



IN THE NAME OF CONSERVATION

The eviction of the Batwa from Semuliki Forest, Bundibugyo



The Cross-Cultural
Foundation of Uganda

2017

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1. INTRODUCTION

Background

In 2013, The Cross - Cultural Foundation of Uganda (CCFU)¹ initiated a programme to promote the cultural rights of indigenous minority groups in Uganda. This revealed that such groups face common challenges: negative stereotyping, loss of land and of a sense of belonging, absence of education and fast vanishing indigenous languages, lack of political representation and the loss of their cultural heritage. While these concerns cut across all the ethnic minorities, communities with weak mechanisms for the inter-generational transmission of their cultural heritage and with a limited ability to document important aspects of their heritage appeared to be most vulnerable. As a result, CCFU initiated an Oral History Documentation Project and selected three indigenous minority groups (IMGs) whose heritage was most at risk. These include the Batwa of Bundibugyo, with whom CCFU has been working to transmit important aspects of their heritage to the younger generation, through formal and non-formal education.

This publication complements this work. It seeks to highlight the consequences of an environmental conservation approach that has over the years given limited attention to the human attachment and cultural values associated with spaces that are gazetted as National Parks and other protected areas. It has been especially prepared for all those who are concerned with the fate of IMGs, including conservationists, development partners and government authorities.

It is hoped that this case study on the Batwa community in Uganda's western district of Bundibugyo will help readers to reflect on the evolution of environmental conservation thinking and practice (in particular the consequences of eviction without the responsibility to ensure adequate relocation of the affected communities), and how this has resulted in dire consequences, including the dispossession of community stewardship for preserving their natural and cultural heritage, and a loss of livelihood and

dignity – placing this Batwa community on the brink of extinction. This case study also proposes conclusions and recommendations on conservation practice, eviction policies, and the need for legal provisions to cater for evicted communities, all underscoring the principle of responsibility towards future generations.

Methodology

A review of secondary literature on conservation and its history in Uganda, and on the motivation and consequences of the eviction of Batwa communities from forests largely informed the questions used to interview stakeholders in Bundibugyo and Kampala. Interviewees included respondents who have been directly and indirectly involved in supporting the Batwa community and have a general mandate to address their social needs. They included representatives from the Batwa community itself, district government authorities - the Resident District Commissioner (RDC), the Local Council V (LCV) Chairman, the District Community Development Officer (DCDO) and counterparts in Ntandi Town Council, as well as the local Intelligence Officer - officials from the Uganda Wildlife Authority (Semuliki National Park and Kampala headquarters), as well as representatives from Bugombwa Catholic Parish.

Consultative meetings were held to explain the objectives of the Oral History Documentation Project and to explore the relevance of documenting the history of the Batwa. Field visits to the Semuliki National Park and the Batwa Heritage Trail (with permission of Uganda Wildlife Authority) allowed for further engagement with the Batwa community, provided an opportunity to witness their deep attachment to the forest and aided the generation of information on important natural and heritage resources in the Park.

Although many respondents participated in the field study, the number of Batwa in Bundibugyo is small compared to the Batwa elsewhere in Uganda. While this could lead to the dismissal of this population sample,

both literature and engagement with the community revealed that even for a small and manageable community of less than 200, no deliberate effort had been made to address their plight, which is very similar to that of Batwa communities in the rest of the country.

Given that hardly any Batwa speak English, interactions with the community were conducted in the Batwa language, Luswa. In some cases, especially in the larger community groups, the younger members did not understand Luswa and the dominant local language (Kwamba) had to be used. Visual aids were also used to support discussions and a translator proficient in both languages, and familiar with the Batwa community, facilitated effective communication. The process of collecting raw footage for two films that accompany this case study provided an opportunity to triangulate and verify information.

The interaction with the Batwa community tended to be restricted to adults, in part because the youth had limited knowledge of their past (having been born after the eviction), and in part because they exhibited a lack self-confidence to voice queries and contributions. Meetings in the community were however open to all and the language used allowed the youth to participate, mainly as interested learners.

Meetings with civil society organisations that had previously supported the Batwa such as the Adventist Development and Relief Agency (ADRA), World Vision, and the Seventh Day Adventist Church did not prove very fruitful, partly because of staff turnover and partly because of the lack of clear and long term agenda to support the Batwa. In the case of Rural Welfare Improvement for Development (RWIDE), the community-based organisation that received funding from the European Union to resettle the Batwa, appointments with the research team were not honoured.

In spite of these limitations, this publication captures the views of a range of stakeholders representing key institutions associated with the Batwa community, as well as of the Batwa themselves. The different interactions made it possible to generate and triangulate the collected information.

We therefore hope that this publication will benefit policy-makers at national and district levels, non-governmental and grassroots organisations, and researchers involved in cultural and human rights issues in Uganda and beyond.

2. THE CONSERVATION CONTEXT

Changing notions of conservation

Concern for the conservation of natural resources can be traced to 1847 when the US Congressman George Marsh called for attention to be paid to the destructive impact of human activity on the land in his area, and advocated for a conservationist approach to the management of forests. This was followed by several works by eminent writers and artists celebrating the American landscape, with some stressing the importance of wild nature as a source of moral, spiritual and patriotic inspiration.²

In Africa, prior to the colonial era, wildlife and associated ecosystems were managed under the guidance of cultural leaders. Many communities were hunters and gatherers using traditional mechanisms that ensured the sustainable use of natural resources. With the advent of colonialism, the State administration established conservation management systems informed by two schools of thought: a romantic tradition that decried the impact of modernisation and a 'scientific' tradition that sought to manage nature for human enjoyment and material benefit. Of special concern was the preservation of game for hunters, and later, the conservation of exotic animal and flora species and, more generally, of 'wild' Africa³. The introduction of sport hunting and the ban on traditional hunting (defined as 'poaching'), however alienated indigenous communities from the natural and cultural resources found in newly-created 'protected areas' and National Parks.

The creation of Protected Areas has been a central element of conservation policy since its beginnings in the 19th century⁴. From their inception, these were conceived as areas of land alienated to the State and managed for the benefit of future generations, but to the exclusion of residents. The globalisation of nature conservation efforts, as exemplified by the 1992 Convention on Biological Diversity, continued to place emphasis on the conservation of biological diversity and the preservation of nature for its own

sake, fostering a conceptual separation between humans and nature, and between nature and culture. This resulted in both moral and practical dilemmas, especially in poor countries where human needs cannot be set aside from pursuing the 'intrinsic' rights of nature.

International conservation organisations that have donated most of the funds available for conservation work⁵ wield much influence and have imposed their vision of what nature should look like in different parts of the world, mostly illustrating Western ideals of wilderness and people-less landscapes.

Nevertheless, community-based conservation approaches emerged in the 1980s. These reflected escalating protests and subsequent dialogue with local communities that were affected by international attempts to protect biodiversity, informed by a notion of conservation that separates nature and culture, disregards the cultural interests of indigenous people and negates any understanding of non-western cosmologies.

Organisations such as the International Union for the Conservation of Nature (IUCN) started emphasising sustainable resource use (including its human element), implying the need to recognise the rights of indigenous peoples and the need to accommodate these rights in Protected Areas. The 1975 Kinshasa Resolution thus urged governments to devise means to bring indigenous peoples' lands into conservation areas without relinquishing their ownership, use, and tenure rights. It also noted that indigenous peoples should not normally be displaced from their traditional lands by 'protecting' areas, nor should such areas be established without adequate consultation with the peoples to be directly affected. The same resolution was recalled at the 5th IUCN World Parks Congress, which affirmed the rights of traditional societies and stated the need to recognise "*socio-political issues, such as the growing demand for participatory management, respect for traditional values and rights, [...] noting the sometimes unfamiliar multidimensional spiritual values of traditional societies [that] need to be*

further respected and more effectively addressed [...] and the need to capture the traditional knowledge of the landscape".⁶

On the ground, however, Western-inspired notion of conservation and related practices evolved very slowly in developing countries⁷. Conservation approaches pursuing protectionist and exclusionist policies continued to alienate the rights of indigenous peoples, largely negating considerations of livelihoods, equity and human rights protection. Conservationists and indigenous peoples, *'have been terribly at odds with one another over the past century or more; violently so at times, due mostly to conflicting views of nature, radically different definitions of 'wilderness', and profound misunderstandings of each other's science and culture'*⁸ In essence, there is one reality, in this case nature, but several ways in which the reality of nature is socially explained⁹.

It is however now widely recognised that the exclusion of indigenous peoples and other local communities from protected areas can also undermine conservation objectives by creating conflict between local communities and parks managers. The public trust doctrine enshrined in the national Constitutions of several countries also now dictate that Governments protect national heritage, including natural heritage, for the common good of all citizens. This has however been implemented through a series of measures that have allowed citizens and foreign visitors access to such resources in a prescribed manner, but has in fact frequently resulted in state agencies denying people access to and use of what they considered "their" heritage resources.

Conservation displacement, like other forms of displacement, comprise two processes (i) the forced removal of people from their homes; and (ii) economic displacement, the exclusion of people from particular areas in their pursuit of a livelihood. Beyond any material loss to livelihoods or dwellings, protesters also fight against their symbolic obliteration from the landscape - their removal from its history, memory and representation. Other groups protest their loss of power and control over their environments and the interference of the conservation regulations into their lives in ways over which they had little influence. Else they protest the interference of different value systems into local economies, the commodification of wildlife and nature into things which tourists can purchase, but which locals can then no longer afford¹⁰.

Conservation in Uganda

As elsewhere on the continent, the customary rules and practices of Uganda's local communities initially regulated hunting, the collection of medicinal plants, and other forms of resource extraction.

When Uganda became a British protectorate between 1894 and 1962, it acquired artificial geographic boundaries that in many places split ethnic groups, clans and families. The Batwa, among other groups, can be found on both sides of the borders of Uganda, the Democratic Republic of the Congo, Rwanda (as well as Burundi).

Between 1920 and 1960, the colonial administration paid much attention to creating and preserving protected areas and game reserves. It established a Game Elephant Control Unit in 1923, later transformed into the Game Department, to mitigate the potential depletion of large game species, including elephants, rhinos, lions and hippos. Government also identified populated areas as wildlife sanctuaries, some of which were gazetted as Game Reserves (Lake George, Tooro, Lake Edward, Bunyoro, Gulu) under the 1926 Game Ordinance. Later, two National Parks were created from the combination of Lake Edward and Lake George Game Reserves to create Queen Elizabeth National Park and of Gulu and Bunyoro Game Reserves to create Murchison Falls National Park, under the National Parks Ordinance of 1952. From 1959 to 1962, Government embarked on consolidating gains, including the identification of additional important areas for protection of wildlife and dealing with human-wildlife conflict, with special attention given to problem elephants.

The national conservation drive was further aided by the establishment of Controlled Hunting Areas and Wildlife Sanctuaries but Uganda's turbulent political period from the 1970s to 1986 saw an almost total breakdown in State structures and authority. Conservation regulations were flouted, resulting in the neglect and encroachment of many of the country's Protected Areas and nature reserves, as Uganda lost its tourism appeal.

With the restoration of the rule of law after 1986, the relevance of conservation to economic development led to renewed efforts to manage protected areas

and resources. This however took on an iron-fisted, fortress mentality, mirroring the colonial approach to conservation, which excluded indigenous people's cultural values and interests for conservation efforts¹¹.

In 1996, the Uganda Wildlife Statute (later the 2000 Uganda Wildlife Act) and the 1995 Constitution streamlined the wildlife sector and were primarily driven by the need to protect biodiversity. Responding to the increasing resentment and hostility from communities neighboring Protected Areas that reduced the effectiveness of conservation practices and contributed to the recurrence of illegal activities, the Uganda Wildlife Authority (UWA) however opted to review its conservation approach and in the 1990s adopted community-based conservation methods that involved the local communities in Park Management and revenue sharing. The 1994 National Wildlife Policy marked a paradigm shift which resulted in the involvement of local people in conservation (through Park Management Committees) and created opportunities for communities to directly engage and benefit from wildlife conservation.

In Uganda, as in many other African countries, conservation policies and practice have been influenced by international and largely western-informed ideology, as manifested in international instruments. Uganda is a signatory to the Agreement on the Importation of Educational, Scientific and Cultural Materials (1950), the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention on Biological Diversity¹², the Cartagena protocol¹³, and the Ramsar Convention¹⁴, all of which place emphasis on biodiversity. In these instruments, reference to human activity is often concerned with protecting biodiversity from human impact or providing space for environmental research or economic activities, such as tourism, farming, fisheries, rather than on the cultural value and heritage attached to biodiversity. Changes in schools of thought, as reflected in global dialogue on conservation principles and practice, in which the rights of indigenous peoples to access and own natural and cultural resources are recognised, are yet to be fully respected and realised at national level.

3. THE BATWA AND SEMULIKI FOREST

Who are the Batwa?

The Batwa are forest people, often referred to as 'pygmies'¹⁵, spread over the Great Lakes region and parts of Central Africa. Anthropologists believe that the Batwa are among the oldest inhabitants of these equatorial forests. They are found in Rwanda, Burundi, western Uganda and eastern Democratic Republic of Congo, with an estimated total population of 86,000 to 112,000¹⁶. In Rwanda and Burundi, they are called Twa; in the Democratic Republic of Congo, they are the Twa, Mbuti, or Bayanda and in Uganda, the Batwa people are also called Bayanda¹⁷. The Batwa settled in these areas before the arrival of the Bantu, but are now a minority, pushed out of their homes by larger ethnic groups and marginalised in mountainous and forested areas¹⁸. The Batwa are often discriminated against, owing to their physical appearance and their heritage as forest

dwellers, and are frequently labelled pygmies in a pejorative way¹⁹.

Traditionally, the Batwa lived as hunters and gatherers residing in temporary huts or caves, deriving sustenance from forest resources, such as honey, wild fruit and animals, mushrooms and vegetables²⁰. They also depended on the forests for medicine, materials for basketry, fishing, hunting, and recreation²¹. Their cultural identity is still strongly associated with the forest and its natural resources, such as caves, hot springs, rivers, hills, plants and animals. The forests also provided a source of emotional and spiritual well-being for the close-knit Batwa communities, socially organised in clans, with strong cultural and traditional beliefs. They believe that *"Upon creation, God placed them in the forest as their home and appointed them custodians of the forests[...] they believe that God dwells in the forest and, by living in the forest, they are nearer to God"*²²



The Batwa have depended on forest resources for their livelihood

Over the years, the Batwa have attracted the attention of national and foreign tourists. The interest of foreign tourists is often largely informed by the ideas of early anthropological accounts, such as Edward Tyson's *"The Anatomy of a Pygmy Compared with that of a Monkey, and Ape and a Man"*²³, and subsequent exhibitions of a pygmy, in zoos and fairs in the USA.

The Batwa in Uganda

According to the 2014 Census, indigenous minority groups constitute about 1% of Uganda's total population of 34.6 million²⁴. The 1995 Constitution (amended in 2005) recognises 65 indigenous groups, including the Batwa,²⁵ who reside in the South-western districts Bundibugyo, Rukungiri, Kisoro, Kanungu and Kabale around the Bwindi Impenetrable National Park, Mgahinga Gorilla National Park, Echuya Central Forest Reserve and Semuliki National Park. With an estimated 6,200 people, they represent approximately 0.02% of Uganda's population. Uganda's Batwa, similar to other Batwa groups, are traditionally hunters and gatherers, historically dependent on forests for their survival, and using their knowledge of nature provided by the forest environment in which they live. Thus, in 2001, the Batwa in Bwindi asserted that *"Our grandparents used to stay in the forests. We were born in the forest, our grandparents lived there since the first ancestors. It provided us with everything: roofing materials, materials to make ropes, honey, some pigs, antelopes and other small animals. The forest has been our home up to the time we were moved out."*²⁶ The same sentiments were voiced in 2016 by the Batwa in Bundibugyo: *"We belong to the forest, the forest has groomed us into who we are."*²⁷ Uganda's Batwa indeed also maintain a spiritual relationship with the forest, which they believe to be their God-given source of livelihood.

The Constitution of Uganda recognises indigenous minority groups, especially the vulnerable and marginalised, and specifically provides for the protection of the interests of indigenous and tribal peoples, especially with regard to equality and freedom from discrimination, protection from deprivation of property, affirmative action in favour of marginalised groups, protection of rights of minorities, and the right to culture and similar rights²⁸. The Equal Opportunities Commission's Act²⁹ also reflects the need to eliminate discrimination and inequalities against any individual or group of persons, although it does not expressly

provide for the special needs of indigenous minorities, such as the Batwa.

The Batwa are perceived in different ways by their neighbours and other Ugandans: on the one hand they suffer from a popular perception as barbaric, savage, wild, uncivilised, ignorant, and unclean, which has legitimised their exclusion from mainstream society³⁰. The Batwa from Kisoro and Bwindi were however feared and respected by the non-Batwa for their excellent archery skills³¹. Some Batwa established themselves as important persons at royal courts, received favours, and were given farmland. In the nineteenth and early twentieth centuries, the Batwa now residing in Kisoro and Bwindi claimed affiliation to clans in Rwanda, paid allegiance to the Tutsi kings and paid tribute to the king's court in ivory and animal skins, *impongo* (bushbuck) and *inzobe* (sitatunga). They were also entitled to collect a toll from caravans coming through their territory and payments of food and beer from farmers who encroached on the forest. The Batwa were also part of a substantial military force, including archers. In the forest, the Batwa and other communities carried out logging / pit sawing, hunting and beekeeping as major economic activities, but these did not have significantly adverse impacts on the environment and were considered to be in tandem with sustainable natural resource use.³² More recently, due to their in-depth knowledge of the forest, the Batwa in Bundibugyo led by Geoffrey Inzito, were invited and aided the Government of Uganda to put a stop to rebel activities in Semuliki forest³³.

Currently, the Batwa communities engage in a range of economic activities such as making crafts, spears, arrows and walking sticks that are sold to neighbouring communities. Their herbalists provide herbs and spiritual treatment to local communities, while many Batwa are engaged in collecting firewood and raw materials for crafts from the forests and wetlands which are sold or exchanged with neighbours for food.³⁴ Some are employed as stock-minders, labourers in gardens and servants in their neighbours' households.³⁵

The loss of land has forced a sizeable number of Batwa people to become transient squatters on land on which they are expected to live as labourers, tenants, and to migrate to cities where they live a destitute life.³⁶ A report by Uganda's Ministry of Gender, Labour and Social Development acknowledges that: *"[the Batwa] have recently suffered eviction from forest-land (Mgahinga Game Reserve) because of voluntary and involuntary factors (...) they have lost their territorial rights and accessibility to ancestral forested lands."*

The entire community of Batwa are poor and depend on begging as a form of livelihood. Most are landless – out of about 2,000 Batwa pygmies in Western Uganda, only 74 have land – and are widely regarded as people ‘with no rights’³⁷ The same report recommended that “freedom and means of livelihood of minorities should be respected, especially with regard to land use.”³⁸ Kabanukye (1996) primarily attributes this situation to the establishment of national parks, made feasible by the forceful eviction of Batwa from their traditional lands with no or little compensation.³⁹ It has proved hard for the Batwa to maintain their right to land and to claim compensation, partly because these rights are neither expressly protected in law nor recognised in the customary land rights system.⁴⁰ Thus, the district authorities in Bundibugyo made it clear that the Semuliki Forest is government property and that the Government “cannot compensate the Batwa for government land,” although it could identify an alternative location for them to be resettled.

While the Government of Uganda recognises the Batwa’s plight, there is limited concerted effort to practically address the challenges they face as a result of eviction from the National Parks. The Batwa have made numerous attempts to voice their concerns through consultations and discussions with local councils, various government departments, the Parliament of Uganda, as well as international and regional human rights mechanisms. To date however, no concrete reparation measures have been put in place by national authorities. In 2013, the Batwa communities from Mgahinga and Bwindi filed a petition before Uganda’s Constitutional Court, seeking justice for the violation of their land rights. According to UOBDU⁴¹ the Batwa are seeking recognition of their status as indigenous people under international law and redress for the historic marginalisation and continuous human rights violations they have experienced as a result of being dispossessed of their ancestral forest lands. The case is on-going.

Uganda is a State Party to the Economic, Social and Cultural Rights Covenant and has been requested on several occasions to address the human rights concerns of indigenous people. In 2006, the African Commission asked Uganda to “Ensure that the rights of indigenous people and other vulnerable groups are respected.”⁴² In 2009 and in 2011, the African Commission noted “The apparent lack of political will to take measures to realise the rights of indigenous populations especially the Batwa people as

guaranteed under the Charter.” It expressed concern about the “exploitation, the discrimination and the marginalisation of indigenous populations, in particular the Batwa people of Uganda, who are deprived of their ancestral lands and live without any land titles”⁴³. The Commission recommended that Uganda should: “Adopt measures to ensure the effective protection of the rights of indigenous populations especially the Batwa people as guaranteed under the Charter by establishing laws that protect land rights and natural resources of indigenous populations”⁴⁴. In response, the Government of Uganda stated in 2009 that it would look into the possibility of restoring land to the Batwa, that it valued and recognised the spiritual or religious dimension that land had for them and that tenure should be organised on the basis of that attachment to land. However, these have remained unheeded: at the 2015 session of the Committee, it was noted that: “The initial report of the Republic of Uganda unfortunately does not address the situation of indigenous peoples in the manner or to the extent required to ensure the progressive realisation of the rights in the Covenant.”

The Batwa in Bundibugyo

This report focuses on the Batwa community in Bundibugyo, a community that is both small in number and particularly marginalised because of the remoteness of its location. According to the Batwa in Bundibugyo, they migrated from the Democratic Republic of Congo, crossing into Uganda from a place called Mambiro and settled consecutively in various locations in and around the Semuliki forest, which they traditionally called Mabili.⁴⁵ When a leader died, the community saw this as a bad omen and it moved to a new settlement. They would plant a tree (*kisoghasogha*) to mark the burial place so that children would be shown where their father was buried. They lived at Bubukwanga where Karamampaka, father of Hurangame and Inzito I (father of Geoffrey Inzito, the current leader of the Batwa in Bundibugyo) died and was buried, marked by a large ficus tree. After Inzito I’s death, they moved to Butwalibo, where they used the fishing ground in the 1950s and 1960s. The Batwa then settled in Hakibale, Mantoroba, Mpurya, and Kirumiya before being evicted and relocated to Bulondo. Kijabange, the then leader and father of Geoffrey Inzito, died and was buried at Bulondo, where his grave can still be found, marked by a pile of stones.

In the forest, the Bundibugyo Batwa created spaces for hunting, burial grounds, and recreation. The Batwa obtained fruits, vegetables, honey, bush meat, herbal medicines, bark cloth and construction materials from the forest, which also has an important cultural and spiritual function in their lives, with ancestral grounds and their god called Apelele found there. Traditional methods and medicine were used to cut the umbilical cord of a new-born baby and to circumcise a boy child.

If sick, a child would be taken to Apelele for healing. According to Geoffrey Inzito, *“Life in the forest was good. We had a lot of good food, fruits, vegetables, honey and variety of meat and fish. We made mild palm wine and we would relax sheltered from the direct sunshine. We were healthy and happy.”* Dance is important to the Batwa. As one of them said, *“We as Baswa, when we do not dance we feel very bad”*. The Batwa perform different dances for celebration and mourning the dead. Women and men dance separately with the men performing the *luma* and *mapku*, while the women perform the *muledhu*.



Semuliki Park is well-known for its equatorial forest and its hot springs



The Batwa are traditionally monogamous and belong to different clans, such as the Babukwanga, Balese, Bandimulaku, Bandihunde, Bambuba, Bandibukusu, Bandibagudde, Bandimbere and Bandikutendyani.⁴⁶ In the forest, their leader (Mbehu) resolved conflicts, especially regarding fighting and quarreling. They would congregate under a large ficus tree (*bonga mbengu*) where the leader and the rest of the community would listen to disputes and collectively take decisions on a suitable punishment. This tree was also a place where hunters would receive herbs before going out, and where food and meat would be shared. While in the forest, the Batwa were about 300 but these numbers decreased gradually due to diseases. There are now about 160 (comprising 17 families),⁴⁷ currently found in Ntandi Town Council.

In 1932, Semuliki Forest Reserve, located in present day Bundibugyo district, was created and forest villages evacuated as a measure to control sleeping sickness and yellow fever. In 1993, the reserve was turned into a National Park. It covers an area of 219 sq km and is part of the Central African Congo Basin forest system, separated from the Ituri forest in the Congo by the Semuliki River. The Park, which is located within the Albertine Rift, the western arm of the Great Rift Valley⁴⁸, has one of the richest floral and faunal diversity in Africa. With its establishment, the Batwa were removed from Semuliki and put in a small camp called Kabwero along the roadside where they stayed until they were relocated to Bulondo. All human activity was prohibited, in spite of the great social and cultural significance of the forest to the Batwa community.

Eviction from Semliki National Park

The Batwa in Bwindi, Mgahinga and Semuliki National Parks were evicted by the Government of Uganda – a recipient of funding for conservation from international organisations such as IUCN, the World Wildlife

Foundation, the United States Agency for International Development (USAID), and the World Bank, towards the establishment and maintenance of these National Parks which -inadvertently or not – resulted in the eviction of the Batwa. The literature reviewed suggests that the application of international standards was not respected and that the Batwa were evicted without their free, prior, and informed consent.⁴⁹ None of the international organisations involved raised concern about the livelihood of the communities that once resided in the gazetted areas.

There was no specific law that defined the justification, objectives, process and management of eviction of communities from forest reserves that were gazetted as National Parks. In the absence of an eviction policy, there was no particular process to follow. In each Park, the eviction was spearheaded by UWA and guided by the provisions in the Uganda Wildlife Act. This did not include provisions for human resettlement or address the consequences of eviction, it focused largely on the protection and preservation of flora and fauna, maintaining ecological systems, biodiversity and water catchments, and states that any person who unlawfully hunts, takes, kills, injures or disturbs any wild plant or animal or any domestic animal in any wildlife conservation area commits an offence.⁵⁰ Further, in the view of the Authority, resettlement is the responsibility of the Office of the Prime Minister and Local Government, and not of UWA.⁵¹

In the case of Bundibugyo, although the Uganda Wildlife Act (Section 25(5)) provides for resettlement of any persons resident in a wildlife conservation area, this was not the case with the Batwa. The Park authorities maintained their basic responsibility to manage the National Park; there was no post eviction arrangement to ensure that the Batwa were resettled in the host community. According to Charles Okuta⁵², *“Once out of the National Park, the Batwa are the responsibility of the Local Government that makes general development provisions for all Ugandans”*. This shift in responsibility was however not formalised through an institutional arrangement, and the Batwa were left to fend for themselves. No special provisions or affirmative action was taken to recognise the dire consequences of eviction, although the Park authorities indicate that modalities were established to permit regulated access for the Batwa to harvest medicinal herbs, collect firewood and other items for their livelihood and welfare. Moreover, unlike the Batwa in Bwindi and Mgahinga who often resided in the community but lived off the forest resources with

most of them settling on the margins of the forest, the Batwa in Bundibugyo resided in the forest. No special provision was made to reflect the significant change of livelihood they would experience once evicted from the forest. They lacked basic skills to survive in the environment outside the forest and many of them became beggars on the road. At the time of this documentation, there is no public report on the eviction process and its outcomes.

There were no parliamentary debates on the eviction decision or how these processes should be handled, but a number of host and evicted communities complained. It was during this time that the concept of multiple use conservation was promoted across the globe. International conservation organisations such as IUCN, CARE and USAID also integrated multiple use conservation in their conditional funding for conservation in Uganda. In Bwindi and Mgahinga, the Global Environmental Facility (GEF) established the Mgahinga and Bwindi Impenetrable Forest Conservation Trust (MBIFCT) in 1991. The Trust’s objectives are to conserve biodiversity and transfer benefits to communities adjacent to the park, causing development through conservation and introducing multiple use conservation programmes. According to the Trust Administrator, 326 acres of land were purchased for distribution to the Batwa in this region, houses constructed, seeds distributed, and children educated. There are however divergent views on the ultimate outcomes of the Trust’s objectives regarding the fulfilment of applicable standards for indigenous peoples’ rights and the effective representation and participation of the Batwa. The Batwa in Bundibugyo were not beneficiaries of this arrangement or any other structural or institutional intervention to address their plight⁵³.

Since 1996, UWA has been operating a Revenue Sharing Scheme under which communities neighbouring National Parks are granted 20% of the gate collections. These funds are channelled through the local government authorities. Currently, community projects are vetted by a District Committee (or Council), which consists of the Conservation Warden and representatives from local government. Projects are often selected on the basis of communities with the largest population and the quality of project proposals submitted. With very small numbers and very low levels of education, the Batwa cannot access these funds. No special provision or affirmative action has been taken by UWA to ensure that a percentage of the revenue sharing collection is allocated to those

who have been severely affected by the eviction. Further, according to Charles Okuta, the Park receives

relatively low revenue compared to other National Parks countrywide and the scheme has not been fully implemented.



The bonga mbengu tree in Semliki Forest

5. THE CONSEQUENCES OF EVICTION

Today, most of the Batwa live in Ntandi Town Council and face challenges that can directly and indirectly be linked to their eviction from the forest and to the limited support they have received to minimise the consequences of this decision.

Poor living conditions and landlessness

There are currently an estimated 160 Batwa adults and children living in the centre of Ntandi trading centre, on a piece of land that is less than 2 acres in size. They reside in semi-permanent buildings, which are in a deplorable state of disrepair, shared by all – young and old - and lacking proper sanitary facilities.

Since 1993, the Batwa have received donations to purchase land and make productive use of it from different organisations. In 1993, the Adventist Development and Relief Agency (ADRA) signed a Memorandum of Understanding with district authorities to provide services to the Batwa by constructing houses for them, but these were abandoned due to the noise on the iron sheets from rain. They are said to have demolished the buildings and sold the roofing

sheets to their neighbours.

In 2005, the European Union donated UGS.600 million to the Batwa community through RWIDE, a community-based organisation, to purchase land and construct permanent housing for the Batwa, among other provisions. One piece of land of about 1.5 acres was purchased by RWIDE in Bumagga, in collaboration with Ntandi Sub-County for the resettlement of the Batwa but, when the new Fort Portal - Bundibugyo road was built, the structures were demolished. At the time of writing, the Batwa and respondents interviewed said they were not aware of any compensation made by the Uganda National Roads Authority. To date there are no permanent structures in the Batwa settlement in Ntandi. RWIDE is no longer operational in the district. None of the state institutions mandated to oversee local governance and development has taken the initiative to follow this issue up and hold RWIDE accountable, given that non-governmental organisations are registered at district and national levels. According to Ibra Masereka, the CDO Ntandi Sub-County, the land agreements (not yet processed into land titles) for the three small pieces of agricultural purchased for the Batwa, are held in the Community Development Office for safekeeping against illegal sale to unscrupulous people.



The Ntandi settlement

In the trading centre, Batwa adults and youth alike are exposed to the influence of drugs and alcohol, uncensored films and immorality. According to respondents, the neighbouring ethnic groups believe that if a man has intercourse with a Mutwa woman, he will be healed of HIV/AIDS and backache. There has only been limited effort to sensitise the community and to dispel these misconceptions. Many Batwa women and men have therefore been infected, and with the stereotyping and discrimination they suffer from, they lack the confidence to go to the near-by health facility to test and receive treatment. Their limited access to healthcare facilities is also attributed to lack of cash to pay for services, as well as discrimination on the part of staff and patients. In addition, the Batwa's limited access to traditional herbs and medicine from the forest contributes substantially to their poor health⁵⁴. Given their small number, all the respondents met feared that, if the Batwa in Bundibugyo are not supported and removed from this environment, they will soon become extinct.

Livelihood and social support

When the Batwa were evicted from the forest they were initially hostile towards outsiders, especially if they were not given any form of assistance, and would beg on the roadside for a living. According to the Park authorities, sensitisation meetings were held with them and gradually they became more receptive to neighbouring communities. The Batwa now go to the UWA office for support - medical care and food. In line with provisions made in the Wildlife Use Rights and the Uganda Wildlife Act, the Authority has established guidelines for access of communities neighbouring conservation areas to resources which are crucial to the survival of those communities. Thus, the Batwa are granted access to the Park to collect firewood for use and sale twice a week. In a day, a Mutwa can sell one bundle of firewood at UGS.3,000 (less than USD.1) to feed a family with up to 7 children and grandchildren.

In their current condition, the Batwa depend heavily on hand-outs from tourists, researchers and well-wishers who visit the settlement. They are normally paid for performing traditional dances, for selling their handicrafts (smoking pipes, arrows and bows, spears, musical instruments and traditional toys) as well as having their photos or videos taken. According to the Park authorities, visitors pay an entry fee but are not

charged to meet the Batwa community. To date, UWA does not have a long term mechanism to support them, although a Memorandum of Understanding to support the Batwa is being processed and the Authority promises to establish a curio shop, to provide training in beekeeping and handcraft-making as sustainable economic activities. Owing to lack of funding, UWA however has yet to make good on these promises.

World Vision has provided support in the form of relief items and second-hand clothes; it has also purchased a piece of land in Ntandi and trained the leadership of the Batwa community in agricultural activities. The organisation has also facilitated access to medication for HIV-positive individuals (ARVs) as well as food items and counselling, but the Batwa did not take up this offer and some respondents attributed this to an inferiority complex that hinders their access to public services and eventually this support was terminated.

The local government officials met stated that the district is financially constrained and is not in position to assist the Batwa because funds received are committed to special grants such as funds for People with Disabilities, Youth, Women, Functional Adult Literacy, rather than specially earmarked for IMGs or the Batwa in particular. One respondent noted that the Batwa participate in elections, but their specific needs are not given due consideration.

The District Community Development Office - which has the mandate to protect the rights of all marginalised people, including indigenous minority groups and the Batwa - has provided financial support of UGS 2.8 million under the Community Driven Development Programme for the Batwa to purchase materials for art and crafts, and to purchase stationery and books for the youth in school. The Officer in charge indicated that support to the Batwa requires a concerted effort from central government. There are a number of government programmes such as NAADS, Operation Wealth Creation, Youth Livelihood Programme and health programmes but the Batwa do not benefit from these programmes because of their limitations and because there is no affirmative action to reach out to them as a marginalised group.

Over the years, several other institutions, organisations and individuals have donated material, moral and spiritual support to the Batwa community in Bundibugyo (including the Red Cross, the National Security Fund, the Army and the Police), but much of this support has been uncoordinated and of a one-off nature, rather than as long-term engagements. A few

community-based organisations have raised concern about the plight of the Batwa but they lack the funds and capacity to support them.

Some Batwa have opted to grow food crops, such as soya beans and cassava, on the small pieces of land purchased for them, but this land can only accommodate two to three families. Others provide cheap labour on cocoa farms belonging to their neighbours. Some respondents noted that the Batwa

expressed the desire to work and be productive on their own land, if given the opportunity. According to Geoffrey Muchunguzi (then Resident District Commissioner, Bundibugyo) who has previously interacted with the Batwa in Kisoro, *“experience shows that if given land and basic farming skills, the Batwa can cultivate land and generate income. In Kisoro all the Batwa resettled near the forest are productive, while those who remained in urban centres, turned into drunkards and criminals with no alternative way of life.”*



Entertaining and guiding tourists

Stereotyping and social exclusion

According to the District CDO, the Batwa are included in community activities and are invited along with other cultural groups during national celebrations to showcase their dances. Their leader, Geoffrey Inzito, and some of his Committee members, are also invited to district development planning meetings but their level of engagement is limited.

The majority of Batwa communities remain isolated from the rest of Ugandan society due to poverty and marginalisation that undermine their ability to access

development opportunities⁵⁵. A number of respondents noted that the Batwa in Bundibugyo have an inferiority complex because of the difficulties they face in being accepted and integrated into the local society. When evicted from the forest, the Batwa were not oriented to cope with an entirely new situation, living in an urban centre. They were often ridiculed for not being able to understand or manage different day-to-day ways of life.

The District CDO also noted that the neighbouring communities and local government leaders need to change their attitude towards the Batwa, which reinforces their negative self-perception. While the district is in position to allocate resources and establish

linkages to development programmes that could assist the Batwa, they have not been successful in attracting them, as even appearing in public is challenging for them. No institution is responsible to enhance their ability to access support from the district and there is no institutional mechanism by which the Batwa can be supported to participate in political and decision-making processes.

The Batwa in Bundibugyo are therefore very vulnerable: several respondents noted that they are used as bait by exploitative people to access funds that do not reach them or provide the intended goods and services. In addition, there is no structured way through which the Batwa can be protected from exploitation. Both foreign and local people and institutions visit the Batwa community, offer them gifts and promise to support them but this assistance rarely materialises and the district authorities are not informed of these persons' intentions. The only partially formal arrangement is when clients visit the National Park and are taken to the settlement or on a cultural trail in the forest by Park officials.

Several respondents underscored the importance of education as essential for the Batwa to become better integrated in the society. One respondent thus summarised: *"The Batwa are like a lost community and no institution is taking interest in them"*

Vanishing cultural heritage

Prior to eviction from the forest, the Batwa used traditional knowledge and skills to survive. They used fruits, vegetables and medicinal plants, they harvested honey, made shelters and fire to protect themselves from wild animals at night, and created spaces in the forest for worship, governance, recreation and hunting. The Batwa are known to be skilled hunters, medicine men and women, craftsmen and drama actors and often exchanged items with communities outside the forest. However their traditional skills are no longer used or taught to the young generation, because of limited access to the forest.

The Batwa in Bundibugyo (and other parts of the country) have been forced to adopt the languages of their dominant neighbours for survival. With continuous interaction with the host communities, the Batwa in Bundibugyo have gradually begun to lose their language, Kuswa. Only a few of adult

Batwa speak Kuswa, as the majority of the younger generation speak Kwamba, Lukhonzor or Lubwisi, which are commonly used in public spaces and schools. The Batwa in Bundibugyo, specifically their leader, Geoffrey Inzito expressed worry about the loss of their language and culture.

Although the Batwa live in a secluded space within Ntandi Town Council, they interact with the host communities, and some of the negative influences noted above have eroded the self-respect and dignity of many adult Batwa. In the course of these interactions, they have intermarried with the Bakhonzor, Bamba and Batuuuku and are now losing their unique features and adopting the cultural ways of these communities. Some respondents noted that some Batwa youth are even beginning to reject their fellow Batwa in marriage. With their culture under threat, there is a high risk of assimilation, which not only poses a risk to their language and identity but to their ability to transmit and preserve traditional knowledge and skills for posterity. The need to document their origin, history, language, customs and culture and orient the youth in their culture, was therefore frequently emphasised by respondents.

With permission from the UWA, the Batwa have regulated access to the forest, often escorted by a Park Warden. They are able to access natural and cultural resources and visit their ancestral burial grounds, however this is within the confines of restricted access - they no longer enjoy the freedom to access all parts of the forest when they wish.

On the whole, little has been done to preserve the Batwa's heritage. In 2012, the Cultural Values Conservation Project supported by Flora and Fauna International in collaboration with UWA, established a Batwa Cultural Trail. The Batwa are the tour guides, escorted by Park Wardens, and explain their way of life in the forest to tourists and researchers. They also perform traditional dances and make handicrafts, which they sell to tourists who visit the settlement. There is however no mechanism for payment - tips from tourists, researchers and well wishers are varied, inconsistent and often distributed immediately amongst the families.

Spiritual development and education

The Batwa believe in Apalele, their god, and even after

eviction, they would return to the forest to appease him. After eviction, however, they sought membership of religious charity groups as a survival strategy. Such groups offer clothing, food, spiritual renewal, and other benefits which illustrate the extent to which the Batwa's cultural heritage, identity, and livelihoods are at stake⁵⁶. No religious institution had taken particular interest or responsibility for them for an extended period of time, until the Bugobwa Catholic Church intervened. According to Parish respondents, the Batwa value unity, caring, sharing and reconciliation and practice monogamous marriage, in tune with Catholic values and principles. In 2014, the Bugombwa Parish organised the baptism of 78 Batwa, gave them catechism classes and constructed a small semi-permanent church in the settlement in Ntandi. According to the Parishioners the conversion of the Batwa is an on-going process, as they have retained elements of their traditional religious beliefs.

As for the Batwa in other parts of the country, the Batwa in Bundibugyo have very low rates of primary and secondary school attendance. A number respondents attributed this to lack of funds to buy uniforms, scholastic materials and lunch, harassment by other students, and the lack of basic requirements such as food, clothing and shelter. Although the State has promoted equal access for all to all levels of education, the Universal Primary Education scheme does not cover food and uniforms. No specific measures have been undertaken to ensure access for marginalised children such as the Batwa. In Bundigubyo, the Catholic Parish of Bugombwa has encouraged the Batwa to embrace education. The Parish has taken the initiative to accommodate the majority of the primary school going children at the mission school (see box below).

The trials of education for Batwa youth



In 2015, the Seventh Day Adventist (SDA) Church supported Batwa children to attend school at the Ntandi SDA Integrated Primary School. This was initially for the Batwa community but, because of discrimination and teasing, the Batwa children dropped out with the exception of Geoffrey Inzito's brother, who eventually attained Senior Three level of education.

Another attempt at education was made by one Pastor in the community but according to respondents, the school had only one class in which old and young alike were taught from 9.00 am to 1.00 pm. There was no reference to the national syllabus and eventually this intervention was abandoned.

The missionary congregation of the Evangelising Sisters of Mary through pastoral work on health and education came into contact with the Batwa community in Ntandi. Although they initially received a hostile reception because they did not offer food or hand-outs, the Batwa were persuaded to take up education again. The church then attempted to establish an adult and nursery school in the community. Together with the community the Parish constructed a semi-permanent church which doubled as a classroom, but the distractions in the slum environment hampered class work, including from

uncontrolled attention by tourists and researchers. Pupils would also leave class to go to their mothers, to the market, to collect firewood or to harvest cocoa. Adults who were drinking alcohol and abusing drugs were not setting a good example for the children.

In 2014, the Parish therefore decided to take 40 children to Bugombwa Missionary School 23kms away. It turned part of its social hall into a dormitory for the Batwa children and allowed these children to study at the nursery and primary school free of charge. For some time children resisted and kept running away, but they gradually extended their 'stays' from a few days to 2 weeks, leaving in the third week. When asked why they were leaving school to go home they said, they were tired; they needed to generate income, hunt small birds for meat and go to the disco. They also tended to fight among themselves frequently.

Initially, the parents also distrusted the Parish, fearing that their children might not return home. This however changed with time and when one or two children 'escape', the parents now bring them back to school. School activities to keep them occupied, such as sports and the establishment of a heritage club where they are trained in traditional dances and music also helped to them at school. Parents visit the children regularly and during the holidays, the children are taken home.

According to Sr Juliana Charik there is now a marked improvement in the Batwa children's retention and interest in education. The children fight less frequently and are competing favourably with children from other cultural communities in the school. Sr Angelica Tumwesigye, supported by the Bugombwa Catholic Parish solicits support from well-wishers to provide food and other items, including second-hand clothes that are cut to fit the size of the Batwa children, 28 of whom now receive free education

6. CONCLUSIONS AND RECOMMENDATIONS

For the Batwa, the conservation agenda appears to have been implemented at the expense of their very existence as an indigenous people. This has at the same time undermined the principles of conservation, which encompass the rights of concerned communities to see their dignity and self-determination preserved, as well as the sustainable and wise use of natural resources intended for present and future generations – including generations of indigenous people who were forcefully removed from their ancestral homes to turn them into a Protected Area.

Conservationists therefore need to reflect on whether conservation efforts that strip indigenous people of their human and cultural rights, and deny generations of the benefit of knowledge, identity and dignity, meet the intended objectives and legacy of conservation. With their well-intentioned agenda, international conservation organisations need to observe the human and cultural rights of indigenous peoples, even when dealing with small and vulnerable communities that do not have the ability to advocate for their own rights. The organisations that directly or indirectly financed the evictions of the Batwa from the forest need to share the responsibility to address the consequences of this act and should be held accountable for it.

Twenty-four years after eviction, the Government has exhibited limited political will to address the plight of the Batwa - especially of those in Bundibugyo - as they continue to suffer from the same challenges as those highlighted in the 1990s. The Central Government and UWA should take responsibility to address the consequences of the policy decisions that have led to the eviction of IMGs from forest reserves across the country. This should not be left to development organisations, tourists and well-wishers to resolve. A number of respondents noted that if addressing the plight of the Batwa is left to well-wishers and sympathetic donors, they may well become extinct, for which Government and conservation agencies would need to bear responsibility. Government, in other words, needs to apply the constitutional provisions against marginalisation and discrimination of IMGs, and especially the Batwa.

From 2006 to 2015, the African Commission has raised grave concern about the plight of the Batwa and has urged the Government of Uganda to adopt measures to effectively protect the rights of indigenous populations, but with little success. Reports from the Equal Opportunities Commission⁵⁷ and the Ministry of Gender, Labour and Social Development⁵⁸ also recognise the Batwa as marginalised and discriminated people. In its 2016/2016 Annual Report⁵⁹, the Equal Opportunities Commission recommended that *“Government should engage ethnic minorities that have been evicted from their ancestral land and come up with binding terms that will ensure protection of the cultural values of the affected minorities.”* To date, however, there are limited institutionalised state interventions to alleviate the consequence of the eviction of the Batwa from National Parks across the country. Government institutions mandated to address the economic, political and socio-cultural needs of Ugandan citizens should take responsibility at national and district levels to act on the recommendations made in national and international reports on the rights of the Batwa, and of IMGs generally.

As part of this agenda, the State needs to establish clear mechanisms to ensure that the rights (human and cultural) of such displaced populations are not violated, and that the indigenous people are resettled in locations that are appropriate and that they are supported in their development. An assessment of (and provision for) the capacity needs of evicted communities, as well as preparation of the host communities to coexist with them, are important considerations to minimise the adverse effects of eviction. Thus, relocation should not only involve physical displacement but ensure that communities have the prerequisite skills and knowledge to fit with the communities that will host any resettlement. International and national control of compliance with applicable standards must be undertaken to ensure that the Batwa, among other IMGs, are not marginalised and discriminated against.

Uganda's Batwa continue to be excluded from the officially identified marginalised groups such as women, youth, people with disabilities, and therefore do not see their needs adequately addressed under

any specific policy or fund, at national or district levels. The relevant authorities therefore also need to ensure that IMGs (and the Batwa in particular), are included among such groups, if they are to recover from their sudden and total change in lifestyle and attain sustainable livelihoods. Given the Batwa's current limitations, the responsible government authorities need to make provisions for affirmative action to enable them access resources and opportunities provided under development programmes, such as the National Agricultural Advisory Services, Operation Wealth Creation, Youth Livelihood Programme, health programmes, and initiatives that target women and the disabled.

Geoffrey Muchunguzi, (the Resident District Commissioner – Bundibugyo at the time of writing this report) along with many other respondents who witnessed the dire conditions under which the Batwa live, were convinced that the district government authorities have land which can be allocated to the Batwa. Interventions to support the Batwa need to be reflected in district plans and budgets so that appropriate allocation of funds may be made. The Batwa in Bundibugyo are yet to benefit directly from the 20% revenue sharing arrangement undertaken by UWA. The Authority, in consultation with the district Local Government, should consider affirmative action for the Batwa, for instance by allocating a percentage of this revenue towards goods and services that benefit them directly.

A sense of identity and belonging is central to a people's heritage the world over. Despite the challenges they face, the Batwa in Bundibugyo and elsewhere have exhibited a very strong attachment to the forest as their ancestral home. In Bundibugyo this is evidenced by the continued burial of the dead in the forest and paying homage to their ancestors previously buried there. With such a close attachment to the land and to its cultural and natural significance, any relocation of the Batwa community must be in

areas where they are able to maintain their cultural and social association with this essential dimension of their heritage. In addition, organisations that promote research and documentation of languages need to assess the feasibility of and support the restoration of Kuswa (language of the Batwa). Literature on the origin, history, language, customs, oral traditions, way of life, cultural beliefs and practices of the Batwa should be used in non-formal education to orient the youth about their culture and ultimately preserve and promote their cultural heritage. Research and documentation of their vast knowledge and skills as forest people could be integrated in diverse education and communication strategies to foster the preservation of this cultural heritage.

Formal education is however also essential if the Batwa are to access the opportunities that require basic education. National standards applied to all institutions of education should also be applied for institutions and organisations offering services to the Batwa. Affirmative action to ensure that both youth and adults have access to quality education will strengthen their ability to organise and access development support from the State and elsewhere.

There is currently no state institution directly responsible for the Batwa, and no institutional mechanism through which they can be supported to participate in political and decision-making processes, or supported to access public services and goods for their social and economic development. The Government of Uganda therefore needs to define and implement a policy framework for the Batwa to be protected against exploitation, to ensure their access to social services and to political representation, to sensitise neighbouring communities against sexually abusing Batwa women and to address the stigma that hinders their access to development opportunities.

END NOTES

- 1 The Cross-Cultural Foundation of Uganda is a registered, not-for-profit NGO, dedicated to promoting the recognition of culture as vital for human development that responds to Uganda's national identity and diversity. CCFU is implementing a programme on Cultural Rights, focusing on Uganda's indigenous minorities. www.crossculturalfoundation.or.ug
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- 8 Dowie, M. (2009). *Conservation Refugees. The Hundred-Year Conflict between Global Conservation and Native Peoples*. The MIT Press. Cambridge, Massachusetts, London, England.
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- 10 Cernea 2005b, Horowitz(1998), Schama (1996), Theodossopoulos (2002); Novellino (2003). MacDonald, (2004, 2005)
- 11 Drani (2016) cited in Bakels, J., Bhagwat, S., Drani, E., Infield, M., and Kidd, C. (2016). *Culture and Conservation: Investigating the Linkages between Biodiversity Protection and Cultural Values and Practices*. Arcus Foundation, Cambridge, UK.
- 12 Uganda is a Party to the Convention on Biological Diversity (CBD) signed on 12th June 1992 and ratified on 8th September 1993.
- 13 Uganda signed the Cartagena Protocol on Biosafety on 24 May 2000 and ratified on 24th November 2001.
- 14 Uganda ratified the Ramsar Convention on 4 July 1988 and acceded to the Nagoya Convention in 2014
- 15 A derogatory word which is used mainly by other ethnic groups to mock or marginalize the Batwa or even discriminate against them (Lewis, 2000, p. 5)
- 16 According to the ESCR Report (2015)
- 17 Mukasa, N. (2014). *The Batwa Indigenous People of Uganda and Their Traditional Forest Land: Eviction, Non-Collaboration and Unfulfilled Needs*.
- 18 United Organisation for Batwa Development in Uganda (UOBDU), Mount Elgon Benet Indigenous Ogiek Group (MEBIO), Coalition of Pastoralist Civil Society Organisations (COPACSO) and Forest Peoples Programme (FPP) (2015). *Indigenous peoples in Uganda: Review of the human rights situation of the Batwa people, the Benet people and pastoralist communities*. Alternative report to the Initial report of the Republic of Uganda to be presented at the 55th session of the United Nations Committee on Economic, Social and Cultural Rights 1st – 19th June 2015
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 - 29 Ibid. Art 32(3) and (4)
 - 30 Refugee International (RI) Forgotten people: the Batwa 'Pygmy' of the Great Lakes region of Africa available at <http://www.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/a84e5cbac3ac8c2885256d800079aaba> (accessed on 11 January 2008).
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 - 33 Interview with Geoffrey Muchunguzi, Resident District Commissioner, Bundibugyo, August 2016
 - 34 ACODE cited in ACHPR & IWGIA (2006).The Batwa Pygmies: A Community Abandoned. Report on the African Commission's Working Group on Indigenous Populations / Communities. Research and Information Visit to the Republic of Uganda, July 2006
 - 35 ACHPR & IWGIA (2006).The Batwa Pygmies: A Community Abandoned. Report on the African Commission's Working Group on Indigenous Populations / Communities. Research and Information Visit to the Republic of Uganda, July 2006
 - 36 ILO. (2000). Convention on Indigenous and Tribal Peoples 1989 (No. 169): A manual Project to Promote ILO Policy on Indigenous and Tribal Peoples. Geneva: International Labour Office.
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 - 38 Ibid. p.45
 - 39 Kabanankye (1996) cited in 'The Batwa Pygmies: A Community Abandoned.' Report on the African Commission's Working Group on Indigenous Populations / Communities. Research and Information Visit to the Republic of Uganda, July 2006
 - 40 ILO. (2000). Convention on Indigenous and Tribal Peoples 1989 (No. 169): A manual Project to Promote ILO Policy on Indigenous and Tribal Peoples. Geneva: International Labour Office.
 - 41 The United Organisation for Batwa Development in Uganda is national NGO which aims to support Batwa in Uganda to address their land and socioeconomic challenges and to helps them

develop sustainable livelihoods.

- 42 African Commission on Human and Peoples' Rights, Concluding Observations and Recommendations on the Second Periodic Report of the Republic of Uganda, Adopted at the 40th Ordinary Session of the African Commission on Human and Peoples' Rights held from 15 to 29 November 2006, Banjul, The Gambia, paragraph 27.
- 43 African Commission on Human and Peoples' Rights, Concluding Observations and Recommendations on the Third Periodic Report of the Republic of Uganda, Adopted at the 45th Ordinary Session of the African Commission on Human and Peoples' Rights held in May 2009, Banjul, The Gambia, paragraph 21
- 44 African Commission on Human and Peoples' Rights, Concluding Observations and Recommendations on the Fourth Periodic Report of the Republic of Uganda, Adopted at the 49th Ordinary Session of the African Commission on Human and Peoples' Rights held in November 2011, Banjul, The Gambia, paragraph 12 I)
- 45 Interview with Geoffrey Inzito who testified that the Batwa were in Uganda well before Independence
- 46 Interview with Geoffrey Inzito, leader of the Batwa Community in Bundibugyo, October 28, 2016
- 47 Interview with Geoffrey Muchunguzi, Resident District Commissioner Bundibugyo, October 27, 2016
- 48 Uganda Wildlife Authority at <http://www.ugandawildlife.org/explore-our-parks/parks-by-name-a-z/semuliki-national-park> accessed on 27/05/2017.
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This publication seeks to highlight the consequences of an environmental conservation approach that has over the years given limited attention to the human attachment and the cultural values associated with spaces that are gazetted as National Parks and other Protected Areas.

It has been especially prepared for all those who are concerned with the fate of indigenous minority groups, including conservationists, development partners and government authorities.

It is hoped that this case study on the Batwa community in Uganda's western district of Bundibigyo will help readers to reflect on the evolution

of environmental conservation thinking and practice (in particular the consequences of eviction without the responsibility to ensure adequate relocation of the affected communities), and how this has resulted in dire consequences, including the dispossession of community stewardship for preserving their natural and cultural heritage, and a loss of livelihood and dignity – placing this Batwa community on the brink of extinction.

This case study also proposes conclusions and recommendations on conservation practice, eviction policies, and the need for legal provisions to cater for evicted communities, all underscoring the principle of responsibility towards future generations.

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