

Temporary Protected Status (TPS) *for the Democratic Republic of the Congo (DRC)*



The Biden Administration Must Designate the Democratic Republic of the Congo (DRC) for TPS

Widespread armed conflict, intense violence, and resulting humanitarian crises in the Democratic Republic of the Congo (DRC) make it impossible for nationals of the country to return to their home country safely right now. In fact, the DRC is in the midst of one the deadliest armed conflicts in modern history. In 2022 alone, this terrible violence has [killed more than 6,000 people](#), and has [displaced two million](#). Decades of tragedy in the region have claimed [more than 5 million lives in total](#). A resurgence of the non-state armed group March 23 Movement (M23) has contributed to an escalation of violence in the DRC, with widespread human rights [abuses](#) including [war crimes](#).

If individuals living in the U.S. are deported to the DRC, both adults and children could face horrifying violence and human rights violations, including arbitrary detention, sexual and gender-based violence, torture, forced recruitment as soldiers, and even summary executions. Congress created the [Temporary Protected Status \(TPS\) program](#) to prevent precisely such tragedies from occurring by extending protections from deportation, as well as the ability to work legally, to people in the U.S. who have come from countries where it's unsafe to return. Designating the DRC for TPS would provide these vital protections to Congolese nationals currently living in the U.S., allowing them to remain with their families in their communities, and free from the fear that they could be deported to harm.

“We had a good life. There’s no way to go back home, everything has been destroyed. All I’m asking for is peace.”

—Alphonsine, displaced by violence in Ituri Province, eastern DRC

“The violence must stop. Without efforts to address the root causes of conflict, the human rights and humanitarian crises could worsen dramatically.”

—Ilze Brands Kehris, UN Assistant Secretary-General for Human Rights

A Resurgent Conflict

In the aftermath of the horrific Rwandan genocide of 1994, several countries, as well as non-state, intra-country armed groups, fought brutal wars on Congolese soil, resulting in the deaths of more than [5 million people](#). Non-state armed groups have continued to wreak havoc in the region, particularly in the eastern provinces of the DRC. Government and corporate corruption and power struggles, including over the DRC’s mineral resources, have [continued to fuel such groups](#), which threaten local populations. To date, more than 100 non-state armed groups are active in the DRC.

Armed [conflict has escalated dramatically](#) since November of 2021 with the resurgence of the prominent armed group “Mouvement du 23 mars,” or the March 23 Movement (M23), which the [UN confirms](#) that the government of Rwanda strongly supports. The [M23 group has already gained control](#) of large swaths of territory, military bases, and key regional power centers in the eastern provinces of the DRC. Moreover, the DRC security forces’ focus on fighting the March 23 Movement has [left power vacuums](#) in other regions of the country, enabling other armed groups to gain ground and leaving even more civilians unprotected. For instance, intercommunal violence in other regions of the country, including the [western](#) and [central](#) provinces, has displaced tens of thousands more people.

The [more than 2 million people](#) displaced in 2022 have driven up the total number of people internally displaced in the DRC to an [astounding 5.8 million](#). The conflict also claimed the [lives of thousands](#) of people last year, while armed groups have continued to perpetrate [horrific human rights abuses](#), including summary killings, targeting of civilians, forced labor, recruitment of children to military groups, extortion, and sexual violence. The DRC government has imposed [martial law](#) in the country for almost two years now, which has proven ineffective at curtailing violence while gravely increasing [political repression](#).

The continued conflict is only adding to the number of refugees and displaced people in the broader region. The Democratic Republic of the Congo itself currently hosts [more than half a](#)

“On the first day [November 29] we buried 18 people, including my father and my brother.”

—21-year-old man in Kishishe province

*The DRC is now the **number one country in the world** in need of food assistance.*

million refugees from its neighbors, like the Central African Republic and Rwanda, and as of 2023 there are more than **1.1 million asylum seekers from DRC** living in neighboring countries. Individuals fleeing danger in the DRC have few places to go in the region; surrounding countries are unlikely to offer safe haven. For instance, earlier this year, Rwanda's President threatened to **stop its government's support** for refugees fleeing the DRC.

The United States should not add to this tragedy by returning individuals to a country overwhelmed with such brutal violence. Instead, it should immediately designate the DRC for TPS and provide protection and stability to families and communities in the U.S.

War and Violence Fuel Ongoing Humanitarian Crises

On top of the intense fighting and brutal violence, the DRC has faced multiple humanitarian crises for years that continue to worsen. Over the last 6 months of 2022, more than 26 million people – or **one fourth of the population of the entire country** – faced acute food insecurity, in large part due to the ongoing conflict and security concerns **which prevented humanitarian groups' access and ability to deliver aid**. **The DRC is now the number one country in the world in need of food assistance.**

In addition, the 2021 **eruption of the volcano** Mount Nyiragongo in the east of the DRC has contributed to widespread devastation and ongoing challenges. The eruption killed dozens of people and displaced hundreds of thousands, while authorities struggled to respond, and **thousands of families were left without any assistance**. Today, health concerns remain, as residents continue to suffer health complications from **exposure to harmful gasses**, which may also lead to long-term complications.

This is all exacerbated by the fact that people living in the DRC continue to be plagued by lack of access to healthcare and multiple epidemics. Ebola outbreaks have **continued in recent years**, and containment of the deadly epidemic is made substantially harder by current conditions. The COVID-19 pandemic has posed similar challenges, straining the DRC's

already fragile healthcare system and adding to the extreme difficulties that displaced people living in crowded refugee camps face. In addition, cases of [cholera](#), [measles](#), and [other illnesses](#) are increasing at alarming rates.

The Biden Administration Should Not Return Congolese People to Danger – Designating DRC for TPS Will Save Lives and Keep Families Together

By designating DRC for TPS, the Biden Administration can ensure that Congolese nationals living in the United States are not deported to a country where they will face terrible violence and even death. If deported to the DRC, Congolese people would not only likely be caught in ongoing fighting, but would also risk life-threatening conditions when attempting to flee to neighboring countries. Recent reports make clear that people who are returned to the DRC [may be arbitrarily detained](#), extorted, or face accusations of illegal political activity or alleged criminal activity while abroad.

The U.S. Department of State has issued its most serious [warnings against travel](#) to the DRC due to ongoing civil unrest, and specifically armed conflict, urging American citizens to avoid travel to the eastern, war-torn regions. Other countries have issued [similar warnings](#) to [their citizens](#), and the UN has categorized the situation in the [country as an emergency](#). The DRC is included in a recent report from [U.S. intelligence agencies](#) which details conflicts that pose challenges to U.S. security interests, demonstrating the severity of the conflict at hand which continues to force people to flee their homes. In the 2022 fiscal year, the DRC [topped the list](#) of the five countries of origin with the highest number of refugees resettled to the United States. Of these five countries – the DRC, Syria, Sudan, Burma, and Ukraine – the DRC is the only country not designated for Temporary Protected Status.

Congress [created TPS in 1990](#) to provide protection from deportation and work authorization to individuals from designated countries that [face unsafe conditions](#) in their home countries due to armed conflict, natural disasters, or other extraordinary and

“Children who have already been devastated by one of the worst food crisis [sic] in the world are now at risk of the effects of cholera.”

—Amavi Akpamagbo,
Country Director, Save the
Children in DRC

temporary conditions. The program was created to provide a form of humanitarian relief in situations exactly like those currently taking place in the DRC – to prevent individuals from having to return to countries where they face life-threatening armed conflict or other disasters. As a result, human rights [advocates](#) have called on the Biden Administration to designate TPS for the DRC, and Members of Congress have repeatedly spoken out about the [ongoing violence](#), dire humanitarian crises, and [large-scale displacement](#).

Providing TPS protections to individuals from the DRC would also empower them to better contribute to their communities and the broader U.S. economy. FWD.us research indicates that the [2,000 individuals from the DRC](#) who are potentially TPS-eligible have, on average, lived in the U.S. for 17 years, contribute \$30 million to the economy annually, and have a workforce participation rate of 93%, providing essential services at a time of worker shortages and high inflation. TPS potentially-eligible individuals from the DRC also live with 6,000 U.S. citizens. Designating TPS for the DRC would keep thousands of American families together.

To date, the Biden Administration has successfully taken steps to extend TPS and DED protections for thousands of individuals from countries devastated by natural disaster, war, and other humanitarian and security crises. They should expand on these successes and designate the Democratic Republic of the Congo for TPS. Doing so would be in line with the Administration's goals of realizing a more humane, safe, and orderly immigration system, while keeping people safe and families together.