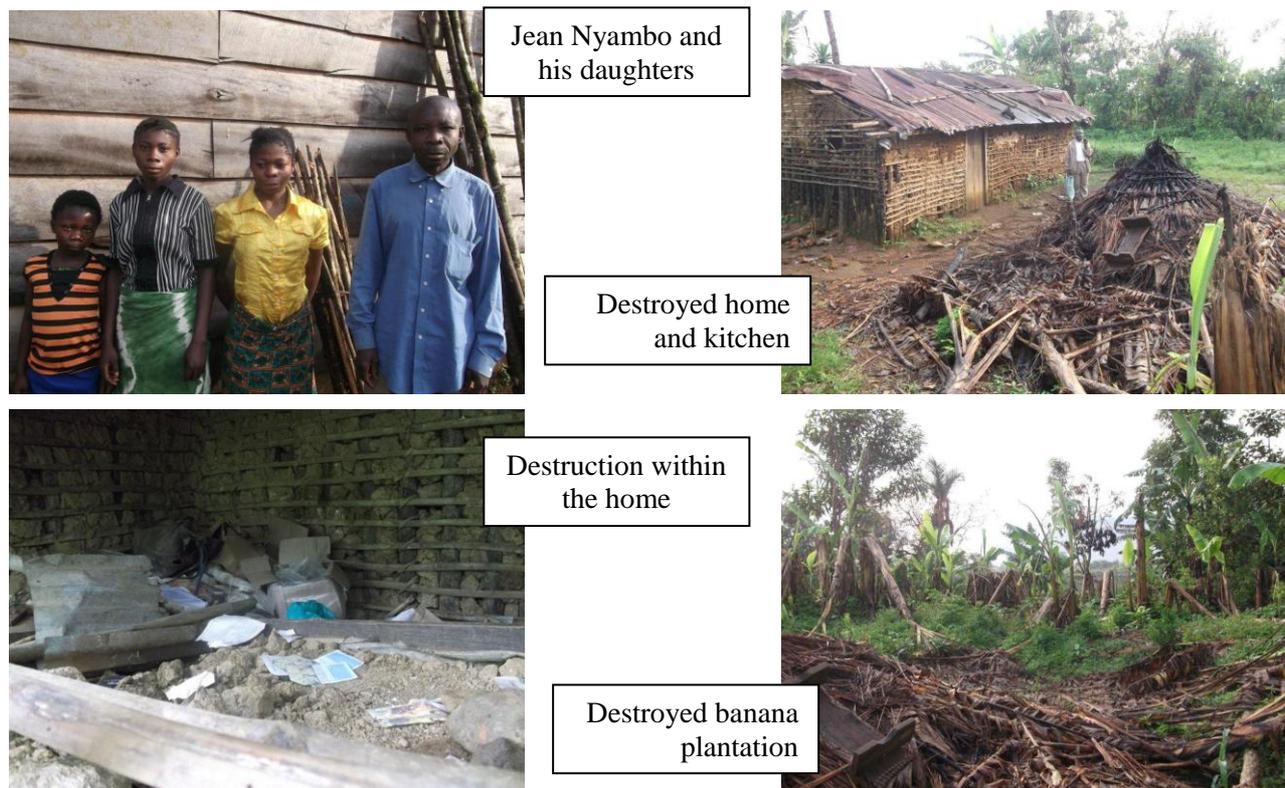
### II. SOCIETAL ABUSES AND DISCRIMINATION

#### *Continuing discriminatory violence perpetrated by the Kimbilikiti cult (kidnapping, destruction of property, and threats)*

4. In 1978, members of the Kimbilikiti cult began openly persecuting Jehovah's Witnesses. In 1983, this persecution climaxed in the brutal murder of eight men of the Pangi Congregation of Jehovah's Witnesses. At the time of the Kimbilikiti initiation rites each year, its followers commit violent acts that often target Jehovah's Witnesses. Girls have been raped, houses pulled down, boys kidnapped to be forcibly initiated to the Kimbilikiti cult, and some have been tortured. Making matters worse, the local authorities, most of them being followers of the Kimbilikiti cult, are reluctant to take action against their fellow worshippers. As illustrated by the events described below, the situation has not improved in the four years since the last review.
5. During the 2010 initiation period (July/August), initiates of Kimbilikiti committed violent acts against Jehovah's Witnesses in the villages of Lutshurukulu, Yubuli and Kalima just because the Witnesses refused to comply with the wishes of the Kimbilikiti young men. Some Witnesses were beaten, others had their houses destroyed and burned. After victims appealed to the local authority and the Administrator of the territory decided in their favour, the mob grew angry and destroyed the Administrator's house. The local authorities were afraid even for their

lives. By the order of their “Mwamis” (*guardians of the custom*) these young men burned a Kingdom Hall (place of worship of Jehovah's Witnesses). Mobs destroyed at least 11 homes. Having lost everything and facing threats of death, some Witnesses were forced to look for refuge in neighbouring villages and cities.

6. The 2011 summer was also marked by multiple violent events. In Mwenga, a 25 year-old man worshipping with the Witnesses was attacked and kidnapped by Kimbilikiti followers. They brought him into the forest where they beat him and fined him 20 US\$. Since he did not pay the fine, they destroyed his banana plantation as well as those of his neighbours. Local authorities who were contacted (the Administrator of the Territory, the local and custom chiefs) did not want to be involved because they are from the Rega tribe and being bound to the custom, they feared problems from the tribe.
7. Also in Mwenga, the Kimbilikiti followers destroyed the banana plantation of two Witness families. They tried to kidnap the 15-year-old son of a Witness, but his father hid him. They tried to attack a female Witness, but her non-Witness son prevented them. The mob tried to catch one Witness minister because they believed he was guilty of disclosing the secrets of their rites.
8. In the village of Kalamba, one Witness was beaten by Kimbilikiti followers.
9. On 15 August 2012, in Mwenga, the 15-year old son of Jean Kishibisha Nyambo was kidnapped by the Kimbilikiti followers. They then summoned the father to demand that he supports his son's indoctrination in the cult. When Mr Nyambo did not comply, they threatened to assault him and his property. Fearing for his family and for his life, Mr Nyambo (a widower) took his other three children and fled.
10. On 23 August 2012, around 2:00 a.m., a mob of about 100 Kimbilikiti followers destroyed everything belonging to Jean Nyambo: house, kitchen, garden, and banana plantation. The Prosecutor's Office is investigating.
11. The son, who is not a Witness, was returned to the family after submitting to the initiation rites. Mr Nyambo and his entire family are now living with another Witness family for the sake of their personal security. This is necessary because the Kimbilikiti followers consider that Mr Nyambo owes a debt for support of his son's initiation rites, and because Mr Nyambo intends to take legal action against the Kimbilikiti followers.
12. Efforts to refer the matter to government authorities in Kinshasa and to the court require the gathering of evidence with the help of police inspectors. However, the lawyer and the police inspectors were unable to travel because the area was unsafe and the city of Goma, where the lawyer's plane would land, was then under the control of the rebels. After the situation returned to normal in Goma, a complaint was filed on behalf of Mr Nyambo and his family in the Prosecutor's Office of Bukavu.
13. In the village of Mwenga on 26 February 2013, the police arrested only two of the four alleged guilty men, namely Mr Iluba and Mr Ibonga Bulambo. Mr Bulambo, being a 16-year-old minor, was released on probation, waiting to appear before the Juvenile Court of Bukavu. Mr Iluba is currently in prison in Bukavu.



### III. ATTEMPTS MADE TO SOLVE THIS SITUATION

#### *Efforts in seeking the protection of MONUSCO*

14. Within the last year, local representatives of Jehovah's Witnesses approached the UN mission in Congo (MONUSCO). However, the mission's officials explained that they follow the principle of decentralization, meaning that in each province of the country there is a department of the mission that looks after human rights. The MONUSCO office in Kinshasa cannot directly handle questions of violations of human rights in another province. Unfortunately, there is no UN office in the villages where the Witnesses have been attacked, and thus no recourse is available through the MONUSCO.

#### *Efforts in seeking the protection of local authorities*

15. Local representatives contacted the Congolese authorities (chief of the village, administrator of the territory, and police authorities) in the village of Pangi and in the city of Kindu to inform them of the attacks perpetrated by the Kimbilikiti followers within the past year. Unfortunately, most of the officials with whom representatives of Jehovah's Witnesses met were of the Rega tribe and supported these rites, and therefore took no significant action against the Kimbilikiti followers.

16. As mentioned in paragraph 13 above, in the village of Mwenga the police arrested only two of the four alleged guilty men.

17. Unfortunately, most of the Court personnel and the policemen in the Bukavu area are from the Rega tribe and are followers of Kimbilikiti. Some others have superstitious fears. This might explain why the file containing the documents of the complaint filed on behalf of Mr Nyambo

just “disappeared” from the Court offices. It was probably stolen. The lawyer referred the matter to the authorities in Kinshasa, who enjoined the Court authorities in Bukavu to reconstitute that file with certified copies; this has been done. Mr Nyambo is waiting for the hearing to take place in the coming months, in Bukavu.

18. The delay in handling this case is due to the fact that Mr Nyambo's lawyer, Mr Jimmy Mafamvula, requested to be relieved from this case. He believes that, because of being well-known as the one defending the Witnesses, he has twice suffered poisoning attempts while in Bukavu for the purpose of introducing the complaint and making investigations. Another lawyer has now taken over the case.

#### IV. IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS

19. Following its review in 2009, the Democratic Republic of the Congo accepted almost all of the recommendations made by Member States. Upon adoption of the report, the Democratic Republic of the Congo was credited with a cooperative and constructive spirit, determined not only to continue progressing but to commit resources to consolidate the progress already made. However, as the facts of the present submission demonstrate, human rights continue to be violated.
20. **Elimination of impunity:** The Government was expected to strengthen efforts to eliminate impunity and to ensure that all alleged perpetrators of crimes against humanitarian law are brought to justice. Kimbilikiti followers must be arrested, prosecuted, and convicted for their attacks on Jehovah's Witnesses and others. The authorities, responsible for the security of their citizens, must not by their inaction embolden the Kimbilikiti to commit more atrocities—beatings, rapes, and killings. Lives are at stake.
21. **Effectiveness of the State Justice system:** The Government was expected to implement the numerous recommendations of the Member States by reforming their justice system, police, and security. At present, victims of the Kimbilikiti face severe opposition when they attempt to pursue their aggressors because the court personnel and policemen are of the Rega tribe and Kimbilikiti followers. It is almost impossible to receive justice.
22. The Democratic Republic of the Congo agreed to designate funds for the prompt and full implementation of its Plan of Action for Justice Reform. However, access to justice in rural area where the Rega tribe and Kimbilikiti followers are located continues to be very limited.

#### V. LEGAL CONSIDERATIONS

23. The Democratic Republic of the Congo acceded to the International Covenant on Civil and Political Rights (ICCPR) on 5 Oct 1983 and to its first Optional Protocol (ICCPR OP1) on 6 July 1989. However, it has failed to implement the guarantees of the ICCPR with regards to the violent acts against Jehovah's Witnesses.
24. The Human Rights Committee received the submission of the third periodic report of the Democratic Republic of the Congo in 2006. The 4<sup>th</sup> report that was due by September 2009 has not yet been submitted.

25. The Democratic Republic of the Congo has failed to follow up on recommendations contained in many Views adopted under the Optional Protocol to the Covenant (such as the Views in cases Nos. 366/1989 (*Kanana*), 542/1993 (*N'Goya*), 641/1995 (*Gedumbe*) and 962/2001 (*Mulezi*)).
26. As previously established, Jehovah's Witnesses have been victims of degrading and inhuman treatment (ICCPR – Article 7) a situation which is exacerbated by the inaction of the authorities. The government has fail in its duty to protect Jehovah's Witnesses and allow them to enjoy the free exercise of freedom of thought, conscience and religion (ICCPR – Article 18).
27. While the Government desires to preserve the cultural identity of the various ethnic groups and minorities, the Human Rights Committee has expressed its concern at the marginalization, discrimination, and at times persecution of some of the country's minorities (ICCPR – Article 27). The Committee urged the Democratic Republic of the Congo to promote the integration of minorities and the protection of their rights, and to guarantee respect for their cultures and dignity. The attacks against Jehovah's Witnesses illustrate that this issue has not been resolved.
28. As a result of an ineffective judicial system, Jehovah's Witnesses do not have access to an effective remedy (ICCPR – Article 2). They suffer discrimination because of their beliefs (Article 26).

## VI. CONCLUSION

29. Jehovah's Witnesses in Congo and as a worldwide organization, express concern for the impunity with which many serious human rights violations are committed. They respectfully request the government of Congo to take the necessary steps to stop the illegal actions and criminal acts carried out by members of the Kimbilikiti cult. Law-enforcement agencies must carry out prompt and effective investigations of criminal acts against the Witnesses and punish the perpetrators.