



14 June 2018

Attn: World Heritage Committee members

Re: Consideration of the Kahuzi-Biega State of Conservation Report

Dear Sheikha Haya Rashed Al Khalifa,

We are writing to express our concerns to the World Heritage Committee regarding the upcoming discussion and draft decision on the state of conservation of the Kahuzi-Biega National Park in the Democratic Republic of Congo during the 42nd Session of the World Heritage Committee.

The undersigned organizations wrote to the UNESCO World Heritage Centre and the IUCN World Heritage Programme in January this year to raise our serious concerns about the state of human rights in the Kahuzi-Biega National Park. We drew attention specifically to the killing of a young Batwa man in August last year by Park guards and the broader context of historic evictions and continued denial of access rights for foraging and hunting, and asked that UNESCO and IUCN address the plight of the Batwa evicted from the Park in the State of Conservation (SOC) process.¹

With the recent release of the SOC report and draft decision on Kahuzi-Biega for consideration by the World Heritage Committee (see Doc. WHC/18/42.COM/7A, p. 71), we were dismayed to see no mention of the serious human rights concerns detailed in our January letter.²

The draft decision acknowledges the persistent insecurity prevailing in a large part of the Site and the significant challenges that Park guards face in patrolling the area,

¹ <http://www.forestpeoples.org/en/environmental-governance-world-heritage-convention-legal-human-rights/news-article/2018/urgent>.

² <http://whc.unesco.org/archive/2018/whc18-42com-7A-en.pdf>.

illustrated in the recent kidnapping of staff from the Congolese Institute for Nature Conservation (ICCN) and the Wildlife Conservation Society (WCS). The signatories to this letter recognise the seriousness of the security situation and welcome this attention to these very real threats.

However, despite considerable evidence provided in advance, the decision does not take into consideration the rights and interests of the Batwa, for whom the Kahuzi-Biega National Park represents a violation of their rights to their customary lands and resources. This continues to be the case, despite significant work at a national level in the DRC to establish a positive negotiation and conflict resolution between the Batwa and the Park authorities through the IUCN Whakatane dialogue process.

The Committee, if it adopts this decision without amendment, is missing a significant opportunity to note and respond to decades of exclusion and impoverishment of the traditional owners of part of the Park's territory.

We call again for the World Heritage Committee to align its decisions with its commitments to respect and promote the human rights of the traditional and indigenous communities who are too often excluded from conservation, and in particular the objectives expressed in the World Heritage Sustainable Development Policy that States Parties should ensure the effective participation of indigenous peoples in World Heritage processes affecting them and “actively promote indigenous and local initiatives to develop equitable governance arrangements, collaborative management systems and, when appropriate, redress mechanisms”. We note in this regard the UN Declaration on the Rights of Indigenous Peoples, the most definitive international statement of the human rights of indigenous peoples, and ask that the World Heritage Committee align its decisions with this key international standard.

We incorporate our January letter to UNESCO World Heritage Centre and IUCN World Heritage Programme by reference.

With regards,



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