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Minorities Under Siege
Pygmies today in Africa
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1. Features:

Indigenous people and minorities: A global and historic assault

"In every world region, minorities and indigenous peoples have been excluded, repressed and, in many cases, killed by their governments," said Mark Lattimer, executive director of the non-governmental organisation Minority Rights Group International (MRG) at a press conference in January 2006. The event was the launch of the first edition of The State of the World’s Minorities Report, compiled by MRG with the assistance of various United Nations agencies.

What faces indigenous people and minorities today is not at all new. Throughout human history, the cultures and livelihoods – even the existence – of indigenous peoples have been endangered whenever dominant neighbouring peoples have expanded their territories or settlers from far away have acquired new lands by force. Despite claims that the world has entered a new era of human rights and democratic representation, this process of attrition and discrimination continues today.

The contemporary threats facing indigenous peoples’ cultures and lands – and their status and other legal rights as distinct groups and citizens – do not always take the same forms as in previous times. Although some groups have been relatively successful in maintaining their cultures and gaining recognition, in most of the world indigenous peoples are actively seeking recognition of their identities and ways of life in a context where this very recognition is being eroded or abused at an alarming rate.

Indigenous peoples inhabit large areas of the earth’s surface. According to the Office of the UN High Commissioner for Human Rights (OHCHR), these communities are spread across the world from the arctic to the South Pacific, numbering approximately 300 million people. Indigenous or aboriginal peoples are so-called because they were living on their lands before settlers came from elsewhere. Most indigenous communities have retained social, cultural, economic and political characteristics that are distinct from those of the national populations where they live. In many cases, but by no means all, they form a minority.

There is no universally accepted definition of “minorities”; the word is interpreted differently in separate societies. Those working to secure rights for minority groups generally describe them as a nondominant group of individuals who share certain national, ethnic, religious or linguistic characteristics that are different from those of the majority population. The range of those defined as minorities requiring protection is huge, including groups as diverse as the Roma people of Albania, hill people in Bangladesh, pygmies across Central Africa, the Ogoni people of Nigeria, the Chagos islanders, the Bagobo warriors in the Philippines, Alaskan native Inuit peoples in the United States and Tibetan ethnic groups in China.

Since the early 1960s, over 40 tribal groups have been identified in Kenya alone, illustrating the complexity of uniting diverse peoples whose only commonality is sharing a nation’s territory. The largest group today, the Kikuyu, comprises well over 4 million people, while smaller groups may comprise only several hundred or a few thousand members. How, then, are minorities defined?

The difficulty of definition

The difficulty in arriving at an acceptable definition lies in the variety of situations in which minorities exist. Some live together in well-defined areas, separated from the dominant population, while others are scattered throughout the national community or even across borders, such as the Kurds in Turkey, Iraq and elsewhere in the Middle East. Some minorities base a strong sense of collective identity on a well-remembered or recorded history, while others retain only a fragmented notion of their common heritage. In certain cases, minorities enjoy – or have known – a considerable degree of autonomy. In others, there is no past history of autonomy or self-government.

The UN has failed to agree on a more precise definition of what constitutes a minority beyond that implied in the title of the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the General Assembly in December 1992.

According to MRG, attempting to establish a more rigorous description has been fraught with difficulties: In some cases, the motivation for a tighter definition has been used as a tool to deny certain rights to certain...
peoples. In the Middle East region surrounding Iraq, for example, governments have justified suppression under the guise of fighting terrorism, Lattimer explained. “In the war on terror, the greatest danger is this tendency by states to justify what they’re doing by relation to the support they receive in the US-led effort to fight terrorism,” he stated in early 2006.

Agencies such as MRG and its partners focus on non-dominant ethnic, religious and linguistic communities who may not necessarily be numerical minorities. Normally, minorities of this nature are among the poorest and most marginalised groups in society irrespective of their number – their status in society is one of second-class citizen, or worse.

In spite of cultural and ethnic diversity, there are often striking similarities between the threats facing minorities and indigenous peoples in addition to their grievances and interests. Typically, minority groups lack access to political power, face discrimination and human rights abuses and have “development” policies – which benefit the dominant population – imposed upon them.

A tenuous hold on land and property

One of the overriding threats facing minorities and indigenous peoples all over the world is the risk of being driven from their land, which is the source of their livelihood, their heritage and often their identity as a people. Many communities have been closely bound to a particular territory for centuries. Yet once their land is earmarked for “development” – such as dams, mining, the timber industry, oil or tourism – they are all too easily evicted with little or no compensation.

Removal of communities from their land – mass displacement of people – is one of the worst consequences of “development” projects that fail to understand or to recognise minority and indigenous peoples’ rights. Development projects such as hydroelectric or agricultural ventures that require large swathes of “virgin land” are notorious examples. Equally, the designation in recent years of areas as national parks or wildlife sanctuaries has entirely disregarded the rights and needs of minorities living on the land. In many cases, international pressure or funding may endorse or finance these projects.

Civil or interstate conflicts also lead to the displacement of minorities and indigenous peoples, and their property typically is seized without compensation. They are often forced to live as refugees or displaced persons for decades, with dire consequences for their cultural identity and means of survival.

The right of indigenous people to reclaim their property is regularly denied. Once outside of their ancestral land, the denial of the right to property is frequently used to stop them returning. Displaced minorities, whether in Africa, the Balkans, Turkey or South Asia, often lack written evidence of ownership – their land rights are seldom recognised or documented. Although indigenous communities have occupied their lands for centuries, long before the current states may have existed, their practice of collective ownership and lack of documentation is often held by governments or outsiders to mean that they have no rights.

Dorothy Jackson, of the UK-based Forest People’s Programme, said the settlements of many pygmy populations in parts of Central Africa “are not registered as distinct entities. They are deemed to ‘belong’ to neighbouring farming communities who are expected to speak for them.” This situation is particularly unfortunate given the historic and continued discrimination many forest people suffer at the hands of settled farming communities. Furthermore, “Their widespread lack of identity cards means that they cannot contact authorities without reprisals, travel freely or register for voting,” she said.

Recognising property rights that would help nomadic and forest communities preserve their way of life is clearly a complex challenge to any modern nation state, where discrete property ownership is the basis of the dominant economic model. Not surprisingly, transient or pastoral communities, particularly in the Sahel and sub-Saharan Africa, are facing governments reluctant to grant them any land rights.

A downward spiral?

The issue of land is emblematic of the treatment of minorities in many states, where for both discriminatory and practical reasons they also lack access to state services such as health, education, livelihood support and infrastructure. These problems originate from and are compounded by their frequent geographical isolation, not to mention possible linguistic differences or lack of familiarity with the modus operandi of the modern world. Without political organisation or representation, they all too easily fall prey to indifference or outright discrimination.

Economic and cultural globalisation and the increasing tendency toward homogeneity amongst the dominant populations in most nations can only exacerbate the marginalisation of minorities. Because indigenous groups live in a virtually parallel state, disengaged from the political and economic life of a nation, it is difficult to see how their welfare and rights can improve without positive action being taken by governments to reverse such trends.

Even the Millennium Development Goals (MDG), set out by the UN in the late 1990s to benefit the poorest of the world in the interrelated areas of food security, health, water and sustainable development, will fail to benefit minorities, according to MRG. The organisation claimed that most country reports being developed for the MDG process normally fail to mention minorities at all and that current initiatives towards the MDGs could increase existing inequalities.
“The focus on aggregate results, rapid development and achieving the greatest good for the greatest number could mean that particular needs of the most excluded groups – of which minorities form a major part – will be ignored in the interests of meeting the targets on paper,” said MRG’s Corinne Lennox in a recent report.

Minorities and conflict

When addressing the UN General Assembly in April 2000, Secretary-General Kofi Annan said, “Most conflicts happen in poor countries, especially those which are badly governed or where power and wealth are very unfairly distributed between ethnic or religious groups. So the best way to prevent conflict is to promote political arrangements in which all groups are fairly represented, combined with human rights, minority rights and broad-based economic development.”

Almost all states have one or more minority groups, and the dominant population’s marginalisation of minorities within their national boundaries frequently leads to conflict and destabilisation. In war today, the targeting of minorities is no longer the exception; it has become the norm. According to the recent findings of MRG, some 70 percent of the world’s conflicts have ethnicity or religion as a major factor. A very high proportion of these arise at least in part because governments or members of the dominant population discriminate against minorities or indigenous peoples.

The 1994 genocide in Rwanda is a vivid illustration. The mass killings resulted in the deaths of nearly one million Batutsi and moderate Bahutu Rwandans - approximately 14 percent of the entire Rwandan population. The Batwa (pygmies) made up only approximately 0.4 percent of the total population and were economically and socially isolated from Rwandan society or politics. However, it has been estimated that up to 30 percent of the Rwandan Batwa were killed or died as a consequence of the genocide and ensuing war. Many of the remaining men were imprisoned, and the majority of the community was displaced during the conflict.

The State of the World’s Minorities Report 2006 claimed that Iraqis head the list of peoples most under threat of persecution, discrimination and mass killing. Sudan was second only to Iraq in the report’s rankings; in Southern Sudan and more recently in Darfur, ethnic minorities have been murdered on a mass scale. The report shows that ethnic tensions still grip vast sections of the African continent – nine of the 15 countries in which groups of peoples are most under threat are in Africa. In Angola, Burundi, Côte d’Ivoire, the Democratic Republic of Congo (DRC), Ethiopia, Nigeria, Uganda and Somalia, different ethnic groups face violence, disenfranchisement and exclusion. Other minorities particularly at risk include communities in Afghanistan, Burma, Indonesia, the Russian Federation and the Philippines.

Exacerbating antagonisms

Analysts have argued that despite recognising the importance of the inclusion of minorities to securing peace, governments and international bodies such as the UN have been slow to address violations of minority or indigenous rights.

Typical causes of ethnic and religious conflicts include the refusal to recognise groups as having a separate, unique identity and the denial of the right to use a particular language, express culture or practise religion. Discrimination in access to education, jobs, land, social services and property inevitably lays the seeds for conflict as people fail to get any worthy slice of the socioeconomic pie. A failure to ensure that minorities have a say in government at the local or national level – and in extreme cases overt state persecution of minorities – may also result in conflict.

When governments fail to protect minorities from the prejudices of other groups in society, and when they directly or indirectly reinforce those prejudices, the likelihood of minorities taking unilateral and violent action to protect their rights is greatly increased. In many cases minorities are so dispossessed and downtrodden that they appear to constitute a limited threat to a negligent or malicious government but in fact they may indeed be ‘sleeping tigers’ – problems waiting in store for negligent governments.

“When minority rights are violated and minority issues ignored, the entire society is really at risk,” said Gay McDougall, the UN Independent Expert on Minority Issues, in early 2006. “Further along the spectrum, minority rights violations may ultimately lead to the crimes of genocide, crimes against humanity resulting in the targeting of minorities in situations of armed conflict,” she warned.

With the proliferation and easy accessibility of small arms, almost any dispossessed or disgruntled ethnic group can wreak havoc and foment dangerous national discord. Present circumstances from the Côte d’Ivoire, the Central African Republic, the DRC and the Republic of Congo powerfully illustrate this. The ethnic Ijaw in the oil-rich southern delta area of Nigeria have formed militias that are currently violently disrupting Nigeria’s oil industry, demanding a share of the wealth and an end to their sense of economic marginalisation.

Protecting minorities

In recent years, as ethnic, racial and religious tensions have escalated – and threatened the economic, social and political fabric of states, as well as their territorial...
integrity – there has been increased interest in issues relating to minorities.

Prior to the creation of the UN, the system for the protection of minorities as groups was established under the League of Nations, but it was subsequently considered by the UN to have outlived its political expediency. It was replaced by the Charter of the United Nations and the Universal Declaration of Human Rights in 1947. These instruments were grounded in the protection of individual human rights and freedoms and the principles of nondiscrimination and equality.

The view was that if these principles were effectively implemented, special provisions for the rights of minorities would not be necessary. It was very soon apparent, however, that further measures were needed to better protect and promote persons belonging to minorities. To this end, special rights for minorities were elaborated and measures adopted to supplement the principles of nondiscrimination in international human rights instruments. The only UN instrument that outlines these special rights of minorities as a separate document is its Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

Special rights are not privileges, but they are granted to make it possible for minorities to preserve their identity, characteristics and traditions. Special rights are just as important in achieving equality of treatment as nondiscrimination. OHCHR has been entrusted with the task, among others, of promoting and protecting the rights of persons belonging to minority groups. The post is relatively recent, having been established in 1993. According to the OHCHR, this form of affirmative action may have to be sustained over a prolonged period in order to sufficiently rectify current imbalances between minority and majority groups.

The creation of the UN Working Group on Minorities in 1995 is considered by experts to be another important achievement to date. The Working Group is rapidly becoming the major focal point for the activities of the UN in the field of minority protection and is also open to the participation of all NGOs involved in minority protection. The UN Independent Expert on Minorities Issues was also recently established. Gay McDougall, who is concurrently executive director of the US-based Global Rights agency, was appointed to this position by the High Commissioner for Human Rights in 2005.

According to OHCHR, the most widely accepted, legally binding provision on minorities is Article 27 of the International Covenant on Civil and Political Rights, which declares: “In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right to community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”

NGOs play an important role in promoting and protecting the rights of persons belonging to minorities. They are – either directly or through their national affiliates – close to situations of tension and possible sources of conflict. They are frequently involved in mediation, and they are often better placed than the UN to sensitize public opinion at both the international and national level when the rights of minorities are neglected or violated. NGOs can also have a significant impact in the field of minority protection through research and reporting, and by serving as channels and platforms for minority groups who may not have the capacity or resources to represent themselves.

Continued and persistent violations

According to an OCHCR statement, many minorities continue to be subject to serious and persistent violations of their basic rights. Experience has shown that neither oppression – applied in defiance of international law – nor neglect of minority problems provide anything more than the seeds of future conflict or, if left unchecked, the partial annihilation of some peoples. Although minority problems may change over time, there is no reason to believe that the groups concerned, or their claims, will disappear unless positive action is taken. Enforced or involuntary assimilation between majority groups and minorities has sometimes been attempted by state authority, but it has often failed.

While Jackson of the Forest People’s Programme has seen “important gains” in policy and legislation in the last 15 years, she admitted that the “situation on the ground still remains very precarious” for millions of forest people, including the African pygmy communities, who are the focus of this IRIN In-Depth.

For Lattimer of the MRG, the global situation for all minorities is both bleak and incendiary: “In every region of the world, minorities and indigenous peoples have been excluded, repressed and, in many cases, killed by their governments. Far from celebrating diversity, far from recognizing the contribution of minority rights to the promotion of stability and peace, many governments continue to see minorities as a threat and, moreover, as a threat to be violently repressed.”
Who are the pygmies?

Characterised by their small stature, pygmies are predominantly members of hunter-gatherer communities living in equatorial rainforests across Central Africa. They are considered to be the original inhabitants of the continent.

Before Bantus and other major ethnic groups started spreading from areas north of the African tropical forest to the Great Lakes region around the first millennium BC, pygmies were the sole inhabitants of the continent south of the Sahara. The African rainforest has been their traditional environment for millennia. Spanning from Cameroon and Gabon in the west to Rwanda and Burundi in the east, the ecosystem stretches across more than 10 countries and covers more than 2 million square kilometres, twice the size of China. Pygmies enjoy and depend on a symbiotic relationship with the rainforest: It is their home, the source of their livelihood and their spiritual centre.

For the first time in history, this delicate balance may be about to disappear. The advent of “modernity” in Africa’s rainforests, the environmental degradation caused by man’s overexploitation of natural resources and global warming, political discrimination, and armed conflict all have taken an unprecedented toll on pygmy populations. The dangers they face have been serious enough to provoke some international observers to make allegations of genocide: mass killings and rapes have purportedly been used to destroy them as a people.

The total number of pygmy individuals in various communities on the African continent has been estimated at around 250,000 by the human rights NGO Survival International. Apart from the fact that these groups all maintain a close relationship with the rainforest environment, persecution and appalling poverty seem to be the only other common attributes in this mosaic of highly diverse ethnic groups.

Continent-wide forest peoples

The term “pygmy” is decried as derogatory in parts of the continent - mainly eastern Africa - due to the prejudices associated with the term over the centuries. However, it does not convey the same stigma in western Africa, where it is used as a generic name for several ethnic groups.

Forest people’s size distinguishes them from their neighbours. Bambuti men, who live in the Ituri province in eastern Democratic Republic of Congo (DRC), are on average 1.44 m high, compared to a national average of 1.70 m high. Since there has never been an official demographic census on pygmies in DRC it is impossible to give an accurate estimate of their numbers. In 1993, Jerome Lewis, a UK-based researcher, estimated their population to be approximately 16,000. Some anthropologists believe they are the purest descendents of ancient pygmies.

The Bambuti have been classified into three groups, which differ from each other linguistically, economically and geographically. The Aka people speak the Mangbetu language, hunt mainly with spears and live in the north of DRC. The Efe speak the Lese language, practice archery and live in the east of the country. The Sua speak the Bira language, usually hunt with nets and live in the south.

West of the Ubangui River, which splits the African tropical forest and borders the north of the DRC, pygmy communities call themselves Binya, whereas on the river’s eastern side, they are called Batwa. In 2000, The Batwa were estimated to number about 80,000 by the minority-rights NGO Refugees International. Their populations are disbursed throughout Rwanda, Burundi, Uganda and eastern DRC.

The Baka, which number around 40,000, are traditionally semi-nomadic hunter-gatherers that live in the rainforest of southeastern and southern Cameroon. There are about 3,700 Bakola-Bagyeli, living in the south of Cameroon. The Medzan, which live in central Cameroon and number fewer than 1,000, according to Cameroon-based researcher Patrice Bigombe Logo. The Bangombe and Babinga are in Gabon, and the Aka and Mbenzele are found in northern DRC and the Central African Republic.

Regardless of where they live and what they call themselves, these ethnic groups constitute minorities compared with the rest of the population, and their numbers are constantly decreasing, due to conflicts such as the 1994 Rwandan genocide. In which 30 per cent of the Batwa population of the country was killed.

The most ancient African culture

Pygmies are forest dwellers who depend on an intimate symbiosis with their environment. They traditionally live deep in the woods, often in remote camps located several days’ walk from any road or village. Their livelihood, medicinal practices and culture...
depend entirely on the forest. The relationship is sus-
tainable in that pygmies do not deplete their natural
resources, thus maintaining the delicate balance of
the rainforest ecosystem.

Beyond its role as purveyor of goods and resources,
the forest is also a social, cultural and spiritual space
that plays an essential role in pygmy cultures and
identities. The great spirit of the forest, called jengi
by some communities, is central to many initiation
ceremonies and is one of the few common words
shared by most pygmy groups across the African
continent. “[The forest] is their lifeline, their guardian
and protector, the source of all medicine, the place for
contemplation, to rest and to carry out ritual activities,”
said Bigombe.

Endangered livelihoods

Intensive commercial hunting, the opening of
routes into the forests due to logging activities,
and systematic deforestation have devastated
the rich ecosystem of the tropical rainforest.
For a community that depends entirely on
the environment for its
physical and spiritual sustenance, such drastic change
threatens its very existence.

Research on pygmy groups in Cameroon conducted
by researcher Jean-Félix Loung in the 1980s classi-
fied households in four main groups, according to
their principal means of survival. Traditional hunter-
gatherers comprised 6 percent of the population;
hunter-gatherer-farmers comprised 38 percent;
farmer-hunter-gatherers 38 percent as well; and hunt-
ers-farmers, 21 percent. To this day, most communities
still depend largely on hunting (of antelopes, wild pigs
and monkeys), fishing and the gathering of honey,
berries, fruits and other plants.

Traditionally, communities also traded the pottery
they made - along with forest game meat and ivory - with
their neighbours in exchange for essential
commodities they could not make themselves, such as
agricultural produce and metal tools. The pottery
was used both for storage and transport of goods
and food. As plastic containers gradually replaced clay
pots, this traditional source of income dwindled.

As a result, what used to be mainly a nomadic
group that moved across long distances in the forest in
pursuit of game and plants is gradually settling
down. Most members of pygmy communities now
work as day labourers and servants on farms that do
not belong to them or practice small-scale, informal
mining activities. Some resort to begging. Under the
influence of development programmes, pygmies
increasingly are turning to subsistence agriculture,
growing cassava, their staple food.

Health

In keeping with their traditions, pygmies turn to the
rainforest in times of sickness.

This relative self-reliance for health services has
allowed many groups to remain isolated from major
epidemics that have affected neighbouring communi-
ties, such as cholera, meningitis or even Ebola.

However, in the Great Lakes region of Africa, malaria
is the principal cause of death among pygmies. Initia-
tives, such as the Baka Project of Cameroon initiated
in 1990, aim to raise awareness among pygmy commu-

nities regarding the causes of parasitic infections
like malaria and the precautions that may be taken to
avoid such deadly parasites.

As the forests have receded under mining and logging
activities, its original inhabitants have been pushed
into populated areas and in turn exposed to new dis-
eases. HIV/AIDS has spread in the pygmy community,
and infection rates have increased due to the belief
held in some parts of Central Africa that sexual inter-
course with a pygmy would cure the disease.

Receding with the forest

For pygmies, economic
development is an
unavoidable, painful and
exclusive process.

As logging companies
have advanced into
equatorial jungles in search of valuable hard-
woods, pygmies have
watched their natural
habitat gradually dis-
appear. According to
the Rainforest Action
Network, a conservation
organisation, “Between
1980 and 1995, Africa
lost more than 10 percent of its forests, or approxi-
mately 150 million acres. In the 1990s, the rate of
deforestation increased.”

This ransacking of the environment has had perilous
consequences for pygmy communities. “The wealth of
indigenous peoples can be found in the form of
natural resources,” said El Hadji Guisse, chairman of

Credit: Rhett A. Butler/mongabay
Land rights and pygmy survival

The issue of access to land and ownership, a crucial one in any agrarian society, is especially vital to pygmy communities, whose culture, belief systems and livelihood depend on their symbiotic relationship with the Central African rainforest. Despite this, legal provisions concerning land and real estate are often unsuitable to the needs of traditional forest dwellers and almost always ignored in the case of indigenous groups.

The pygmies of Central Africa are a vulnerable people, and discrimination is part of their daily existence. Their marginalised status means they are likely to require more support than other citizens to claim their right to ancestral lands. In many cases, and over many decades, they have been driven away from their territory without compensation or any prospect of alternative livelihood. Without land or independent means of sustaining themselves, many pygmies live in extreme poverty.

“Since we are expelled from our lands, death is following us. We bury people nearly every day. The village is becoming empty. We are heading towards extinction. Now all the old people have died. Our culture is dying, too,” said a Mutwa man from Kalehe, in the Democratic Republic of Congo (DRC).

Inadequate provisions

Modern Western property law relies on identification, title deeds and recording of ownership of land plots. Most Central African legal systems have adopted this organisation because of colonial influences, but these practices often conflict with traditional systems of land tenure. According to custom, pygmy clans collectively own tracts of forest or land. In Burundi, the local Batwa, or Impunyu, number about 50 members on average. Although any individual is free to travel through another clan’s territory, they usually remain in the vicinity of their own clan, as they are more familiar with the available natural resources. Despite being semi-nomadic, the Impunyu have developed an attachment to preferred areas.

In the eastern DRC, as throughout most of Central Africa, the Batwa have been dispossessed of most of their land, largely due to the fact their system of collegiate land ownership does not fit easily in modern legal systems. Joint ownership of land is hardly enforceable within current legal frameworks in Central Africa, which require a single title deed and do not recognise collective, clan-based land rights. According to John Nelson of the Forest Peoples Project, “Although the vast majority of people in sub-Saharan Africa hold land under customary law, their rights to do so are almost never recognised under existing national laws.” It has become increasingly difficult to enforce traditional rules with modern legal instruments. When collective ownership is possible, it is limited to institutions. There is, therefore, a need to “reform laws and their application through the ‘re-institutionalisation’ of customary arrangements into codified law,” said Nelson.

Individual titling of pygmy lands is counterproductive. Delivering legal titles to individuals – as opposed to the whole clan – does not necessarily protect their rights. The promotion of individual land titling for vulnerable groups may actually expose them to further discrimination, as subordinate right holders are often intimidated or bullied into surrendering use of their land to more powerful groups or individuals.

Abused Rights

As population levels in Africa continue to rise, Rwanda has become the country with the highest population density in Central Africa, with approximately 340 people per square kilometre. As pressure on the available land has become more intense, the Batwa pygmy community, which has been excluded from all national development activities, has found itself increasingly landless.

According to Minority Rights Group International, current government land-use policies and poverty-reduction strategies in Rwanda are taking no real account of the land needs of the Batwa. The focus, instead, is on increasing agricultural productivity through improved cultivation techniques and the reclamation of unused land. In September 2005, the government of Rwanda published a new national land law, the result of several years of debate. According to Human Rights Watch, the new legislation might even make it more difficult for the Batwa to keep the little land they still own, as it will give the government complete authority over land use, potentially subjecting owners to loss of land without compensation.

In the DRC, entitlement to land possession is tied to an individual’s Congolese nationality. This has prevented...
many minorities, including the Batwa, who are not considered "real Congolese" by the authorities, from legally owning their land. The Banyamulenge, a group of ethnic Tutsi Congolese nationals, have also been discriminated against in this respect. Authorities have refused to provide them legal documentation of their Congolese nationality, thus barring them from owning land or enforcing their ownership rights. Indeed, once their legal identity fails to be recognised or considered equal to others, their right to own land is compromised. African customary law often bases land rights on the individual or the group's social identity.

Despite provisions made by the African Commission on Human and Peoples' Rights, such as the African Charter on Human and Peoples' Rights of 1981, most hunter-gatherers are denied land rights. Hunting and gathering is not considered a legitimate or sustainable use of land – as opposed to agriculture and deforestation, practised by Bantu Africans. Land used by hunter-gatherers is therefore regarded as available to farmers. Human rights NGO Minority Rights Group International described the process as “attrition through encroachment, intimidation and theft”. Evicted pygmies often remain close to their territory of origin, thus becoming tenants or squatters on what used to be their own land. In remote parts of the Republic of Congo, pygmies are considered slave labour attached to the land: Those who reside on a plot are the property of the landowner, who is free to use and abuse them at will.

Throughout the Congo Basin, governments have ignored politically weak hunter-gatherer groups because they do not make investments in land generally recognised by authorities, such as clearing, farming, or mining. However, according to Nelson, "The irony of this situation is that, under almost all African customary systems, it is well understood that occupancy is generally the key to 'ownership' and land is allocated by those claiming prior occupancy through lineages and clans."

The side effect of conservation

In an effort to protect natural resources, many conservation projects were launched in the 1990s throughout Central Africa. However, the practice of "gazetting" land – passing legislation that declares an area to be a natural park or a wildlife sanctuary – has pushed many indigenous groups out of their traditional habitat. The struggle to preserve the environment has had tragic consequences for some pygmy communities, which have fallen victim to heavy-handed environmental conservation projects.

It started with the establishment of the Kahuzi-Biega National Park in South Kivu, DRC, a forest that was declared in 1980 a World Heritage in Danger site by the UN Educational, Scientific and Cultural Organization (UNESCO). The Zairian Institute of the Conservation of Nature violently expelled 580 Batwa families from their land - with a view to protecting one of the last populations of mountain gorillas - without informing, consulting or offering them any reparation. The eviction destroyed their livelihood, culture and spiritual practices that tied them to the land.

"We did not know they were coming," said a Mutwa widow and mother of five who was among the 3,000 to 6,000 pygmies evicted from the forest. "It was early in the morning. I heard people in uniforms with guns. Then suddenly one of them forced the door of our house and started shouting that we had to leave immediately because the park is not our land. I first did not understand because all my ancestors have lived on these lands. They were so violent that I left with my children."

According to the NGO Refugees International, the trend continues. In southwestern Uganda, the Batwa were similarly evicted from what became Bwindi Impenetrable Forest and Mgahinga Gorilla National Park in 1990. According to historical and oral records, the Batwa are the only group to have populated this area since the sixteenth century. Despite their historical claims to land rights and having lived for generations without destroying the ecosystem of their natural habitat, they did not benefit from any national compensation scheme. UNESCO consequently hired some of the local Batwa to work as park guides. Non-Batwa farmers, who had destroyed the forest to cultivate the land, received compensation and recognition of their land rights.

Donor sensitisation and compensation initiatives

Poaching has often been used as a handy excuse to justify gazetting land. "For other groups, the forest represents an additional source of income. For the Batwa, it is their livelihood, and their activities are focussed on daily subsistence rather than intensive exploitation," said Minority Rights Group International. The hunting-and-gathering activities practiced by pygmies are ecologically sustainable occupations that do not destroy the balance of fauna or flora. Still, because of poaching and deforestation, states have felt compelled to cordon off tracts of land and forbid access to it – even to its original inhabitants.

International donors are slowly waking up to the need to incorporate indigenous peoples' survival into development projects, but enforcement is slow. The World Bank has developed policies to force aid recipients to assess the impact of park projects on local residents. For example, the Chad-Cameroon oil pipeline project was required to draw up a plan for vulnerable indigenous people, examining ways to relocate and compensate the Bagyeli pygmies. However, a land title deeds were necessary to claim compensation, and the Bagyeli had few. Most were denied payment. In some
instances, Bantus received compensation meant for the Bagyeli.

**The forest as battleground**

According to Refugees International, forests in the DRC are becoming a hideout and battleground for rebel groups. The Batwa, who live deep in the forest and have no involvement in the political arena, are increasingly exposed to armed clashes, often becoming victims of violence. Amnesty International has reported incidents of cannibalism, where armed groups have killed Batwa people and forced prisoners to eat their flesh.

During the 1994 Rwandan genocide, nearly one million people – approximately 14 percent of the Rwandan population – were killed. The Batwa did not participate in political life and comprised only 0.3 percent of the total population, yet according to Minority Rights Group International, 30 percent of the Batwa population were killed as a consequence of the genocide and the ensuing war.

“We are truly the forgotten people of Rwanda, having been there for the longest, having lived for thousands of years in the rainforest of Africa before the Hutu and the Tutsi arrived. We have been forgotten by all those who have come to use our forests, ignored by the European colonists, and we are again forgotten by all those who would help to resolve the chaos that Rwanda is in today,” said Charles Uwiragiye, executive secretary of the association for the promotion of the Batwa, during a speech in 1994 asking the world to hear the suffering of the pygmies. More than a decade later, not much has changed.

**The challenges of pygmy political representation and mobilisation**

Over recent decades, development activity and political instability have encroached on the living space of many pygmy communities of the Great Lakes Region of Central Africa. The increasing number of urban settlements, population growth, deforestation, armed conflict and ethnic discrimination have forced a large number of pygmies to leave their ancestral lands. Displaced from the forests that provided them their livelihoods, pygmies have struggled to find their place in the modern world. Today, most communities live in poverty as second-class citizens, with less access to healthcare, education, land and employment than the ethnic majority.

As indigenous people living in dense tropical rainforests in Central Africa, pygmies survived through their symbiotic relationship with the environment, which provided all of their basic necessities. The pygmy livelihood is based on hunting and gathering of forest resources. Bartering, rather than financial exchange, accounts for most trade transactions, both within pygmy communities and between pygmies and other groups. Pots may be traded for tools, traditional medicine for plastic utensils, and animal hides for clothes. While it was comparatively easy for pygmies to live in isolation, it has become virtually impossible for them to participate in the economy of the modern world.

**Economic isolation**

Most pygmies live in areas that are remote from commercial centres, and their skills are not considered very “marketable” in modern society. While they are well versed in natural medicine and the ecosystem of their forest environment, they are ill equipped to assert themselves in a society that rejects them because they are an ethnic minority. This ethnic discrimination, combined with economic weakness, has isolated pygmies politically as well.

Another dominant feature of pygmy economic practices is the sharing of goods and resources among the community. Any surpluses are split among several families. Most pygmy groups, therefore, have no saving or investment capacity. They are neither consumers nor manufacturers of high-value-added goods. They are often geographically scattered into small communities – the Impunyu forest people in Burundi, for example, live in clans averaging 50 members. Their capacity to accumulate capital or develop cash surplus as disposable income or savings is negligible or extremely low. Consequently, with minimal economic weight or influence, they are effectively excluded from economic life.
The Geneva-based International Council on Human Rights believes that pygmies’ exclusion from formal education has had considerable impact on their economic situation. In the past, colonisers and missionaries in the Great Lakes Region largely ignored pygmy communities and refused to send them to school. This discrimination continued after independence, and today, the majority of pygmies are illiterate, making it even more difficult for them to be involved in commerce and trade, let alone participate in government or study for any of the professions, such as law or medicine. This neglect by governmental authorities is made worse by pygmy communities’ inherent political weakness, which stems from their dispersion, imbalance of power and the discrimination they suffer from their co-nationalists.

With the speeding up of the global economy and the current political situation in Central Africa, the International Council on Human Rights expects that pygmies will face further economic marginalisation in the coming years, and their critical lack of political representation will isolate them further and make them more vulnerable as a community.

Political weakness

Throughout Central Africa, governments have denied pygmies the right to organise and represent themselves, which has led to increasing cases of ethnic discrimination, violence, poverty and a general and gradual disintegration of pygmy culture. The majority of pygmy communities do not benefit from any form of political representation and also lack institutions able to directly defend their rights. Being geographically and politically dispersed and having little trans-national consciousness as an ethnic group, they remain politically weak.

The traditional power structure of representative institutions is entirely foreign to pygmy society, as hierarchy is not necessarily a dominant feature of pygmy clans. Executive power over the clan often stems from elders’ collegial decisions. Consensus, rather than imposition, is the general way of Batwa governance in eastern DRC, for example. This often collides with the protocols of modern administration, which call for a delegate, spokesman or leader to centralise decision-making after consultation. A “flat” power structure is hardly adapted to project-management frameworks, which now permeate most development programmes.

Societal prejudices against pygmies further impede their being included in development schemes. Often considered “inferior”, “impure” or even “sub-human” by their Bantu neighbours, pygmy groups are segregated and excluded from the sphere of public action and decision-making. As a result, development – or emergency relief – operations are channelled to other populations. The Batwa of Rwanda have regularly attended the United Nations’ Working Group on Indigenous Populations since 1994. Despite this, their rights are rarely recognised and seldom respected.

Pygmies lack secure rights to their ancestral lands, as their rights are not recognised in statutory or customary law. As a consequence, according to the Forest Peoples Programme, a UK-based charity, “External agencies have thus been able to freely appropriate their lands with out being obliged to provide recompense.”

Land reform has further marginalized and endangered pygmy groups. Although some reforms are progressive in providing security for communities living on their ancestral lands, they have been of little benefit to pygmy groups, such as the Batwa in southwest of Uganda, whose lands were expropriated when the Mgahinga, Bwindi and Echuya forests were designated as protected environments in 1991. The loss of land has made it very difficult for the Batwa to secure their basic survival needs, resulting in acute hardship and extreme poverty. As access to the forest remains severely restricted, many have become squatters on the lands of neighbouring farming communities. The Ugandan government has acknowledged the negative impact of “gazetting” land as protected environments on pygmy communities, but it remains a policy measure.

A recent study done by the Forest Peoples Programme found that in 12 national parks across six Central African countries, pygmy communities were regularly expelled from their land without consultation or compensation. “Even though most resettlement schemes have failed, resettlement is still the most common option used to deal with people who happen to live in African national parks,” the study found.

The meaning of development

Many Central African countries have laws prohibiting hunting, fishing and the sale of forest products. These prohibitions make earning a living extremely difficult for pygmy communities still living in forests, whose economy is largely based on the sale or barter of forest products, including game meat. Protected forests are patrolled by wardens who punish pygmy hunters and confiscate game but who, according to a report of the Forest Peoples Programme, “will turn a blind eye to the activities of commercial bush-meat hunters whose well-organised, and often heavily armed, activities have much greater impact on wildlife.” According to the report, under the new DRC forest policy, the penalty for hunting in protected forests is imprisonment of up to one year or a fine of up to 50,000 Congolese francs (US $130), a risk that is too great for a hunter-gatherer pygmy.

An account by a Bagyeli pygmy of western Cameroon
illustrates the frustration of traditional hunter-gatherer communities: “During my father’s time we hunted with dogs and traditional weapons. I love the forest where I hunt: I know it perfectly, inside and out. ... There were all types of animals, elephants, gorillas and so many others. Now that forest exploitation has started, all the trees have been destroyed – a lot of noise, hunting with firearms and the animals have fled. Now it is just an open area. These are the people who bought guns, which destroyed the animals in large numbers. We only hunt with nets, dogs and spears. If we have to hunt around our house what can we catch? I don’t understand why we are told to stop hunting; how will we survive?”

According to MRG, local, national and international development and relief agencies have also neglected the needs of pygmies. In many cases, pygmies have been neither consulted nor compensated for the impact of development or conservation projects in the areas they inhabit. When humanitarian endeavours do target pygmies, the specificity of pygmy cultures and livelihoods goes against the underlying premises of development itself. What kind of development suits indigenous hunters and gatherers? Many pygmy groups resist development, as they seek to preserve their traditional practices.

Even without reviewing decades of developmental theory, the futility of trying to industrialise forest-dwelling societies is obvious. Beyond access to health and education, and development programmes aim to remove indigenous groups from their forest environment and resettle them in urban areas? This would undoubtedly destroy pygmy culture – which, in the modern world may face inevitable annihilation and follow the fate of other indigenous groups.

On the other hand, the indicators of human development listed by the UN Development Programme are less likely to improvement if pygmy groups remain in remote, impenetrable forest areas. Life expectancy, adult literacy, children’s enrolment in school and poverty are issues that are easier to tackle in urban environments. MRG believes that development agencies’ resources would be better spent if they were used to help pygmies obtain national identity cards, to mediate with government authorities on issues such as land rights and access to justice, and to invest in awareness programmes against ethnic prejudice and negative stereotyping in the wider community. To enhance pygmy communities’ well-being and quality of life, a “tailored” approach to development that elevates standards of living and respects cultural traditions is a considerable challenge to national governments and development agencies.

**Towards solutions**

Increasing attention is being paid to the inclusion of indigenous communities in the disposition of their lands. Experts argue that development assistance programmes must include wider consultations of the affected communities, without imposing the untenable prerequisite of education or diplomas. Provisions are increasingly being made to include pygmies in the management of the natural resources they depend on. In Uganda for instance, many Batwa have been employed as wardens in the natural parks around their ancestral land. This has helped some individuals, but not all Batwa can become park wardens. Finding work alternatives for the majority of land-displaced pygmies should be a priority.

The Rain Forest Foundation, a UK-based NGO, has an advocacy programme to encourage the adoption of new policies and the better use of existing legislation, in order to promote the status of pygmies in Cameroon and DRC. Locally, the programme aims to identify, address and overcome the obstacles pygmies in these two countries face. Internationally, the programme seeks and encourages the implementation of relevant international agreements, such as the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993. The agreement recognises “the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development.”

According to MRG, pygmy communities must be empowered to fend for themselves and given the resources to apply their personal concept of development to their community.

Eventually, these efforts would improve the pygmies’ capacity to represent and organise themselves, rather than depend on national authorities or foreign relief and development organisations to implement their rights for them.
Pygmy rights and continued discrimination

Preserving the civil and human rights of pygmies is a dual challenge, because before one can address any rights violation, one must first consider the issue of entitlement, or determine whether indigenous groups are even covered by a country’s legal instruments. Pygmies have difficulty establishing entitlement for a number of reasons. In fact, some communities are not even officially recognised as citizens in the territories where they reside. Still worse, entitlement to legal protection does not always guarantee systematic enforcement of rights. Many states that officially recognise pygmies’ rights systematically ignore them in practice.

A history of prejudice

When it comes to human rights, pygmy peoples are frequently deprived of the legal protection to which other citizens are entitled. These legal gaps have their roots in a historical tradition of discrimination against pygmies, not only by Africans, but also by European colonists. They illustrate an invidious level of cultural and political prejudice.

Edward Tyson was one such physician and zoologist. His book, The Anatomy of a Pygmy Compared with that of a Monkey, and Ape and a Man was published in London in 1751. Tyson tried to establish the argument that pygmies – as well as mythical creatures, such as satyrs mentioned in Greek classics – were not men, but apes. More recently, Ota Benga, a pygmy from the Democratic Republic of Congo (then a Belgian colony), was brought to the 1904 World Fair in the United States, where he was displayed as an exhibit. Benga, born in 1881, was 4 ft 11 in tall and weighed 103 lbs. He was later caged in New York’s Bronx Zoo, where he slept in a monkey cage. Benga committed suicide in 1916.

The 1988 Hollywood movie Gorillas in the Mist portrayed pygmies as savage gorilla poachers. This is a concept that has never really been questioned, despite the fact that pygmies have shared their forest home with gorillas for centuries without these animals becoming endangered as they are today.

Due to their unique political and economic status, pygmies need specialised legal protection of their human rights.

The need for recognition and definition

According to activists, the first step towards legal protection of pygmy communities is to clearly identify and recognise the communities themselves. The United Nations has appealed for special rights to be afforded groups of indigenous people that are especially vulnerable to marginalisation. Such special rights are included in various UN conventions and declarations dealing with specific issues of race and prejudice, education, rights of the child, etc. These instruments operate both at the international level as well as the regional level, where they are defined often as frameworks and charters.

The International Labour Organization (ILO) was the first international body to take action on indigenous issues. Since its creation in 1919, ILO has defended the social and economic rights of groups whose customs, traditions, institutions or language set them apart from other sections of national communities. In 1953, ILO published a study on indigenous peoples; in 1957, it adopted Convention No. 107 (now called 169). This was the first international legal instrument specifically created to protect the rights of peoples whose ways of life and existence were – then, as now – threatened by dominating cultures. The ILO Convention 169 underlines the significance of self-identification for all indigenous people, including forest communities and various pygmy groups. Such identification has proven crucial to land-claims agreements between the Canadian government and the Inuit of the Northwest Territories, for example.

According to the Convention, people are considered “indigenous” either because they are descendants of those who lived in the area before colonisation, or because they have maintained their own social, economic, cultural and political institutions since colonisation and the establishment of new states. Both criteria apply to pygmy peoples throughout Central Africa.

The Martínez Cobo Report to the UN Sub-Commission on the Prevention of Discrimination of Minorities of 1986 offers further specifics. It defines indigenous communities as “those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued exis-
tence as peoples, in accordance with their own cultural patterns, social institutions and legal systems."

The report defines the crucial concept of “historical continuity” as “the continuation, for an extended period reaching into the present, of one or more of the following factors: Occupation of ancestral lands, or at least of part of them; Common ancestry with the original occupants of these lands; Culture in general, or in specific manifestations (such as religion, living under a tribal system, membership of an indigenous community, dress, means of livelihood, lifestyle, etc.); Language (whether used as the only language, as mother-tongue, as the habitual means of communication at home or in the family, or as the main, preferred, habitual, general or normal language); Residence in certain parts of the country, or in certain regions of the world.”

Enforcing rights?

Such legal instruments are decisive in identifying which group is particularly vulnerable and must be granted specific legal protection. However, even when entitled to legal protection, pygmies rarely have their rights defended and enforced.

According to the US-based NGO Refugees International (RI), so far no real efforts have been made to improve the situation of pygmy communities. In many cases, pygmies are still denied access to their original forests; in cases where they have been displaced or evicted from their traditional lands, they do not receive compensation. Activists and observers claim that governments and the international community have ignored pygmies in the post-1994 responses to the complex humanitarian crises in Africa’s Great Lakes region.

RI, however, has identified some positive changes for the Batwa pygmies in recent years in some countries. The UN Educational, Scientific and Cultural Organization (UNESCO) has taken a role in promoting land rights for Batwa in zones of conflicts in the Great Lakes Region. In Uganda, employing Batwa as park guides has been cited as an example where respect and recognition have been given to pygmies. However, these are very limited positive examples in comparison with the challenges these communities normally face.

Theory and practice of pygmy rights

In the less common cases where pygmy populations find themselves adequately recognised and protected by their national law, the issue of law enforcement is a secondary and everyday problem. Discrimination continues, and laws are ignored for bureaucratic reasons related to poor governance or absence of rule of law as well as for social reasons.

In Cameroon, pygmies are entitled – in theory – to the same rights as other citizens. In reality, in order to exercise and enjoy these rights, citizens need a national identification card. To obtain a national identification card, one must be in possession of his or her birth certificate. Pygmies, whose habitat still consists of remote forest areas that are far from any administration offices, seldom have such documentation. The implications for the pygmies in such a Catch 22 situation are clear.

Lack of documentation prevents people from obtaining formal employment, benefiting from development schemes and social benefits and registering to vote. According to RI, in the Democratic Republic of Congo (DRC), “While other citizens are issued birth certificates and identity cards free of charge, Batwa must undergo an involved bureaucratic process. Without these cards, it is difficult to enroll in schools and receive government-funded health care, which are otherwise guaranteed to other vulnerable people in the country.” In DRC, identity cards also define the nationality of the individual, which in turn gives one the right to own land.

Beyond these legal and administrative issues, traditional prejudice may be the major impediment to the respect of pygmy rights. In Ituri district, Oriental Province in DRC, the Mbuti people traditionally traded ivory and game with the Bantu for salt, agricultural produce, iron tools and weapons. However, Bantu inhabitants still refuse to share food or even a bench to socialise with pygmies, whom they consider “dirty” and “impure.”

Macabre prejudice in the Congo

In the Great Lakes, these prejudices have sometimes taken an extremely violent and macabre turn. During the DRC’s civil war, militias targeted members of the Bambuti pygmy community, forcibly recruiting them as scouts, porters and hunters. The Bambuti also fell victim to local superstition that pygmies have supernatural powers. These powers are believed by some militiamen to be transmissible, either by sexual intercourse – inciting brutal gang rapes of pygmy women – or by ingestion – leading to acts of cannibalism.

“They started killing people and eating them … I saw them cutting up human flesh, then they were putting it on a fire to grill it. I got scared and ran away, not knowing what else happened behind me,” said Amuzati N, a Bambuti pygmy, in an account to the Independent, a UK-based newspaper, of his experience when he escaped a massacre by a rebel group in the DRC.

According to Minority Rights Group International (MRG), such crimes against humanity continue. In addition, MRG stated that rebel groups in DRC deliberately target pygmy communities, who are considered “subhuman” or seen as beggars and thieves by
other ethnic groups. The agency’s investigations on the indiscriminate killings of pygmies in DRC found that from October 2002 to January 2003, rebel forces ran an operation in Ituri district code-named “Effacer le tableau” (to wipe the slate clean). The aim of the operation, according to witnesses, was to rid the forest of pygmies.

“It was in the night around 8 p.m., when people began to fall asleep. Once they were sure the village was asleep, they attacked and started to shoot and kill. One ran this way; they shot him. Another ran that way. They shot her – even the women. They then captured the young children, gathered them and held them until daylight. Then they put some of them in a mortar and pounded them to death. They destroyed huts and set them on fire. The people were also burned,” said Sumbula R, a Bambuti pygmy who survived the attack, describing his experience to MRG.

Similar allegations surfaced against one particular militia, the Mouvement de Libération du Congo (Movement for the Liberation of Congo, or MLC), which is active in the DRC provinces of Equateur and parts of Ituri and Kivu. The MLC is led by Congolese vice-president Jean-Pierre Bemba. Testimonies and evidence of the systematic targeting of Batwa in this region have been reported to the International Criminal Court, the DRC being a signatory of the courts’ Rome Statute. A pygmy survivor of this alleged campaign of extermination was quoted as saying, “Every time I mentioned that I would report this to the authorities, I would be told that I would be killed as well. I still decided to go ahead, despite the authorities trying to intimidate and dishearten me.”

At a press conference in the Congolese capital of Kinshasa in 2004, Bemba vehemently denied his troops were involved. During this event, a pygmy was presented to the press to “confess” on behalf of his people that these accusations were a mere defamation of the MLC. This sudden reversal of testimony led many observers to speculate that the “witness” had been coerced into giving a false statement.

A bleak future?

The culture of impunity continues to exist in relation to different levels of discrimination facing pygmies and forest people in Central Africa. Pygmy populations in Cameroon, Uganda, Burundi, Rwanda, the Central African Republic, Republic of Congo, DRC and Gabon all experience discrimination to different degrees. Even within a single country, communities may experience levels of discrimination and abuse depending on their location and how effectively the law protects them. The horrors of DRC described above may be the result of a widespread absence of rule of law and descent into brutality in parts of that country, but it is also a reflection of a generalised social prejudice that typifies pygmy contact with dominant, nonforest communities.

Liberate Nicayenzi is a member of the Batwa community of Burundi and was a member of parliament in her country’s transition national assembly. She is also chairperson and legal representative of the NGO UNIPROBA (Unisons Nous pour la Promotion des Batwa, United for the Promotion of the Batwa). Role models like Nicayenzi are rare, but increasingly – and in spite of the continued discrimination – pygmies are demanding to be heard, to be recognised and to claim their rights.

The struggle of the Batwa is the struggle of many minorities and indigenous people. In recent decades, governments have admitted that they are aware of the serious problems faced by indigenous peoples living in their territories and of the dynamics that have made them some of the most vulnerable groups in national societies. In some parts of the world, a permanent dialogue is taking place. In other places, direct negotiations between indigenous peoples and governments have been instituted and are moving forward, with the aim of improving relations and guaranteeing better protection of indigenous peoples’ rights. Some countries have even introduced autonomous institutions as well as programmes specially designed for indigenous peoples at local and regional levels. These moves are aimed to improve conditions, in such areas as health, housing, labour and education, but also preserve traditional ways of life. Some governments have amended their constitutions and legislation to take into account the multicultural character of national society. Limited progress has also been made in returning and guaranteeing collective ownership of indigenous lands.

Trying to explain the historic discrimination against pygmies in Burundi, Nicayenzi said, “I don’t know which legal grounds people use to exclude others, when we are created alike, speak the same language, worship the same God. But […] there are people who think they are superior to others. I blame the leaders who only put forward their own interests.”

The challenges facing pygmy communities are happening in countries where democratic and representative institutions are still being created, where respect for anyone’s human rights is often uncertain and where respect for rule of law may be weak or non-existent. For indigenous groups like pygmies, full equality and an end to discrimination remain remote from their daily reality.
2. Frontlines: RWANDA: Funds for Batwa under threat over name change

The government of Rwanda has threatened to stop any form of funding to the Batwa, including assistance provided by nongovernmental organisations, if the community continues to consider itself a separate ethnic group. CAURWA, however, has a battle of its own to face. On 28 June 2004, the justice ministry declined to grant legal status to the organisation unless it stopped identifying the Batwa as Abasagwabutuka, or the first inhabitants of the land. As a result, CAURWA carried out a nationwide consultation with the Batwa on whether to comply with the government’s demand to remove all forms of ethnic identification from its statutes. Those who responded wanted to be allowed to identify themselves as Batwa and indigenous, and for CAURWA to continue supporting them and advocating on their behalf.

CAURWA agreed to stop using the terminology Abasagwabutuka, but it told the government that it would continue to identify its members as Batwa. The ministry found the concession by CAURWA to be insufficient. It stated that to be accorded legal status by the government, the organisation would have to change its name and statutes to remove all references to the words “indigenous” and “Batwa.” “This will not change anyone,” said Busingyie. “Their cultural identity will remain intact. The government is pursuing a successful development of this country through the goal of national unity. We are all Rwandans.”

Amadee Kamota, head of human rights at CAURWA, disagreed. “The Batwa’s difficulties, such as access to education, health, work and land rights, do not apply to the rest of the population of Rwanda,” he said. “Getting rid of the identity of the Batwa is not the solution to the problem. If this happens, how will local and international NGOs know who they are targeting?”

Facing unique challenges

In June 2005, legal friction between CAURWA and the government reached the New Partnership for Africa’s Development (NEPAD) African Peer Review Panel, which advised the Rwandan government to begin an intensive dialogue with the Batwa, who as a minority group face different political, social and economic challenges.

“We are now continuing certain activities that will strengthen our relationship with the government. As long as we don’t have legal status, CAURWA and other partnership organisations will not be able to fully operate in the country,” Kamota said.

A national socioeconomic survey published by
CAURWA estimated that of the 33,000 Batwa now living in Rwanda, only 7 percent were members of health insurance schemes, which provide the essential means for a population living below the poverty line to access healthcare. Fifty-one percent of the Batwa population had never attended school, compared with a national average of 25 percent. The primary school enrolment rate of Batwa children was only 48 percent, compared with the national figure of 78 percent. Only 23 percent of Batwa adults could read and write, compared with a national average of 52 percent.

CAURWA is working to improve these statistics. Sixteen artisan groups have increased their incomes through CAURWA’s Dancing Pots enterprise, which develops the economic potential of traditional Batwa pottery and music. The increased incomes are allowing Batwa families to send their children to school, enrol in rural health insurance schemes, increase their livestock capital and improve their housing. CAURWA runs 19 literacy centres, which have taught hundreds of people to read and write. The organisation is currently supporting 60 children to complete their secondary education.

As the legal wrangling continues, problems persist for the Batwa community. In rural areas, they face further marginalisation as a result of the latest land-use policies, which seem to support most farming communities and ignore the hunter-gatherer traditions of forest groups.

On the positive side, the government is increasingly acknowledging the impoverished status of the Batwa by including them in housing schemes and sponsoring a number of Batwa families to send their children to school. Rwandan President Paul Kagame has recently appointed a member of the Batwa community to one of eight senate seats reserved for ‘representatives of historically marginalised communities’. Still, appropriate measures to address the vulnerability of minority groups have not been mainstreamed in the country’s policies. The dilemma for the Batwa lies in the government’s stance that any form of action in favour of one ethnic group is unconstitutional.

“Every country has its original inhabitants,” said Charles Uwiragiye, executive director of the Rwandan Cultural Conservation Act (CCA) and regional secretary of the International Alliance of Indigenous and Tribal Peoples of Tropical Forests, a Thailand-based NGO. “In Rwanda, these are the Batwa, and the government should recognise this and help us to improve our lives.”

RWANDA: The challenge of integration

On a bumpy, dusty road 15 km north of Kinenge town, in the Rwandan northern province of Ruhengeri, one reaches the slopes of the Virunga Mountains. It is a place of dramatic beauty, with stacks of phosphorous smoke escaping from underground volcanic activity and making their way out of a steaming forest that is now part of Volcanoe Park. This area is home to one of the most endangered apes in the world, the mountain gorilla.

On the edge of the park, in huts scattered along cultivated hills, live some of Rwanda’s forgotten community, the Batwa. They once inhabited the forests of the Virunga Mountains, but by the 1970s, after legislation outlawed hunting and gathering and introduced national parks, all Batwa communities were driven off their ancestral lands.

Landless labourers

Today, there are approximately 130 Batwa families living in this area. Most of them have become beggars or landless labourers working for their Bahutu and Batutsi neighbours for less than US $1 a day.

“Sometimes a Mutwa [singular form of Batwa] will work on someone else’s land for free. In return, he will just earn something to eat. He will not complain for that, as he knows that he’s receiving more than other fellow Batwa,” said Benon Mugabura, executive director of the African Indigenous & Minority Peoples Organization, a Rwanda-based NGO. Mugabura has been involved in promoting and developing the Batwa way of life at a socioeconomic level since 2002. The organisation, which is in partnership with the UK-based Minority Rights Group International (MRG), has introduced programmes to encourage the Batwa community to get involved in agricultural activities and also sponsored Batwa families in buying uniforms and textbooks so their children can attend school.
“We have given plots of land to groups of Batwa, which they can farm collectively. But we are at a young stage. These people have to learn how to utilise the land that has been given to them. At the moment, they lack the skills and tools for farming,” Mugarura said. “One has to understand that farming does not come natural to the Batwa. They are hunter-gatherers by nature.”

In Rwanda, land is a big issue. Being the most populated country in Central Africa, with around 340 people per square kilometre, pressures on the available land are becoming intense. It is estimated that by 2020, the population will double from 8 million to 16 million. In addition, land distribution is unequal. The Batwa, being a minority and representing only 1 percent of the overall population, have little or no say in the government’s decision-making concerning land rights and distribution.

In the Ruhengeri district, many Batwa families have been incorporated in the government policy known as “imidugudu”, in which small plots are combined to create larger fields and farmed communally by participating families. However, their incorporation seems more a symbolic gesture on behalf of the government: Large Batwa families are given parcels so small that only a tiny hut can be built on the plot. The government does not seem to recognise that the Batwa need sufficient land to reside in and to farm. As a result, the majority of Batwa have become underpaid labourers on lands that don’t belong to them. In many cases, they are forced to travel long distances to beg in towns - or steal as a last resort, just to get through the day.

Casualties of conservation

Ntamuhanga, chief of the Batwa community in the area, recalled when his entire village was removed from the forest three years after Dian Fossey, the controversial American primatologist, started her campaign to preserve the mountain gorillas. His people were one of the first Batwa communities living in the Virunga forest to pay the high price of Fossey’s success in lobbying the Rwandan government to use military force to crack down on poachers.

“We were taken away by people in military clothes. They arrested me, and I spent five years in jail because I was the leader of the hunting group. I think the government wanted to make an example of me. I was a young boy at the time,” Ntamuhanga said. “Today, I still think of the forest as being our home, and there is no place like it. We used to hunt antelopes, rabbits and at times big animals, such as buffalo. There was nothing that the community lacked. We used to come back after a hunting expedition with enough meat to feed the all village. The women used to collect fruits and medicinal plants for the sick ones. Together, we respected and lived in the forest that gave us so much.”

Today, Ntamuhanga lives on a tiny piece of land with his wife Nyarama Jyambere and three other family members. His property measures approximately 4 x 5 metres, with just enough space for his modest hut and a pit latrine outside. Making the situation even harder to bear, Ntamuhanga has given permission for a landless Batwa family to stay on his plot. In compensation, the family helps him out when working on the fields belonging to Bahutu and Batutsi neighbours.

“I wake up at five in the morning, and by six, I’m in the fields. I work until late afternoon. In these days, I bring home 500 Rwandan francs, the equivalent of less than a dollar,” Ntamuhanga said, adding that he nevertheless felt lucky that he and his family were able to stay on the little land that they own and earn a living doing casual jobs.

The Rwandan genocide

According to MRG, the 1994 mass killings resulted in the death of nearly 10,000 Batwa, equivalent to 30 percent of the entire Batwa population in Rwanda. The majority were men and children.

Today, in Kinenge town, groups of women and children beg in the streets, their eyes registering pain and desperation, their thin bodies showing signs of malnutrition. “All the beggars that you see in this town are Batwa, and the same goes for the beggars of Kigali,” said Charles Uwiragiye, executive director of the Rwandan Cultural Conservation Act (CCA) and secretary of the Central African region of the International Alliance of Indigenous and Tribal Peoples of Tropical Forests, a Thailand-based NGO. “That girl with the child, she can’t be more that 16 years of age. Many Batwa girls who live on the streets of towns and cities will at one stage or the other get involved in prostitution.”

Today, Rwanda’s poverty-reduction schemes and land policies do not seem to take into account the situation of the Batwa, and their group is never mentioned in any government legislation. With no land and living in absolute poverty, the Batwa continue to live on the fringe of Rwandan society.
BURUNDI: The Batwa quest for equality

In Burundi, land is a source of power. Many members of the Batwa community blame their subordinate status on the fact that they do not own property. “Frustration at our state of landlessness is increasing, especially when we remember that in school we were called abasangwa, meaning the people who were the first to settle in Burundi,” said Liberate Nicayenzi, a member of parliament and president of the association Unissons-nous pour la promotion des Batwa (UNIPROBA, United for the Promotion of the Batwa).

Having once enjoyed a symbiotic relationship with the rainforest environment, most Batwa today have been squeezed out of their hunter-gatherer existence and work as casual labourers on other people’s land. Some are engaged in menial domestic labour, for which they are paid in food, never wages. They are powerless and poor, and discriminated against because they are an ethnic minority.

Lost identity, lost opportunities

Batwa in Burundi also suffer from a loss of their cultural identity. Their once-respected hunter-gatherer lifestyle is no longer allowed because of governmental concerns about the destruction of the rainforest environment. Artisanal pottery, which enabled some Batwa to earn a bit of income or barter with other communities, is no longer viable because the basic raw material is now being used to produce bricks. People who used to buy their pots now use plastic containers. Even the Batwa monopoly on traditional healing practices has been usurped by the ethnic majority. “The Bahutu and the Batutsi stole our craft,” Nicayenzi said with a sigh of regret.

Want of education is another obstacle to integration and success. Batwa children miss out on schooling for a variety of reasons. First, there is a lack of positive Batwa role models to show families the value of an education. Culturally, schooling is not a priority. Those parents that would like to educate their children cannot afford to do so. Schools are either nonexistent or too far away, requiring children to walk impossibly long distances.

“We need at least the first two classes of elementary school to educate our children in order to have opportunities later on in the job market,” said Tharcice Kanyamaguru in Kiyange, a Batwa settlement in Bujumbura’s northern commune of Buterere. Uneeducated, he works as a brickmaker, earning 400 Burundi francs (US 50 cents) for the 200 bricks he makes each day. It is barely enough to sustain his family of eight children, let alone educate them. “They are compelled to drop out of school and hunt birds in order to eat,” he said.

Without an education, job prospects are limited. As a result, there is almost a total lack of representation of Batwa people in the civil service and other visible well-paying occupations in Burundi. For example, UNIPROBA has recorded only four Batwa working for NGOs in Bujumbura, the capital. In Kiyange, not a single member of the Batwa community is in the civil service.

The Batwa are also denied access to healthcare and clean water. Costs of even the most basic medical services are prohibitively expensive. Batwa women have died giving birth at home. Daniel Budidiri, an elected local leader who is a member of the Batwa community in Mwaro province, said that even though piped water passes near where he lives, the area was not served with clean water. This has had dire health implications, as people have been exposed to waterborne diseases from open ditches. “We often have belly aches, and our children release heaps of worms from their ballooned stomachs,” Kanyamaguru said.

Home for the Batwa is rudimentary, at best. Charles Kaburambonetse, 51, has lived in Kiyange for 44 years. His home is a dark and dingy, 2 x 3 metre, leaky shelter made of rusted iron sheets. “When it rains, my wife, children and I move from corner to corner to avoid the dirty, greyish drops of rain coming through the roof. It is unbelievable that this is urban life,” he said. It is common for rainstorms to destroy such flimsy shelters, forcing people to sleep under trees, exposed to lightening and disease.

Faced with seemingly insurmountable odds, the Batwa have gone to the government for help. In Buterere commune, a northern suburb of Bujumbura, the government has loaned each member of the Batwa community a 5 x 10 metre plot of land that barely accommodates their families. Although they have complained to the authorities, members of the community say that government officials had failed...
to listen and never investigated their concerns. "The people at the top do not talk about our problems, yet we voted for them. Only UNIPROBA leaders come to see us and bring some aid," Kaburambonetse said.

Rays of hope

There have been signs of change for the better. The new Burundian constitution set aside three seats in the senate and three seats in the national assembly - the two chambers of parliament - for members of the Batwa community. "It is a step forward, though the posts were not given on the basis of quotas, as was done for the other ethnic groups," said Nicayenzi.

The Batwa were also optimistic that the government had legalised their association. UNIPROBA supports the formal education of Batwa children and adult literacy. It also raises money for the community through the sale of handicrafts, bricks, baskets and fish. Leaders of the association have lobbied for the government to open public debate on the problems of the Batwa and asked the ministries of national solidarity, education and health to budget for initiatives to improve the lives of the Batwa, just as they had done for destitute or disabled people, as well as refugees and internally displaced persons.

"The problems of the Batwa are being dealt with in the framework of a policy to support destitute persons like bereaved persons, the handicapped and orphans," said Béatrice Ntahe, the private secretary in the Ministry for National Solidarity. She said there was no specific policy in place for the Batwa because it might provoke jealousy among other ethnic groups. Odette Kayitesi, minister for environment and land manage-

CONGO: Limited success in struggle for pygmy integration

As in most Central African countries, the Republic of Congo (ROC) is inhabited by two ethnic groups: the Bantu, which account for 90 percent of the population, and the pygmy minority. Despite evidence that pygmy groups are the indigenous, original inhabitants of the rainforest that spans most of the region, they are often forced by the Bantu majority to live on the margins of society.

"Bantu despise us," said Albert Likibi, chief of Mikamba village in Lekoumou district in the south, which is home to about 10,000 ethnic pygmies. "They think nothing of us. When they happen to give us food, they use tree leaves [so as not to touch us]. They say out loud that we smell."

Most of the 150 residents of Mikamba work for petty wages as field hands for Bantu landowners. "When Bantu have us till their fields, they barely pay us 500 CFA [US $1] for a day's work," said Samuel Mouélé. "Even when we keep the deadlines, they don't always pay us." As minorities who are excluded from the legal process, the labourers can do little to address such flagrant abuse: Although the ROC constitution of 2002 declared all Congolese equal, it did not make any specific provisions to protect the pygmy minority, leaving them no legal recourse when their rights are violated.

In the northern districts of Likouala and Sangha, pygmies are excluded from employment opportunities at logging concessions. "Foreign managers are influenced by local Bantu and refuse to hire us," said Dallet Libata, a pygmy and resident of Impfondo, the main
town in the Likouala district. Likouala’s pygmies, who are called Baakas, number about 4,000, according to the last census held in ROC in 1984. Local authorities estimated the figure had multiplied five-fold since.

With few livelihood alternatives, most pygmies in the north eek out a living in the forest, where they hunt, fish and gather fruit in an environment that is rapidly shrinking due to deforestation. Those who cultivate land live precariously, as they rarely possess deeds to the land they farm. Their mud huts are built well apart from Bantu shelters. In public spaces, such as hospitals, they are discriminated against. Most pygmy women prefer to give birth at home, in the traditional way.

A 2004 joint survey comparing living conditions for Bantu and pygmy communities, conducted by the Congolese Observatory for Human Rights (OCDH, Observatoire congolais des droits de l’homme) and the Rainforest Foundation, a British NGO, found that most pygmies were not registered with the government and lacked legal documentation that could be used to assert their basic rights. “The government has no plan to enhance the protection or livelihoods of pygmies,” the study found. In response, OCDH petitioned the state to draft a specific bill for the legal protection of the pygmy people.

In July 2005, the Congolese Ministry of Justice and Human Rights has recently appealed to nongovernmental organisations for help drafting a bill to offer particular protection of pygmy rights. This new law should provide pygmies access to public services such as health care and education.

**Successful integration in the Plateaux district**

Some communities have shown, however, that it is possible for Bantu and pygmy groups to coexist in a more equitable way.

Pygmies in the Plateaux department in central ROC are called Bambugas and Atswās. “We call them pygmies because that’s the original name, but they are similar to us,” said Armel Mboussa, a young football coach in the town of Gamboma, the largest division in the Plateaux department, some 350 km north of Brazzaville.

Béné is a pygmy village, 3 km from Gamboma. The village houses around 200 inhabitants and spreads over 700 metres. “Even though Béne is our village, we do all our business in Gamboma,” said Ange François Leyeba, the 45-year-old deputy chief of the village. He spent most of his childhood in Béne, where he now has two wives and four children. In the Gamboma market, pygmies sell food and goods – like palm nut oil, asparagus, firewood and cassava leaves – in stalls next to Bantu shopkeepers. “There was a lot of discrimination in the past. But now we are free, and we can go wherever we want,” Leyeba said.

Denial of access to medical care is a complaint in many pygmy communities throughout Central Africa. However, during vaccination campaigns against poliomyelitis and measles in Béne, the mainly Bantu doctors treat pygmy children. Some Bantus actually come to Béne to consult pygmy witch doctors and healers. “The Bantus who come to us for healing have no problem eating our cola nuts and the things we cook,” said Jean-Didier Atipo, a resident.

Pygmies also have the right to vote. “During the elections, our polling station is in the village, and no one forces a candidate upon us,” said Joseph Ngopo, a local resident. Pygmy labourers negotiate their wages with Bantu farmers. “Sometimes we ask to be paid in advance, to avoid problems when the work is done,” said Ghyslain Akabo, a field hand. Gamboma is also ROC’s third military region. “Many of our brothers are in the army. They go to work in the camp every day and come back at night. They are not troubled,” said Leyeba.

Bernard Gambou, who heads the Schools in Cooperation Project (ECCO, or Ecoles en coopération), set up in cooperation between Norway and ROC, has a theory as to why the two communities were able to integrate so successfully: “The evangelical church was instrumental in this integration, because since the 1950s, Bantus get baptised in the same pools as pygmies,” he said. ECCO rehabilitated the primary school building in Béne with the help of UNICEF and the Congolese ministry in charge of literacy. Almost 100 pupils attend the school.

Congo and Norway also implemented a teacher-exchange programme in 2004-2005. “The school system is quite different from the Norwegian one,” said Norwegian teacher Randi Gramshahud. “When it rains, pygmy children stay at home,” she said. “I’ve taught them a bit of English, how to say hello and a few basic sentences.”

The Norwegian volunteer organisation Fredskorpsen has rehabilitated a joint pygmy-Bantu school in Oniamva, a village in the nearby Ngo district, and engages in advocacy against racism and discrimination. “If the whites have no problems coexisting with the blacks, why should the Bantus reject the pygmy, his own kind,” said Gambou.

There are even members of Bantu communities who have initiated projects to help promote pygmy culture. An association called Regard to Pygmies, headed by Sorel Eta, a Bantu, organised a traditional musical group, Regard to Pygmies, headed by Sorel Eta, a Bantu, organised a traditional musical group who eventually presented their songs as an official gift to Koichiro Matsuura, head of the UN Educational, Scientific, and Cultural Organization (UNESCO), during the fifth Pan-African Music Festival (FESPAM) in Brazzaville in 2001.
Although the new constitution for the Democratic Republic of Congo (DRC) guarantees the protection of fundamental rights and equality for all its citizens, pygmies – who are indigenous to this vast and verdant Central African country – said they are still overlooked by the rest of the society.

Lobilo Bopali Nasoli, 38, lives with his family in Mbandaka, the main town of Equateur Province. He said that the majority of his people, who are called the “Twa” locally, did not understand the impact of the new constitution and what it represented at the political level. “Even though, as we were told, the new constitution ensures minority rights and protection, pygmies are still marginalised and could stay this way for a long time,” he said. “The proof is that we do not have a single representative in the government, which is supposed to be one of national unity.”

Bopali, a father of two, is one of very few pygmies to have been educated up to the fourth grade. He reads and writes French and works as a driver for a nongovernmental organisation in the capital, Kinshasa. Very few members of his community understand the DRC’s political situation, he said. “Not a single pygmy has shown any interest in being a candidate, because everyone knows pygmies are discriminated against by the other tribes and that the Bantus form the majority in the country,” Bopali said. According to the Congolese Ministry of Social Affairs, about 900,000 pygmies make up 1.5 percent of the nation’s 60 million population. Most live in the dense tropical rainforest.

DRC: Congo’s pygmies still ostracized from political process

Bopali said politicians had played the pygmy card in an effort to gain support, especially during the country’s civil war, in which at least 3.4 million Congolese were killed and some four million displaced.

The most blatant example of using pygmies towards political ends was in 2004, when people who were allegedly close to president Joseph Kabila brought a group of pygmies before the public to declare that they had witnessed acts of cannibalism by the rebels of the Mouvement pour la liberation du Congo (MLC), which is headed by current Vice-President Jean-Pierre Bemba, who will oppose Kabila in the upcoming presidential vote. Human rights activists condemned the incident. In turn, people close to Bemba brought the very same group of pygmies – who came from Mambasa, Oriental Province – to the nation’s capital, where the group admitted to reporters that they had been bribed to make the cannibalism claims.

In addition to being manipulated by politicians, pygmies in the DRC have also been forced to work for very little pay. Local NGO Oeuvre pour le developpement culturel et social (Work for Cultural and Social Development), which is engaged in advocacy work on behalf of pygmies in Equateur Province, said some pygmies were “enslaved” by the Bantu ethnic majority.

Jean Francois Mombia, coordinator of the NGO and committee member of the United Nations Network for the Defence of Native Peoples, said pygmies living in the villages next to those of the Bantu were subjected to forced labour by their neighbours. Pygmy groups living a more traditional hunter-gatherer existence in the forest often fell prey to the logging industry, he said.

“Hunting has become almost impossible, because the animals have become rare, having fled the noise of machinery used by the loggers,” Mombia said. “Pygmy hunters are often forced to walk for a week before finding game, while their families starve.” In violation of Congolese law, logging companies had done nothing to ease the woes of the pygmies, who lack social services, hospitals and schools. While the companies occasionally “employ” pygmies to fell trees, they never pay them fair wages.

Political pawns and forced labour

A group of pygmies carrying goods to sell near Mbandaka in DRC. At this present day the government of DRC doesn’t have a single Batwa pygmy representative.

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Land ownership is another indication of the ethnic discrimination of pygmies, Mombia said. “Pygmies have no land to cultivate or carry out their artisanal activities. The rivers belong to the Bantus, so the pygmies, a sedentary people, are forced to work for others and are often paid with food,” he said. Despite the variety of food crops pygmy field hands planted for landowners, they usually received only cassava leaves as payment.

Marc Mali, of the Pelican Centre NGO, which helps pygmy communities in Kamanda, Kisangani and Beni in the northeastern and eastern provinces of Orientale and North Kivu, said pygmies were exploited in other ways. During the civil war, they were often forcibly recruited in the fight against various rebel groups and used as human shields; as guides through the near-impenetrable forest; as porters of looted goods; and as spies on people targeted for execution or robbery. Currently, the abuse of women and girls is a larger problem. “Girls and women are often raped or used as sexual slaves, and they do not resist for fear of being killed,” Mali said.

Even in times of relative peace, there are many regions where pygmies live as second-class citizens among Bantu who view them as inferior and, therefore, doomed to servitude.

“Sometimes, they are captured and buried alive with dead Bantu chiefs,” said Mombia, who claimed to have witnessed such scenes. “Generally speaking, Bantus are forbidden to have sexual relations with pygmies. Whoever breaks this code is rejected by society, but this does not discourage people from doing it secretly. If a pygmy becomes pregnant, however, she conceals this so as to avoid severe punishment.”

The Congolese authorities have acknowledged these practices, but insisted that times have changed. “These practices no longer exist because all the previous governments have done all they could to change mentality. Burying a pygmy alive is punishable under the law,” said Yves Mombando Yogo, governor of Equateur Province, which is home to some 350,000 pygmies.

Jean-Pierre Lola Kisanga, governor of Orientale Province, said the collective illiteracy of pygmy communities was the source of their mistreatment. In his province, only two out of 1,000 pygmies had access to education. “The numbers are too low, but efforts are being made to improve the situation,” Lola said. A push for the education of both adults and children has been on the national agenda for the last five years in DRC.

Lola said that cultural norms often hindered educational efforts, citing pygmies’ preference for tradition, like using medicinal plants and roots for their health needs rather than going to clinics. “We would like to haul them out of the primitive life and introduce them to modernity, but we have difficulties because many pygmies prefer to maintain their original way of life,” he said.

**Poverty and politics**

Congolese authorities are convinced that the dire circumstances for many pygmy communities would improve if they set their traditions aside and assimilated with the majority. While Lola and Mombando maintained that pygmies were no poorer than other ethnic groups in the DRC, aid agencies have said their existence is particularly bleak. “To this day, there are places where entire pygmy families are naked because they have no clothing,” Mombia said. “Pygmy children who don’t have pens or chalk in school write their lessons with charcoal on large leaves, with the risk that everything will be erased.”

The commission did not have any figures on how many pygmies participated in the referendum. Even if most pygmies in Equateur voted, however, they represent only one-third of the DRC’s entire pygmy population, and this has not increased the overall rate of pygmy participation in the referendum.

It remains to be seen if members of the pygmy community will vote in the upcoming presidential elections. Mombia was not terribly optimistic, given the level of participation in the referendum: “It is simply a combination of ignorance, insufficient sensitisation efforts and the pygmy conviction that the elections will only benefit the Bantu because only they get elected,” he said.

The low number of pygmies with access to education has resulted in both ignorance and apathy when it comes to political affairs. In spite of campaigns by NGOs to raise awareness before the DRC’s constitutional referendum in November 2005, very few pygmies registered and voted. “The low level of participation of the pygmies in enrolling and voting in the referendum is because the Independent Electoral Commission did not penetrate everywhere,” Lola said. “There were not enough enrolment offices open, like in the forest, where the pygmies live. There are pygmies who were not informed of what was going on.”

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3. Interviews: Charles Uwiragiye, director of the Rwandan Cultural Conservation Act (CCA)

Interview with Charles Uwiragiye, executive director of the Rwandan Cultural Conservation Act (CCA) and secretary of the Central African region of the International Alliance of Indigenous and Tribal Peoples of Tropical Forests.

For more than 10 years, Charles Uwiragiye has been a key figure in promoting the rights of Batwa pygmies in Rwanda. Today, he is an active international participant in the struggle to protect indigenous groups in Central Africa. He has regularly attended the United Nations Working Group for Indigenous Populations held every July in Geneva, which aims at strengthening international cooperation for helping indigenous people in areas such as human rights, the environment, education and health. Uwiragiye also attended the first Earth Summit in conjunction with the UN Conference on Environment and Development (UNCED), which took place in Brazil in 1992. At his office in the Rwandan capital, Kigali, Uwiragiye shared his perceptions on the issues and challenges facing the Batwa in his country.

QUESTION: Are you a member of the Batwa community?

ANSWER: Yes, indeed, I am.

Q: Could you describe the Batwa and their situation in Rwanda today?

A: The Batwa are the first people who inhabited this region and other areas of the Central African rainforests, since time immemorial. Eventually, other ethnic groups - who, unlike the Batwa, practiced agriculture and pasture - pushed us away from our natural habitats. The steady dispossession of our lands over several centuries was made easy by our small numbers, small social groups and our egalitarian culture, with values that emphasise openness and sharing. Pushed away from our lands and origins, many Batwa became servants or agricultural labourers working for the Bahutu and Batutsi.

Today, the Batwa represent a minority people. In Rwanda, we number between 25,000 to 30,000 out of a population of 8 million. We are engulfed by the rest of the Rwandan population, making it difficult to fight for our rights as an indigenous group. We are a vulnerable people.

Q: What exactly do you mean by the term “a vulnerable people”?

A: Well, if the Batwa cannot afford education for their children, and education is the backbone of the social infrastructure and development of a country, that will undoubtedly make us vulnerable.

There is no land available for the Batwa. This means that we are always on the move. Today in Rwanda, land is a big issue. Being the most populated country in Central Africa, with around 340 people per square kilometre, pressures on the available land are intense. But we need to get a share of the little land that is available, so that we can catch up to the economic mainstream of the country. Lack of education and lack of land are major catalysts for the Batwa’s extreme poverty. Today, many Batwa can be seen begging on the street corners of Kigali, in urban areas and even in small villages. We are poor; we are being discriminated against. Our people have become the beggars of Rwanda.

Q: Could you give examples of cases of discrimination towards the Batwa in Rwanda?

A: Let’s take an example of social integration. In many cases, Batwa cannot share food or drinks with other Rwandans. Looking shaggy, dirty, nearly naked and smelling bad, an extremely poor Batwa can be easily recognised. People will turn their backs at him, not even daring to touch the same plate he ate from. This is a common example of discrimination of Batwa, the poorest ethnic group in Rwanda at the present day.

Q: Do you see any chance of the situation improving for the Batwa?

A: To a certain extent, they are. We are pushing the government, down to the local community, to recognise the Batwa as their counterpart and to integrate them into the social and economic fabric of the country. We are
pushing very hard, and the government is increasingly recognising the Batwa and their inclusion in society.

Q: What happened to the Batwa community during the 1994 genocide, which resulted in the death of nearly one million Rwandans?

A: In 1994, genocide happened; a war broke out. Bullets make no distinction. We all suffered the consequences of those terrible days. I was in Kigali at the time; I saw it with my own eyes. I lost my brothers, my sisters - they were killed. The Batwa population suffered greatly. Being extremely poor and a minority, representing only 1 percent of the overall Tutsi and Hutu population, some of us were manipulated to play both sides of the conflict. In some cases, we were involved in the genocide, becoming killers and victims. Approximately 10,000 Batwa were killed as a consequence of the genocide and the ensuing war; this death toll accounts for 10 percent of the overall Batwa population.

Q: What did returning populations find when the new regime was established in 1994?

A: Everything was destroyed. The defeated militia, fleeing to neighbouring countries, flattened everything that stood on their way. The returning population found their land, crops and property completely destroyed. During that time, there were two different types of people coming back to Rwanda: the ones that had been in exile for more than 30 years due to the previous regime, and then there were the displaced populations, who fled to neighbouring countries due to the genocide and ensuing war in 1994. The ones that had been in exile in different countries in Africa did not get back their ancestral lands and property, as the new government did not recognise their rights to land. They had, in many cases, acquired different citizenships, and as such were not entitled to any compensation.

Thousands of people came back during the establishment of the new government of 1994. There was a big confusion, and no one got his or her land and property back at the beginning. It took time, and those times were particularly difficult for the Batwa population, as the newly established land bills gave far-reaching powers to the government to confiscate lands that were not used or farmed properly. A dilemma arose in that the Batwa do not usually practice agriculture. Their ways are different from the rest of the Rwandan population. So, much of the wetlands that the Batwa depended on for collecting clay for making clay pots were confiscated by the government. This was a heavy blow to the Batwa community, as pottery was their most important economic income.

Q: Is pottery still the main source of income for most Batwa communities in Rwanda today?

A: Yes, it is. We still have a big problem of lack of education within the Batwa population, and so we are very behind in comparison with the rest of the main economic activities of the country. Pottery is still the main income, but at the same time this is an extremely low economic activity. This should make you understand the seriousness of our situation. Industrial containers are replacing at a fast rate the pottery of the Batwa, and so the prospects for making a living out of these artisan skills are decreasing dramatically.

Q: Is there any current government land policy or poverty-reduction strategy that is concerned with supporting the Batwa?

A: That is a good question. There is a new land policy that was accepted by the Rwandan government in 2005. The bill doesn’t mention in particular the Batwa community, but it is aimed at the Rwandan population in general, and there is a special reference to vulnerable groups within the country. A special section in the bill supports minority groups in providing them land. Even if this land is merely a token, it is a step forward on behalf of the government to promote Batwa communities throughout the country.

In addition, the New Partnership for Africa’s Development (NEPAD) in Rwanda is concentrating on implementing strategies to eradicate poverty and place the country on a path of substantial development. The partnership is reviewing current initiatives jointly with the UN Educational, Scientific and Cultural Organization (UNESCO) and other major international donors. Of course in the long run, the Batwa, like the rest of the population, will benefit from these initiatives.

Q: With the current humanitarian crises unfolding worldwide - such as the devastating drought in East Africa and the aftermath of the Pakistani earthquake - is the world really hearing the cry of the Batwa of Central Africa? If so, to what extent is international help being given?

A: We are not satisfied with the catalysing of the international community when it comes to promoting the Batwa in Rwanda. I believe that when the international community comes to this country, they follow too much the policy of the government, and so as usual, our case is being pushed down the ladder of priorities.
Humanitarian organisations always work following the government’s guidelines. This is because of political and security reasons. This country just came out of a chaotic past - we’ve just gotten out of the war - so the government feels that it has to have control over all national and international operations that happen within the country.

**Busingye Johnson, Secretary-general of the Rwandan Ministry of Justice**

The secretary-general of the Rwandan Ministry of Justice explained the importance of Batwa integration into the country’s socioeconomic mainstream as a voluntary but inevitable process necessitated by changing times. He maintained that the government’s policies of assimilation would not necessarily lead to the obliteration of cultural identities, as this would be comparable to “sociocultural genocide”. Johnson added, however, that the Batwa could not distinguish themselves as indigenous people of Rwanda, as the government rejects ethnic separation on the grounds that such divisions caused conflict in the past, such as the 1994 genocide, in which nearly one million Rwandans were killed.

**QUESTION:** Since coming to power, the Rwandan government has pursued the goal of national unity. What efforts have been made to unify the three ethnic communities - the Batutsi, the Bahutu and the Batwa - into a single national group?

**ANSWER:** The genocide that happened in this country in 1994 was a failure on behalf of past successive regimes, since independence, to unify the population of Rwanda. The differences between us should not mean failure to live in this country as nationals of this country. If you fail to unify a country into a singular political unity, the country will disintegrate, and the consequences could be as terrible as what happened in 1994.

In the last 12 years, we have concentrated in physically coexisting in the same country, learning that we can all share this already small land. We have legislated against divisionism, against passing negative judgments simply because one is short, tall, Mutwa [Batwa], Tusti or Hutu. Either you are fit to do the job or you aren’t. If you have the appropriate education and skills, then you can be part of whatever sector of society you want, no matter which ethnic group you come from.

We have completely changed identification procedures. Before 1994, identity cards showed from which ethnic group you came. Today, this is not the case; identity cards only show that you are a Rwandan national. Rwandan citizenship comes first.

**Q:** After the 1994 genocide and ensuing war, how did the newly established government deal with the redistribution of land and property to all the returnees, and what difficulties did you encounter?

**A:** Approximately 90 percent of the displaced population got their property and land back; 10 percent of them are still outside of Rwanda. There were also the ones that fled the country during 1959 and 1960 that came back with the wave of returnees during and after 1994. All of a sudden, there was a large number of people claiming their rights to land and property. The government had to set its priorities in securing land to the displaced returnees due to the genocide and ensuing war of 1994. In some provinces of the country, we implemented programmes for different families to share plots of land, so that the ones that left the country more than 50 years ago got a share of the land that they claimed their families owned before.

**Q:** The Batwa, who are the minority in this country, have been losing their ancestral lands and livelihoods for reasons such as the introduction of conservation areas in the late 1960s and the beginning of the 1970s. Have these communities been compensated by the government for the loss of their lands and livelihoods?

**A:** First of all, I don’t believe in the theory that there were Batwa communities living in the forest and high mountainous areas that have become national parks. There is no historical evidence about this. On the other hand, there is historical evidence that Batwa, Batutsi and Bahutu have coexisted side-by-side in the hills of this country for more than 500 years.

The Nyungwe Forest Reserve, not far from Kigali, is simply uninhabitable. There are non-edible plants; the forest is simply too dense to live in. I just don’t think that any Batwa group could have lived in this place. The Virunga
National Park, where the famous mountain gorillas live, approximately 100 km north of Kigali, is an extremely cold place. Temperatures often reach 0°C. During the war, we tried to hide and survive in the forests of the Virunga Mountains. It was simply too hard. We were adequately clothed, and still some lost parts of their limbs due to frostbite. It is hard to imagine that any Batwa community could have lived in this environment, bare chest. The other one is the Kagera National Park. This area was occupied by cattle-herding communities before the 1940s. When the Germans arrived, they removed these communities and made the area into a national park. To the best of my recollection, there is no Batwa community that was removed from this park and resettled anywhere else.

With the advent of development, it is not advisable to keep communities living as they were 200 years ago just because we want tourists to come and have a look at these people. People have to have access to education, health and industrialisation.

Q: Many Batwa representatives believe that their community is vulnerable and being discriminated against. What is your view on this?

A: I think that in all this, there is an international level of influence, where the Batwa representatives of Rwanda identify themselves as being the voice of all indigenous groups, such as the indigenous people living deep inside the Amazon tropical forest. It is fictitious to start referring to the Batwa of Rwanda or the rest of Africa as being the indigenous groups of this continent. All Africans are indigenous; we have all lived on this continent since time immemorial. Before, there were no borders preventing people from migrating in search of resources. Africans were moving from one place to another, from the Sahara to the southern African tip, including Batwa. In the scramble for Africa, the border concept was introduced, and people began staying in one place.

So the argument that my ancestors were wrongly displaced from this land thousands of years ago because a group of invaders came and kicked me out does not really work within Africa. Yes, some of the movements of ethnic groups were by force, but this is a fundamental law of nature, where one will try to seize the resources of another.

In the development of a country, roads, airports, dams and factories have to be built. In these cases, if a Batwa family was displaced for a piece of land because the Rwanda government had to build a road, then the family would be located somewhere else and be given appropriate compensation. The government is concentrating on improving the quality of the society of this country. Our mission is to improve the socioeconomic life of every citizen, including the Batwa. We are not talking about improving hunting techniques, gathering or living conditions in forests. We are talking about improving health, infrastructure, education, improving access to markets.

After 1994, we went on a course of decentralising power, dissolving power to the last level of the community, so that everybody has a say in what’s going on. Decision-making on behalf of the Batwa has to start in the Batwa community, but so far I don't see this happening. Batwa are a very small community and scattered throughout the country. They don't seem able to form a body and speak for themselves. How can the government know who, where and why people are vulnerable and being discriminated against if no one comes forward in a real manner to give light to the problem?

Q: Why is it that today so many Batwa children are not attending school?

A: Primary education in this country is free, and there is a law that will soon be implemented that will make school attendance compulsory. There are sufficient numbers of schools in this country for every child to go to. Many parents of the Batwa do not mobilise their children to go to school, as they do not see the benefits that an education will give their children. Another argument that Batwa parents bring forward is that their children are mistreated and discriminated against by other students, and so they are better off not attending.

Q: The new law on land tenure published by the Rwandan government in 2005 seems a positive step in guaranteeing Rwandans the right to own land, but is it true that the law also grants the government far-reaching powers over land use, potentially subjecting owners to loss of land without compensation?

A: No, this is not true. The constitution states that the government can only take land away if the individual residing is properly compensated. However, you have to keep in mind that land is not individually owned by anyone in this country. The land belongs to the state and to all Rwandans. Compensation is given on whatever is planted or constructed on the land. If the government needs to make a road that passes through a piece of land where there is no sign of development whatsoever, then the individual may not be compensated in cash. He will, however, be allocated another piece of land somewhere else.
Q: Are there any specific poverty-reduction schemes and land policies aimed at promoting the well-being of the Batwa population?

A: Education is one. Access to health is another. The government is concentrating on a health scheme that will benefit the whole country. Everybody will be asked to pay a certain amount. Following this scheme, if one gets sick, he will go to hospital and he will be treated for free.

We are concentrating in persuading the Batwa communities to improve and industrialise to a certain level their artisan skills in the making of pottery.

Q: It is estimated that by 2020, the present population of about 8 million people will double to 16 million. Knowing that land is already a big issue today in Rwanda, is the government planning new land strategies?

A: Agriculture is the main economic activity in Rwanda. The population still depends on large plots of land for a living. We still have to learn how to get the best out of the little land that is available. We have to build large cities with tall buildings where everyone can live in close proximity to each other. Today, we are promoting family-planning strategies. In addition, we are concentrating on educating the population to utilise and get the highest income possible from small pieces of land.

Liberate Nicayenzi, Member of parliament in the Transition National Assembly of Burundi

Liberate Nicayenzi is a Mutwa woman, and member of parliament in the Transition National Assembly of Burundi, whose legislature is ending to be replaced by an elected assembly in July 4. In addition, she is chairperson and legal representative of the NGO “Unions Nous pour la Promotion des Batwa” (UNIPROBA).

Being a member of the ethnic minority, the Batwa pygmies, and a woman, Nycayenzi explained to IRIN the challenges that she had to face in order to integrate at a social and political level with the rest of the Batutsi and Bahutu ethnic population.

**QUESTION:** Were you married to a Mutwa or a Hutu?

**ANSWER:** In spite of many other proposals, I married a Mutwa. I had a Tutsi fiancé, but I refused him because I was determined to marry a Mutwa. I wanted to have typical Batwa children so that I serve as an example to other Batwa. I wanted to show them that a Mutwa can study, live in a beautiful house, own land, raise cattle and live just as any other Burundian.

**Q:** As a woman and a Mutwa, you had two handicaps to succeed in Burundi, especially in politics. How did you manage?

**A:** I relied on UNIPROBA, which provided me an adequate framework to plead for the rights of Batwa. The organisation mobilised other Batwa from university and secondary schools. I advocated Batwa rights, as we are submitted to different forms of exclusion. It carried my voice within and outside the country, which is how I got appointed member of parliament.

**Q:** Has your social milieu not played a role?

**A:** It helped a lot. I grew up in a very favourable environment, starting with my family, which was convinced of the importance of school. So, my parents sent me to school. My elder sister was working with the nuns and was friendly with my teachers, and this also facilitated my integration in school. As I was performing well, I did not have any problems.

**Q:** Did many of your childhood Batwa friends grow up to succeed in one way or another?

**A:** In my region, everybody - girl or boy - had to go to school. They all attended primary school, but they dropped out soon afterwards. But this is not specific to Batwa children. I don't know where the problem was,
but they all dropped out after primary education.

Q: What forms of exclusion are Batwa now facing?

A: I will begin with economic exclusion, the major handicap to Batwa development and integration in society. If you look throughout Burundi, the Batwa have no land, whereas Burundians rely on agriculture. To own land and cattle was considered prestigious. The Batwa never had that. With no land, the Batwa face permanent food shortage. The lack of land and, therefore, a source of income hinder Batwa from sending their children to school. How can a Mutwa buy a pen for his child, let alone school uniforms, with a pot sold at 50 francs [less than US 5 cents]?

Similarly, Batwa shelters are not fit for keeping livestock. The Batwa were in the past interested in pottery and hunting, but all those activities are outdated. Pots have been replaced by durable and more aesthetic objects.

In addition, other Burundians have access to jobs, but even in humanitarian nongovernmental organisations, you can’t find a Mutwa. On the social level, customs and taboos maintain us in our own circles, barring us from integration in society. People were told not to eat or socialise with Batwa, under threat of rejection of those who violate these taboos. Even a man who had sex with a Mutwa woman pretended that he wanted to get his backache cured. Even if interethnic marriages are starting now, all those Batwa children who do not attend school will not be integrated.

At the political level, Batwa are absent from decision-making bodies, where they could have influenced some laws in favour of the community. I am the only one at the national assembly. There are also three senators, thanks to the Arusha accord. One would think we are not Burundians. It is a pity. They could have given us 10 percent, 20 percent, or even less - but put in a percentage, as they did for other ethnic groups. We have several ministries - for environment, animals - but we always requested a ministry for the rights of minorities in vain. We are still waiting.

Q: How do you explain this discrimination?

A: It is historical. I don’t know which legal grounds people use to exclude others when we are created alike, speak the same language, worship the same God. But, on the other hand, there are people who think they are superior to others. I blame the leaders, who only put forward their own interests.

Q: How, as a Mutwa leader, will you correct that?

A: We will continue to raise our voices and show, through media and our organisation, UNIPROBA, how our rights are violated. We would also use the presence of the few Batwa in the country’s institutions to plead the case. That is the reason why we talked the Batwa into joining political parties, so that we get more than the three seats provided by the Arusha accord. But we also want a minister’s position, because our absence from the government is a serious handicap.

Another major axis of our struggle is the mobilisation of Batwa families for the schooling of their children, since school is the starting point for social integration. I noticed, for example, that with educated Batwa youths, things start to change a little. Tutsi and Hutu girls start to socialise with them. If a Mutwa is educated or can access land, a Tutsi or Hutu girl will not refuse to marry him, as she will be sure of getting whatever she would have found elsewhere.

Q: Coming back to the question of education, how many Batwa are getting a primary, secondary or university education?

A: UNICEF [the United Nations Children’s Fund] has recently carried out a survey in the whole country. The results were similar to our figures. We have six at the university, 200 in secondary schools and many in primary schools.

Q: The figures seem low in secondary schools.

A: Wherever Batwa have been mobilised for the schooling of their children, they have started sending them to school. For others, there is still a need to educate them first. However, even for those in school, with the problem of hunger affecting Batwa families throughout the year, children drop out of school easily, as they cannot go to school without eating. Nevertheless, compared with other countries, the situation of the Batwa is better in Burundi. In Rwanda, there is only one student in university and 40 in secondary schools.
Q: We talk much about the discrimination against Batwa. Are they not discriminating themselves after all?

A: I would rather call it surrendering. They have been left to themselves, excluded from everything. They have given up trying to socialise with other Burundians. When the colonial rule started sending children of princes and other Burundians to schools, they excluded the Batwa, saying they were good for playing tricks, amusing people at the courts, or just good for hunting. This is where everything started. This did not change throughout the years, and the Batwa community has surrendered. This is making our task difficult, as they do not consider themselves as Burundians, with rights but also obligations.

Q: What are the challenges to Batwa integration now?

A: The lack of land remains a serious challenge. But I can say the ignorance of Batwa who do not know their rights and what to fight for is also a big challenge. This even hinders them from sending their children to school, as they believe they are no good for schools.

Q: What was the Batwa stand during Burundi’s 11-year civil war?

A: It all depended on the environment in which they lived. Some were following Hutu; others were recruited by Tutsi. But whatever the milieu, the factors of hunger and terror played a great role.

Q: Any last comment?

A: The Burundi government should take its responsibility to solve the problem of the Batwa community, especially the problem of land. The Batwa are already mobilised to change their fate and would favourably welcome government projects.

Nyang’ori Ohenjo, Governance programme officer with Centre for Minority Rights and Development (CEMIRIDE)

The Centre for Minority Rights and Development (CERIMIDE) is an advocacy organization based in Kenya, devoted to strengthening the capacities of minority and indigenous communities in East Africa to secure the respect, promotion and protection of their rights.

Nyang’ori Ohenjo, the governance programme officer with the organization explained to IRIN how CERIMIDE helps minorities in East Africa.

QUESTION: How does CERIMIDE fight discrimination against minorities in Africa?

ANSWER: The main issue we deal with is the recognition of indigenous people’s rights in Africa. It’s quite a new issue, and it’s relatively more complex than similar indigenous issues elsewhere in the world – for instance, the recognition of aborigines’ rights in Australia.

It’s a question of definition. Some have made the case that no African can be called “indigenous”, as all Africans originated in Africa. After colonialism, the land returned to its original inhabitants. All communities have gone through the same kind of treatment at the hands of colonialists. That has been the basic argument by people who oppose the recognition of indigenous [African] peoples. But in the years after independence, some groups were left out of national development efforts. In Kenya, for instance, the focus was more on “unity” than on the recognition of some communities’ specificities. It was thought that the recognition of tribes or communities would spark tribal hatred, that it would be a good recipe for conflict.

Of course, that has been countered by publications such as the United Nations Development Programme development report of 2004 that focused on the recognition of cultures as a factor of development. This is what we are fighting for, because some communities have suffered from land alienation; their culture and livelihoods have been affected. This is essential to the future of communities whose natural resources have been taken over by governments under the pretext of benefiting the rest of the country. Most communities never saw the proceeds of such policies from the state.
For instance in Kenya, the government has been trying to come up with a policy for arid and semi-arid regions in the northern parts of the country. In the western regions, fisheries contribute heavily to gross domestic product. But the fishing communities are among the poorest. The province of Nyanza, for instance, experiences above 60 percent of poverty levels. Those communities cannot even benefit from their natural resource, as it is taken away and sold for export to bidders with whom the communities cannot compete. This cycle of poverty perpetuates underdevelopment.

Q: What strategy did CERIMIDE follow to obtain recognition of indigenous minorities’ rights?

A: From around 2001, we realised that there already was an indigenous movement in Africa. But then what became increasingly clear is that the indigenous movement focused on international organisations: the UN, the European Union, etc. Very little was done at the grassroots level to try and mobilise [African] governments to recognise indigenous peoples’ rights.

There was a lot of resistance on the part of governments. A lot of the advocacy focused largely on land rights and natural resources. When you look at constitutions across Africa, many state that natural resources belong to the government. As in Kenya today: The people have no right of exploitation, no right of benefiting from their natural resources. At the end of the day, achieving development will not necessarily mean owning these natural resources and using them exclusively for the benefit of the government.

Q: How did CERIMIDE proceed, in practice?

A: We targeted the media. We placed editorials. We held stakeholders reunions and invited the media. Because the reality is that very few Kenyans have any knowledge of human rights. There is this understanding that human rights are an individual’s privilege. That’s one thing we want to change. So we invited a number of journalists to workshops, seminars and training to push them to look at such things differently.

After that, we targeted politicians. We had a hard time raising the issue with politicians. We tried to get them to attend training and to lobby for indigenous rights, but given the kind of centralised political structure we have in Kenya, this has proven hard to achieve.

On a third level, we directly engaged development organisations, governments and policymakers. We tried getting our national politicians to attend summits held by international organisations, where they could learn a lot on indigenous peoples’ rights. We tried placing the issue within the larger context of development initiatives. A number of high-ranking government officials have attended meetings and workshops this way.

Q: Any specific examples?

A: An example is the workshop to discuss the Ogiek hunter-gatherer community in Kenya, organised with the UN Environmental Programme during the agency’s 2003 governing council [annual meeting], in Nairobi. We got the [Kenyan] lands minister to attend. For the first time, we got him on record agreeing that the hunter-gatherers are a specific group of people that needed special treatment. This has given way to consultations and discussions between the community and the government. [Note: Kenyan President Mwai Kibaki issued land-ownership titles to members of the Ogiek community in October 2005.]

Q: Has legislation been passed?

A: At the moment, there is still no legislation. All these efforts culminated in our participation to the constitutional review process [from 2002 to 2005 in Kenya]. We felt that these issues needed to be enshrined in the new constitution. The problem is that the entire resulting document was obliterated in the subsequent parliamentary process.

What we need is to strengthen the capacity of indigenous people to engage the government. We need to enforce affirmative action and recognise that some minorities have been marginalised. We must help them reach the level of development of other communities.
4. Links & References

The following section outlining links and references is divided into several categories.

- international organisations
- non-governmental organisations
- agencies articles of interest
- scholarly articles and case studies
- international declarations and agreements
- news articles

International Organisations

The International Movement Against all Forms of Discrimination and Racism
http://www.imadr.org/

Information Note on the mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples
http://www.unhchr.ch/indigenous/rapporteur.htm

Indigenous people
http://www.unhchr.ch/indigenous/main.html

Protection Des Resources Culturelles des pygmées Du Gabon
http://www.unesco-pygmee.org/

International Decade of the World’s Indigenous Peoples 1995-2004
http://www0.un.org/rights/indigenous/mediaadv.html

The Unrepresented Nations and Peoples Organization (UNPO)
http://www.unpo.org/

Promoting and Protecting the Rights of Indigenous Peoples

Draft Declaration on the Rights of Indigenous Peoples Commission on Human Rights
http://www.usask.ca/nativelaw/ddir.html

Firsts Session of the Permanent Forum on Indigenous Issues

Indigenous Peoples’ Human Rights Project
http://www.hrusa.org/indig/studyguide.htm

Non-Governmental Organisations

Survival International
http://www.survival-international.org/
Survival is the only international organisation supporting tribal peoples worldwide. It was founded in 1969 after an article by Norman Lewis in the UK’s Sunday Times highlighted the massacres, land thefts and genocide taking place in Brazilian Amazonia. Like many modern atrocities, the racist oppression of Brazil’s Indians took place in the name of ‘economic growth’.

Minority Rights Group International
http://www.minorityrights.org/
Minority Rights Group International (MRG) works to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide, and to promote cooperation and understanding between communities.

The International Work Group for Indigenous Affairs – IWGIA
http://www.iwgia.org/Sw153.asp
IWGIA supports indigenous peoples’ struggle for human rights, self-determination, right to territory, control of land and resources, cultural integrity, and the right to development.

Human Rights watch
http://www.hrw.org/
Human Rights Watch is dedicated to protecting the human rights of people around the world.
We stand with victims and activists to prevent discrimination, to uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice.

Refugees International
http://www.refugeesinternational.org/
Refugees International generates lifesaving humanitarian assistance and protection for displaced people around the world and works to end the conditions that create displacement.

The Rain Forest Foundation
http://www.rainforestfoundation.org/
Founded in 1989, the Rainforest Foundation US is a non-profit organization based in New York. It is dedicated to protecting the rights of rainforest groups who find their traditional lands and human rights threatened.

Forest Peoples Project
http://www.forestpeoples.org/project_index.shtml
The Forest Peoples Project’s long-term goal is improved social, economic and environmental conditions for indigenous and tribal forest peoples. We are working towards this goal by helping forest peoples defend their rights, develop sustainable livelihood skills, engage with policy makers and strengthen their organisational capacity.

The Baka Project
http://baka.stevala.net/english/
The Baka Project was initiated in 1990 by Father Sergio Janeselli. The goal of the project is emancipation of the Baka Pygmies in their traditional environment — camps in their forest. The project is active in the regions of Djoum and Kribi in the South Province of Cameroon.

Agencies Articles of Interest
Peoples of the Forest
http://survival-international.org/pdf/pygmybg.pdf
Discrimination and the ‘Pygmy’
http://www.survival-international.org/related_material.php?id=20
The Batwa Pygmies of the Great Lakes Region
http://www.minorityrights.org/Profiles/profile.asp?ID=4
Batwa Land Rights in Rwanda
http://www.minorityrights.org/dev/mrg_dev_title11_batwa/mrg_dev_title11_batwa_pf.htm
Batwa lifestyles and identity
Twa Women, Twa Rights in the Great Lakes Region of Africa
‘Erasing the Board’
http://www.minorityrights.org/OnlineReports/OnlineReport.asp?ID=37
Report of the international research mission into crimes under international law committed against the Bambuti Pygmies in the eastern Democratic Republic of Congo
Public Participation and Minorities
http://www.minorityrights.org/OnlineReports/OnlineReport.asp?ID=17
Rwanda
http://www.hrw.org/english/docs/2006/01/18/rwanda12286.htm
Forgotten People: The Batwa ‘Pygmy’ of the great lakes Region of Africa
http://www.refugeesinternational.org/content/article/detail/892/
Promoting Pygmy Peoples Rights
http://www.rainforestfoundationuk.org/s-Promoting%20Pygmy%20Peoples%20Rights
Africa
http://www.forestpeoples.org/templates/project/africa_base.shtml

Scholarly articles and Case Studies
Ethnographic summary of several various groups of hunter-gatherers of the Ituri Forest of West Africa.
http://lucy.ukc.ac.uk/EthnoAtlas/Hmar/Cult_dir/Culture.7865
Inventory of Conflict and Environment (ICE): Pygmy Case
http://www.american.edu/ted/ice/pygmy.htm

Gorilla Journal Archives
http://www.kilimanjaro.com/gorilla/brd/12-00.html#News

Conservation of Cross River Gorillas: A Progress Report
http://www.dianfosssey.org/projects/projects.php

Explaining Rwanda's 1994 Genocide
http://www.du.edu/gsis/hrhw/volumes/2002/2-1/magnarella2-1.pdf

Pygmy
http://en.wikipedia.org/wiki/Pygmy

Negrito
http://en.wikipedia.org/wiki/Negrito

Puzzle of the Negrito: isolated archaic populations

Earth Report

International Declarations and Agreements


Universal Declaration of Human Rights
http://www.un.org/Overview/rights.html

United Nations Declaration on the Elimination of All Forms of Racial Discrimination

International Covenant on Economic, Social and Cultural Rights

International Covenant on Civil and Political Rights

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Declaration on Race and Racial Prejudice

News Articles

In pictures: Pygmies’ struggle
http://news.bbc.co.uk/2/shared/spl/hi/picture_gallery/05/africa_pygmies0_struggle/html/1.stm

Rwanda: How the genocide happened
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Congo Pygmies Sing of Jungle Hardships in debut CD
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African Pygmy Hunt Threatened by logging, Animal Trade

Pygmy Village Casts Doubt on ‘Hobbit’ Human

Extermination of the Pygmies

Pygmies retract DRC cannibalism claim (Mail & Guardian)
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