

Restricted Access to Cultural Resources in Protected Areas

What impact on the cultural rights of Indigenous Ethnic Minorities in Uganda?



The Cross-Cultural
Foundation of Uganda

2 0 2 3

*Cover photographs; clock wise, the batwa community at
Buhoma in Kanugu, the Batwa community in Semuliki
National Park in Budibugyo, the Ik Community in Morungole in
kaabong & Basongora in Kasese*

Table Of Content



Executive Summary.....	3
-------------------------------	----------

Chapter One:.....	6
--------------------------	----------

Introduction

Chapter Two:.....	8
--------------------------	----------

Context and Background

Chapter Three:.....	15
----------------------------	-----------

Methodology

Chapter Four:.....	16
---------------------------	-----------

Research Findings

1. Eviction of Indigenous Ethnic Minority Groups from their ancestral land how it happened.
2. Impact of restricted access to cultural resources in protected areas
 - o Identity
 - o Worshipping
 - o Social life
 - o Social protection and traditional values.
 - o Livelihood
 - o Indigenous knowledge and skills
 - o Health and traditional medicine
 - o Governance

Existing efforts to promote the cultural rights of IMGs near protected areas

Chapter Five:.....	35
---------------------------	-----------

Conclusions and Recommendations

ACRONYMS

BINP:	Bwindi Impenetrable National Park
BLG:	Benet Lobby Group
CCFU:	Cross-Cultural Foundation of Uganda
DCDO:	District Community Development Officer
FGD:	Focus Group Discussions
ICCPR:	International Covenant on Civil and Political Rights
IMGs:	Indigenous Minority Groups
IUCN:	International Union for Conservation of Nature
KII:	Key Informant Interviews
KVNP:	Kidepo Valley National Park
MENP:	Mount Elgon National Park
NFA:	National Forest Authority
PA:	Protected Areas
UDHR:	Universal Declaration of Human Rights
UNESCO:	United National Education, Scientific and Cultural Organisation
UWA:	Uganda Wildlife Authority

Executive Summary

Over the past decade, the Cross-Cultural Foundation of Uganda has been implementing a wide range of interventions to support the promotion and the realisation of the cultural rights of Ugandans more especially, the cultural rights of Indigenous Ethnic Minority Groups in Uganda. In the areas of Mt. Elgon, Karamoja, West Nile and Rwenzori, the Foundation has enhanced the capacity of the Indigenous Minority Groups to engage with relevant cultural rights duty-bearers such as local government authorities, human rights agencies, Uganda Wildlife Authority and National Forest Authority among others. The Foundation has further supported some of the groups to document and publicise their oral histories as a way of resuscitating the indigenous languages and their cultural identity.

Whereas significant progress has been made to promote the cultural identity and the languages of the indigenous communities, there are still many challenges related to access to cultural resources found in protected areas such as National Parks and Central Forest Reserves. Yet, the limited access to cultural resources by the indigenous minority groups seems to have far-reaching implications on their cultural identity, livelihood and governance systems.

With support from the Bread for the World Organisation? with its long-term agenda to promote cultural rights in Uganda, the Foundation deepened its research quest to establish the impact of the restricted access to cultural resources in the protected areas on the cultural rights of the indigenous ethnic minorities in Uganda. The Foundation, therefore, undertook a research study in the areas of Mt. Elgon where the Benet community lives, Karamoja region specifically in the districts of Kaabong and Karenga where the Ik, Nyangia, Napore, Katibong and Ngokutio live; the Rwenzori (Kasese district) where the Basongora, Bagabo and Bakingwe live and finally in Kigezi region (Kanungu, Kisoro, Rubanda and Kabale) where the Batwa live.

The purpose of this research study was to gain an understanding of specific cultural resources found in the protected areas and how the limited access to these resources has affected the different communities. The study was further meant to establish the status of the cultural rights of IMGs in the aftermath of their eviction from the protected areas and highlight the need to promote a better appreciation of and access to, cultural heritage by the IMGs. The study was guided by the assumption that limited IMGs' access to cultural sites in PAs gravely affects their cultural rights, socio-economic development, self-esteem and identity.

This qualitative study applied a range of participatory research tools to establish rapport with the respondents given the sensitivity of the subject, especially for indigenous communities. Key respondents were representatives or leaders of the indigenous minority groups, relevant local government officials at the district level, representatives from civil society organisations and individual resource persons as well as managers of protected areas such as National Parks and Forest Reserves. A total of about 120 individuals were interviewed in Mbale, Kapchorwa, Kween, Kaabong, Karenga, Kasese, Kanungu, Kisoro, Rubanda and Kabale districts. The main constraint was the limited time to build rapport with some of the key respondents from the protected areas on this sensitive issue. Research fatigue of the communities visited was also noted as a constraint. These constraints impacted on the scope and depth of the study hence the recommendation for further research. The study was informed by ethical standards and principles that included informed consent, respect for anonymity and confidentiality, and intellectual property rights.

The findings of this study reveal that most of the communities that were involved in this research are on the verge of losing their cultural identities and sources of survival given that they used to access protected areas to extract resources for their daily livelihood needs. It was further noted that most of the groups are on the verge of losing their indigenous languages, yet this is an important source of identity. Many of the IMG languages are not used in schools or other public spaces such as churches or public events. The languages have not been documented and lack recognised orthographies.

From the research, it can be concluded that the limited appreciation of the cultural rights of IMGs especially by the duty-bearers can be attributed to the challenges associated with managing cultural diversity or cultural pluralism and deep-seated cultural biases and stereotypes, especially towards ethnic minority groups which have been stereotyped as being backward especially given that most of them live in the remotest areas. This, coupled with limited representation at different levels of local leadership has had far-reaching implications for their self-esteem and confidence to express their cultural identities in public spaces as well as for their social and economic needs.

One of the intricate discoveries from the research was that some IMGs were not actually evicted from the Protected Areas. Whereas narratives of forceful eviction of the Batwa from Bwindi Forest are still alive in Kanungu, there are several arguments that the Batwa were never evicted from the forest because they never used to reside

in the forest, but used to go to the forest from time to time to collect honey, wild fruits and meat which they used to sell to other communities or exchange them for food items and clothes. The situation was, however, different in the case of the Batwa communities in Echuya and Mgahinga forests. The situation was also different with the Benet in Elgon and the Katibong, Ik, Napore and Nyangia in northern Karamoja who were violently evicted from Mt. Elgon National Park and Kidepo Valley National Park respectively, most of them without compensation or resettlement.

Recommendations made included the need to provide access to cultural resources found in protected areas, recognition and respect for the cultural identity of the communities, promotion of the indigenous languages and support the networking and collaboration among the different stakeholders for common interventions that promote the dignity and cultural rights of the communities.

Chapter One

1. Introduction

Article 27 of the Universal Declaration of Human Rights and Article 15 of the International Convention on Social Economic and Cultural Rights state that “everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.” Cultural rights are, therefore, inseparable from human rights, as recognised in Article 5 of the 2001 UNESCO Declaration on Cultural Diversity, and can be defined as the right of access to, participation in and enjoyment of culture. This includes the right of individuals and communities to know, understand, visit, make use of, maintain, exchange and develop cultural heritage and cultural expressions, as well as to benefit from the cultural heritage and cultural expressions of others. It should be noted that other categories of human rights, such as the right to freedom of expression, the right to information and the right to education, are key to the realisation of cultural rights.

CCFU's previous interventions indicate that despite the importance of cultural rights, few Ugandans are conversant with them. There are several reasons for this limited knowledge about cultural rights. One is that cultural rights have been obscured in Uganda by notions of human rights that are top most on our national agenda, such as the right to freedom of expression and other political and civil rights, economic rights, and gender rights especially focusing on women, children and People with Disabilities. Secondly, cultural rights are difficult to define. If we briefly describe such rights as the rights to access, express and enjoy one's culture, we can immediately see a challenge: culture tends to be context-specific – what might be considered culturally acceptable (even desirable) in one setting might be opposed (sometimes violently) in another. The failure to appreciate the importance of cultural pluralism has exacerbated the situation in which some cultures especially of indigenous minority groups have not been equal opportunities compared to the cultures of populous communities.

In spite of these difficulties, there is an increasing appreciation throughout the world that cultural rights are important. For instance, during the recent COP27 in Egypt, culture was recognized as an important aspect to mitigate climate change effects. It is now generally agreed that cultural rights concern language, cultural and artistic production, and participation in cultural life, cultural heritage, intellectual property rights, and minorities' expression of their culture. In other words, cultural rights concern many of the aspects of life that we treasure and that merit protection. However, the cultural rights of IGMs have been particularly undermined by the general lack of appreciation of their importance by both state and non-state actors. Many IGMs have been evicted from Protected Areas and are rarely permitted to access their cultural resources located therein.

With support from the Bread for World Organisation?, CCFU conducted a research study to establish the status of cultural rights of IMGs in the aftermath of their eviction from the Protected Areas and highlight the need to promote a better appreciation of and access to, cultural heritage by the IMGs.

The study was guided by three main objectives including; a) to establish current status in terms of IMGs' access to cultural sites that are located in PAs; b) to document the effects of restricted access to cultural sites on self-esteem, cultural identity and socio-economic development of IMGs; and c) to make recommendations on how access to cultural sites can be negotiated between IMGs and government agencies responsible for PAs while ensuring the sustainability of such areas. The study was further guided by the assumption that limited IMGs' access to cultural sites in PAs gravely affects their cultural rights, socio-economic development, self-esteem and identity.

It is anticipated that the research case study will create and nurture synergies with relevant agencies such as the Uganda Conservation Foundation, the Uganda Wildlife Authority, the National Forestry Authority and the Uganda Tourism Board.



CCFU's previous interventions indicate that despite the importance of cultural rights, few Ugandans are conversant with them.



Chapter Two:

Context and Background

In Uganda, there are about 65 'indigenous communities that are recognized in the 1995 Constitution out of which 21 are small Indigenous Minority Groups (IMGs), with fewer than 25,000 people, according to the 2014 national census. The IMGs share a number of common characteristics including being non-dominant groups (often dominated by majority attitudes and practices), with common religious, socio-economic, or linguistic characteristics which are distinct from those of the majority population. These characteristics often single them out as marginalised groups, frequently living in remote geographical locations (many times close to Protected Areas), in small communities, poorer than the average population, with limited political representation and lack of access to basic social services. In addition to the common characteristics that make IMGs susceptible to marginalisation, they also face several challenges related to access and enjoyment of their cultural resources such as shrines, medicines and food, especially those located in Protected Areas such as National Parks and Forest and Wildlife Reserves.

When the notion of conservation was introduced in Uganda by the colonial government before the 1950s, it prioritized nature over human beings. The Murchison Falls National Park, for instance, became one of Uganda's first National Parks in 1952¹ and the Mount Elgon was declared a forest reserve in 1930² which marked the beginning of evictions of people from their ancestral homes. Before 1952, the majority of the IMGs and many other communities were part and parcel of the natural environment, given that they used to live inside or near what is currently referred to as National Parks or Forest Reserves.

The establishment of National Parks (Game Reserves as they were known before 1996) in Uganda was part of a global movement to set aside places for preserving natural environments and rare biodiversity as places for holiday makers or tourists. For instance, in 1872, Yellowstone National Park's establishment marked the start of something wholly unheard of in the USA³. The Park was the first of its kind in North America and formed a precedence for the national preservation of biodiversity and the eviction of native communities that had lived with wildlife in these settings for centuries. It should be noted that the military evicted the native Americans and ran the park for its first decade and this became the model for the creation and management of Protected Areas elsewhere and indigenous people all over the world were evicted from their land, frequently by the army⁴.

¹ <https://www.ugandawildlife.org>

² <https://minorityrights.org/>

³ <https://www.nationalgeographic.com/travel/national-parks/article/worlds-first-protected-lands-conservation-yellowstone>

⁴ <https://www.theguardian.com/environment/2003/sep/18/guardiananalysispage.ndendangeredspecies>

By 2003, the number of Protected Areas had enormously increased to the detriment of native or indigenous communities residing in or around those areas. The International Union for Conservation of Nature's President, Yolanda Kakabadse, in 2003 announced that there are now 44,000 protected areas, covering 12% of the Earth's surface and she added, "Too often protected areas have alienated people or are encroached on resource exploitation, and too few are adequately resourced"⁵ Yolanda Kakabadse (quoted by the Guardian in 2003).

2.1 Evictions of Indigenous Communities from Protected Areas – experiences of Uganda's IMGs

While the establishment of Game Parks and Forest Reserves started before the 1950s, extreme violent evictions of IMGs from Protected Areas started in the 1980s and 1990s. Mt. Elgon Forest Reserve was elevated to a National Park in 1992 (MRG, 2015), and Bwindi Impenetrable National Park (BINP) was upgraded and gazetted a National Park in 1991 following various protection status as a forest reserve and animal sanctuary. It was later, in 1994 enlisted as one of the World Heritage Sites (UWA, 2002). Mgahinga was declared a game sanctuary by the British in 1930 and as a gazetted National Park in 1991⁶. The Semuliki National Park which is the smallest and newest, was gazetted in 1993⁷ and Kidepo Valley National Park was gazetted as a National Park in 1962⁸. With the Wildlife Act of 1996 (repealed in 2019) coming into existence, UWA was given the mandate to oversee the management of these and other National Parks spread across Uganda.

Using a protectionist approach, UWA for several years, defended National Parks from the perspective of conservation that has over the years given limited consideration for human attachment and cultural values associated with areas that are gazetted as Protected Areas (CCFU, 2017). UWA's exclusionist approach continued to alienate the rights of Indigenous Minority Groups, largely negating considerations for consolidating livelihoods, equity and human rights protection (ibid).

In February 2008, UWA and the Uganda People's Defence Forces evicted more than 4,000 people from the Benet and Ndorobo communities living in Mount Elgon National Park in eastern Uganda (C. Lang, 2008). Lang continues to stress that people's houses and crops were destroyed, cattle were confiscated and the people were left homeless. He further explains that after the Benet were evicted, they found shelter where they could: in caves and under trees. The luckier ones stayed in a primary school or moved in with their relatives elsewhere. Lang further argues that by evicting the Benet from Mount Elgon National Park, UWA showed that it had no interest in complying with the Forest Steward Council (FSC) Principle 3 which, does not give forest managers the right to evict Indigenous Peoples, if alternative land can be found.

⁵ <https://www.theguardian.com/environment/2003/sep/18/guardiananalysispage.conservationsandendangeredspecies>

⁶ <https://www.ugandawildlife.org/explore-our-parks/parks-by-name-a-z/mgahinga-gorilla-national-park>

⁷ <https://www.safarisrwandasafari.com/information/semuliki-national-park>

⁸ <https://www.ugandawildlife.org/explore-our-parks/parks-by-name-a-z/kidepo-valley-national-park>

Research conducted by CCFU in 2018, indicated that 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 the International Union for Conservation of Nature (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 research further indicated that the application of international standards⁹, which obligate states to protect human rights prior to, during, and informed consent.

In 1962, after gazetting the Kidepo Valley National Park, all indigenous communities, including the Ik, Katebong (Mening), Napore and Nyangia among others, were evicted from the Park which they claim to have been their ancestral homeland. Members of the Northern Karamoja Indigenous Minority Platform indicate that from 1962 when Kidepo Valley was gazetted as a National Park, evicted indigenous minority groups (IMGs) have not accessed their cultural sites in the Park and have not been able to perform important rituals. The platform members further explain that up to today, the IMGs who mainly live in Karenga, Morungole and Kamion, are faced with a host of challenges such as poverty, poor health and assimilation that are linked directly and indirectly to eviction from the Park and to the limited support given to minimise the consequences of the eviction.

Further research by CCFU indicate that displacements induced by the conservation agenda compromise two processes (Cernea 2005b) (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 (Horowitz 1998).



In February 2008, UWA and the Uganda People's Defense Forces evicted more than 4,000 people from the Benet and Ndorobo communities living in Mount Elgon National Park in East Uganda (C. Lang, 2008).



2.2 Evolution of conservation approaches in Uganda

It is important to note that with increased recognition that the exclusion of indigenous communities from the safeguarding of Protected Areas can undermine the conservation of wildlife in National Parks by creating or fueling conflicts between local

⁹ The UN Guidelines on Forced Evictions

communities and park managers, conservation organisations such as UWA have had to progressively review their conservation policies and approaches.

Research conducted by CCFU in 2017 in Semuliki National Park on the eviction of the Batwa indicated that 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 wild- life conservation (CCFU, 2017).

To provide a framework through which conservation policies could embrace local communities in the conservation of wildlife species, Fauna & Flora International (FFI) in Uganda developed an innovative conservation initiative aimed at integrating cultural values into the management of National Parks, focusing on the Rwenzori Mountains and Lake Mburo National Park. The introduction of community approaches to the conservation of wildlife was motivated by the failure of the Western models (which prioritized nature over humans) of conservation. Arthur Mugisha and Mark Infield (2013) argue that managing Protected Areas while taking into account local cultural values builds local interest and support. As a result, Fauna and Flora International (FFI) in partnership with UWA developed the Culture, Values and Conservation Project to integrate the cultural values of local communities into the management of both Rwenzori and L. Mbuuro National Parks.

Despite the fact that many local communities near Protected Areas are still barred from accessing their precious cultural resources or sites, the Uganda Wildlife Authority in some cases has allowed controlled access to cultural sites located within National Parks and *Promoting the Cultural Rights of Indigenous Minority Groups in Northern Karamoja, 2019- a call for action by the Northern Karamoja IMG Platform* Wildlife Reserves to Indigenous Minority Groups such as the Bamba and Babwisi in Rwenzori region, the Batwa in Semuliki and the Benet on the Mount Elgon (CCFU, 2016)

To mitigate risks associated with allowing access to resources in Protected Areas, UWA through its Community Conservation Policy (CCP) proposes to strengthen the participation of local communities and other stakeholders in the planning and management of wildlife resources and mainstream gender into community conservation programmes, recognise and respect the rights and interests of indigenous communities



Promoting the Cultural Rights of Indigenous Minority Groups in Northern Karamoja, 2019- a call for action by the Northern Karamoja IMG Platform



2.3 Cultural Rights in a Ugandan Context

Cultural rights protect the rights of each person, individually and in community with others, as well as groups of people, to develop, express and enjoy their humanity, their world view and the meanings they give to their existence and their development through *inter alia*, values, beliefs, convictions, languages and knowledge.

As noted under section 2.3 cultural rights are recognised in different human rights instruments at both national and international levels. For instance, the Universal Declaration of Human Rights (UDHR) avers in Article 27 (1): “Everyone has the right freely to participate in the cultural life of the community.” Similarly, the International Covenant on Civil and Political Rights (ICCPR) provides for the right of minorities “to enjoy their own culture, to profess and practice their own religion, or to use their own language.” Uganda has ratified all these instruments. Article 15 of the International Covenant on Social Economic and Cultural Rights further underscores the importance of cultural rights, thus “everyone has the right to take part in cultural life...”. At the national level, Article 37 of the 1995 Constitution of Uganda avers that “every person has a right as applicable to belong to, enjoy, practice, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others”

Despite the existence of all these legal instruments that provide for the recognition of cultural rights, they have largely remained unapplied. These legal instruments are also rarely applied. In practice, cultural rights are rarely on the national agenda. Although the 1995 Constitution provides for people’s rights to practice their cultures, the implementation of activities necessary to recognise, protect and promote the cultural rights of all of Uganda’s 65 officially recognised ethnic communities equally is rarely seen. Cultural rights are not often mentioned as an issue to address in Uganda, and rarely do we hear IMGs speak out about their cultural rights despite all the wealth represented by their cultural diversity.

The limited appreciation of cultural rights in Uganda can partly be attributed to the challenges associated with managing cultural diversity or cultural pluralism and deep seated cultural biases and stereotypes, especially towards minority groups. Cultural biases usually manifest themselves in public spaces such as school environments, Churches, hospitals, local governments and our cultural institutions. Particularly, IMGs have been stereotyped as being backward especially given that most of them live in the remotest areas. This has had far-reaching implications on their self-esteem and confidence to express their cultural identities or speak out in public spaces.

With the recent interventions especially by the Cross-Cultural Foundation of Uganda (CCFU) through its networks and the Universal Periodic Review (UPR) for human rights, the relevance of cultural rights in sustainable development has been highlighted. There is now a gradual realisation that, in many ways, cultural rights are pivotal to the recognition and Uganda Wildlife Authority community conservation policy, 2020 respect of human dignity that lies at the very core of all human rights. Encompassing important freedoms relating to matters of identity, cultural rights protect the development and expression of individual and collective world visions.

Although the 1995 Constitution provides for people's rights to practice their cultures, the implementation of activities necessary to recognise, protect and promote the cultural rights of all of Uganda's 65 officially recognised ethnic communities equally is rarely seen.

2.4 Cultural rights of IMGs at stake due to evictions from Protected Areas

One important question that should be raised here is, what happens to the cultural rights and resources of the indigenous communities after they are evicted from their ancestral homes?

Members of the Northern Karamoja Platform for IMGs note that "Our cultural sites are unifying factors for the different clans and ethnic groups, because they are important spaces for worship, appealing for rainfall in case of prolonged droughts, peace making and learning. The forced eviction of IMGs from the Kidepo Valley National Park (KVNP) in 1962 resulted in our alienation from our ancestral land, loss of identity, dignity and a sense of belonging. It also resulted in the loss of knowledge and skills associated with cultural ways of life, and the disruption of our social organisation and cohesion. After the eviction, it became illegal to access our cultural heritage sites and other sources of livelihood" (Northern Karamoja IMG platform, 2019).

CCFU's previous research on the eviction of the Batwa from the Semuliki National Park indicates that prior to eviction from the forest, the Batwa used traditional

knowledge and skills to survive. They used fruits, vegetables and medicinal plants, 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 research further indicated that the Batwa were 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 their cultural resources in the Park. The research also indicated that 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 (which is also being adulterated). Only a few adult Batwa speak Kuswa, as the majority of the younger generation speak Kwamba, Lukhonzu or Lubwisi, which are commonly used in public spaces and schools.

Currently, the Benet cultural heritage is under threat as community members do not adequately enjoy their cultural rights with respect to cultural practices, ceremonies, and access to traditional food and medicine. Traditionally, the Benet practiced circumcision of both boys and girls. Today, unlike the boys, girl circumcision has been banned as it is considered illegal in Uganda. In the past marriage was discussed and determined by parents and elders, but this is not the case today. Communal work, rituals, and spiritual and cultural ceremonies (e.g., for twins) which were performed in the past in forest spaces are dying. Other forms of cultural identity included removing the lower tooth (in the event of illness a patient was fed through the gap), production and use of traditional medicine are also rarely practiced as a result of limited or the lack of access to cultural spaces in the Mt. Elgon National Park. The practice of burying, excavating and relocation of remains of elders to the Moorlands (the Benet ancestral grounds) has been restricted by lack of access to the Park.

Following the demarcation of large portions of Ik land for Kidepo Valley National Park and Timu Forest Reserve, several cultural sites, shrines and resources that the Ik community attached value to, including sacred places of worship, historical sites, sacred rivers and streams for ritual cleansing, sources of medicinal herbs and honey became inaccessible to the community members. As a result, the Ik are largely no longer in a position to access, express and fulfill their spiritual and nutritional needs. Their annual ritual ceremony known as itoweets is now being celebrated in different places which waters down its sacredness and authenticity.

Chapter Three

3.0 Methodology

The study employed a qualitative approach, which was also participatory in nature to enable respondents to co-facilitate the data collection process. The study was conducted mainly in three regions of Uganda, Western Uganda (Bundibugyo and Kasese) South-western Uganda (Kanungu, Kisoro Kabale and Rubanda) and North and Eastern Uganda (Mbale, Kapchorwa, Kween, Kaabong and Karenga). The choice of the regions and districts was influenced by the location of key stakeholders and Protected Areas.

Data were collected from both primary and secondary sources, at the desk and through community interactions to collect various narratives on the subject. Respondents included IMGs, NGOs representatives, Local Government Officers, UWA and NFA representatives.

Purposive sampling and snowballing techniques were used to identify individuals with in-depth knowledge of the subject, especially for key informant interviews. Some categories of participants were separately interfaced within Focus Group Discussions (FGD) to allow a free flow of information, where restrictive norms were employed. Necessary ethical considerations and sensitivities were taken into account.

Research questions to guide data collection were developed and administered to IMG representatives and relevant government Ministries, Departments and Agencies including Local Governments. Representatives of relevant NGOs were also interviewed. Key Informant Interviews and Focus Group Discussions were conducted in Kanungu, Kisoro, Rubanda, Mbale, Kapchorwa, Kween, Kaabong and Karenga.

In some instances, researchers used observation as a method of data collection, especially where visits were conducted to Protected Areas. This supported the verification of information and identification of gaps in the data provided by representatives of the Protected Areas.

The research was constrained by a few challenges which include a general lack of confidence by IMGs in the outcome or impact of the research; conflicting reports on whether or not IMGs are allowed to access Protected Areas (a case in point was MENP); and language barrier. IMGs were assured that this is an action oriented research in which case, recommendations will be shared with responsible agencies for action. The language barrier was addressed by employing translators wherever it was necessary. Another challenge encountered was the growing expectations community members have, especially when NGOs come to them. Financial gain was quite significantly a motivation for participation in the interviews, yet all that CCFU had available was a modest transport refund and/or lunch.

Chapter Four

4.0 Research Findings



Muguso Cave, the former ancestral home of the Benet community in Eastern Uganda

4.1 Eviction of the IMGs from their ancestral land – How it happened

In this section, the views and opinions of IMG representatives, staff of the Uganda Wildlife Authority, and Local government authorities are captured and explained. The views mainly focus on the history of eviction of IMGs right from the time Uganda started embracing Western notions and approaches to the conservation of wildlife.



A mutwa woman and her child from collecting firewood. Photo by Pearl Rhyme

Experiences of the Batwa in Kabale, Kanungu and Kisoro

According to Mr. Stephen Turyamureeba, (responsible for culture), Kanungu district, in the 1930s the boundaries between Uganda and the Democratic Republic of Congo (DRC) were marked by both the British and French colonialists. Most of the Batwa in Kanungu had migrated from DRC and those in Kabale and Kisoro migrated from Rwanda where three ethnic groups exist (existed) that is, the Tutsi, Hutu and Twa. Although the Batwa were not many in Rwanda, they were leaders and occupied several important posts in the army because of their skills in traditional weaponry. Due to tribal wars that arose in Rwanda in the 1930s, the Batwa migrated to Uganda

and settled in Bwindi Forest (southern part), Echuya Forest and Mgahinga Forest and fed on honey, wild meat, roots and fruits.

Stephen Turyamureeba stresses that the colonial administration in Kigezi relocated the Bakiga and Bafumbira from the overpopulated areas of Kabale and Kisoro to the areas of Kanungu which were still largely forested. The Bakiga and Bafumbira introduced modern administration structures and divided the land among themselves which left the Batwa, Banyabatumbi and Bahunde¹⁰ who were the original inhabitants of the area without land. As a result, the Batwa who were less “developed” and confrontational than the Banyabatumbi and Bahunde sought refuge in the nearby forest of Bwindi.

According to available literature, Bwindi Impenetrable Forest National Park (BINP) was gazetted as a National Park in 1991 following various protection statuses as a forest reserve and animal sanctuary. This was when the Batwa and other indigenous communities were restricted from accessing the forest. It was later in 1994 enlisted as a World Heritage Site Banyabatumbi and Bahunde are small communities found

¹⁰ Banyabatumbi and Bahunde are small communities found in south-western Uganda. They are however, being assimilated by Bakiga

in south-western Uganda. They are however, being assimilated by Bakiga (UWA, 2002). Herbert Banoba (a Munyabutumbi elder in Kanungu), claims that the history of the Batwa has been largely misrepresented. Banoba argues that the Batwa were never evicted from the forest because they were never forest dwellers. Mr. Banoba agrees with Mr. Baryamureeba that the Batwa were never forest dwellers but used to go to the forest to collect honey, wild fruits and meat which they used to sell to other communities or exchange for food items and clothes. He, however, acknowledges that the pre-independence wars in Rwanda among the Tutsi, Hutu and Batwa forced the Batwa to retreat to the forests. Herbert Turahabwa (in charge of Echuya Forest) holds a different opinion. He argues that before the 1990s, the Batwa lived in the Echuya forest. They worshipped and made sacrifices to their gods, especially after a successful hunting spree. Mr. George Wilson Mpagazihe (one of the Batwa elders in Kisoro contends that the Batwa were dwellers in the Mgahinga Forest before the 1990s. He argues that many members of the Batwa community used to reside in a cave called Ngarama in the Mgahinga Forest. Ngarama cave acted as a sanctuary for the Batwa from DRC, Rwanda and Uganda. After the eviction, Mpagazihe says that all the Batwa dispersed in different directions. Ms. Tumwebaze Aureya, the Assistant Community Warden for Mgahinga National Park seems to agree with Mr. Banoba and Baryamureeba.

Mpagazihe further says that after the eviction in the 1990s, the Batwa were never compensated for their land due to a lack of clear land ownership. According to Turahabwa, there was no policy to guide the eviction exercise and until now, there are no government efforts to resettle the Batwa. In Echuya's Collaborative Forest Management (CFM), the Batwa have been left out despite the fact many of their caves such as Matakara, Kushorelo, Nyarugaragara, Kaholero, etc. are found in the forest, yet other groups such as the Bafumbira have been co-opted in management structures. According to Banoba, the Batwa are people with rich information about forests and wildlife. Because of their innovativeness, the Batwa invented tools for hunting.

Experiences from the Mosopisyek (Benet) of Mountain Elgon



Benet Women use materials from Mt. Elgon National (in the background) to produce baskets

The Mosopisyek, commonly known as Benet and otherwise known as the Ndorobo, Ogiek or Mosop are the indigenous people who have lived on the slopes of Mt. Elgon since time immemorial. Before their resettlement in the lowlands in 1983, the Sebei people referred to the Benet as Mosopisyek or those who belong to high altitudes. Members of the Benet Lobby Group argue that their proper name is not 'Benet' because this is just a place where they come from. As a people, they are called Mosopisyek and are divided into 3 groups Yatui found in the eastern part

of the forest, Kwoti who are found in the western part of the forest, and Piswa who are found in the central part of the forest. The representatives of BLG interviewed during this research revealed that the use of the word “Benet” started in 1983 when the Benetland was being parceled out and many people started claiming to have originated from Benetland as a way to access land.

Before 1983 the Benet were spread over the upper part of Mt Elgon, however, during that year the state partly resettled the Benet from the forest to a low land and new area without consulting them. Mr. Isaac Masaba however, revealed that the then Forest Officer advocated for the relocation of the Benet to low lands so that they could access basic services such as education and health just like other communities. He further revealed that at the same time, the Sabawuti people of Kenya were being evicted for the same reasons. The Benet people were moved to a small area between River Kere and River Kaptakwoi, in the two districts of Kween and Kapchorwa. Some members of the Benet community remained in Kapsekek in Bukwo district.

Since 2002 the majority of the Benet have been resettled on 6,000 hectares allocated by the state, but some of them still have not been resettled to date. In 1993, the forest reserve became a National Park which further limited access to resources in the Park by the surrounding communities. At the time of the first displacement, the Benet were very few in number and therefore easier to relocate.

As a result of the displacement, increased population and the recently acquired occupation of pastoralism and agriculture, Benet’s culture is slowly evolving or dying. Informal education for the young Benet and the use of Kumosop, the Benet language, have significantly reduced. Other factors that have influenced the Benet culture are education and religion, especially the influence of churches. Before displacement, the Benet were residing in 4 zones and were integrated in clans (33) but now they are spread widely.

According to Mr. Chepsikor Dison Juma, the Principle CDO Kween District, the Ogiek (section of the Benet) claim to be the indigenous group of the Benet. Dison agrees with members of the Benet community that being referred to as the Mosopisyek is more identical to the Benet than Ndorobo which is derogatory- denoting people who are primitive. Dison stresses that the Benet still believe in the use of traditional medicines to treat different diseases and for facilitating child delivery. Unfortunately, due to limited access to the Park, they can hardly access their important herbs.

At Kween District, the Benet feel excluded from the administration despite efforts by the Local Government to facilitate engagements and dialogue between the Benet and UWA.

To improve the relationship between UWA and the Benet community, Dison suggests that an open dialogue between UWA and the community should be conducted and review the park boundaries to allow the Benet access to certain cultural resources.

Experiences from the Katibong, Napore and Nyangia in Karenga district



One of the villages adjacent to Kidepo Valley National Park

The IMGs in Karenga used to live a nomadic life before the Park was gazetted in the late 1950s. The Indigenous communities were forcefully removed from their ancestral area (now the Park) by the British Government to create a game reserve and a hunting zone for colonial government officers under a legal notice to create a controlled hunting area.

During an interview with Mr. Peter Longole (former Warden KVNP for 26 years and a member of the Napore community), the IMGs were violently evicted from their land in 1957 in preparation for the Kidepo Valley to be gazetted a Game Reserve in 1958. Some of the groups were forced to cross Opotpot River which up to now still marks the boundary of the Park. Other groups which protested eviction were forced to cross to Sudan. Longole further says that the second eviction took place in 1966 when the management of the Park was annexing community land to the Park under the 1966 Statutory Instrument to increase the Parkland. The instrument affected all IMGs around the Park including the Ik who had been initially not affected by the 1957 legal notice.

Before the eviction, community members used to co-exist with wildlife and hunting was only carried out for survival purposes. Communities used to respect and protect certain animals as their clan symbols or totems. Longole argues that if an animal ran and entered a cultural site during hunting, it was automatically spared. This is not the case anymore yet this was a conservation mechanism for wild animals.

During an FGD with elders, all clans had their own sites but there was one site where all clans gathered for ritual ceremonies. The elders argued that some of the calamities that have befallen them and are still befalling them could be attributed to the desecration of their shrines in the Park. Social cohesion among the groups and initiation of young people have been affected due to limited access to the relevant sites mainly found in Lonyili mountain ranges. Currently, those who have not been initiated feel shy or guilty to speak or contribute during community meetings.

Experiences from the Basongora and Bagabo in Kasese



The Mark stone that marks the boundary between Queen Elizabeth National Park and the Bagabo community in Kahendero

During interviews with the Basongora elders in Kasese, they mentioned that the violent evictions from the Park left 'wounds' in their lives which take a long time to heal. The elders revealed that in 1906 Kazinga Game Park was created which later became the Queen Elizabeth National Park in 1954. The elders revealed that when their communally owned grazing lands were gazetted by the colonial administration, they were eventually evicted

in 1954. Whereas some of the Basongora remained in the park albeit illegally, according to the elders others moved across the border with their herds into the Virunga National Park in the Democratic Republic of Congo, in search of pasture. In 1962 some Basongora started returning to their original areas only to find that the Tooro Kingdom) Development Company (TDC) which wound up in 1970, had leased some of their lands to Mubuku Irrigation Scheme. The elders further explained that in the 1980s, the Basongora made futile efforts to regain their Nyakatonzi pastureland. To advance their claims, they formed the Basongora Natives United Association through which they started applying to lease this land.

Similarly, the elders from the Bagabo community indicated that they lived on the islands of Kabuga, Bwanda, Kasoga, Buhima, and Kankurangam Rwebitoke among others, all found on Lake Bunyampaka (aka Lake George). They were, however, evicted from these islands during the establishment of Queen Elizabeth National Park. According to the elders, this displacement contributed to the loss of their identity, language, customs and their governance systems. They are now being assimilated by different cultures in Kasese, including that of the Bakonzo, Batooro or Banyankore, for the Bagabo in Kasenyi.

4.2 The impact of the eviction and restricted access to cultural resources

This section presents long-term and undesirable impacts on IMGs as a result of their restricted or inability to access and utilise their cultural resources in the Protected Areas. The changes that have happened are related to their cultural identities and expression, ways of worshipping, social life (burials, music, dance, food, marriage), social protection, livelihoods, indigenous knowledge and skills, health and traditional medicine and governance systems.

Cultural Identity and Expression

The research found out that after the eviction, the majority of the members from the IMG communities wish to express their cultural identities in public spaces but they often feel shy to do so due to discrimination and negative cultural biases. Some of the Batwa for instance, do not want to express themselves or their cultural identities while accessing basic services that are being accessed by others. As a result, individuals and NGOs have come in to bridge the gap in service delivery. This has resulted in different groups of the Batwa being 'owned' by different service providers. The Batwa communities of Kanungu, Kabale, Rubanda Kisoro and Bundibugyo districts are currently 'owned' by different organizations that have resettled them.

Owing to evictions and uninvited integration of the indigenous communities, differences in the dialects spoken by the different Batwa groups have further exacerbated the situation. The Batwa community members in Kanungu mainly speak Rukiga, a language spoken by their populous Bakiga neighbours. On the other hand, the Batwa groups in Kisoro mainly speak Rufumbira, a language spoken by their populous Bafumbira neighbours. The Batwa in Bundibugyo speak Lubwisi and Kwamba (albeit a few elders can still speak Kuswa). This has contributed to the loss of the indigenous language of the Batwa and they now have to use the languages of their neighbours to express themselves and transmit cultural values and practices to their young people. Relatedly, after the eviction, the Batwa lost another important part of their cultural identity. According to the Batwa elders interviewed during the research, their 'original' names (names they used to have in the forest) have disappeared at the altar of modern religions that the Batwa have embraced. Names such as "Kafumbere Kasore" have been replaced with names like Boniface which the Batwa can hardly pronounce or understand their genealogy.

The Benet are being assimilated by other majority ethnic groups such as the Sabinu. Currently, they are not recognized in the 1995 Constitution of Uganda as an indigenous community despite the fact they lived on the slopes of Mt. Elgon even before colonization. This has affected cultural identity in terms of their language and the capacity to claim to be citizens of Uganda. They have lost their indigenous language (Kumosop) which is rarely used in public spaces. Young people from the

Benet community go to schools where Kupsabiny, the language of the Sabiny is used as a medium of instruction.

The cultures of the Benet are strongly interwoven with the forest which, if not accessed, they are less of a people! During an FGD with the BLG representatives, it was mentioned that the Benet are restricted from accessing their cultural resources especially, those that bring out their identity.

“The Benet were dismantled from their cultures; the people were resettled but their cultures were left behind. They could not transfer the caves and other sites. The Benet have not been able to develop because they seem to be in a foreign land and have lost their original identity as Mosopishiek” one of the Benet community members argued.

Just like the Benet and the Batwa, the IMGs in Karenga have lost their indigenous languages due to assimilation by the dominant Karamojong which they were exposed to after they were evicted from the Kidepo Valley National Park in the 1950s. For instance, among the Nyangia, only 2 people out of 9,000 people can speak the Nyangia language and only 4 elders can express themselves in the Katebong language.

During the interviews with elders in Bundibugyo and Kasese, it was mentioned that the dispersion of IMGs after their eviction from the Semuliki National Park and Queen Elizabeth National Park affected their languages especially, the Kuswa (the language of the Batwa). This has affected the transmission of knowledge and skills in different aspects including indigenous medicines and the treatment of diseases. The Bagabo community in Kasese has been equally affected because its language can hardly be used by the majority of the community members. On the other hand, however, the Bakingwe community in Kasese has completely lost its language.

Similarly, the identity of the Basongora was affected when they were evicted from Queen Elizabeth National Park in the 1950s. During an interview with Mr. Dan Kashagama, the leader of the Basongora, he lamented that the indigenous breeds of the Basongora cows have been lost. Speaking Rusongora is endangered because it is rarely used in public spaces, members of the Basongora community now speak other languages, including Lukhonzu. Kashagama also mentioned that the names of the Basongora have changed. Names such as Kagoro are rarely used.



“The Benet were dismantled from their cultures; the people were resettled but their cultures were left behind. They could not transfer the caves and other sites. The Benet have not been able to develop because they seem to be in a foreign land and have lost their original identity as Mosopishiek



Worshipping

Worshipping/spirituality is a practice that cut across all IMGs and other non IMG communities. The difference is in the way of worshipping and which god or goddess and the reasons for worshipping. IMGs used to have designated places inside the Protected Areas that are known to be specific for worshipping and ritual performances. According to all IMGs interviewed, the eviction and the lack of or limited access to their places of worship is leading to the waning of their ways of worshipping. Calamities such as prolonged droughts, civil unrest, floods and insecurity that have befallen some of the IMG communities are attributed to the lack of ritual performance which will have averted such calamities. Sylvia Kokunda a Mutwa from Kanungu asserts that places of worship are used for blessings and offertory to their gods as a form of appreciating good harvest, overcoming a family challenge or even diseases.

During interviews with the Batwa elders in Kanungu, they mentioned that when they were still in the forest, they used to worship their god known as Nyabingi. Ever since they left the forest, they can only re-enact the interfaces with Nyabingi because the actual interface with (her/him) can only take place in the forest. They further stressed that while in the forest, they used to have a respected leader called Kanyeihamba, who used to act as a go-between the Batwa and their Nyabingi whom they used to offer meat and food if one of the Batwa fell sick or had a successful hunt. A group of Batwa elders in Rwamahano village near Echuya forest claimed that while still in the forest, they used to pray to their ancestors. The places of worship still exist in the forest but the forest managers usually ask for money from the Batwa if they were to be allowed to access these places, especially if they are accompanied by tourists.

During an interview with Dan Kashagama, he mentioned that worshipping and the Bachwezi culture has almost disappeared. Names of Basongora gods/spirits such as Wamala, Ndahura, Kyomya, etc. are rarely used. Access to places of worship such as “Enyindo z’ensi (twin lakes) are not accessible anymore.

During interviews with Bakonzo elders, they mentioned that places such as Katwekaale and Mulyambuli found in the Rwenzori National Park are their worshipping places. They used to sacrifice and ask for blessings for seeds and long life, and to avert disasters and pandemics. Without permission from UWA, such places can hardly be accessed.

“We cannot pray to our real god, we are worshipping the white man’s God, that is why we have calamities befalling us” one elder commented.

Social life

The social life of IMGs has been significantly affected as a result of the eviction from the Protected Areas. The traditional burial practices of the Batwa have been affected after the eviction of the Batwa from the forests such as Semuliki, Echuya and Bwindi. Mr. Richard Munezero, the District Tourism Officer, Kisoro district explains that while in the forest, the Batwa used to bury their departed ones facing up in caves for “further correspondences” and the ‘house’ from which one died was destroyed immediately after the burial. Currently, the Batwa have adopted burial practices from their neighbours and these practices include having permanent graves and organizing funeral services. According to Mr. Nelson Guma (Chief Warden, BINP), the social life of the Batwa has been ‘transformed’ by intermarriages. Mr. Munezero Richard, the Kisoro District Tourism officer, agrees with Mr. Guma when he says that the traditional marriage practices of the Batwa have been affected negatively. For instance, a special bird called entashi, that the Batwa men used to hunt and deliver to their in-laws as dowry is only found in the forest which is not accessible to them anymore. Some Batwa members have tasted modern types of beer and can hardly go back to their traditional beer.

According to Mr. Banoba, after the eviction, the Batwa joined other communities such as the Bakiga and Bafumbira but have never been at the same level of ‘development’. ‘The Batwa have been left behind by the conventional ‘civilisation’, Banoba added. A group of Batwa elders in Rwamahano village near Echuya forest described their current situation as appalling. After the eviction, the elders mentioned that most of the Batwa members became labourers of the Bakiga who have for long-neglected them in different development interventions. In the past, especially after the eviction, the Batwa used to fear to interact with the Bakiga who also used to despise them the Bakiga used to feed the Batwa workers using banana leaves instead of plates. The Batwa elders, however, mentioned that with continued interactions, the situation has since changed. According to African International Christian Ministry (AICM), some of the Bakiga Christians act as god-parents during the baptism of the Batwa children

during which they are baptized with Christian and Bakiga names. The research further found out that after the eviction, the Batwa lost their traditional music and musical instruments. While in the forest, the Batwa used to make traditional musical instruments and performed different types of music and dance such as Lhuma and Muledu, especially after a successful hunt or after making beer from honey. These days, the Batwa can only perform their traditional music and dances for tourism purposes, using replicas of the instruments.

Similarly, the social life of the Benet community has been severely transformed as a result of their eviction from Mt. Elgon National Park. Members of the community do not enjoy their cultural rights with respect to cultural practices, ceremonies, and access to traditional food and medicines. During an interview with Mr. Isaac Masaba, he explains that the removal of the Benet from the Muguso cave (the Benet ancestral home) changed their dress code and feeding style. They used to prepare and enjoy greens mixed with milk, but they now feed on food items prepared with cooking oil. Their traditional dances have changed just like their language, Kumsop, because it is not commonly used. Their knowledge of traditional medicine has also been affected. The Benet used to make Lakwech, a traditional medicine made out of honey and other herbs to treat several diseases, including impotence among men. According to Mr. Masaba, the ancestors of the Benet used to live in the Muguso cave and during the time of circumcision, young boys used to go to the cave to seek blessings and braveness from their ancestors. This is not the case today, boys are not circumcised in the villages which affects the meaning and values of the practice. The changes in circumcision practices have as well as affected the leadership and governance systems of the Benet. It is difficult these days to establish whether or not a leader was circumcised because in some cases, it is not carried in public. The practice of burial, excavation and relocation of remains of departed elders to the Moorlands (the Benet ancestral grounds) has been restricted by the lack of access to the Park. During an FGD with the Benet elders, it was mentioned that the traditional marriage ceremonies, respect for the twins and child-naming ceremonies have significantly reduced. The Benet used to have a small gourd which is important in child-naming and it can only be found in the forest! The twin's ceremony which is performed by slaughtering a white sheep in the forest is not possible anymore. In case a father of twins died, he used to be buried in a special place inside the forest and people used to go and pray from his burial site and ask for blessings. All this is not possible anymore!

Equally, IMGs such as the Ik, Napore, Katibong and the Nyangia in Karenga and Kaabong have had their social life transformed in different ways. During an FGD with the elders in Karenga, they said that marriage rituals and cultural values have been eroded. Dowry was paid differently cows used to be distributed first to paternal uncles of the wife and sisters to the paternal side and ceremonies took much longer than today! Without access to grazing land, the elders have lost cows and these days young people can hardly find cows to pay for dowry.

Social Protection and Livelihood

The research further found out that after the eviction of the Batwa, the notion of social cohesion which was highly practiced in the forest is now 'raptured'. The Batwa used to live in closely-knit families and communities and they used to care for one another in terms of feeding, and sickness and when one of them died, mourning used to be done collectively. Some of these important values among the Batwa have been affected individualism and competition for resources have infiltrated the Batwa community.

The livelihood aspects of all IMGs were equally affected after the evictions. During the interviews with the Benet elders, they mentioned that indigenous salt licks for their cows is not accessible anymore given that the places where they used to take their cows for salt licks are now inside the park.

The Benet further noted that beekeeping was an important aspect of their life when they were still in the forest. In case one died without cows, honey used to be collected to feed the mourners. The Benet elders argue that the high poverty levels among the Benet are attributed to the lack of access to productive resources in the Park.



Part of Muguso cave where the Benet used to take their cows for lick salt

Although a Memorandum of understanding between the Batwa community in Buhoma and the BINP management was signed, access to traditional medicines is still a challenge. While in the forest, the Batwa used to access herbal medicines such as stomach cleansers. According to the Batwa elders in Kanungu, they now fall sick more frequently than they used to while in the forest. They claim that the injections they are subjected to in hospitals are not effective for

them. Members of the Batwa community in Bundibugyo keep their cultural spaces such as the 'Parliament' and the spaces for dancing and socializing only for tourism purposes. Many of the Batwa cannot feed the way they used to feed when they still had full access to forests. Their diet changed in that today they cannot afford a balanced diet later on, two or three meals a day.



Batwa community in Rukeri village, in Kisoro

The creation of an animal corridor in an area which was a communal land in Karenga affected different development initiatives of the different communities in the district. The corridor used to be a communal land where different clans used to go and communally hunt different types of animals in shifts. With the creation of the Park and the animal corridor, social cohesion within the clans has been severely affected because clan members rarely congregate. Elders further noted that health-wise, they can't access their traditional medicines in the Park yet, at the same time, modern medicines are scarce in the district.

It was noted during the research that across all Protected Areas, UWA allows regulated access to renewable resources such as firewood. For instance, the Benet access the forest Wednesdays and Saturdays. The Benet elders however, mentioned that many times, there are conflicts between UWA and the Benet which sometimes lead to disrespect of bodily integrity of women as a result of rape, defilement and killings by the rangers!

During an interview with Basongora elders, they mentioned that the lack of access to Queen Elizabeth National Park is affecting the cows on which much of their lives depend. They argue there are some types of grass (obusoso) that the cows feed on for better milk production and preservation called kwiitira. There are also herbs for cows, for example, when cows would deliver and reject their calf; they would use omuhoko and use entobo to treat ticks and omwetango for foot and mouth disease.

Indigenous Knowledge and Skills

During the research, it was discovered that several spaces for transmitting indigenous skills and knowledge to young Batwa were lost after the eviction. The Batwa elders in Kanungu and Kisoro explained that most of the spaces such as caves where they used to transmit indigenous knowledge and skills to young people are found or linked to the forest. The skills were related to craft-making, the use of herbs and healing, hunting and leadership. Batwa are known to be very innovative in arts and crafts and weave beautiful baskets, and winnowers, and make musical instruments such as thumb pianos. With limited access to the forest reserves, access to raw materials has become challenging and thus skills transmission in art and craft is rapidly fading away. During an interview with Levi Busingye from the Batwa Development Programme he pointed to the challenge of middlemen who have exploited the Batwa and sold their crafts remitting lesser profits. This has also affected their motivation to produce the crafts. According to Mr. Banobi, a researcher from Kanungu and one who has spent more than a decade researching about the Batwa in South Western Uganda, the Batwa were the first people to construct pyramidal structures using their indigenous cultural “geometrical architecture”. They are said to be the first innovators of ironworks and smelting. Currently, many young Batwa do not want to associate themselves with bark cloth and have lost the skills of making clothes due to the lack of access to the trees in the forest and the stigma associated with bark cloth. The Batwa elders in Rwamahano village near Echuya village argued that fireplaces used to be important for transmitting indigenous Batwa skills to young people. They, however, cannot organise fireplaces for fear of being mistaken as the Interahamwe, a rebel militia group.

The IMG elders in Karenga district are worried that indigenous skills and knowledge have been lost. Iron smelting skills to make tools such as hoes, axes, and knives have been lost due to the lack of access to resource materials in KVNP. Some of the tools were used as part of the dowry especially, the hoes and the spears. In some other cases, they were also used as a medium of exchange.

During interviews with the Bagabo community in Kasese it was noted that they are increasingly losing skills in fishing and cattle grazing due to limited access to lakes and grazing land which is in Queen Elizabeth National Park.

During an interview with Levi Busingye from the Batwa Development Programme he pointed to the challenge of middlemen who have exploited the Batwa and sold their crafts remitting lesser profits.

During an interview with Richard Munezero, the District Tourism Officer for Kisoro, there is a cave in Mgahinga Forest called Garambe which used to act as a residence and court for the Batwa community. The court, according to Mr. Munezero, has 6 chambers/rooms for different purposes including adjudication of disputes or conflicts, providing space for women and girls to dialogue and a chamber for the King. The eviction of the Batwa greatly affected their conflict management mechanisms because they have to seek redress from formal courts or local councils which are sometimes very far and expensive for them.

Among the Benet community, conflicts used to be resolved using traditional mechanisms during which a cow known as sirwoy was slaughtered and used during conflict resolution. The two conflicting parties used to partake in the blood of this type of the cow. The Benet elders interviewed argued that all these types of cows have disappeared because they could graze from the forest environment.

The IMG elders in Karenga claimed that the rampant insecurity and cases of cattle raids can partly be attributed to limited access to cultural sites especially those linked to peace-making. In Lobalangit for instance, there is a site found in Nyagia ranges which used to 'arrest' cattle raiders. If cattle raiders/attackers dared to enter into this site (cave), they could not leave because the spirits will disempower them. A similar cave /site exists in Lonyili mountain ranges called Kayame. The youth used to be trained at these sites to avoid wars with other communities.

In terms of governance, IMG communities had well-organised governance and leadership structures. The traditional homesteads which used to act as administrative and governance spaces were destroyed during the violent evictions, especially in the case of Kidepo National Park. The IMGs lost their indigenous homes which were in the form of caves prominent among them is the Lokajong Cave found in Nakitout Parish. Some communities had initiation rites that bestowed upon leadership positions and earned them respect and good social standing for instance, when they transitioned from a lower age set in the case of the communities in Karenga or ridge in the case of the communities in the Rwenzori to another. These governance and leadership systems have, however, been distorted as a result of the evictions from their ancestral land. During interviews with IMG elders in Karenga, it was mentioned that some of the elders have remained in lower age sets despite being advanced in years because they cannot access the sites to perform the initiation rituals. The lack of transitioning from one age set to another has led to stagnation in the traditional governance structures, and transmission of knowledge, skills and leadership to the younger generation yet the elders are dying off. It has also led to a lack of respect from peers (traditionally, a man who has not been initiated is believed and is referred to as a boy irrespective of age).

In each age set, there used to be specialisation of labour in terms of security, production and leadership. Young people are however, being disconnected from

these roles and responsibilities and other important cultural aspects such as the naming system based on the initiation ceremony. It was noted that these days people die while still “young” (even at 80 years) if they have not been initiated. For example, the Nyangia, Katibong and Ngokutio in Karenga district, subscribe to the following hierarchy of leadership and roles.

Age category	Name of the ridge	Role to play
120 and above	Ngitomei (Elephant)	Advisors
116 - 120	Ngikapelinyang (the double-coloured)	Next to advisors
111- 115	Ngikolong (basking under the sun)	Policy implementers
106 - 110	Ngatunyo (Lion, have authority and power to command)	Assistants to policy implementers
101 - 105	Nyirengecha (skin trying to peel off)	Messengers
91 – 95	Nyimongini (bulls, soon to be phased out)	Messengers and help the young leaders
86-90	Ngikamar (now big and respected)	Disciplinarians
81 - 85	Ngichumai (Colombas Monkey)	Mobilisers
76 - 80	Nyikaleso (ostrich)	Policy makers
61-80	Ngitapyongo, Ngikumai, Ngiremong (guinefowl, tortoise, chasers of bulls)	Senior commanders

During interviews with the Basongora elders in Kasese, it was mentioned that their eviction from Queen Elizabeth National Park marked the beginning of their conflicts with their neighbours especially, the Bakonzo. The elders also argued that the present day Mweya safari lodge was constructed at the site where the Basongora King’s palace used to be located between 1840 and 1850. The last king of the Basongora was evicted in 1875.

It was noted during the research that some of the cultural sites were relocated from the protected areas. The elders, however, argue that this has contributed to the disintegration of some cultural practices and escalated land wrangles, especially in places where the sites have been relocated. Secondly, they argue that a relocated cultural site loses its original meaning and values – because values are context-specific and cannot be transferred. The elders further argue that the rituals they used to perform were instruments in mitigating wildfires in the park. They further argue that the values and meaning of the sites that remained in Kidepo park for instance, have been ‘reconstructed’ because they are now presented as tourist attractions

“ During interviews with the Basongora elders in Kasese, it was mentioned that their eviction from Queen Elizabeth National Park marked the beginning of their conflicts with their neighbours especially, the Bakonzo. ”

4.3 Existing efforts to promote the cultural rights of IMGs near Protected Areas.

There are several organisations, individuals and government agencies that are providing support to the Batwa communities in Kanungu, Kisoro and Rubanda districts. In the Elgon and Karamoja regions, there are agencies that support the Benet and the Ik, Napore, Nyangia and Ngokutio respectively.

During key informant interviews with Levi Busingye and Kokunda Sylvia from the Batwa Development Programme (BDP) in Kanungu, it was mentioned that there are 6 programmes for the Batwa focusing on education, healthcare, home-building, agriculture and cultural heritage preservation¹¹. Cultural heritage preservation is mainly promoted along the Batwa Cultural Experience trail along which different cultural aspects such as traditional houses, food, games and music, etc. of the Batwa are preserved and demonstrated. The trail is within 100 acres of forested land close to the Bwindi Forest. Batwa children are usually collected from the settlements and taken to the mountain/trail where the elders transmit important values, skills and practices to them by re-enacting and recreating cultural practices, rituals and skills. The big challenge with this method of cultural preservation, however, is that after the young Batwa have returned to their settlement, they do not live and practice their cultures.

The United Organisation for Batwa Development in Uganda (UOBDU), a local NGO based in Kisoro supports the development of the Batwa through education, livelihood and advocacy for land rights.

During an interview with the Kisoro District Tourism Officer, it was mentioned that the district has been involved in the resettlement, education and health interventions for the Batwa in several settlements.

The African International Christian Ministry (AICM) has been supporting the Batwa in Rubanda district mainly with education, health, shelter and water. AICM has also been supporting the Batwa to promote their cultures through music, dance and drama during church services. AICM has empowered the Batwa to contest for political positions and to advocate for land rights. Skills development in carpentry, tailoring and joinery are the other areas in which AICM has supported the Batwa.

¹¹ KII with Dan Kashagama, the leader of the Basongora in Kasese

The Uganda Wildlife Authority has established tourism initiatives that bring the Batwa on board to showcase or express their cultures, especially along the trails. The Batwa trail in Mgahinga is the perfect example. UWA gives them security during the tour of the trail with tourists and trains them in financial management and marketing. Along the trail, the Batwa are able to express and enjoy their cultural identities.

The Warden Community Conservation, KVNP, asserts that the Park does not necessarily deny IMGs access to cultural resources located in the Park, they are only conscious not to sign agreements with the local communities, allowing access to the site especially if there is a possibility of conflict that might endanger wildlife. According to the warden, the cultural sites that are located in PAs are well protected. She further argues that the Park was demarcated into different zones - there are access zones and restricted access zones where they only allow the use of resources and do not remove anything. The management of the Park has agreed to constitute a team with representatives from both IMG communities and UWA to visit the different cultural resources in the Park. The distance between the community and the location of the site is key far off places are sometimes complicated because UWA can't provide sufficient security all the time. She further said that there are plans to establish a cultural centre/cultural village for the 4 IMGs at the gate of the Park.

Relatedly, Mr. Masaba, the PRO at the Mt. Elgon National Park, members of the Benet community are given opportunities to access their key cultural sites located inside the Park. This is guided by UWA's resource access policy through which communities around National Parks are guided on how to access resources in the National Parks and Wildlife Reserves. He further stressed that UWA allows regulated access to the resources in the Mt. Elgon National Park to all the neighbouring communities but special attention is given to the Benet. Mr. Masaba expressed concern that Benet's issues have been politicised! Some politicians have made it a practice to use the Benet issues as a political tool.

In the Rwenzori region, several communities are allowed regulated access to their cultural resources in the Protected Areas. The Batwa in Bundibugyo for instance, are allowed to access the cultural resources that are inside Semuliki National Park on a daily basis. The park authorities in collaboration with the Batwa community established a Batwa cultural heritage trail along which unique cultural resources such as herbs, burial sites, spaces for social governance and conflict management of the Batwa are showcased.

The Bwindi Mgahinga Conservation Trust (BMCT) has been working with and supporting the Batwa in Kanungu, Kabale and Kisoro with different interventions including community development projects and grants for research and education. Between 2015 and 2017, the Trust implemented a Health Education Agriculture Livelihood and Land Rights (HEAL) project under a sub-grant from CARE International. The major aim of HEAL was the livelihood improvement of the poor and marginalized Batwa women and girls (aged 10-14 years) through socio-economic empowerment.

Similarly, Minority Rights Group International (MRGI) was noted as one of the organisations that have supported indigenous communities in Uganda. MRGI has supported the Batwa and Benet communities to advocate for access to education and land.

Chapter Five

5.0 Conclusions and Recommendations

This section presents conclusions and recommendations on what needs to be done by various stakeholders to improve access to the cultural rights of IMGs around the protected areas. While some of the recommendations were made by the IMGs themselves others were made by local government and civil society representatives who were interviewed during the research.

5.1 Conclusions

Overall, the research uncovers significant gaps in the realisation of the cultural rights of Ugandans especially IMGs who used to reside in or adjacent to the Protected Areas. This research revealed that many Ugandans especially, the indigenous minority groups rarely enjoy their cultural rights with respect to cultural practices, ceremonies, language and access to traditional food and medicines. The research further revealed that despite the efforts by the government agencies such as UWA and NFA to provide IMGs with regulated access to cultural resources in the Protected Areas, sometimes this has not contributed significantly to the realisation of their cultural rights given that some rituals and ceremonies are performed in privacy or by only those who are anointed which is not possible if communities are supposed to be accompanied by rangers whenever they are going to the forests or visiting their sites.

The other interesting finding was that most of the IMGs that were involved in this research are on the verge of losing their indigenous languages, yet this is an important source of identity. Many of the IMG languages are not used in schools or other public spaces such as churches or public events. The languages have not been documented and lack recognised orthographies.

The other important discovery during the research was that, not all IMGs were evicted from the Protected Areas. In Kanungu, there are several arguments that the Batwa were never evicted from the forest because they never used to reside in the forest but used to go to the forest from time to time to collect honey, wild fruits and meat which they used to sell to other communities or exchange for food items and clothes. It was further mentioned that the management of BINP with the Batwa conducted a mapping exercise for the Batwa settlement in the forest and it was not possible to locate the settlements. The situation is, however, different in the case of the Batwa communities in Echuya and Mgahinga forests. The situation was also different with the Benet in Elgon, and the Katibong, Ik, Napore and Nyangia in northern Karamoja who were violently evicted from Mt. Elgon National Park and Kidepo Valley National Park respectively.

It can further be concluded that the limited appreciation of the cultural rights of IMGs can be attributed to the challenges associated with managing cultural diversity or cultural pluralism and deep-seated cultural biases and stereotypes, especially towards ethnic minority groups which have been stereotyped as being backward especially given that most of them live in the remotest areas. This, coupled with limited representation at different levels of local leadership has had far-reaching implications on their self-esteem and confidence to express their cultural identities in public spaces.

5.2 Recommendations

Access to cultural resources: Elders in the 3 locations suggested that government agencies such as UWA and NFA should allow IMGs to access their cultural sites and other renewable natural resources such as honey and herbs and allow them to participate in activities that promote the protection of their cultural sites through annual ceremonies. UWA should increase the number of days (to at least to 3 days a week) for regulated access to sites of cultural and historical. This will increase opportunities for them to practice, express and enjoy their cultural rights.

Recognition and respect for cultural identity: Several calls were re-echoed to have all IMGs in Uganda especially the Benet, the Bagabo and others to be recognized and included in the Fourth Schedule of the national Constitution as indigenous communities of Uganda. There is also a need to correct and reflect the true names of the IMGs in the Constitution and the communities where they live. For example, the Mosopishyek instead of Benet, the Paluo and not Chope, the Ngokitio not Ngakutio, the Katibong and not Mening etc.

Indigenous languages: The Ministry of Education should support the development of orthographies for the indigenous languages and promote their inclusion in school curriculum to the extent possible especially, in schools where IMGs reside. Similarly, the documentation of the oral histories of IMGs especially those that are at risk of extinction should be supported by the government and other civil society organisations. This will ensure the availability of literature that can be used by learners in schools.

Allocate land to IMGs: For instance, the Batwa elders in Buhoma, Kanungu district and in Gitenderi Parish in Kisoro district want the government of Uganda through its relevant agencies to allocate them land so that they can recreate spaces where they can transmit important traditional cultural values to their young ones. The Batwa can use the land to propagate their traditional medicines. The Napore in Karenga want the government to give them back their land which is now treated as the animal corridor. The Benet is Kapchorwa also request to officially degazette the land that is already under the occupation of the Benet communities.

Representation: Given that the limited representation of IMGs at all leadership levels is affecting their ability to speak out on a number of cultural rights concerns. Affirmative action should be put in place to ensure that IMGs are represented and included in the leadership structures of relevant institutions. For instance, they should be represented on Wildlife Park Management Committees. UWA for instance should integrate the indigenous knowledge or science systems of the Benet and the Batwa in the management of the Mt. Elgon National Park and Bwindi Impenetrable National Park. They further request for a separate Member of Parliament to represent the concerns of all IMGs in Uganda.

Worshipping: Foreign religious institutions should embrace/understand/respect the IMGs and their cultural heritage as opposed to deconstructing it to enable them to confidently fit into the Christian communities. For instance, the Batwa should be left to use their traditional names in churches and during baptism. Languages of the IMGs should also be used in churches through songs.

Dialogue: Agencies responsible for the conservation of Protected Areas should always reach out to dialogue with the IMGs to assess the extent of damage to cultural heritage, collectively develop strategies for conflict management and sign MoUs to allow IMGs to access their cultural sites.

Networking and collaboration among stakeholders: IMGs recommended that there is a need to establish a network of all NGOs working supporting the IMGs, especially those close to Protected areas to agree on the common interventions that promote the dignity and cultural rights of IMGs.

References

Lang. C. (2008). Uganda: Thousands of Indigenous People Evicted from FSC-certified Mount Elgon National Park

Mugisha. A. & Infield. M. (2013). The Role of Cultural Values in Management and Conservation of Rwenzori and Lake Mburo National Parks in Uganda.

Mukasa, N. (2014). The Batwa Indigenous People of Uganda and Their Traditional Forest Land: Eviction, Non-Collaboration and Unfulfilled Needs.

The Cross-Cultural Foundation of Uganda (2015). The Cultural Rights of Ethnic Minorities in Uganda – A call for action CCFU, 2019. Promoting the Cultural Rights of Indigenous Minority Groups in Northern Karamoja

The Cross-Cultural Foundation of Uganda (2017). In the name of conservation. The eviction of the Batwa from Semuliki Forest, Bundibugyo

The Cross-Cultural Foundation of Uganda (2017). Understanding Cultural Rights in Uganda, an important but neglected dimension of human rights

The Cross-Cultural Foundation of Uganda (2018). Support the Cultural Rights of the indigenous minority groups in the Ruwenzori Sub-Region - A Policy Brief

The Cross-Cultural Foundation of Uganda (2018). The situation and demands of the Batwa Community in Bundibugyo - A call to action.

The Cross-Cultural Foundation of Uganda (2018). Working with Batwa communities in South Western Uganda: Examples of best practices and lessons learned.

The Cross-Cultural Foundation of Uganda (2019). Promoting the Cultural Rights of Indigenous Minority Groups in Northern Karamoja, a call for action by the Northern Karamoja IMG Platform.

United Nations (1948). The Universal Declaration of Human Rights

United Nations (1967). The International Covenant on Economic, Social and Cultural Rights

United Nations (2007). The United Nations Declaration on the Rights of Indigenous Peoples.

United Nations (2015). The United Nations Guidelines on Forced Evictions

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

Zaninka, P. (2001). The Impact of (Forest) Nature Conservation on Indigenous Peoples: the Batwa of South-western Uganda: A Case Study of the Mgahinga and Bwindi Impenetrable Forest Conservation Trust. Forest Peoples Programme, 165-194.

Websites visited

<https://www.ugandawildlife.org>

<https://minorityrights.org/>

<https://www.nationalgeographic.com/travel/national-parks/article/worlds-first-protected-lands-conservation-yellowstone>

<https://www.theguardian.com/environment/2003/sep/18/guardiananalysispage.con-servationandendangeredspecies> <https://www.theguardian.com/environment/2003/sep/18/guardiananalysispage.con-servationandendangeredspecies>

<https://www.ugandawildlife.org/explore-our-parks/parks-by-name-a-z/mgahinga-gorilla-national-park>

<https://www.safarisrwandasafari.com/information/semuliki-national-park>

<https://www.ugandawildlife.org/explore-our-parks/parks-by-name-a-z/kidepo-valley-national-park>



Adjacent to Uganda's Protected Areas, National Parks and Forest Reserves, there are communities whose rights especially, cultural rights have been in several ways affected. Indigenous Ethnic Minority Groups (IMGs) have been particularly affected because they have been disconnected from their cultural resources (shrines, herbs, fruits, or sites). This has contributed to the loss of their cultural identity, self-esteem and confidence especially in public spaces.

This publication is part of CCFU's long-term agenda to promote the cultural rights of Ugandans especially, IMGs by bringing them together through regional platforms to advocate for the realisation of their cultural rights with duty-bearers, document and publicise their oral histories and showcase their unique cultural resources through museum exhibitions.

The publication highlights the situation of the cultural rights of IMGs especially, in the aftermath of their eviction from their ancestral homes. It is expected that state and non-state actors will find the publication useful and respond to the cultural rights concerns raised by the IMGs.

The Foundation gratefully acknowledges the cooperation of IMG communities in Kanungu, Kisoro, Kabale and Rubanda, Kween, Kaabong, Kasese and Karenga districts for their invaluable contributions during the research. The Foundation further appreciates the support from UWA and NFA especially the Managers of Bwindi Impenetrable National Park, Echuya Forest, Mt. Elgon National Park, Semuliki National Park and Kidepo Valley National Park. The Foundation further appreciates Bread for the World for the financial support that made the production of this research and its attendant film documentary possible.