



## COI QUERY

<b>Country of Origin</b>	<b>CONGO, DEMOCRATIC REPUBLIC OF CONGO</b>
<b>Main subject</b>	<b><u>Sorcery, Witchcraft</u></b>
<b>Question(s)</b>	<ol style="list-style-type: none"><li><u><a href="#">The phenomenon of witchcraft/ sorcery within the society in DRC</a></u><ol style="list-style-type: none"><li><u><a href="#">Children accused of witchcraft</a></u></li><li><u><a href="#">Women accused of witchcraft</a></u></li><li><u><a href="#">Reported cases of witchcraft accusations</a></u></li></ol></li><li><u><a href="#">Response by the authorities towards the phenomenon of witchcraft/ sorcery</a></u></li></ol>
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The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 5 November 2021. Any event taking place after this date is not included in this answer.

# COI QUERY - Congo, Democratic Republic of (DRC)

## Sorcery, Witchcraft

During the time frame for responding to this COI Query Response and amongst all the public sources consulted scarce or no updated information was found related to the topic. However, older sources have been used for a general overview of the topic.

### 1. The phenomenon of witchcraft/sorcery within the society in DRC

According to an anthropological study conducted by UNICEF in 2010:

‘The French notion of “sorcellerie”, as well as the English equivalents, “witchcraft” and “sorcery”, were introduced to Africa by the first European explorers, colonialists and missionaries. The translation of local terms for local realities by the single term “witchcraft”, which was strongly influenced by European history and thereby pejorative, is often inappropriate and can lead to confusion. The notion of witchcraft covers multiple terms in local languages referring to various phenomena whose interpretation relies heavily on their context. Nevertheless, this ethnocentric terminology has now become integrated into African languages and is used in daily language to refer essentially to “occult or mystical forces”.<sup>1</sup>

As of 2010, belief in witchcraft was described as ‘widespread’ across sub-Saharan African countries.<sup>2</sup> According to a survey on witchcraft believers conducted by GALLUP, an American analytics and advisory company, as of 2010, in the DRC, about 76 % of the population stated they personally believed in witchcraft against an average of 55 % believers in the whole region.<sup>3</sup> Witchcraft belief and practice have existed since before colonial rule in the DRC.<sup>4</sup> Such beliefs and socio-cultural practices, far from fading away, have been preserved within the society in DRC and adapted to contemporary times.<sup>5</sup> UNHCR observed that ‘belief in witchcraft shapes perceptions and provides an answer to ‘why me?’ when misfortune strikes’.<sup>6</sup>

Based on research conducted by Save the Children covering the years 2003-2005, representations of witches were considered as functional to social order and ‘to the group’s expectations of solidarity and sharing that are inherent in community life and in the current definition of normality and normativity’.<sup>7</sup> According to a 2009 study by UNHCR, witchcraft allegations could heavily affect those accused by exposing them to harassment, violence, and even death.<sup>8</sup>

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<sup>1</sup> UNICEF, Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa, April 2010 [url](#), p.1

<sup>2</sup> UNICEF, Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa, April 2010, [url](#) p.1; GALLUP, Witchcraft Believers in Sub-Saharan Africa Rate Lives Worse, 25 August 2010, [url](#)

<sup>3</sup> GALLUP, Witchcraft Believers in Sub-Saharan Africa Rate Lives Worse, 25 August 2010, [url](#)

<sup>4</sup> HRW, What Future? Street Children in the Democratic Republic of Congo, 4 April 2006, [url](#)

<sup>5</sup> UNICEF, Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa, April 2010, [url](#), p.1

<sup>6</sup> UNHCR, Witchcraft allegations, refugee protection and human rights: a review of the evidence, January 2009, [url](#), p. 2

<sup>7</sup> Save the Children, The invention of child witches in the Democratic Republic of Congo: Social cleansing, religious commerce and the difficulties of being a parent in an urban culture, (2003-2005), [url](#), p. 19

<sup>8</sup> UNHCR, Witchcraft allegations, refugee protection and human rights: a review of the evidence, January 2009, [url](#), p. 2

In 2020, the Transnational Figurations of Displacement (TRAFIG), an EU-funded Horizon 2020 research and innovation project, reported the spread of witchcraft and witchcraft-related accusations in Africa ‘across time and space’.<sup>9</sup> In 2020, a study conducted by Walden University on child witchcraft accusations in DRC, highlighted that ‘in spite of the massive presence of Christianity in the country, belief in animist and indigenous religious practices, to include belief in witchcraft practice still had enormous influences on the population of Kinshasa and the DRC’.<sup>10</sup>

TRAFIG identified two main reasons related to witchcraft and witchcraft accusations:

‘Although witchcraft and witchcraft-related accusations have been and are widespread phenomena in Africa across time and space, there may be two main reasons, both related to the overall security situation, that indicate why they might be more persistent and harmful in conflict settings (both would need further investigation). First, there is no central authority that would curb witchcraft accusations—and potentially harmful and fatal punishments that sometimes follow—or establish order, provide protection and guarantee fair jurisdiction in such cases. Second, in contexts of protracted conflict, in which frontlines frequently shift and alliances are constantly made and broken, mistrust in communities is thriving. This can exacerbate the insecurity that people experience and induce them to use witchcraft themselves or to accuse others of witchcraft’.<sup>11</sup>

According to the same source, many persons accused of witchcraft: ‘Out of fear of retaliation, they fled to the anonymity of the city to rebuild their lives, as it is usually not easy to simply refute such accusations.’<sup>12</sup>

## 1.1 Children accused of witchcraft

In its report covering the year 2020, the USDOS report stated that:

‘Although the law prohibits all forms of child abuse, it regularly occurred. The constitution prohibits parental abandonment of children accused of sorcery. Nevertheless, parents or other care providers sometimes abandoned or abused such children, frequently invoking “witchcraft” as a rationale. The law provides for the imprisonment of parents and other adults convicted of accusing children of witchcraft. Authorities did not implement the law. Many churches conducted exorcisms of children accused of witchcraft. These exorcisms involved isolation, beating and whipping, starvation, and forced ingestion of purgatives. According to UNICEF some communities branded children with disabilities or speech impediments as witches. This practice sometimes resulted in parents’ abandoning their children.’<sup>13</sup>

A 2019 research paper published on ANUAC, an international, peer-reviewed, open Access journal of the Italian Society of Cultural Anthropology (SIAC), underlined that ‘Children are today more likely to be accused of witchcraft than in the past as they represent a burden for their family, and they

<sup>9</sup> TRAFIG, TRAFIG Working Paper No. 4: Figurations of Displacement in the DRC - Empirical findings and reflections on protracted displacement and translocal connections of Congolese IDPs, November 2020, available at [url](#), p. 30

<sup>10</sup> Kesseh E., Child Witchcraft Accusations in Kinshasa, the Democratic Republic of Congo, 2020, Walden University, Walden Dissertations and Doctoral Studies 9389, [url](#), pp. 50-51

<sup>11</sup> TRAFIG, TRAFIG Working Paper No. 4: Figurations of Displacement in the DRC - Empirical findings and reflections on protracted displacement and translocal connections of Congolese IDPs, November 2020, available at [url](#), p. 30

<sup>12</sup> TRAFIF, TRAFIG Working Paper No. 4: Figurations of Displacement in the DRC - Empirical findings and reflections on protracted displacement and translocal connections of Congolese IDPs, November 2020, available at [url](#), p. 30

<sup>13</sup> USDOS, 2020, RDC 2020 Country Report on Human Rights Practices, 30 March 2021, [url](#)

represent the future of their society. Thus, children and adolescents are at the edges of both social inclusion and social exclusion'.<sup>14</sup>

The United Nations Committee against Torture expressed concerns over the level of the violence affecting children related to accusations of witchcraft in DRC.<sup>15</sup> According to the Rift Valley Institute, 'accusations of witchcraft, including against children, multiplied'.<sup>16</sup> The United States Department of State (USDOS) observed that many churches conducted exorcisms of children accused of witchcraft. According to the source, 'these exorcisms involved isolation, beating and whipping, starvation, and forced ingestion of purgatives'.<sup>17</sup>

In 2006, HRW observed that accused children could be found throughout the DRC, but particularly in Kinshasa and Mbuji-Mayi.<sup>18</sup> Those children could be physically and verbally abused, neglected, and sometimes abandoned by their families. In its 2006 report, HRW reported that as many as 70 % of street children had been accused of sorcery in their homes before going to live on the streets.<sup>19</sup>

As reported by UNICEF in 2010, 'children accused of witchcraft faced psychological and physical violence, first by family members and their circle of friends, then by church pastors or traditional healers'. Once accused of witchcraft, children are stigmatised and discriminated for life.<sup>20</sup>

According to the aforementioned study published by Save the Children, covering the years 2003-2005, 'the phenomenon of child witchcraft began to manifest itself in the early 1990s in the country's large towns. We have no knowledge of its existence in rural areas, apart from a very few ill-documented exceptions in areas affected by the war, where girls have been the first to be targeted by such accusations.'<sup>21</sup>

In a 2006 article by the New Humanitarian, Charles Tchibanza, a sociologist from Mbuji Mayi University, blamed sorcery for the high number of abandoned children working in the hazardous diamonds' mines. The same source pointed out that 'before' if someone would have been accused of demonic powers, the person would have been gone through a purification ceremony without the risk to be thrown out of their homes, especially in case of a child.<sup>22</sup>

The 'urban child witches' are considered as the result of a multifaceted crisis linked to urbanisation, individualism, changes in the family structure.<sup>23</sup> Family dynamics along with external threats play a decisive role in leading parents or guardians to negatively interpret a child's individual characteristics (such as disability, bad behaviour, changes due to puberty or even the mere fact of being in the wrong place at the wrong time) as signs of witchcraft.<sup>24</sup> Scholars recognise the complexity of economic, political and social factors that contribute to such accusations.<sup>25</sup> Hence, a combination of

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<sup>14</sup> Quaretta, E., Children accused of witchcraft in Democratic Republic of Congo (DRC): Between structural and symbolic violence", *Anuac*, 8(2), 29 December 2019, [url](#), p. 63

<sup>15</sup> United Nations Committee Against Torture, concluding observations on the second periodic report of the Democratic Republic of the Congo, 3 June 2019, [url](#), p.8

<sup>16</sup> RVI – Rift Valley Institute: *Violent Cities, Violent Society; Analyzing urban violence in the eastern Congo*, 2019, [url](#)

<sup>17</sup> USDOS, 2020, *RDC 2020 Country Report on Human Rights Practices*, 30 March 2021, [url](#)

<sup>18</sup> HRW, *What Future? Street Children in the Democratic Republic of Congo*, 4 April 2006, [url](#)

<sup>19</sup> HRW, *What Future? Street Children in the Democratic Republic of Congo*, 4 April 2006, [url](#)

<sup>20</sup> UNICEF, *Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa*, April 2010, [url](#), p.1

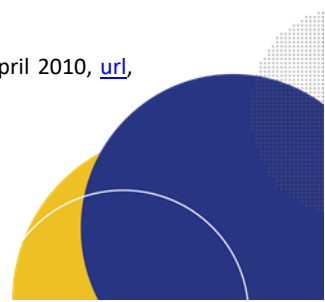
<sup>21</sup> Save the Children, Molina, J. A. (2003-2005). *The invention of child witches in the Democratic Republic of Congo: Social cleansing, religious commerce and the difficulties of being a parent in an urban culture*, [url](#), p. 18

<sup>22</sup> New Humanitarian (The), *Diamonds, children and witchcraft*, 17 July 2006, [url](#)

<sup>23</sup> UNICEF, *Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa*, April 2010, [url](#), p. 2

<sup>24</sup> Save the Children, *The Invention of Child Witches in the Democratic Republic of Congo*, [url](#), p. 5

<sup>25</sup> UNICEF, *Children Accused of Witchcraft, An anthropological study of contemporary practices in Africa*, April 2010, [url](#), p.2,



reasons have been identified as cause of witchcraft's accusations: 'the Economic hardship, conflict, urbanization, displacement and family breakdown spread insecurity and undermine communities'.<sup>26</sup>

According to the aforementioned 2010 UNICEF report, children accused of witchcraft were often pre-adolescent or adolescent, vulnerable and living in socially precarious circumstances. The same source described the main profiles of accused children as follows:

- Children having lost both parents, sent to live with another relative.
- Children having lost one parent, the other having remarried.
- Children living with a physical disability; a physical illness or psychological disorder or especially gifted children
- Children showing any unusual behaviour, for example children who are stubborn, aggressive, thoughtful, withdrawn or lazy
- "Bad birth" children may also be open to witchcraft accusations but constitute a separate category.<sup>27</sup>

Churches, especially those belonging to the Pentecostal and prophetic movement (charismatic, revivalist), played an important role in the diffusion and legitimisation of fears related to witchcraft, and in particular, child witches.<sup>28</sup> The Office français de protection des réfugiés et apatrides (OFPRA) noted that 'The role of such Churches is ambivalent as they represent both the root of the issue and its solution'. Those Churches are specialised in 'deliverance therapy',<sup>29</sup> aimed at the deliverance of children from alleged possession. During those ceremonies, HRW reported, children were often victims of severe abuses, denied of food and water, and whipped or beaten to extort confessions out of them. Nonetheless, families would not allow those children to return home even after those ceremonies.<sup>30</sup> When accused, children are reportedly punished by the families and by all the communities.<sup>31</sup>

The UN Committee of the Rights of the Child observed the persistent discrimination towards children accused of witchcraft.<sup>32</sup> Many children accused of witchcraft had to flee and become homeless; some were accepted in the State's institutions or foster homes, and some were accepted in Church-run or private orphanages.<sup>33</sup>

In a study published in 2010, UNICEF reported that children with mental health disorders were considered at particular risk of accusations of witchcraft.<sup>34</sup> Similarly, in 2016, the New Humanitarian highlights that the association of symptoms of mental disorders with witchcraft is also spread, pushing many to rely on traditional healers.<sup>35</sup> In 2018, *Infectious Diseases of Poverty*, an open access and peer-reviewed journal specialised in public health, highlighted some misperceptions resulted in the convictions that epilepsy is caused by evil spirits and witchcraft. According to the same source,

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<sup>26</sup> UNICEF, A girl accused of witchcraft finds support, in the Democratic Republic of the Congo, 26 June 2013, available at [url](#)

<sup>27</sup> UNICEF, Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa, April 2010, [url](#), pp. 16, 17

<sup>28</sup> UNICEF, Children Accused of Witchcraft. An anthropological study of contemporary practices in Africa, April 2010, [url](#), p. 15

<sup>29</sup> France: OFPRA, RDC: Les enfants accusés de sorcellerie à Kinshasa, 13 November 2015, [url](#)

<sup>30</sup> HRW, What Future? Street Children in the Democratic Republic of Congo, 4 April 2006, [url](#)

<sup>31</sup> AFRICA NEWS, The agony of Congo's 'child witches', 16 March 2018, [url](#)

<sup>32</sup> UN Committee on the Rights of the Child, Concluding observations on the combined third to fifth periodic reports of the Democratic Republic of the Congo, 28 February 2017, [url](#), p. 5

<sup>33</sup> UN Committee on the Rights of the Child considers the reports of the Democratic Republic of the Congo, [url](#)

<sup>34</sup> UNICEF, Children Accused of Witchcraft, An anthropological study of contemporary practices in Africa, April 2010, [url](#), p. 17

<sup>35</sup> The New Humanitarian, Grappling with mental health challenges in Congo, 5 January 2016, [url](#)

the majority of traditional healers believed that epilepsy is due to a spirit, witchcraft or an unknown cause.<sup>36</sup>

## 1.2 Women accused of witchcraft

For information regarding the situation of widows and single women in Kinshasa, including on women accused of causing death of their husbands through witchcraft, it is possible to consult a previous [EASO COI Query](#) Response published on 7 November 2019. For information on the situation of widows and women without network in DRC, including Kinshasa, it is possible to consult [EASO COI Query](#) Response, published on 5 December 2019.

During the time frame for responding to this COI Query Response and amongst all the public sources consulted scarce or no updated information was found related to the topic.

In 2013, CEDAW indicated that women accused of witchcraft had to face ‘acts of torture and other ill-treatment’ in the DRC, including ‘in areas not affected by conflict’.<sup>37</sup>

A 2006 Human Rights Watch report highlighted that, in the past, the main target of accusations were widows and single women, especially in the rural areas. In such cases, accused women were isolated at the edge of communities. The same source observed a shift in the accusations towards children, who have become the main target.<sup>38</sup> In 2009, UNHCR noted that ‘[i]n the past, witchcraft accusations in the villages of the Democratic Republic of the Congo (DRC) were generally directed at elderly women, with only rare instances of exorcism or abuse resulting. Since the early 1990s, particularly in large towns, accusations have shifted to children’. UNHCR also reported that ‘difficult children—those with disabilities or illnesses, the rebellious or badly behaved—may be more vulnerable to witchcraft accusations’<sup>39</sup>.

## 1.3 Reported cases of witchcraft accusations

Some reported cases of people accused of witchcraft during 2020 and 2021 are presented below, however the list is not to be considered exhaustive:

- On the 28 September 2021, The Guardian reported the death of eight women in South Kivu, reportedly been burned or lynched as a consequence of witchcraft accusations.<sup>40</sup>
- AFRICANEWS in an article published on the 16 March 2018, stated that a 16-year-old girl was accused of witchcraft and banished from her home in Bukavu, South Kivu province.<sup>41</sup>
- In 2021, Devex, an independent news organisation, reported a delay in the containment of meningitis’ outbreak because of the belief it was linked to witchcraft.<sup>42</sup> Similarly, according to Congo Research Group, in Lwemba, a pastor named Henri Pauni spread the belief that

<sup>36</sup> Dolo, H. et. al, Infectious Diseases of Poverty, Community perceptions of epilepsy and its treatment in an onchocerciasis endemic region in Ituri, Democratic Republic of Congo, 4 December 2018, [url](#)

<sup>37</sup> CEDAW, Concluding observations on the combined sixth and seventh periodic reports of the Democratic Republic of the Congo, 30 July 2013, [url](#), para 21

<sup>38</sup> HRW, What Future? Street Children in the Democratic Republic of Congo, 4 April 2006, [url](#)

<sup>39</sup> UNHCR, Witchcraft allegations, refugee protection and human rights: a review of the evidence, January 2009, [url](#), p. 14

<sup>40</sup> Guardian (The), Witch-hunt murders surge in Democratic Republic of Congo, [url](#), 28 September 2021

<sup>41</sup> AFRICANEWS, The agony of Congo's 'child witches', 16 March 2018, [url](#)

<sup>42</sup> Devex, Fears of witchcraft delay meningitis declaration in DRC, 8 September 2021, [url](#)



Ebola did not exist, stating that it is witchcraft, and thus could be cured by witchcraft.<sup>43</sup>

- In 2019, UNICEF reported a case of a 13 years-old child accused by a pastor to have eaten his grandmother. The child was locked in the church with the ropes to hands and foot, deprived of food for three days, and obliged to swallow one litre of palm oil.<sup>44</sup>
- On 15 May 2020, Insecurity Insights reported the abduction and rape of a 43-year-old woman by members of Raia Mutomboki Hamakombo, in South Kivu province, who accused her of witchcraft<sup>45</sup>.

## 2. Response by the authorities towards the phenomenon of witchcraft/ sorcery

Article 78 of the Penal Code in DRC states as follows:

‘Anyone who, by abusing superstitious beliefs of people, will impute to a person, without any basis, a real or imaginary act or event, knowing that this imputation would incite others to commit an offense, will be considered as an accomplice in the offense thus provoked’<sup>46</sup>

Article 41 of the Constitution states that:

‘The abandonment and maltreatment of children, in particular paedophilia, sexual abuse and the charge of engaging in witchcraft, are prohibited and punishable by law’.<sup>47</sup>

Article 160 of the Law on the Protection of the Child protection foresees the accusation of witchcraft toward a child as an offence:

‘Anyone who maliciously and publicly accuses a child of a specific fact which is likely to undermine his honour and dignity is punished with two to twelve months of imprisonment and a fine of two hundred thousand to six hundred thousand Congolese Francs. In case of accusation of witchcraft addressed to a child, the accuser is punished with one to three years of imprisonment and a fine of two hundred thousand to one million of Congolese Francs.’<sup>48</sup>

USDOS reported that, although the Constitution prohibits parental abandonment of children accused of sorcery, authorities did not implement the law during 2020.<sup>49</sup> Lack of legal protection for the children accused of witchcraft is reported in an article published in 2020 by Deutsche Welle (DW):

‘In Congolese law, witchcraft is not recognized as a violation of the law because there is no evidence you can produce. Unfortunately, the people have therefore developed their own legal practices to seek retribution and punish those whom call them witches.’<sup>50</sup>

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<sup>43</sup> Congo Research Group, *Rebels, Doctors and Merchants of Violence How the fight against Ebola became part of the conflict in eastern DRC*, August 2021, [url](#)

<sup>44</sup> UNICEF, *Les enfants sorciers de Kinshasa*, 2 January 2019, available at [url](#)

<sup>45</sup> Insecurity Insight, *Sexual Violence in the Democratic Republic of the Congo*, January to October 2020, [url](#)

<sup>46</sup> DRC, *Penal Code*, 2004, art. 78, [informal translation by EASO], [url](#)

<sup>47</sup> DRC, *The Constitution of the Democratic Republic of Congo*, 2005, art. 160, [url](#)

<sup>48</sup> DRC, *Loi n° 09/001 du 10 janvier 2009 portant protection de l'enfant*, 2009, [informal translation by EASO], [url](#)

<sup>49</sup> USDOS, *2020, RDC 2020 Country Report on Human Rights Practices*, 30 March 2021, [url](#)

<sup>50</sup> Deutsche Welle (DW), *Witch hunts: A global problem in the 21st century*, 10 August 2020, [url](#)



In the 2010 UNICEF report, it is underlined that ‘although the government has prepared a legislative framework for juvenile justice and contemplated taking action to limit the “spiritual” power of certain pastors, the plans often remain at the level of theory’.<sup>51</sup> In 2017, the UN Committee on the Rights of the Child expressed its grave concern about ‘reports of an increasing number of murders of, and incidents of ill-treatment and violence against, children accused of witchcraft and the impunity faced by perpetrators linked to certain churches’.<sup>52</sup>

The Committee on the Rights of the Child pointed out the necessity to implement effective measures to prevent children from being accused of witchcraft. It also urged the State to implement legislative and other measures to criminalise the persecution of children accused of witchcraft and bring to justice persons responsible for violence against and ill-treatment of children accused of witchcraft. The Committee also recommended that the State provides recovery and reintegration measures for children who had been victims of such practices.<sup>53</sup>

In 2019, among the stakeholders’ submissions on DRC collected in the Report of the Office of the United Nations High Commissioner for Human Rights (UNHRC), a recommendation was made for a ‘strict application of the rules on so called “witch” children, whereby adults who accused their children of witchcraft could be punished by law’.<sup>54</sup>

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<sup>51</sup> UNICEF, Children Accused of Witchcraft, An anthropological study of contemporary practices in Africa, April 2010, [url](#), p.45

<sup>52</sup> OHCHR, UN Committee on the Rights of the Child, Concluding observations on the combined third to fifth periodic reports of the Democratic Republic of the Congo, 28 February 2017, [url](#), p.9,

<sup>53</sup> UNHRC (formerly UN Commission on Human Rights): Compilation on the Democratic Republic of the Congo; Report of the Office of the United Nations High Commissioner for Human Rights [A/HRC/WG.6/33/COD/2], 4 March 2019, [url](#), p.8

<sup>54</sup> UNHRC (formerly UN Commission on Human Rights): Summary of Stakeholders' submissions on the Democratic Republic of the Congo; Report of the Office of the United Nations High Commissioner for Human Rights [A/HRC/WG.6/33/COD/3], 19 February 2019, [url](#), p. 8



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