

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca.

3 March 2015

COG105097.FE

Republic of the Congo: Treatment of Métis by society and the authorities, state protection provided to Métis who are victims of violence and discrimination (2013-February 2015)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Treatment of Métis by Society and Authorities

Information on the treatment of Métis by society and authorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

In correspondence sent to the Research Directorate, the President of the Thomas Sankara PanAfrican Association (Association panafricaine, APTS), an NGO created in 1991 in Brazzaville that is committed to promoting and protecting human rights (APTS n.d.), states that, without providing details, that [translation] "the Republic of the Congo is not plagued with problems of discrimination related to skin colour" (APTS 22 Feb. 2015).

In response to a question on the situation of Métis in the Republic of the Congo, Henri Lopes [1], a former prime minister of the country, stated in a 2012 interview with Radio France internationale (RFI) that [translation]

mixed races have never been considered a big issue in the Congo. The Métis have always been accepted in this country. I cite as proof the presence of Métis ministers in the successive governments since independence (RFI 29 May 2012).

He also added that it has become easier for a Métis person to integrate into the Congolese society than it was during his youth (ibid.). Sources state that Henri Lopes is Métis and a writer who addresses themes related to mixed races in particular (ibid.; *Africultures* 25 Mar. 2005). Henri Lopes has also been the Ambassador of the Republic of the Congo in France (Congo-site.com 7 Nov. 2014; Académie des sciences d'outre-mer n.d.; *African Geopolitics* n.d.) since 1998 (ibid.; Académie des sciences d'outre-mer n.d.).

2. State Protection Provided to Métis People who are Victims of Violence and Discrimination

In a report submitted in 2008 to the United Nations (UN) Committee on the Elimination of Racial Discrimination, the government of the Republic of the Congo states that the country's constitution [Republic of the Congo English version] "strictly prohibits self-identification or the identification of others according to race or ethnicity" (Republic of the Congo 20 Oct. 2008, para. 65). Article 8 of the Constitution of the Republic of the Congo (*Constitution de la République du Congo*) states the following:

[translation]

All citizens are equal before the law. Any discrimination based on origin, social or material situation, racial, ethnic or departmental origin, gender, education, language, religion, philosophy or place of residence...is prohibited (Republic of the Congo 2002).

However, in reaction to the report presented to it, the UN Committee on the Elimination of Racial Discrimination states that it is,

[UN English version]

concerned by the fact that although the State party acknowledges the presence of inter-ethnic tensions in the country, there is currently no definition of racial discrimination in domestic law (UN 23 Mar. 2009, para. 11).

Information indicating whether additional anti-discriminatory measures have since been implemented could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] Henri Lopes was the Prime Minister of the Republic of the Congo from 1973 to 1975 (RFI 29 May 2012; African Geopolitics n.d.).

References

Académie des sciences d'outre-mer. N.d. "Lopès Henri."

<<http://www.academieoutremer.fr/academiciens/fiche.php?aId=114>> [Accessed 25 Feb. 2015]

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Association panafricaine Thomas Sankara (APTS). 22 February 2015. Correspondence sent to the Research Directorate from the President.

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Congo-site.com. 7 November 2014. "Francophonie : Le Congolais Henri Lopes expose ses ambitions et sa vision sur son site Internet." <http://www.congo-site.com/notes/Francophonie-le-Congolais-Henri-Lopes-expose-ses-ambitions-et-sa-vision-sur-son-site-internet_b7152680.html> [Accessed 25 Feb. 2015]

United Nations (UN). 23 March 2009. Committee on the Elimination of Racial Discrimination. *Examen des rapports présentés par les États parties conformément à l'article 9 de la Convention. Observations finales du Comité pour l'élimination de la discrimination raciale : Congo*. (CERD/C/COG/CO/9) <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/COG/CO/9&Lang=En> [Accessed 23 Feb. 2015]

Radio France internationale (RFI). 29 May 2012. Tirthankar Chanda. "Henri Lopes : Le 'mentir-vrai' du romancier relève du grand art." <<http://www.rfi.fr/afrique/20120522-henri-lopes-le-mentir-vrai-romancier-releve-grand-art/>> [Accessed 23 Feb. 2015]

Republic of the Congo. 20 October 2008. *Rapports présentés par les États parties en vertu de l'article 9 de la Convention: Neuvième rapports périodiques devant être présentés en 2005: Additif Congo*. (CERD/C/COG/9) <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2FCOG%2F9&Lang=en> [Accessed 23 Feb. 2015]

_____. 2002. *Constitution de la République du Congo*. <http://www.presidence.cg/files/my_files/constit200102.pdf> [Accessed 23 Feb. 2015]

Additional Sources Consulted

Oral sources: The following people could not provide information for this Response: Independent Researcher; Professor Emeritus of cultural anthropology, University of Amsterdam. Attempts to contact the following people and organizations within the time constraints were unsuccessful: Affiliated Researcher, Institut des mondes africains; Comité national des droits de l'homme; Coordinator, Réseau migration et développement en Afrique centrale; Fédération congolaise des droits de l'homme; Interdisciplinaire groupe de recherche sur l'Afrique contemporaine; Observatoire congolais des droits de l'homme; Post-doctoral Researcher, Musée du Quai Branly; Professor Emeritus of history, Indiana University; Professor of sociology, Université Marien Ngouabi de Brazzaville.

Internet sites, including: African Studies Centre; Agence congolaise de presse; Agence d'information d'Afrique centrale; AllAfrica; Amnesty International; Brazza News; Calenda; Centre d'études africaines; Centre d'études de l'ethnicité et des migrations; Commission africaine des droits de l'homme et des peuples; Congo Liberty; Connecting-Africa; Conseil pour le développement de la recherche en sciences sociales en Afrique; *Les Dépêches de Brazzaville*; ecoi.net; Eldis; Fédération internationale des ligues des droits de l'homme; France 24; Freedom House; Human Rights Watch; *Jeune Afrique*; KongoTimes!; Ligue internationale contre le racisme et l'antisémitisme; Mediapart; Minority Rights Group International; Mixed Race Studies; ProjetMetis; Radio Chine internationale; Réseau Nerrati-Press; Slate Afrique; *Star du Congo*; Union pour l'étude de la population africaine; United States – Department of State; Université Marien Ngouabi; *Voice of Congo*.

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