

Case study 1

Rwanda

The situation of the Batwa forest dwellers and conservation of the Volcanoes National Park and Nyungwe Natural Forest

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1 Introduction

Rwanda is a small country in the heart of Africa. It has an area of 26,338 km². It is bordered in the north by Uganda, to the east by Tanzania, to the south by Burundi and to the west by the Democratic Republic of Congo. Rwanda has eight million people, and a population density of 303 people per km². The great majority of the population, i.e. 95%, make a living from agriculture. The 1994 war indiscriminately annihilated over one million innocent people from all three of the country's ethnic groups. This bloody situation affected the Batwa,¹ a Pygmy people, who were already in a minority. Before the 1970s, this minority population lived mainly from hunting and gathering.

As far as current policy is concerned, all three sectors of society before belonging to an ethnic group are first and foremost Rwandans. However, the indigenous Rwandan Batwa, who used to live off the forest, have been refused access to this natural terrain, which was the fundamental source of their food supply. They have therefore opted for other fields of work, such as pottery, agriculture and raising livestock.

The Batwa to be found in the west and south-west of the country, namely the provinces of Kibuye, Gisenyi, Ruhengeri, Cyangugu and Gikongoro, are recognised by their neighbours as being the descendents of the first inhabitants of the region, but they are still marginalised. The case presented here is that of the Batwa who used to live by hunting and gathering in the Volcanoes National Park (Ruhengeri-Gisenyi) and in the Nyungwe Natural Forest.

2 Methods and approach

This study addresses the socio-economic situation of Batwa forest dwellers of the Volcanoes National Park and the Nyungwe Natural Forest. It reviews data gathered from a range of sectoral studies, and examines the fundamental activities of the NGOs and other institutions operating in the above zones. At the same time, the study examines the inability of the forest community and the local administration to mitigate the negative effects of the interventions carried out by the conservation NGOs and the ORTPN (*Office rwandais du tourisme et des parcs nationaux*).

The data collected for review was based upon:

- information requested from affected local communities: Batwa forest dwellers, conservation organisations, the public authorities and the ORTPN;
- the immediate importance of the problem needing resolution;
- the relevance to national and international debate on forests and forest peoples.

There is nothing new in wondering what will become of the Batwa forest dwellers who have been driven from their forest. It is therefore a very important issue on the African and international agenda to find out how to achieve environmental and social development for the Batwa forest dwellers from the Volcanoes and Nyungwe.

Ideally, the role of the State is to represent the interests of its citizens. But frequently Batwa forest dwellers have been victims of violations of their land tenure rights, and the Rwandan State has not reacted. We hope that this study will provide an important contribution to the problem of achieving a balance between the interests of the Batwa and those of environmental NGOs.

3 Background to the Convention on Biological Diversity

The United Nations Environment Programme (UNEP) has initiated ways and means to promote the conservation of biological resources endangered by human activity. To this end, in November 1988, it organised an expert meeting to examine the idea of an international convention on the protection of biological diversity.

In February 1991 this group of so-called 'Special' experts formed an Inter-governmental Negotiating Committee on the protection of existing ecosystems.

On 22 May 1992, a United Nations conference in Nairobi adopted the text of the Convention on Biological Diversity (CBD). This Convention was signed on 5 June 1992 and ratified on 29 December 1993. Rwanda signed the Convention on 10 June 1992 and ratified it on 23 May 1995.

Rwanda, like the other signatories to the Convention, has undertaken to support three principal objectives, namely:

- 1 the conservation of biological diversity;
- 2 the sustainable use of all its components;
- 3 the fair and equitable sharing of the benefits arising out of the utilization of genetic resources [issuing from this biological diversity].

4 The current situation of the Batwa Pygmies from the Volcanoes and Nyungwe regions

The Batwa Pygmies are found in the *préfectures* of Ruhengeri and Gisenyi in which the Volcanoes National Park is situated. Historically, these people have been left to themselves. They have not been able to get access to either primary or secondary schooling. Ninety-nine per cent of the Batwa Pygmy population in the north-west of the country is illiterate. Nor did the war and the genocide of 1994

spare this people who were already in the minority when compared with the other ethnic groups that make up Rwandan society. They were reduced to 600 people, in contrast with the pre-1994 census. Famine and the lack of primary health care means that this group, already marginalised and despised by the two other constituent groups in Rwandan society, are considered to be mentally retarded. This people has no representation within the State system. Driven from their natural environment (the forest), the Batwa have been condemned to poverty, with no formal representation; they have had to settle on the edges of the volcanoes, or even in bordering countries (Uganda and the DRC). Since 1960, when the then authorities confiscated the Volcanoes forest, the Batwa have found themselves without any land.

Even after the war and genocide of 1994, the country's so-called rehabilitation policy encouraged the UNHCR and other NGOs to build houses, but no one thought of the Batwa. These NGOs maintain that the local authorities, who identify the people who ought to benefit from this aid, excluded the Batwa under the pretext that they did not have any problems, and that even if houses were built for them, they would quickly get ruined through lack of maintenance.

Various programmes have been initiated in Rwanda by Rwandans, such as the National Human Rights Commission, the Commission for Unity and National Reconciliation, and others, but they do not recognise that the Batwa have the same rights as other Rwandans!

The Batwa are treated as exceptions, whether for rehabilitation, allocation of land, schooling or employment – even though people are taken on every day in the *préfectures* for jobs that do not necessarily require a secondary education. There is not one Batwa in any of these menial posts in the *préfectures* and districts.

5 The Volcanoes National Park

The park used to extend over an area of 30,000 ha to the south of the Volcanoes Natural Forest. It was created in 1924, but today only covers 12,760 ha. This region is widely known for its mountain gorillas (*Gorilla gorilla beringei*), which are sought after by tourists from around the world.

The park is characterised by a diversity of vegetation, ranging from dense forest to tundra due to the erosion of its terrain. This park incorporates part of the communes of Mutura (Gisenyi), Nkuli, Mukingo, Kinigi, Nkumba and Kidaho (Ruhengeri).

The Volcanoes National Park is home to many plant species. Two hundred and fifty-four are listed, of which 17 are more dominant, and 13 of which are internationally protected.

Furthermore, the park has 115 species of mammal, 187 species of bird, 27 of reptile and amphibian and 33 species of arthropod.

a The issues

Rwanda was one of the first African countries to introduce a policy for the protection of the environment. It was under Albert, King of the Belgians, that the Volcanoes Protected Zone was created, incorporating Rwanda and the Belgian Congo. On 21 April 1925 this zone encompassed three volcanoes: Mikeno, Karisimbi and Bisoke.

In July 1929, the Albert National Park was created which, this time, in addition to combining the Congo and Rwanda, also linked all the volcanic regions known today: Karisimbi, Nyiragongo, Muhabura, Gahinga, Mikeno and Bisoke.

In 1960 the Albert National Park was split in two – one part becoming the Virunga National Park, belonging to the Congo, and the other retained by Rwanda, thereby becoming the Volcanoes National Park.

After creating the Akagera National Park in 1934, the authorities gave their full support to these protected areas by establishing a Belgian Congo centre with responsibility for the parks in the countries colonised by Belgium.

After independence in 1962, the parks were assigned to a unit whose remit included water and forestry under the direct authority of the Ministry of Agriculture and Livestock until 18 June 1973, when the Rwanda Office of Tourism and National Parks (ORTPN) was created, subsequently being legally established by decree on 26 April 1974. The ORTPN's main objectives were to:

- protect natural resources, in particular the animals and ecosystems;
- promote research on the ecosystems;
- prevent destabilisation of the protected zone.

From these objectives, the following measures were put in place in 1974 forbidding the following specific environmentally harmful activities:

- a hunting, fishing, and other forms of animal trapping;
- b tree cutting, stone quarrying and mineral exploitation without authorisation;
- c any activity liable to threaten the animals or ecosystem;
- d introducing new plant or animal species;

and introducing:

- e the follow-up and evaluation of the implementation of the laws that safeguard parks and protected zones, as well as the fight against poaching.

As a result of this strategy by the authorities, the Batwa forest dwellers found themselves without food. The reason being that this Pygmy people lived principally from hunting and gathering. Before the 1994 war and genocide, over 4,500 Batwa lived within the Ruhengeri and Gisenyi *préfectures* in the Volcanoes National Park and Gishwati Natural Forest. Rwandan history does not specify where these people came from, because already in the tenth century they were to be found in the forests living in symbiosis with the biological diversity. According to the Batwa, they used to live on the outskirts of the forests, but would go into the forests to hunt and to set up beehives to produce honey. Trade was based upon barter. They would exchange game for potatoes with Bahutu² and Batutsi peasant farmers.

b Social situation of the Batwa in the volcanoes region

The Ruhengeri and Gisenyi region is very rich, due to the production of potatoes, sorghum, and maize. It has a good climate as there is no drought because of the Volcanoes forest. It is at the foot of the volcanoes that the Batwa live, in groups of five to 30 families, in small straw houses built on tiny plots of land. These slum areas are covered in human waste, as there are no toilets. They do not have plates, or forks or beds; one dwelling of 2 m² or less provides shelter for five to eight people, the majority of whom are children and orphans either poorly dressed or even without clothes. When they see strangers to the region, their greeting is ‘Give

Batwa woman with traditional pot



Photo: Dorothy Jackson

us some money, we are starving, we want sorghum beer'. Marginalised by Rwanda's other social groups, the Batwa are despised by 90% of the Bahutu and Batutsi, with whom they are therefore unable to share food or drink. Poverty has taken hold of these vulnerable families and 70% of them live by begging, only 10% of them maintaining that they have no problems living with their neighbours, as they offer their services in return for food, beer, or money.

Contact with other ethnic groups is relatively straightforward when it comes to begging, but it is generally difficult for the Batwa to find permanent work, although jobs do exist. The few who are able to find work on building sites have to give offerings (mainly beer) to the bosses, as Batwa have never received training in the different trades such as building, plumbing, electricity, tailoring, carpentry, etc., and yet these trades provide many jobs. The Batwa have therefore remained imprisoned within their traditional activities of hunting and pottery. However, in the Ruhengeri and Gisenyi regions there are not many Batwa families who are engaged in pottery in the six communes surrounding the volcanoes, except in Nkuli commune, where pottery making is also carried out by 90% of the Bahutu (*Abayovu*) families. The Batwa have been condemned to do rural work for other social groups because, in this region, in order to get clay it has to be bought, and the Batwa have no *ad hoc* means of obtaining money.

Marriage

The volcanoes region (Ruhengeri, Gisenyi) comprises approximately 600 people, but there are no mixed marriages between the three social groups. The Batwa marry amongst themselves, but Bahutu and Batutsi men often lure beautiful Batwa girls with gifts of beer or soap, and rape them in secret. What is worse, when they make them pregnant, they do not recognise the newborn as their own, saying that all the Batwa girls are good for is sleeping with other social groups, as a means of providing the quickest possible cure for backache, and nothing more. This constitutes another expression of contempt for this ethnic minority.

Schooling

Over half of the population in the volcanoes region are children. They number over 350, but only 200 are of school age. Unfortunately, the rate of school attendance by Batwa children is very low.

Only 30 children, or 15%, are at school. The non-education of Batwa children is accounted for by the fact that the parents are illiterate and therefore do not understand the need to encourage their children to go to school. Poverty also means that the children are poorly dressed and ill-nourished, and the parents cannot buy the things they need for school (uniforms, exercise books, text books, pens, etc. . . .).

Another point is that the Batwa's ignorance means they are unable to register their children for identity cards and hence in the registers of the *commune's* census-

takers, which prevents many children from entering school. This is not a new situation; it has existed for a long time (see the evaluation of schooling since 1959 carried out by Musirikare in Table 2 on page 67).

Health

The Batwa in the volcanoes region have not had access to the primary healthcare system because of poverty. Medicines from the health centres are expensive, which is why the Batwa do not get medical attention for themselves or their children. They are unable to get information on mother and infant care, or about the need for vaccination, or for clean drinking water, because in the past they treated themselves with traditional medicines, which are still to be found in the forest – now the park – to which they have no right of entry.

Using these traditional medicines the Batwa also used to treat other social groups and in return would receive a sheep or potatoes. Nowadays this indigenous people has a very high mortality rate, due mainly to pneumonia, malaria, tetanus, and polio. Neither parents nor children have sufficient clothing, which means that they can end up wearing the same clothes for two or three weeks without changing. This state of affairs leads to dirtiness, since there is no washing powder and a great deal of time is lost searching for food and drink. As regards hygiene, 89% of Batwa Pygmies can go for five days without washing.

Work

Almost all of the Batwa work for the other social groups (Bahutu and Batutsi), transporting heavy loads of foodstuffs on their heads, or else dancing purely to get beer. Sometimes they are remunerated with provisions to feed their families. They are not hired by the central administration, even if they have been to school, although there are jobs that do not necessarily require a high level of education.

The Batwa Pygmies from this region are 100% enslaved to the other social groups (Bahutu and Batutsi), since even national and international NGOs display indifference to employing Batwa. The same applies to the conservation organisations.

Agriculture and livestock raising

Having been driven out of the natural forest and possessing no land, the Batwa have been condemned to live by begging from the other social groups. As their small plots of land on the edge of the forest are surrounded by the plantations belonging to the two other social groups, they do not even have the space for basic hygiene facilities (toilet or shower).

With regard to livestock, the Batwa have nothing, not one goat, sheep or chicken. They themselves say so. However, they cultivate crops for the others as a means of providing for themselves.



Hut of former forest-dwelling Batwa on the edge of Volcanoes National Park

Diet

The Batwa from the volcanoes region lack food both in quality and quantity. The reason being none other than that they have no land for cultivating vegetables and other basic staples. The forest is forbidden to them, whereas it used to be their principal source of meat through hunting different types of game. They repeatedly talk of nights sleepless from hunger and when they manage to find sorghum beer, that suffices as food.

Access to drinking water is a problem for the very reason that they live in the high mountains (the volcanoes) and not one family has in their small dwelling the equipment for cooking and serving up.

Religion

The Batwa do not have religious practices. Every morning they set off in a different direction across the region in search of something to feed their families. They do not therefore have the time to go and pray in the different religious congregations. However, they do recognise the existence of God, and know the appropriate ceremonies for praying to God to help them solve their problems.

A number of them practice traditional cultural rites left to them by their grandfathers and will have nothing to do with new religious practices. However, the fact

is that there are now several different religious groups in Rwanda, and some of them come into the villages to convert the villagers.

The Batwa Pygmies are still generally indifferent to religion, but the children who are at school follow the religion of the establishment they attend, with 80% of schools belonging to missionaries. It remains to be seen how the Batwa will respond to this diversity of cultures, and which religion they will eventually follow.

c Management of biological resources

In terms of Statutory Order No. 59/76 of 04/03/1976 relating to the purchase and sale of customary land rights, or the right to land occupation as published in the *Journal officiel de la République rwandaise No. 6/76*, the management of biological resources comes entirely under State control. Article 1 stipulates that all land that does not fall under the legislation of this Statutory Order, whether approved or not under customary law or the law of occupation, belongs to the State.

This Statutory Order does not permit the Batwa people to participate in the management – either as individuals or collectively – of the ecosystems local to them, since they have been deprived of access to the flora and fauna of Volcanoes Park. This has led to clandestine exploitation of these resources, in turn causing their degradation, which the State lacks adequate management resources to prevent.

Various laws and statutory orders have been drawn up since 1929:

Protected areas

- 1 The July 1929 Statutory Order created the Albert National Park which later became the Volcanoes National Park. Its boundaries were made law on 26 November 1934.
- 2 Ministerial decree No. 83 bis/Agri of 12 December 1933 provided protection of two forests at the Congo-Nile watershed, i.e. the Nyungwe and Gishwati forests.
- 3 Statutory Order of 26 November 1934 empowered the Institute of National Parks of the Belgian Congo (*l'Institut des Parcs nationaux du Congo belge*) to administer the Albert National Park, with the principal objective of protecting its animals and plant species (ecosystems), as well as permitting research and tourism as long as they had no harmful impact on the park.
- 4 Statutory Order of 26 November 1934 created the Akagera National Park. It provided protection for animals and forbade anyone to treat any animal in an inhumane way.

- 5 Ministerial Decree No. 52/48 of 23 April 1957 created the Byumba District hunting zone.
- 6 Decree of 4 August 1959 created the Tourist Office (*Office du Tourisme*).
- 7 Ministerial Decree No. 01/69 of 14 April 1969 forbade all hunting in the Bugesera zone.
- 8 Statutory Order of 26 April 1974 created the ORTPN, forbidding all unauthorised hunting throughout the Republic of Rwanda.
- 9 At its meeting on 29/7/1997, the *conseil des Ministres*, drawing on the report of the commission charged with examining the boundaries of the new Akagera National Park, took the decision to allow a small portion – one-third – of the park to remain. This park, which in 1960 covered an area of 267,000 ha, now had only 64,000 ha. This was the impact of human pressure due to the mass return of refugees in 1959 and 1973 who occupied the hunting zone and two-thirds of Akagera National Park. This park is in the east of the country on the border with Tanzania.

Forests

As regards protection and management of the forests, the principal laws to be drawn up were:

- 1 Decree of 18/12/1930 stipulating that anyone wishing to cut or sell trees requires prior written authorisation, subject to payment of a fee.
- 2 A new law in 1988 governing the management of forest resources to fight the irresponsible use and waste of harvested forest products. It also introduced measures to preserve soil fertility and to counter erosion.
- 3 Presidential Decree of 13/03/1992 which set up a forestry fund to endow the State with the necessary means to better manage the use of forest resources. It revisits Article 447 of the Penal Code which stipulates that '*any person voluntarily destroying trees, staple crops or agricultural equipment belonging to another, whether or not within an enclosure, will be punished*'.

d Conservation management in the Volcanoes National Park

Responsibility for conservation in the Volcanoes Park has been entrusted to different organisations, both national and international. Apart from the ORTPN, all the organisations are non-governmental.

The majority of these organisations promote social well-being. In this context, their fight against poverty takes the form of promoting agriculture, livestock

raising, training in crafts, provision of water in rural environments, health, hygiene, small businesses, how to obtain credit, and tree planting to rehabilitate the areas devastated by the 1994 war.

There are not many of these organisations and they do not have sufficient resources to achieve the tasks they are set. Furthermore, they are obliged to follow the government's directives and have to work in close collaboration with MINITERE (the Ministry of Lands, Human Resettlement and Environment Protection) and the ORTPN.

The north-west region is known throughout the world because of its population of primates known as 'mountain gorillas'. These stars of Rwandan tourism have prompted the creation of a number of organisations to oversee the Volcanoes Park. These include:

Organisation	Date	Objectives
Dian Fossey Gorilla Fund (DFGF)	1967	To protect the Volcanoes gorillas and try to preserve the existing park ecosystems; to create the Karisoke Research Center
Karisoke Research Center	1967	To conduct research on the state of health of the mountain gorillas
ORTPN	1974	As a state organisation, to protect the national parks and promote tourism, a source of foreign currency for the country
International Gorilla Conservation Programme (IGCP)	1978	To protect the mountain gorillas in the Volcanoes Park and in the parks in the Democratic Republic of Congo, the environment and the region's ecosystems in general, primarily through educating the local population in tree cultivation to combat soil degradation

Although these organisations exist, they have done nothing for the indigenous Batwa population in the Volcanoes Park.

e Testimonies

According to surveys carried out in the Districts of Nkuli (10/02/2001), Kinigi (17/02/2001), Nkumba (20/02/2001) and Mukingo (22/02/2001), the local

people confirm that the above NGOs have never recognised the Batwa population.

According to interviews with the people, notably Mr Munyarukiko (50 years old) and Mrs Mbaliza Josephine (40 years old), residents of Kinigi, in Kabwende Sector, Cyabirumba *cellule*,³ the Batwa population in the north-west used to live essentially in symbiosis with the forest, practising hunting, gathering and bee-keeping, and had no information on the purpose of the park and other forestry programmes. They used to engage in barter (exchanging game meat for potatoes).

The land was cultivated by the Bahutu and Batutsi, and the Batwa believed they would always live by hunting and gathering. When they killed an elephant, they would keep the tusks for the king. The same applied to antelope and other animals, because they knew that the king was the supreme chief.

Through their lack of schooling, the Batwa did not think there would be any change to the management of ecosystems in the north-west region of the country. The case of Bukamba District (the former *communes* of Nkumba and Kidaho) says a lot about this.

Interviews with the councillor for Musamvu (Nkumba) sector, Mr Sebuhinja, reveal the following:

I have 36 Batwa families in my sector, about 120 people, 80 of whom are children. Of these, 20 or so are orphans. The area where they used to live, before 2000, has been confiscated by the present authorities because of the lack of safety in the region due to attacks by the Interahamwe militias and the ex-FAR [Forces armées rwandaises]. The Batwa found themselves under threat and driven to begging, having no land to cultivate, and the township allocated does not recognise them. The Bahutu cultivate all round their homes, so some Batwa families had to take refuge in Uganda at the time of the 1994 war. This is the case of the Sembagare family who are now in Gisoro in Uganda. I have sent several reports to the different authorities, even to former President Bizimungu, to explain the alarming situation for the Batwa in the region, but there has been no response.

Kanyabugoyi, a 35-year-old Pygmy, says that the Batwa are not happy to continue being called 'Impunyu' [forest people] because they are no longer of the forest. He can read and write, but he cannot apply to the various local authorities and Volcanoes Park conservation organisations for work for lack of means for travelling, smart clothing and food. His family cannot bear the cost. The marginalisation of the Batwa means that he cannot find work in his native home.

The ORTPN park curator at Kinigi, Mr Bizimungu François, was delighted at the

arrival of the delegation from CAURWA, the indigenous peoples' rights organisation, and said that it was too late to do much, but that something must be done. He agreed to take on three Batwa as guides. It was by this means that Mr Ntabanganyimana, who participated in the February 2001 nature conservation workshop, got this job. The ORTPN has also promised to provide seed potatoes to the Batwa in the Kinigi region.

Interviews with the Director of the Dian Fossey Gorilla Fund, Mr Vincent Smith, revealed that this organisation carries out a number of activities in Congo in collaboration with a local NGO, ECO-Action (represented by Mr Ngobobo Paulin), to train 100 Pygmy families in agriculture and livestock raising. These organisations have even purchased land for the Batwa in the region. They are planning to do the same in Rwanda with AIMPO (African Indigenous and Minority Peoples Organization). This project has been included with those to be financed during 2001. The project plans to purchase plots of land for the Batwa in Kinigi, provide them with seeds and agricultural equipment, and help their children attend primary school.

The Director asked CAURWA to contact the Director of the ECO-Action project so as to organise a visit to the area in Congo in order to find out how the Batwa are getting on. They have adequate harvests and know how to manage them, and have more than 125 children at the Kibumba primary school. An exchange visit would be of great benefit for the Rwandan Batwa.

Mr Kayitare Anecto, Director of the International Gorilla Conservation Programme (IPCG), does not understand why Batwa forest dwellers are not treated as equals of the other two social groups. He promised to cooperate with CAURWA to try to see how the question of the Batwa could be eased. The outcome was that he provided support for a Batwa to attend seminars in Kigali, and convinced the Kinigi Warden (ORTPN) to give jobs to two Batwa as forest guards, and in his 2001-2005 action plan there is a programme for supporting the Batwa forest dwellers of the volcanoes region.

In interviews with the Minister for Agriculture, Livestock and Forests, the Minister, Ephrem Kabayija, maintained that he was well aware of the Batwa's problems and had even provided work for a Batwa on his farm in Mutara with a monthly salary of 15,000 FRw. He was sorry, nevertheless, that this Batwa does not return to work once he has received his salary. He only returns when his salary is finished. The Minister said that his Ministry was ready to cooperate with the Batwa representatives and their NGOs by organising regular meetings to try to set up an action plan to help find a solution to the Batwa's problems. Apart from meetings, there is no specific programme which addresses Batwa forest dwellers issues!

On the several occasions that the Minister for Lands, Human Resettlement and Environment Protection, Professor Nkusi Laurent, has received me he said that the

Batwa problem was not linked to the environment. He maintained that he gave full recognition to Article 8 of the CBD, relating to the legal protection of the knowledge, innovations and practices of indigenous communities, incorporating their traditional way of life as it relates to conservation and the sustainable use of biological diversity. He advised me to contact the other ministries, notably MINAGRI (Ministry of Agriculture, Livestock and Forests), MINAMIT (Ministry of Crafts, Mines and Tourism) and MINALOC (Ministry of Local Administration and Social Affairs) with a view to organising a seminar on the problems experienced by our Batwa brothers (potters and forest dwellers); and therefore his Ministry alone could not solve this problem.

f Hidden slavery

'It is better to die than to live like this!' This is the statement most often heard from many of the Batwa living in the vicinity of the Volcanoes Park who have seen their natural terrain confiscated by the authorities. They are condemned to begging and to working for others. This, in spite of various international laws and conventions which have been drawn up relating to nature conservation.

In these laws and conventions, the protection of indigenous peoples is seen as a priority for eradicating social injustice, especially the marginalisation of and contempt for indigenous people. However, Rwanda, as a signatory to these different texts, seems to be going out of its way to avoid doing anything for the indigenous peoples. However, Article 1 of the Universal Declaration of Human Rights, of which Rwanda is a signatory, stipulates that *'All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood'*. The indigenous Batwa people would like appropriate measures to be taken with regard to those countries that do not implement the conventions they have ratified, as they have had enough of the authorities' mendacity.

g Tourism: revenue from protected areas

In Rwanda, tourism generates revenues that are by no means negligible. Each year, thousands of tourists visit the national parks and reserves and, for the right of access to tourist locations, the fees collected by the different services (visitors' permits, transport, accommodation, etc.) contribute to the growth of the national economy. Before 1990, tourism was Rwanda's third highest source of foreign currency, after coffee and tea. According to information gleaned from the ORTPN, in 1985 tourist activities generated 1.5 billion FRw. In July 1999 the Volcanoes National Park received many visitors and the receipts were calculated at approximately 3.5 million FRw (around US \$8,750).

It should be noted that all of these revenues are managed by the State, and there is no mechanism for sharing this equitably with the local communities. However,

management of the protected areas falls under the aegis of certain Ministries, the ORTPN, and specialist NGOs, from which local communities' participation is excluded.

The indigenous Batwa who have been evicted from the Volcanoes Forest have no other activities with which to compensate, or the motivation to re-establish themselves elsewhere. To survive, they have no option but to covertly exploit certain forest resources.

The impact on the local inhabitants has been largely negative, because they have had to relinquish their place to animals, whereas they had been living with them for years and years. The various organisations working in the region do not take these people into account, and do not choose, therefore, to give them anything (land, schooling . . .). The government alone experiences a positive impact since it absorbs all the revenue derived from tourism and determines how it should be allocated.

The prices for visitors to the park are as follows:

Foreigners: Adults: US \$250
Rwandans: Adults: 5,400 FRw

The illiterate indigenous forest people cannot even visit the park they live next to, for lack of financial resources. The result is the local population's indifference towards protected areas at best, and at worst, poaching, fires, etc.

h What should be done?

In order to put an end to this situation, the international Convention on Biological Diversity needs to be respected and implemented, in particular its Article 8(j). This is the context within which international NGOs like IUCN the World Conservation Union, WCPA (World Commission on Protected Areas), and WWF (World Wide Fund for Nature) have developed a number of principles and guidelines regarding indigenous and traditional peoples and protected areas. These principles and guidelines derive from Resolution 1.53 of the World Conservation Congress (WCC) on Indigenous Peoples and Protected Areas, adopted by the WCC in Montreal in October 1996. These principles agree completely with those of Article 8(j) of the CBD.

In order that both national and international NGOs and public authorities can follow these directives and put the principles into practice the following measures should be taken:

- the Rwandan Government should participate in programmes to improve the living conditions of the indigenous people who live in the vicinity of

- the protected areas and wetlands;
- mechanisms should be put in place for conflict resolution;
- bonuses should be distributed to those communities who contribute the most to the protection of conservation areas and wetlands;
- indigenous peoples' knowledge should be valued and promoted: 'Batwa in conservation';
- Batwa forest dwellers' families should be rehabilitated unconditionally by providing them with plots of land for house-building and agriculture;
- Batwa forest dwellers should be given training in a wide range of disciplines, such as agriculture, livestock raising, carpentry, tailoring, etc., and schooling should be provided for their children so that they can prepare for their future;
- visits to Batwa families should be arranged to gain an understanding of their problems and desires;
- the Batwa should be authorised to go hunting at least twice per month;
- they should be given work as trackers and forest guards, or even employed as orderlies for NGOs, the ORTPN and the State services operating in the region;
- support should be provided in the form of agricultural implements (hoes, machetes . . .);
- the Batwa should be integrated into the towns like everyone else.

6 The Nyungwe Natural Forest

The Nyungwe Natural Forest has been a reserve since 1933. This forest is in the south-west of the country, and extends over the three provinces of: Kibuye (Gisovu), Gikongoro (Muko, Musebeya, Mudasomwa, Kivu and Nshili), and Cyangugu (Busozo, Gisuma, Kagano, Kirambo and Gatara). It is the most extensive forest in the country. It has a great diversity of species, on a scale comparable with the mountain forests of Latin America. There are, for example, approximately:

- 10 species of amphibian;
- 29 species of reptile;
- 250 bird species;

- 25 to 30 large mammals, of which 13 are primates;
- 126 species of butterflies and moths.

This mountain forest is of great ecological value since it helps to regulate carbon gas, oxygen and water. Sixty per cent of the country's water reserves are to be found in this high mountain forest (the source of the Nile). Thanks to its extensive marshes, it is possible to irrigate arable land during the dry season.

The Nyungwe Forest also protects the balance of animal and plant species and, being in this mountainous area, helps prevent erosion. Its wood is much sought after, particularly by the region's tea factories, households around the country (charcoal), and furniture manufacturers.

As regards tourism, the Nyungwe Forest is very rich in fauna and flora. A further feature is its mineral deposits of gold and coltan, or colombo tantalite. However, it is to be deplored that the local indigenous population is excluded from the beauty of this wildlife, as they have to compete with commercial traders who have exploitation permits. These traders are driving them out because they have official sanction, but worse still, the indigenous people are also marginalised by the local population.

a Social situation of the Batwa of the Nyungwe Forest

The south-west region is isolated and cut off from all development processes because the Kigali authorities forget about it. The three provinces over which the Nyungwe Forest extends are condemned to chronic poverty. The indigenous Batwa and the local community, no longer allowed to set foot in the forest, have not been given any alternative. In consequence they are the first to disrupt the elements of biological diversity because they have to fight for their survival.

The indigenous Batwa have no plots of land. If they so much as try to encroach on the outskirts of the forest, they are driven away by the ORTPN. However, the other social groups (Bahutu and Batutsi) remain at the forest edge and go about their agricultural activities unhindered. Should the Batwa group alone be condemned? Why?

The Batwa have no representation anywhere, be it in grass-roots committees, at district level or in the higher echelons.

The Batwa have not been integrated into the towns, and there is no will to recognise them as survivors of the genocide of 1994. Although, in Busozo, 110 Batwa were killed by the two opposing forces. In the case of the Kibeho refugee camp, 1,900 Batwa died in the FPR [*Front patriotique rwandaise*] attack, yet no one talks of Batwa having been murdered. Only that the moderate Bahutu and Batutsi were the sole survivors. It should be borne in mind that the Batwa did not

fight each other and that they have their own organisational structure. They choose their chiefs from amongst their responsible and honest elders.

Housing

The Batwa forest dwellers, driven out of Nyungwe Forest, do not have suitable dwellings. Furthermore, 50% of the Batwa from Gikongoro (Mudasomwa) and Cyangugu (Busozo, Kagano, Cyimbo and Bugarama) are not originally from these areas. These Batwa followed their Batutsi chiefs to these areas in about 1910, where they made their living, with no fixed place of abode. The problem now arises because their chiefs from the Batutsi monarchy are no longer there, and the Batwa simply must have the means to live.

Employment

The Batwa from the Nyungwe Forest are condemned to work for the other social groups. They have no training to allow them to support themselves (only about 30 Batwa know how to cut and saw trees to make planks or beams as a means of income). According to Bahigiki (1987) cited by Weber, in the Districts (the former *communes*) it is impossible to find one employed Batwa. To head for the provinces (the former *préfectures*) would be like heading for the sky, and the Batwa do not dare. Of the NGOs working in the region, only the Nyungwe Forest Conservation Project has recruited three Batwa, from Bweyeye, as forest guards.

Schooling

Schooling for the indigenous people of the three provinces over which Nyungwe Forest extends leaves much to be desired. Only two girls and three boys are at secondary school and they are supported by CAURWA.

Because of poverty over 80% of children of school age do not go to primary school. The Batwa are unable to obtain certificates of indigence since they do not know how to go about approaching the local authorities, because of their ignorance due to being under-informed, if not uninformed, about the standard mechanisms for dealing with such cases. The shame of appearing before the authorities without clean clothes reinforces this state of affairs.

Under the government of Habyarimana Juvenal, education policy took the direction advocated by the MRND (National Republican Movement for Democracy and Development). Schooling undertakes to ensure an ethnic balance, such that the proportion of each student group reflects the population as a whole; this principle is meant to cover all courses. This political will can be seen in other decisions taken in favour of Batwa schooling:

- Letter No. 115/01.02 of 6 September 1976 from the President reminds the Minister of the Interior to appoint a commission to take charge of Batwa interests.

- Letter No. 1388/03.05/1 of 15 November 1976 from the Minister, in response to the President's request for social promotion of the Batwa, reports the major achievement of Batwa children's exemption from school fees and from wearing a uniform.
- In Letter No. 0091/03.09.01/9 of 19 January 1976, the Minister of the Interior recommends to all heads of *préfectures*, mayors and sector inspectors that they encourage Batwa schooling.

These measures have had some positive results for the schooling of Batwa children, as shown in Table 2, below. However, in 1978, after only two years, this system of balanced representation was suspended because a number of high-level authorities were unhappy with this favour for the Batwa!

School year	No. of Batwa	Total No. pupils	% Batwa
1960-61	2	622	0.33
1961-62	1	436	0.23
1962-63	0	1,052	0
1963-64	0	1,240	0
1964-65	0	3,082	0
1965-66	0	1,918	0
1966-67	0	1,918	0
1971-72	2	1,798	0.12
1972-73	1	2,145	0.05
1973-74	0	2,357	0
1974-75	0	2,357	0
1975-76	5	2,793	0.18
1976-77	18	2,606	0.07
1977-78	15	2,575	0.59
1979-80	reform	x	x
1980-81	reform	x	x
1981-82	10	4,011	0.25
1982-83	9	3,294	0.28
1983-84	10	3,620	0.27
1984-85	6	3,368	0.18
1985-86	12	3,309	0.37

N.B. The current government avoids any favour for any ethnic social group, be it Batutsi, Bahutu or Batwa, due to the bloody events of the 1994 genocide. However, in 26 years, of only 91 Batwa, ten have managed to get through secondary school; to date out of the whole country only three have passed the national exam.

Health

Over 99% of Batwa families from the Nyungwe Forest are unable to treat themselves, since it is impossible for them to buy medicines. This region has a very high death rate, and those who do survive do so with the aid of traditional medicines. Nowadays they are no longer permitted to go into the forest to look for their medicinal plants. An 'Indigence Card', issued at the sectoral level, requires a considerable amount of time which the Batwa are unable to find as they have to use every possible means for their subsistence. The planned community health schemes have not yet reached the region, operating only in Byumba, Gitarama and Butare provinces. Here again, it should be noted that these health schemes require subscriptions that the Batwa cannot easily make.

Poverty

Nyungwe Forest has been managed by the indigenous Batwa people from the 7th century to the 19th century. Until then there was no record of the forest having been degraded but these people were driven out of this natural environment at Independence in 1962 and there has been no compensation. They have no means of subsistence, with the consequence that this people, numbering no more than 1,500 families, and located at the edge of the forest that spans the three provinces, hunt clandestinely. This people could not present a threat to the forest. The degradation of the forest should rather be imputed to other Rwandan social groups (farmers and livestock keepers), who are the prime causes of disturbance to the biological diversity. Such is the situation in Bweyeye.

b Conservation NGO: the Nyungwe Forest Conservation Project (PCFN)

The PCFN project was created in 1988. It is a programme for the conservation and protection of the Nyungwe Natural Forest run with the support of an American organisation named the Wildlife Conservation Society. The project deals with tourism, research, protection of the forest against poaching and, above all, the education of local people in how to best manage Nyungwe Forest. The project works in close collaboration with the ORTPN.

In our interviews with Mr Munanira, the Director and Head of the PCFN project, we found that he was very happy to meet an organisation which defends the rights of indigenous peoples. He maintained that this would lead to changes, because the Nyungwe Batwa, particularly those from Bweyeye, had no spokesman to help them claim their rights. The project has provided work for four Batwa as forest guards. He said that he had repeatedly asked the Batwa to form associations, but they had not been able to do so.

As for the lack of land for Batwa families, the managers maintain that the Batwa cannot encroach on the forest; as many as 1,000 families had seized a few hectares but had been driven off. The Nyungwe Forest, which in 1960 had 114,025 ha, had reduced to 108,800 ha by 1970. By 1999 its area had shrunk to 89,150 ha. This

rate of degradation is due to the increase in the population with related land clearance in natural land cover (forest, savanna, wetland and aquatic zones) virtually throughout the land. Repressive measures have been taken by the authorities, but according to available statistics these areas of natural terrain went from 660,125 to 382,660 ha between 1960 and 1996, an almost 50% fall over a period of 30 years.

Apart from the reduction in size of the protected zones, there is also rarefaction, if not outright loss, of certain plants and animal species from Volcanoes National Park, the leopard, for example. Hyena, elephant and buffalo which, according to observations made in 1971, were abundant are now rare in the Volcanoes National Park and the Nyungwe Forest.

Several hundred hectares of Nyungwe Forest were destroyed by fire in 1997. This has had a negative impact on the forest's regeneration as much for fauna as for flora. The blame cannot be laid on the local Batwa, who are afraid of the punishment of a 5,000 FRw fine, which they would be unable to pay, thereby liable to be sent to prison. However, the protected areas and wetlands do contain a fairly wide range of fauna, from small ruminants to large herbivores. Clandestine hunting expeditions are often organised by the resident population on the pretext that they do not have the financial resources to buy meat. The animals they target are, basically, buffalo, gazelle, antelope, wild boar, porcupine, warthog, partridge, and dove. This meat is popular with the local population.

c Testimonies

During the visit to Busozo District, Bweyeye Sector, Gikungu *cellule*, it was found that:

- 185 Batwa, in 30 families, are living on only one hectare.
- They have 90 children, of whom only seven attend primary school.
- They make their living from pottery, but at present are unable to get clay because the marshlands from which they need to extract it have been taken over by the State.
- Their houses, or more accurately nests, are full of holes and do not have proper roofing (metal sheets).
- They have no plots of land to cultivate, and when they do try to move around (men in particular) to dig for various minerals to be found in the area, the local authorities threaten to imprison them.

Paradoxically, according to interviews with Mrs Mukanturo Evelyne (60 years old) and Mrs Ntibandetse Suzanne (70 years old), these Batwa used to have plots of



Community meeting of Batwa at Bweyeye, outskirts of Nyungwe Forest

land, but sold them to the other social groups in the area because of the famine. When the Batwa were driven out of Nyungwe Natural Forest no one gave them a thought – not the authorities at any level, nor the local population who, however, had appropriated the plots of land belonging to this social group which now found itself destitute.

The Batwa living in this region come from different provinces (the former *préfectures*): Kibuye, Gikongoro and even the Republic of Burundi. The ORTPN services working in the region have taken on four young Batwa as forest guards, but their monthly salary of 12,000 FRw is insufficient to meet all their expenses, since they have to pay rent, buy food and subsidise their families, who no longer have any land since the ORTPN drove them off their plots on the forest edge.

The head of the Bweyeye sector, Mr Habyarimana Célestin, acknowledges having lived for a long time with this marginalised and landless group, with no access to education. He maintains that the *cellule's* authorities have always produced reports on the situation of the Batwa in the region, but their letters have never been acknowledged. Nor have the Batwa been particularly rigorous in demanding their rights.

On another visit, to Kirambo District, similar problems were encountered, but the most serious were that of Ngabije and his wife who are childless, and the precarious situation in which the family of Indarabubye François, who was born in 1916, find themselves. Although submissions have been made to the various authorities to resolve this unfortunate family's problem, nothing has come of this.

And in the District of Gatare, there are ten families who have lost family members, above all, to sickness and the 1994 genocide.

**d Interview with the Director of the Environment at MINITERE,
Mr Ntayombya Phocus**

Mr Ntayombya has examined the implementation of the Convention on Biological Diversity as it relates to indigenous peoples. He identified three objectives:

- 1 The conservation of biological diversity;
- 2 The sustainable use of its components;
- 3 The equitable and fair sharing of the benefits accruing from the use of genetic resources, including appropriate access to these resources, transfer of technologies used and financing. He pointed to Article 8(j) and its associated provisions.

The context

A meeting was organised in Seville, Spain, from 28-31 March 2000 to identify how to implement Article 8(j). The writer attended as representative of Rwanda's indigenous people. He made the following comment:

African government representatives have been confused. Some maintained that there are no indigenous peoples in Africa, but instead certain ethnic groups that pass themselves off as indigenous. Nevertheless, some governments, such as South Africa, Zambia, Nigeria and Ghana recognise the existence of indigenous peoples. It is in this context that in the year 2000 the President of South Africa, His Excellency Thabo Mbeki, made his mark by handing over 35,000 ha to the indigenous people of the Kalahari. Marginalisation, exclusion and the non-recognition of peoples for certain African governments is a great handicap for the future of these peoples, especially as several governments have not yet ratified the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities. It is therefore difficult, if not impossible, for indigenous peoples to participate in the management of their countries' assets.

What is the Minister doing to implement Article 8(j)?

- 1 The Minister held a consultation with all the stakeholders, in particular the indigenous peoples and local communities, to bring them together for a shared understanding of their needs and problems. They succeeded in devising a national strategy and action plan. The Association for the Promotion of the Batwa (APB) is a member of the Biodiversity Strategy Action Plan (BSAP) Monitoring Committee, whose active colla-

boration was sought with the preparation of the national strategy and action plan.

- 2 Regional meetings were organised to identify the problems that would be submitted to the National BSAP. The chosen theme was: 'Enabling the participation of the local communities and indigenous people in eco-tourism, employment in protected areas, and awareness-raising about promoting traditional knowledge, innovations and practices'.
- 3 Establishment of national registers of traditional knowledge, innovations and practices of indigenous peoples and local communities.
- 4 National legislation was formulated on the protection and conservation of protected areas, the promotion of sustainable practices, access and equitable sharing of benefits.
- 5 Education for all and awareness-raising amongst the public about biological diversity in general and Article 8(j) in particular.

The Minister envisages the following programme

- To ensure the active participation of indigenous groups in the development and implementation of the national strategy and the action plan for biological diversity;
- To enhance indigenous peoples' production capacity through training and raising awareness of their problems in accordance with the Convention;
- To invite indigenous peoples to the Seminar on the National Strategy with respect to Biodiversity to be held in the Hôtel des Diplomates.

Evidence from APB Representative, Mr Kalimba Zephyrin, on the collaboration between the APB and the BSAP

The APB has been a member of the BSAP since 1997. Several APB representatives have participated in the development of the action plan. Amongst the objectives and strategies identified for achieving the objectives, in particular those relating to the equitable sharing of the benefits accruing from the exploitation of biological resources, was the recognition that the Batwa were evicted from the forests without compensation. To our astonishment, no specific activities have been undertaken for their return. In order to survive, they are forced, albeit secretly, to exploit forest resources. However on page 69 of the [French edition of the] strategy document, Objective III of Strategy No. 5 'Involving the resident populations in the conservation of protected areas and wetlands', is the following comment:

Promotion and recognition of the knowledge of the indigenous populations, the Batwa, in the conservation of biodiversity.

It is, however, deplorable that in the action plan there is no mention of any initiative on their behalf, whether with regard to land distribution, schooling or access to primary health care. They have not even considered compensation for the State's occupation of their heritage. The Gishwati Natural Forest, the Volcanoes National Park and the Nyungwe Natural Forest are recognised as belonging to the Batwa Pygmies of Rwanda!

However, international and local NGOs prioritise the animals and plant species over man! Many people confuse the problems of the Batwa with those of the other social groups, whereas the Batwa's situation has endured for years and this will not change because of bad governance policies, and because of exclusion, marginalisation, etc.

Why are conservation NGOs failing to focus on the Batwa forest dwellers?

The fact is that these NGOs follow the rules of the government with which they are in close collaboration, especially the Ministry which has land and environment within its remit. The emphasis of their programmes is on research, so much so that there is not one programme capable of finding a solution to the indigenous forest dwellers' situation. The staff are recruited from within the local population, who do not see the point of promoting the development of the indigenous people, because of their racial segregation. There is no forum for studying the problems of indigenous peoples.

Why do the Batwa not plead their cause?

Poverty is the root of their problems (the fear of appearing before the authorities without presentable clothing), but also:

- their lack of schooling and ignorance aggravate the situation;
- they are marginalised and excluded from the other social groups;
- they are not represented within the departments of the State;
- they are afraid of the authorities, because a good number of Batwa do not pay their tax (the minimum personal contribution).

e The authorities and the problem of the Nyungwe forest dwellers

From the time of the monarchy to the colonial State, the Nyungwe Forest with its many animal and plant species belonged to the Batwa. When they killed an elephant, they would bring the ivory to the king, not only to please him, but also to report on the situation in the forest and their state and health in general. The king would give them clothes, blankets and sometimes sheep.

With the creation of protected zones in 1925, the king did not give the order to drive the Batwa from the forest because he considered them as forest pioneers (trackers). He recognised their inherent bravery and their merit in combat in different regions beyond the national territory.

In 1962, the year of democracy and independence, the first Republic asked the Batwa to leave the Nyungwe Forest unconditionally, because, having wrested power from the hands of the Batutsi, the Bahutu were the most favoured. The Batwa were of no importance and moreover, some of them had followed their [Batutsi] chiefs into exile.

The Second Republic, from 1973-77, set up the ORTPN to manage the national parks and protected areas, including the Nyungwe Forest. Recruitment in the area did not include the Batwa forest dwellers who were, however, the most knowledgeable about the forest. Instead, they were indoctrinated about the sole political party, that of President Habyarimana, and the MRND, and were promised metal sheets [for roofing] and radios, of which only half managed to reach those concerned.

The end of this regime was characterised by the genocide which did not spare the Batwa. Over 10,000 Batwa were killed in Rwanda, 100 of them in Bweyeye, and a dozen are in prison, but there is no one to plead their cause.

The situation has not changed under the Third Republic, except that the PCFN and the ORTPN have given jobs to three Batwa as forest guards. The different governments have never listened to the Batwa's claims for rights, and have never had any interest in this. The racism with which this country has been associated has essentially focused on the Bahutu and Batutsi majority, but no one thought that there is another – minority – group, the Batwa, because they were marginalised. The rights of the indigenous minorities are thus thwarted and the human rights organisations, both national and international, have not known to monitor and evaluate the situation of this unfortunate people. Their main interest is in those who play politics.

7 The Rwandan authorities' and conservationists' position vis-à-vis the forest dwellers from the Volcanoes and Nyungwe

The writer's interview with Mr Bizimana Jean, division head of the protected zone sector of the ORTPN since 1982, confirms that the Batwa are on the fringe of Rwandan society. Bizimana welcomed me with pleasure, in particular because this was the first time in the course of his work that he had received a [Rwandan] national from the Batwa groups involved in research relating to the environment. Our interview went as follows:

Mr Bizimana, when did the ORTPN begin its activities and what were its objectives?

The ORTPN was created by government decree on 26/04/74. Its objectives were to:

- protect the national parks and protected zones, and above all the natural resources and the animals;
- promote tourism – a source of foreign exchange for the country;
- conduct research;
- enforce the laws established to protect and safeguard the environment, and ensure observance of the parks and protected area boundaries (arrest poachers and remove traps from the parks).

Its activities were to forbid:

- hunting, fishing and gathering, all of which are forms of poaching;
- cultivation, digging for minerals, cutting down trees;
- all poaching-related activities;
- the creation of pathways in the park;
- honey collecting, and grazing cattle within the parks;
- bush fires.

When did the ORTPN start its work in Nyungwe Forest?

The ORTPN began its activities in 1988; before, there was another NGO, the PCFN (Projet de conservation de la forêt de Nyungwe) working in this forest.

Which other national and international conservation NGOs are working with the ORTPN, and since when?

- a The Dian Fossey Gorilla Fund International since 1967;
- b The Mountain Gorilla Veterinary Center since 1986, funded by the Morris Animal Foundation;
- c WWF (Belgium), since 1994;
- d The Mountain Gorilla Project which changed its name to the International Gorilla Conservation Programme (ICGP) in 1979;
- e The African Wildlife Foundation (AWF)
- f Fauna & Flora International (a British organisation).

In what way do these NGOs work with the ORTPN?

These conservation NGOs provide the following support:

- field equipment
- clothing and vehicle for the forest guards
- training and awareness-raising of the peasants
- field radio communication, etc.

To what extent do indigenous people participate in your project?

The people who live near the forests or parks are the first to be recruited as forest guards after having passed an aptitude test.

Are these beneficiaries Batwa, since they are the indigenous people who used to live from hunting and gathering?

Our objective is to protect the environment. When we started our work, we had no interest in knowing whether anyone had or still lived in the forest from hunting or gathering. Our mission was to forbid all activities in the forest by the resident population, which meant it was not our role to identify the Batwa in the forests.

What do you envisage for the Batwa who live from hunting and gathering and who used to live in the forests before they became parks or protected areas?

We have two Batwa who we took on as forest guards in 1999, but now I do see that our Batwa brothers have a serious problem because we have not drawn any attention to this group. In addition, no one took up their cause in time, they lack a valid representative, they live in total isolation and as individuals.

What do you think of the new model of conservation drawn up by the IUCN and WWF which makes provision for indigenous peoples' participation, co-management of protected areas, recognition of their land rights and the use of their traditional knowledge, and consultation with them before any changes to the use of their lands. Would you be in a position to put these principles into practice?

There is no plan to date for co-management with the peasants in our rules, particularly as the land belongs to the State.

The 1994 genocide brought a mass influx of refugees into the eastern region of the country, to the provinces of Umutara and Kibungo, in particular the Akagera Park. For that reason, we allocated two-thirds of the park to the people – 180,000 ha – only 90,000 ha of the park is left.

The Council of Ministers, on 24 July 1997, took the decision to leave the

size of the park at one-third of its total. Other measures were taken in 2000 so that 10% of tourism revenues would be kept back for the District in which the park is located, but this 10% has nothing to do with the population. Apart from this decision, there are no other alternatives for co-managing resources with the peasants [Batwa].

How do the current authorities feel about the principles of the new model of conservation which emphasises the participation of indigenous peoples (here we are talking about the Batwa) in conservation projects?

With regard to these principles, the authorities state that Rwanda's current policy is never to favour any ethnic group in Rwanda, be it Bahutu, Batutsi or [Ba]twa. The authorities maintain that all Rwandans are indigenous, but they do recognise that there is a marginalised group, the Batwa.

The Minister for Lands, Human Resettlement and Environmental Protection, Professor Nkusi Laurent, maintains that the CBD recognises the peoples, particularly in Article 8(j), and that the Batwa should take advantage of this and claim their rights. Furthermore, the authorities maintain that all Rwandans live together and speak the same language, that there are no Batwa still living in the forests, and that the Batwa share the same problems as the Bahutu and Batutsi, especially those who live near the forests. They stress that Rwanda has a very limited space in which to accommodate eight million inhabitants. They recognise the need to employ the Batwa in various departments, such as the forest guards, and in other roles they are capable of carrying out. The authorities support any contacts the Batwa can make with the conservation NGOs operating in these protected areas, and as a consequence, they think that the Batwa will be able to participate in all the conservation-related processes.

The conservation NGOs' viewpoint

According to statements made by Messrs Kayitare Anecto, Nsengiyumva and Vincent Smith, who work for the ICGP, PCFN and Dian Fossey Gorilla Fund International respectively:

On the questions of co-management and participation, they maintain that it is a little late and Rwanda does not have enough forests. But they do say that they can employ a few Batwa in some of the sections, but in general, it is the ORTPN who has a major role to play in facilitating participation and co-management. They maintain that in their action plans they will support various development projects in their areas, especially to promote Batwa involvement in these projects. They will be able to emphasise schooling, agriculture, guarding, etc. With regard to land rights, all the interviewees maintain that this is a question for the State.

8 What the Batwa from the Nyungwe and Volcanoes Forests have to say

The Nyungwe Forest

Mrs Ntibandetse Suzanne (70-year-old Batwa woman), Busozo District, Bweyeye Sector, Gikungu cellule:

I had a plot of land and I sold it to Rusatsi 20 years ago. He gave me 50,000 FRw. He still owes me 10,000 FRw. But all this money is finished. I wonder if I must return to Kibuye where I come from, if not, I wonder what will become of me.

Mrs Mukandahigwa Jeannette (Batutsi), District-level women's representative:

The Batwa have many problems that they do not want to disclose. They do not dare stand for election to grass-roots committees which would allow them to air their problems and encourage them to put themselves forward at the next elections.

Volcanoes Forest

Munyarukiko (50-year-old Batwa), resident of Kinigi, Kabwende Sector, Cyabirumba cellule:

We used to live in the Muhabura volcano, my father hunted elephant, killed gazelles and made beehives. He would go down to the Kinigi market to get potatoes and he would pay for them in meat. You speak to me of the parks, all I know is that the authorities and the soldiers from far away, came to chase us away with guns and told us never to go back to the volcanoes, forbidding us to hunt, to look for honey, water and wood. Afterwards, we learnt that it was the ORTPN who wanted to kill us if we went back to the volcanoes and that the ORTPN had put soldiers at the edge of the volcanoes to prevent us from whatever [we might do] in the forest.

9 Conclusion

Taking the following into account:

- Having consulted the authorities, the conservation NGOs who operate in the two conservation regions of the Volcanoes Park and the Nyungwe Natural Forest, and having conducted interviews and seen the situation of the beneficiaries (the Batwa forest dwellers of Rwanda);

- Considering the new model of conservation developed by certain international NGOs such as the IUCN, WWF, WCPA and WCC, which emphasise the following points:
 - the participation of indigenous peoples in conservation projects;
 - the recognition of indigenous peoples' right to the traditional and sustainable use of their lands;
 - their right to land;
 - the co-management of protected areas and agreements between the protected areas and conservation NGOs;
 - consultation with indigenous communities when changes to conservation programmes are under consideration by conservation groups;
- Considering the testimonies of the populations and authorities local to the Nyungwe and Volcanoes forests;
- In view of the Rwandan Government laws on the environment, especially its five-year action plan and the obligations of the ORTPN;
- Having noted the way conservation NGOs operate in Rwanda;
- Recognising current government policy which forbids all ethnic identification in the country's programmes, through fear of a repeat of the 1994 genocide;

It is clear that the Batwa have been abandoned when compared with the other social groups that make up Rwandan society. The creation of the parks and protected areas was the sole initiative of the Europeans who colonised us and who wanted to protect the environment (nature and fauna), their preoccupation being to protect their own interests without even considering the participation of the Batwa who had been there for years. They created tourist areas for their recreation, they created protected zones for long-term research, but no Batwa was given the opportunity to participate in this. They reinforced and demonstrated means of earning money and created jobs to replace the barter system which had been the peasants' livelihood (a mix of Batwa and other ethnic groups).

The Batwa have not been integrated into the management of tourist revenue, or of research, nor have they even been consulted or informed of the results of this research. This situation still prevails today with the conservation NGOs operating on site. The recognition of Batwa rights to the traditional and sustainable use of their lands is not known of or is poorly understood, because they were forcibly driven out with no alternative means of survival or compensation. It can be claimed without any error that land rights for the Batwa are not recognised in Rwanda. Instead of taking the Batwa forest dwellers' territories by force, the Rwandan State, financial institutions like the World Bank, and conservation NGOs could have educated the Batwa community about the value of nature, the different

animal species, and how to protect and sustain them in order to secure an environment and sustainable development of which the Batwa would be an integral part.

What have the consequences been of occupying Batwa forest territories without their consent, after having:

- a driven the Batwa forest dwellers out of their ancestral territory without warning or compensation or provision of any other form of subsistence?
- b disdained the Batwa's land rights and their right to the traditional use of their land, to co-management of their resources, to be consulted by conservation organisations, and to participate in activities carried out on their lands?

The Batwa, having found themselves with no territory, home, or work:

- have become beggars;
- have been stricken by chronic famine;
- suffer a lack of primary health care;
- find their marginalisation by society oppressive;
- having been dispersed, each of them now copes individually with finding something to eat because of the absence of central organisation; whereas in the past they had an elected chief who received their offerings (elephant tusks, leopard skins, meat and honey, etc.), they now find themselves involuntarily without a spokesman. They have suffered in the past and still do today from ignorance, fear and worsening poverty.

The 1994 genocide has compounded all the wrongs that oppress the Batwa.

Measures that can be taken

Measures need to be taken by the government, conservation NGOs and the Batwa themselves to safeguard this minority. To do this, it is necessary to:

- a follow the policy and guidelines on indigenous peoples and protected areas as developed by WWF, IUCN and WCPA, specifically Resolution No. 153 of the World Conservation Congress on indigenous peoples;
- b adopt an emergency programme for the schooling of Batwa children and guarantee their primary health care to give them a better future, as well as

- offer occupational training focusing on the different fields: crafts, business skills, construction, carpentry, tailoring, agriculture, livestock raising, and modern pottery making;
- c consult the Batwa in order to move them without brutality, as certain authorities and NGOs do this in their own interests without the Batwa's consent;
 - d arrange for the implementation of Article 8(j) of the CBD by all relevant parties;
 - e support forest peoples' development projects;
 - f set up a forest peoples action plan in which negative impacts will be stated beforehand and which will be implemented to reduce the poverty of these people;
 - g adopt all necessary measures to protect the rights of indigenous people in Rwanda and in Africa;
 - h organise meetings between African governments, representatives of conservation NGOs, and forest peoples to provide a ruling on cases of people driven out of the forest;
 - i clarify indigenous peoples' participation in the management of their country's heritage;
 - j give legal recognition to customary rights in accordance with ILO Convention 169;
 - k create an expert group to examine and determine the concept of indigenous peoples and communities in Africa;
 - l clarify the role of conservation NGOs vis-à-vis Batwa communities.

9 Final thanks

We wish to express our heartfelt thanks to all the people whose support – be it intellectual, financial or moral – led to the completion of this work.

Special thanks are extended to the ministerial, district and provincial authorities, and to the NGOs who helped accomplish this task.

We offer sincere thanks as well to the Forest Peoples Project, who provided financial support for this major study.

Finally, we would like to express our gratitude to the families from the different social groups (Batwa, Bahutu and Batutsi) from Gisenyi, Ruhengeri and Cyangugu, and others for their warm welcome and for all the information that they cordially provided.

To each and every one, we say ‘Thank you’.

Notes

- ¹ In this study, for ease of reference, the ‘Twa’ people of Rwanda are referred to throughout as ‘Batwa’ (making no distinction for a single individual, ‘Mutwa’).
- ² For simplicity, the ‘Tutsi’ and ‘Hutu’ peoples will be referred to as Batutsi and Bahutu respectively (making no distinction for a single individual, ‘Matutsi’ or ‘Mahutu’).
- ³ After Province and District, the *cellule* is the lowest administrative unit, of 100 households.

Glossary

<i>Abayovu</i>	A sub-group of the impoverished Rwandan Bahutu ethnic group who practise agriculture as well as pottery
APB	Association for the Promotion of Batwa
BSAP	Biodiversity Strategy Action Plan
CAURWA	<i>Communauté des Autochtones Rwandais</i>
CBD	Convention on Biodiversity
Ex-FAR	Former Rwandan Armed Forces
FPR	<i>Front patriotique rwandais</i>
FRw	Rwandan franc
ICGP	International Gorilla Conservation Programme
<i>Impunyu</i>	Batwa forest-dwelling Pygmies
IUCN	World Conservation Union
NGO	Non-governmental organisation
ORTPN	Rwanda Office of Tourism and National Parks
MINAGRI	Ministry of Agriculture, Livestock and Forests
MINALOC	Ministry for Local Administration and Social Affairs
MINAMIT	Ministry of Crafts, Mines and Tourism
MINECOFIN	Ministry of Finance and Economic Planning
MINITERE	Ministry of Lands, Human Resettlement and Environment Protection
MRND	National Republican Movement for Democracy and Development
PCFN	Nyungwe Forest Conservation Project
UNEP	United Nations Environment Programme
UNHCR	United Nations High Commissioner for Refugees

Bibliography

Association pour la conservation de la Nature au Rwanda 'ACNR' Tumenye Ibidukikije Mu Rwanda.

Byamana Alexis. 1997. *Etude des projets ayant un impact sur la Biodiversité*, Kigali.

CEFDHAC. 1996. *Les écosystèmes des forêts denses et humides d'Afrique Centrale, actes de la conférence inaugurale*, Brazzaville 28-30/05/1996.

Convention on Biological Diversity. 1992. Texts and Annexes, Geneva.

Fischer, E and H Hinkel. 1992. *La nature du Rwanda; Aperçu sur la flore et la faune rwandaises*, Materialien zur Partnerschaft Rheinland-Pfalz/Ruanda 1992/1, Mainz.

ISAR (*Institut des sciences agronomiques du Rwanda*). 1999. Unpublished report 'Synthèse de recherches sur la forêt naturelle de Nyungwe'.

Journal officiel de la République rwandaise N° 6/76 – Statutory Order No. 59/76 of 04/03/1976 on the right to land occupation.

Kalibana Marara. 1999. *Inventaire de l'agrobiodiversité*, Kigali.

MINAGRI, Republic of Rwanda. 1998. *Politique nationale de gestion des ressources en eau*.

MINECOFIN, Republic of Rwanda. 1998. *Principaux indicateurs de l'économie nationale*, Kigali.

ORTPN. 1974. *Décret-loi du 26 avril 1974 confirmant l'Ordonnance du 18 juin 1973 portant la création de l'Office rwandais du tourisme et des parcs nationaux*.

Storz. 1983. *La forêt naturelle de Nyungwe et sa faune*, Kabgayi.

Stratégie nationale et plan d'actions pour la conservation de la biodiversité au Rwanda, 2000. (March 2000).

Conference discussions

Commentary on case study by Rwandan community representatives

Mathias Mudasubira: ‘We have suffered . . . we were born in the forest . . . my parents were hunters . . . and everywhere we were hunters . . . our parents were not given warning when they were evicted, they were chased from the forests by the tourist office without compensation . . . the same for those from the north, from Gisenyi to Uganda. The Batwa never got plots of land like others, because it was said that they did not know how to carry out agriculture. The Batwa from Rwanda do not get jobs . . . promised jobs never come. The Batwa are just beggars. If they had plots, during genocide they fled and when they returned, they lost their plots . . . they were never returned to them.’

Innocent Munyarugero, Cyangugu: ‘Batwa also live on the border of Nyungwe Forest . . . we do not have the right to go into the forest and cannot cross it to visit friends and families. If you could get there you would see how sad it is . . . many just live in the open air. I slept there in the open with them. It was very cold . . . I had to leave.’

‘The Batwa may be rubbed off the face of Rwanda . . . they are dying from simple diseases . . . yet mountain gorillas get drugs and medical care. There are three social groups. For example, we cannot share the same drinking containers because we are discriminated against . . . we must drink from the hand. Many times we had students in secondary schools, after the second year they were chased away. We have suffered in the primary school education . . . we cannot become educated. I hope that you understand our predicament.’

Kalimba Zephyrin, CAURWA: ‘The Batwa must be given back their human rights, etc. You cannot just give a job without training. This issue is being trivialised. The Batwa need particular assistance because they have been excluded. There are still people living in forests in various countries . . . Batwa need to be able to do this as well . . . Batwa language is being washed away. The indigenous people of Rwanda are not a problem . . . they are not the ones causing the problems. I hope that measures will be taken to expose these issues and then help solve them.’

Panel discussion

Panellists: Dorothy Jackson – FPP
William Ole Seki – Co-facilitator, Maasai case study
Kayitare Anecto – Programme Officer, International Gorilla Conservation Programme (IGCP)

Dorothy Jackson identified two main issues:

- 1 Marginalisation, which has led to a serious situation because forest knowledge is being lost rather than being used in conservation.
- 2 The question of how governments actually implement the international conventions that they have signed. The Rwandan government has committed itself to the issues discussed . . . but how are they to implement them? Which agencies should take the lead on this? How to involve the communities?

William Ole Seki expressed concern that eviction from the forest had robbed the Batwa not only of their livelihood, but also their identity, since you ‘cannot talk about Batwa without talking about the forest’. Having an attachment to land is essential to them. Batwa must be recognised as having protected the environment over the ages.

He appreciated the government’s post-genocide reconstruction efforts, but stressed how unhealthy it is ‘*not* to talk about ethnic differences in Rwanda – it’s healthy to admit these differences’. By not doing this, the government appears not to be in favour of the Batwa, indeed it seems to have forgotten them – they are rarely mentioned.

Kayitare Anecto was encouraged to hear the Batwa expressing how bad their living conditions were. ‘No one is allowed in the Nyungwe Forest and Batwa are the first victims because they have no source of revenue – no concrete measures have yet been made to help them. All agree that Batwa near the parks live badly – the source of their livelihood has been taken away. They should be helping us to protect the environment.’

However, he pointed out how degraded the forests and parks now are, and how Volcanoes National Park has lost more than 60% of its area since independence. Returning refugees have further reduced this. ‘The animals are not here – the condition of the park is being threatened.’ The land is so degraded that the areas where the Batwa used to live no longer exist.

All revenue for national parks comes from tourists visiting the mountain gorillas. How this is to be shared out has not been determined, nor is there much to share. The forest guards receive support from NGOs, etc. but aspects like traditional grazing systems, firewood supplies – and the Batwa – are forgotten completely. ‘We must be forward looking. I am very happy about this conference – especially in Rwanda – we are looking for ideas from other African experiences.’

Participant discussion

This focused on the land issue and the realities of shrinking forest space:

François Bizimungu, Conservateur, Volcanoes National Park (ORPTN) spoke of his colleagues' role in protecting the forest. 'It has been encroached upon by all Rwandans, not just Batwa. Everyone is forbidden, not just Batwa – but they are the first victims.' He explained that with the limited resources available they were seeking a progressive approach to solving these conflicts. He stressed that 'indigenous peoples should not be differentiated from others. You say indigenous peoples have been excluded but they also exclude themselves.' The fact remains that 'the animals the Batwa used to hunt are diminished and need protection'. In addition to access to the forest, the Batwa need their own land. 'They face social injustice. They need to be helped.'

Chantal Shalukoma, Coordonnatrice des activités de surveillance, Kahuzi-Biega National Park (PNKB) raised the question of land and how to return the Pygmies to the forest. Could they stay outside the forest?

In answer, Kalimba Zephyrin explained that the Batwa are a very small group, even more so since the war, and now number 20,000 – with even smaller numbers living near the forest. That they were never consulted when they were driven out needs to be aired and accepted. He stated that he was not saying they must go back to the forest, (this was also endorsed by Kayitare Anecto) but they must get their share from development, land, etc. Integration is needed and, as different people have different problems, so their differences need to be understood. They require training, and tangible programmes need to be set up to integrate the Batwa. With regard to Batwa children and access to education, he pointed out that they could have received education in the forests, because they were already in groups – the infrastructure could have been provided. But their lack of means now is a major handicap to education.

Participants from Kenya and Tanzania also highlighted the need for the term 'indigenous' to be clearly understood and for the Batwa to achieve recognition of their identity. Kalimba Zephyrin charted the progress made by the Batwa community since it started organising itself in 1991: 'we have come very far – we have joined many international organisations for indigenous peoples, and are creating associations to help the community'. Dorothy Jackson indicated how encouraging it was that government representatives had recognised the Batwa problems which, in turn, meant they would be obliged to address the issue of their special identity.

Close of conference session.