

Forest Peoples Project



Annual Report 2006

Forest Peoples Project

The Forest Peoples Project was established on 29 October 1999 as a company limited by guarantee to become the UK-registered charitable arm of the Forest Peoples Programme. The Forest Peoples Project was registered as a UK Charity in August 2000.

Our aims are to support indigenous and tribal forest peoples to:

- ▶ promote their collective and individual rights;
- ▶ secure their lands and manage their natural resources;
- ▶ build their capacity to carry out actions for the long-term relief of poverty;
- ▶ educate policy makers and civil society about their concerns and aspirations.

We work to achieve these aims by means of :

- ▶ technical support, capacity building and policy advice for forest peoples;
- ▶ networking with NGOs, indigenous support organisations and agencies;
- ▶ researching and analysing the situation of forest peoples;
- ▶ providing information on forest peoples.

Cover photo: Baka hunters near Nki National Park, south-east Cameroon by John Nelson

Report edited, designed and produced by Dorothy Jackson

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Overview of the year

Forest Peoples Project's long-term goal is improved social, economic and environmental living conditions for indigenous and tribal forest peoples. We work towards this using a rights-based approach, to help forest peoples gain control over their futures through capacity building to defend their own rights, educate policy makers, and develop sustainable livelihood skills for the long-term relief of poverty. FPP also carries out education and advocacy on the forests crisis with the aim of getting forests protected for sustainable use by people with secure rights. During 2006, we worked with indigenous and tribal peoples in Africa (Cameroon, Central African Republic, Rwanda, Burundi, Uganda, Democratic Republic of Congo and South Africa), South America (Guyana, Suriname, Venezuela, Peru, Brazil, Argentina and Paraguay), Asia (India) and Russia (Siberia).

- ▶ Our Legal and Human Rights Programme provided information, training and capacity-building inputs to indigenous peoples in Central Africa and South Africa, and supported their informed participation at the African Commission on Human and Peoples Rights, and other national and international processes. In Suriname we assisted maroon communities to monitor the implementation of the reparations ordered by the landmark ruling that we obtained from the Inter-American Court of Human Rights in 2005, which found that Suriname had violated the human rights of 130 members of the Moiwana maroon community. We provided additional assistance to forest peoples in Guyana, Suriname, Peru, Brazil, Argentina, Paraguay, Venezuela and India through litigating cases in the Inter-American human rights system, using international human rights mechanisms, supporting domestic legal work and providing capacity building support.
- ▶ With the support of our rights, livelihoods and education project in Rwanda our partner CAURWA dialogued with the Government for increased protection of Twa peoples' human rights and civil liberties. The project enabled 3048 Twa people to increase their food security and incomes, 110 Twa children to continue their secondary school education and 405 Twa adults to gain literacy skills.
- ▶ Our "Dancing Pots" project in Rwanda to promote sustainable livelihoods for Twa potters helped nine potters groups (225 potters) through improved technology and access to national and international markets. The "Dancing Pots" pottery centre in Kigali increased awareness of the situation of the Twa.
- ▶ In Cameroon, we continued to support indigenous Bagyeli communities affected by the Chad-Cameroon oil pipeline to dialogue with government and local leaders to secure official recognition of their lands, and to be represented and participate in district level planning processes.
- ▶ We supported indigenous communities living near national parks in Cameroon to document park impacts and to open new dialogues with park managers over their rights to hunt, gather and live on their traditional lands, which are being zoned for conservation.
- ▶ We provided fund-raising support to help the Evenki people of Central Siberia improve their land security and livelihoods.

Rights, livelihoods and education for Twa people in Rwanda

Our project with the national Twa NGO CAURWA (Community of Indigenous Peoples in Rwanda) entered its fifth year, continuing to empower the Twa to reduce their poverty, secure their rights as equal citizens of Rwanda and participate in Rwanda's social, economic and political development. It was funded by Comic Relief via FPP, and by Trocaire and the European Commission directly to CAURWA.

Advocacy and human rights

During 2006, the Rwandan government continued to refuse CAURWA permanent legal registration, alleging that the terms 'indigenous', 'Twa', and *Abasangwabutaka* ('original inhabitants') in CAURWA's statutes are 'divisionist'. In 2005, following CAURWA's community consultations on this issue, the Twa appealed to the authorities to understand that these terms are not divisionist, to implement special measures to improve the Twa's socio-economic conditions, and to allow CAURWA to continue its work.

In 2006, CAURWA entered into lengthy negotiations with the Ministry of Justice on the issue of permanent legal registration, with technical support from FPP. The issue remains unresolved, although the Ministry of Local Affairs (MINALOC) has extended CAURWA's temporary registration until May 2007. The time spent on negotiations and the uncertainty about CAURWA's future have inevitably had an impact on CAURWA's work, not least because some local donors have been unwilling to fund CAURWA without permanent registration.

Despite these problems, CAURWA's human rights team was active. It lobbied successfully for Twa potters' access to clay in government-controlled marshlands (see page 4) and ran a voter-sensitization programme for Twa in the run-up to the local elections in early 2006. CAURWA's vital technical and financial assistance helped Twa people seek redress for violations of their rights. Case work included the illegal expropriation of Twa land by other ethnic groups and by local authorities, Twa victims of crime, and arbitrary arrest and

detention. The pervasive stigmatisation of the Twa leads other sectors of society to think they can commit crimes against the Twa with impunity. Such crimes, including murders, are often poorly investigated or ignored by the police unless CAURWA lobbies them to do so or carries out its own parallel investigations.

With funding from Norwegian Peoples' Aid CAURWA started monitoring violations of Twa land rights in North province, and with EC funding broadcast a series of national radio programmes on issues affecting the Twa community. In collaboration with FPP, CAURWA designed a plan for continuing its existing legal and human rights work, to increase Twa peoples' use of legal and human rights norms and mechanisms to defend their rights (see page 8).

CAURWA continued to broaden its partnership base by joining with other national and international agencies to lobby government for rights of representation for NGOs before Rwanda's tribunals. Having secured the support of the Minister of Justice, the next step is to lobby parliament in 2007 to include this measure in judicial reform legislation. CAURWA is also a founder-member of a national forum on legal aid, launched in October.

CAURWA's Director is an expert member of the African Commission's Working Group on Indigenous Populations/Communities. This facilitated CAURWA's international networking and advocacy at two sessions of the African Commission and the May 2006 session of the UN's Permanent Forum on Indigenous Issues in New York. He also acted as trainer at a workshop on indigenous rights organised by UNITAR (the UN training centre) in Morocco. CAURWA's head of human rights visited civil society organisations in South Africa to discuss issues of advocacy, access to justice and organisational capacity.

Sustainable livelihoods

CAURWA helped 148 cooperative associations with livelihoods activities, reaching 3,048 members with an estimated 12,192 dependents, - in total, about 46% of the national Twa

A Twa family at Nyaruhengeri, Rwanda, with their house and vegetable garden created with CAURWA's technical support, and Comic Relief funding.

Photo: Lucy Mulvagh



population. CAURWA provided agricultural materials, tools and livestock, held training workshops in cooperative management, agriculture and animal husbandry, and facilitated learning and networking visits between communities.

Twa people's lives have improved with increased incomes and access to credit, schooling, health insurance, improved housing and better food security. As a result, Twa have gained self-confidence and status, and are participating more in Rwandan political life and civil society.

Education and literacy

Apparently in response to CAURWA and FPP's advocacy on the grave socio-economic conditions of the Twa, MINALOC asked CAURWA for data on all Twa households nationwide because it planned to pay the school fees of all Twa secondary school children and health insurance subscriptions for all Twa. MINALOC did build some houses for Twa communities and paid the school fees of some students during two of three school terms. But the programme faltered when it was decentralised to the Districts, and so far only some Twa have benefited.

CAURWA's work on education thus remains essential. During 2006 CAURWA supported 110 Twa secondary school students throughout the country, supplementing the government fees-only assistance with uniforms, school materials, mattresses and psychological support. At the annual meeting CAURWA organises for the students, pupils and staff formed the 'Réseau des Jeunes Autochtones Rwandais' (Network of Young Indigenous Rwandans) which aims to defend their rights and promote education.

Compared with the national population, twice as many Twa have never attended school (51% vs. 25%), and adult literacy is less than half (23% vs. 52%). Only 21% of Twa women are literate compared with 26% of Twa men. Given the lack of government literacy programmes, CAURWA's work with adult learners meets a crucial need. During 2006, 15 literacy circles taught 102 men and 303 women literacy and numeracy skills. Funding for an additional

three literacy circles fell through, but CAURWA has now secured a new partnership with CARE for a literacy programme to educate Twa about their human rights through reading and writing.

Organisational development

CAURWA's membership continued to expand, with 82 new members joining at its AGM in February. A new Administrative Council and Monitoring Council were elected. With Comic Relief funding, CAURWA enrolled five staff in English-language training which has increased their capacity to advocate and communicate with international agencies and donors, as well as better understand many official policy and programme documents that are often first published in English.

FPP helped CAURWA strategise and plan future activities after the end of the current five-year programme. In early 2006 CAURWA held its first reflection workshop to kick-start the process and started a process of analysing needs and capacity. These processes fed into an internal evaluation workshop and an external evaluation. In November, CAURWA reaffirmed its goal, objectives and mission statement, and set out its programme for the next five year period (2007 – 2011).

The external evaluation confirmed the enormous benefits CAURWA's programme has brought to the Twa community in Rwanda, as well as the work that still needs to be done. Among the key recommendations are that CAURWA should continue its high-profile advocacy on behalf of the Twa and its efforts to obtain permanent legal registration, continue its targeted livelihoods and education programmes and strengthen its financial management systems and staff capacity.

The present project will end in the spring of 2007, but much of FPP's work with CAURWA on human rights and advocacy will continue within the framework of our Legal and Human Rights Programme. We are supporting CAURWA with technical support for programming and fundraising during the transition period as CAURWA moves into its next phase.



CAURWA continues to strengthen its grass roots participation and representation: 82 new members joined at its 2006 AGM.
Photo: Lucy Mulvagh

Twa pottery: income generation through Fair Trade



Dancing Pots' 'Canaclat' commissioned by the World Health Organisation. The Canaclat delivers a stream of water through a lever operated by wrist action, thereby preventing hand-to-hand contamination during washing of hands. Photo: Dorothy Jackson

A Twa potter collecting clay from marshlands. FPP has helped potters secure access to raw materials necessary for their trade. Photo: Dorothy Jackson



FPP's 'Dancing Pots' project supports the Twa people of Rwanda to reduce their poverty and social exclusion by commercialising their traditional crafts of pottery and dance. Dancing Pots successfully completed its fifth year with local funding from Norwegian Church Aid Rwanda, British charitable trusts and private donations. The project is implemented in association with our partner CAURWA.

Dancing Pots is the first project in Central Africa to help indigenous 'Pygmy' people set up their own enterprise. It was the first Fair Trade-certified business in Rwanda and is registered with IFAT, the International Fair Trade Association. The project's Pottery Centre in the capital Kigali provides a retail outlet, warehouse and training centre for Twa potters, coordinates tourist visits to Twa communities and dance performances, and organises pottery classes for the public. The project works with potters to develop the quality of products, increase access to markets, and strengthen the potters' business skills.

During 2006 CAURWA and FPP revised the project's design for a more targeted approach to the market. The project refocused its activities to work with nine potters' associations which had been able to use training provided during the project's previous phase to develop their skills and respond to market demands. The nine associations (six Twa and three non-Twa) comprised 225 potters (115 men, 110 women), including 196 Twa (96 men, 100 women) with an estimated 1,125 dependents.

Despite a funding shortfall when our Community Fund grant came to an end, the project maintained progress and achieved successes. Local staff voluntarily took salary cuts and FPP provided unfunded staff time to keep the project going while we searched for further funds. The project completed two more modern brick kilns, and reinforced potters' training in production planning, quality assurance and costing and pricing. The project supplied an order specially commissioned by the World Health Organisation. The 'Canari à clapet' or 'Canaclat' improves water conservation, health and sanitation by delivering clean water through a jug designed for hygienic hand-washing.

Dancing Pots also delivered export orders to Greece, America and Sweden. It participated at a regional IFAT training in Tanzania and was sponsored by the regional Fair Trade organisation COFTA to attend the bi-annual International Arts and Crafts Fair, SIAO, in Burkina Faso. At SIAO the project received training in export development and made contacts with potential clients, markets and donors from Europe and North America.

Dancing Pots has strengthened links with local and international agencies supporting small businesses, resulting in assistance with website design and training for project staff in business management from Shared Interest, a UK-based agency. The project coordinator is treasurer of the Rwandan Trade Association, one of nine institutions in the Chamber of Commerce.

With support from CAURWA the project advocated on behalf of the potters groups to the local and national authorities on the issues of access to wood for firing kilns and marshland to gather clay. Rwanda's new environment laws require written permission from the Minister of the Environment to buy wood from authorised sources.

We helped potters groups write letters of request to the Ministry, and held several meetings with provincial authorities. In the meantime, the project has begun research into alternative fuel sources, including coffee parchment – a by-product of Rwanda's growing coffee industry.

An external evaluation in June 2006 concluded that the project had established an effective framework for a Fair Trade small business, improved potters' production, business skills and organisational capacity, diversified production, and expanded the market. Potters incomes had increased by an average of £500 per group, and further increases would be possible with increased access to national and international markets.

In December we were successful in obtaining a business development grant from the Big Lottery Fund, to engage a consultant to help develop a business and marketing plan. This work will take place in early 2007.

Bagyeli land rights and livelihoods in Cameroon

Since 1999, FPP has worked with indigenous Bagyeli forest-dwellers in south-west Cameroon to secure their land rights, and gain compensation for the negative effects of the World Bank-funded Chad-Cameroon oil pipeline which affects their lands in the areas around Bipindi, Lolodorf and Kribi. During 2006, our current project entered its fifth and final year, funded by the Department for International Development (DFID) UK, and Comic Relief. The project involves on-going community consultations, community land use mapping, and the creation with local authorities of a platform for dialogue between all local stakeholders.

During 2006 our local partners—Centre for Environment and Development (CED) and Planet Survey—continued their work with communities to complete and present their maps of community land use to local leaders and the government, and obtain their validation of these maps.

The land use maps were created by Bagyeli cartographers. CED trained them and supported them to help their communities document the lands they use for hunting and gathering, and for agriculture. For many years overall control over many of these land areas has been subject to competing claims by different groups, including other more powerful local communities, especially farmers. The situation was exacerbated during the construction of the oil pipeline when local farming communities received almost all of the compensation for damages by the pipeline, even though in many cases the lands were claimed and used by Bagyeli for hunting, gathering or agriculture.

The pipeline project led to increased pressures against the hunter-gatherer Bagyeli's land access and use rights throughout the Lolodorf-Bipindi-Kribi corridor, especially around Bipindi where project activities are concentrated. These pressures led to the eviction by some local people of Bagyeli communities from their lands.

The community maps created through this project have become the foundation for official agreements between Bagyeli and the

traditional local leaders who previously claimed control over those lands. Through a series of community-based meetings facilitated by CED and Planet Survey, the Bagyeli finalised local agreements over land between communities, thus securing their land tenure.

During 2006 Planet Survey also supported meetings between communities, government and NGOs, including the organisation and facilitation of another 'Bipindi Platform' to continue dialogue over land rights, and to develop a common development agenda with the administration. The Bipindi Platform was first initiated by this project in 2003 as a mechanism to increase the participation of marginalised Bagyeli in local development planning, to strengthen dialogue and reduce conflict between indigenous and local communities, and to promote the development of agreements between the different stakeholders.

The Bipindi Platform has become the basis for community development planning in the Bipindi sous-prefecture. Bagyeli communities have played a central role in its growth and development. The participation of representatives from all the communities in the district, including all the Bagyeli communities, continued during 2006. The Bipindi Platform will be integrated into the National Participatory Development Process (PNDP) that will commence in Bipindi in 2007.

A Bagyeli community meeting south of Bipindi. Photo: John Nelson



Indigenous peoples' rights and conservation areas



A Baka hunter in the Nki forest, Cameroon, making fire with a flint and tinder. Photo: John Nelson

A Baka community near Boumba Bek National Park, Cameroon. FPP is supporting Baka to document their use of forests which have now become protected areas, and have restricted the Baka's access to vital livelihood and cultural resources. Photo: John Nelson

Throughout central Africa, governments and conservationists have imposed national parks and other protected areas over the lands and resources of indigenous peoples and local communities. Their eviction from protected areas and restricted access to forest resources has caused impoverishment and undermined indigenous hunter-gatherer cultures. For six years, FPP has supported indigenous peoples living in and around protected areas in central Africa to secure their land and resource rights through dialogue with the managers of protected areas and government, in line with international laws and new conservation policies. This work is currently funded by Comic Relief.

FPP and our partner in Cameroon, CED, continued our work to facilitate dialogue between indigenous Bagyeli communities and government authorities responsible for the protection of the Campo Ma'an National Park in the south-west of the country. Maps of forest use, created by the communities in previous years with FPP and CED support, clearly demonstrate the overlap between the park and the Bagyeli's traditional subsistence areas. In late 2006, based on these maps, we secured formal approval from the government for the protection of Bagyeli access and use rights within the Campo Ma'an National Park which

under previous management plans had been forcibly banned. This was a groundbreaking decision by the government, and had to receive special approval since it runs contrary to Cameroon national laws governing parks.

We consulted with indigenous Bagyeli and local communities from around Akom II, to the north of Campo Ma'an National Park. This paved the way for the establishment of a new Platform to open dialogue between those communities and with government and Hevecam, the managers of a large rubber concession, which lies between Akom II and the national park.

The population of the rubber plantation now stands at over 20,000 people – including plantation labourers and their families – and is a major market for bushmeat hunted inside the national park. Illegal hunting activities sometimes involving individual Bagyeli trackers and hunters makes enforcement of the new provisions protecting community access in the Campo Ma'an National Park problematic. Heavy-handed enforcement of wildlife protection, needed to protect biodiversity as well as community livelihoods, threatens Bagyeli access and use now protected in the park management plan. The concession boundaries are also in dispute, especially where they are beginning to encroach on local communities' lands, often due to the establishment of new agricultural fields by Hevecam workers. There are also other undocumented indigenous communities living inside the concession, as well as in the neighbouring forests, who face eviction as the rubber plantation expands. During 2006 FPP and CED initiated consultations with the the managers of Campo Ma'an National Park – the Worldwide Fund for Nature (WWF) – and local communities affected by the park and the Hevecam rubber concession, and documented other conflicts affecting communities. With WWF, we are now developing a new plan to support communities to engage with Hevecam plantation managers.

In collaboration with CED, we continued our work with hunter-gatherer Baka communities in Cameroon to document conservation



impacts and to open new dialogues with park managers over Baka rights to hunt, gather and live in traditional areas upon which their livelihoods rely, and which are targeted for conservation.

We helped Baka living around Boumba Bek National Park and the adjoining Nki National Park in the southeast of Cameroon to engage with park authorities over the obstruction of Baka access and use in forest they have traditionally occupied and used, and which now lies within the boundary of the two national parks.

Both parks were established by government decree at the end of 2005, without consulting indigenous communities. Their establishment has increased the hunting guard patrols responsible for searching out illegal poaching inside the parks. The guards' activities resulted in a series of human rights abuses against Baka including the complete destruction of camps, villages and other possessions such as cooking pots and identity cards and confiscation of tools including machetes, axes and spears. There are also serious allegations of violence by guards against local Baka men and women, which after investigation by the bodies involved led to sanctions against individual guards, and a overall renewal of guard staff in southeast Cameroon during 2006.

During 2006, we facilitated meetings with communities, local authorities and international conservation NGOs to document the problems arising from restricted forest access, and to devise joint strategies to improve the situation. In early 2006 FPP, CED and our local partners CEFAID and ORADER assisted three Baka communities to document their extensive forest use in and around both parks. We trained local cartographers from the Baka communities and supported them to collect data on how their communities used their forests. CED then incorporated this data into maps which communities reviewed, corrected and validated. The maps were presented to government forest authorities during a meeting in eastern Cameroon in November 2006. During this meeting Baka community representatives, conservation NGOs and government park

managers together reviewed the findings from the community-based studies, and the implications, both for community livelihoods and the conservation objectives of the park.

The outcome of this dialogue was the development of a plan of action, which includes at its core an agreement between communities, NGOs and government agencies working in and around Boumba-Bek and Nki National Parks to work together to secure legal protection for Baka ancestral territorial rights – both inside and outside the park. These protections will be sought in the park management plans, which are still under development, and also through changes to national laws and regulations governing conservation and forest management.

A subsequent meeting in December 2006 resulted in the establishment of a joint implementation plan to complete documentation with communities around both parks. This meeting allocated tasks between the different stakeholders including WWF, Ministry of Environment and Forests, FPP, CED, CEFAID and ORADER, and set out a detailed work programme for 2007.

With WWF we carried out a joint visit to the Dzanga Sangha Dense Forest Special Reserve, in Central African Republic in October 2006. The visit looked at the conservation project in relation to WWF's policy on Indigenous peoples and Parks. FPP made several recommendations about how the project could address the rights of the indigenous Ba'Aka people living in the reserve. This work will be further developed in 2007.

Ba'Aka and local community members in the savanna vegetation of the northern Dzanga Reserve, Central African Republic.

Photo: John Nelson



Securing indigenous peoples' rights under national and international law

FPP's Legal and Human Rights Programme contributes cross-cutting legal and human rights inputs to our other programmes, to support our indigenous partners to use national and international human rights mechanisms and legal systems to defend and secure their rights.

During 2006 with funding from the Sigrid Rausing Trust, Law Society Charity, European Commission and the Eden Bequest, and working in collaboration with our sister organisation Forest Peoples Programme, we expanded this work to support indigenous communities and organisations in central and southern Africa, Guyana, Suriname, Peru, Brazil, Argentina, Paraguay, Venezuela and India.

Africa

Legal and human rights norms and mechanisms are severely underutilised in Africa. During 2006 FPP continued to increase local indigenous and civil society organisations' awareness of existing international standards for the protection and promotion of human rights and indigenous rights. Through training workshops and practical experience we also helped them gain skills to start defending these rights, using the international and African human rights mechanisms, and to pursue rights issues at the national level.

The imposition of national parks on the ancestral lands of the Twa in Uganda caused landlessness, severe poverty and undermined their culture and society. Community consultations facilitated by FPP clarified what the Twa want to do about the loss of their land, and informed them about legal and other options for them to seek redress for the violations of their rights. Photo: Chris Kidd



In **Uganda**, we facilitated community consultations on land rights issues, coordinated by the United Organisation for Batwa Development in Uganda (UOBDU – representing the 3000 Twa people in southwest Uganda) with local support from CARE and Uganda Land Alliance. These consultations established the clear wish of the Twa for action to be taken, under the supervision of UOBDU, to redress the expropriation of their traditional lands by the creation of the Bwindi and Mgahinga national parks.

FPP commenced its support of UOBDU's wishes by providing training on national and international law and mechanisms for UOBDU, and helped UOBDU set up meetings with the Minister of Justice and the Uganda Wildlife Authority to start negotiations on Twa issues. We facilitated the purchase of a tract of partially forested land, and retained local counsel to create a legal entity that will own this land in the name of the Twa.

In **Rwanda** we continued to provide the indigenous Twa NGO CAURWA with technical support on the current land reforms as well as the government's refusal to grant permanent legal registration to CAURWA (see page 2). We helped CAURWA in preliminary meetings with the Ministry of Justice and the National Human Rights Commission to discuss Twa issues and CAURWA's legal registration. CAURWA developed an action plan covering the specific human rights issues that it will work on with FPP support during the next two years.

Following the UN Human Rights Committee (HRC)'s announcement that it would be delivering a list of issues to the Rwandan government in the absence of an overdue State report, we submitted a report on the situation of the Twa to the HRC in October. As a result the HRC directed specific questions on the Twa, including on compensation for their land dispossession, to the State. The HRC will examine Rwanda in March 2007.

In **Democratic Republic of Congo (DRC)**, FPP trained indigenous organisations and support groups from DRC and Rwanda on the UN Committee on the Elimination of Racial Discrimination (CERD) and CERD's Urgent Action procedure. Together with six organisations we then drafted an Urgent Action request, with particular reference to the impacts of the 2002 Forest Code on DRC's

indigenous peoples. This drew on the results of community consultations carried out by our DRC partner organisations in 2004-5. CERD responded by requesting DRC to provide information about indigenous peoples' rights, and brought forward the examination of DRC's State party report to February 2007.

We also submitted a report on the situation of indigenous peoples in DRC to the UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples. The Special Rapporteur can use his office to make recommendations and develop mechanisms to prevent and remedy violations of indigenous peoples' rights, and can communicate directly to Governments about his findings obtained during country visits, and resulting concerns.

In **South Africa**, we gave technical advice to the Nama people regarding the negotiation of a settlement to their land and resource rights issues, following a landmark decision of the South African Constitutional Court that aboriginal title exists and is enforceable under South African common law. We also held a training session on human rights and international law with San and Khoi San indigenous peoples from South Africa, Namibia, Botswana and Mozambique.

In November, we held a regional training workshop on the **African Commission on Human and Peoples' Rights (ACHPR)** and its Working Group on Indigenous Populations for indigenous organisations from Rwanda, Burundi, DRC and Uganda. This training underpinned on-site training that we provided subsequently for Ugandan representatives at the ACHPR's 40th session in The Gambia

At the 40th session, a female member of UOBDU made an oral intervention on land and education issues affecting the Twa in Uganda which received a rare round of applause at the Commission's plenary session. With FPP she also addressed a private meeting of the Commission's Working Group, the first instance of such participation, which may encourage the Working Group to promote similar involvement in future.

We submitted detailed reports on the situation of indigenous peoples in DRC, Rwanda, and Uganda to the ACHPR. Information in the Uganda report was used by the Commission during its examination of the Uganda State



Participants at UOBDU's legal training workshop with FPP's Africa Legal and Human Rights Coordinator Téa Braun.
Photo: Penninah Zaninka

report. The Commission expressed concern to the State delegation about Uganda's non-recognition of indigenous peoples and enquired as to compensatory measures for the Twa land dispossession and other poverty reduction measures. Our report was also used by the Commission's Working Group in the preparation of its Research Visit Report on Uganda, due in 2007.

At the 40th session, FPP also made an oral intervention on the urgent issues facing indigenous peoples in DRC and Rwanda including the implementation of DRC's 2002 Forest Code, the systematic rape of indigenous and other women during the civil war in DRC and the resulting health issues they face, and the continued refusal by Rwanda to permanently register CAURWA.

South America

In 2005, FPP obtained a ground-breaking, unanimous, ruling by the Inter-American Court of Human Rights that, under the American Convention on Human Rights, **Suriname** had violated the human rights of 130 members of the N'djuka Maroon village of Moiwana, through the massacre of Cottika N'djuka maroons (descendants of escaped slaves) by the Surinamese military in 1986.

The court ordered reparations including recognition and restoration of the community's land rights, a formal apology by the state, the establishment of a US\$1.2 million community development fund and payment of compensation to each of the 130 victims.

During 2006, our efforts were devoted to helping the Moiwana community make sure that the court judgement is correctly implemented. Progress so far has been reasonably satisfactory. For example, in July 2006, the community members received their compensation payments, one month later the

President of Suriname publicly apologized for violating their rights, and the community development fund was established shortly thereafter.

The government has not yet regularised the community's land rights, but it has established a Presidential Commission on Indigenous and Maroon Land Rights that will report to the government in March 2007. As part of this process, FPP helped indigenous and maroon leaders to draft a law recognizing the rights of indigenous and tribal peoples in Suriname. This law was formally endorsed by all indigenous and maroon leaders in a 'Great Gathering' held in November 2006.

We submitted a formal brief to the Court, as part of our monitoring of compliance with its judgments, explaining what Suriname had done so far and highlighting the areas where it had failed to comply. During 2007 we will continue working with the Moiwana community to secure full compliance with the Court judgement.

Also in Suriname, we obtained a decision by the Inter-American Commission on Human Rights that Suriname had violated the rights of 12 Saramaka maroon clans by granting logging and mining concessions on their lands. The decision published in March 2006 found Suriname in violation of the right to property and the right to judicial guarantees

and protection under the American Convention on Human Rights, and gave Suriname 90 days to comply with the recommended remedial measures. Suriname failed to comply so, in June 2006, the Commission submitted the case to the Inter-American Court for a binding judgment.

FPP submitted pleadings and evidence on behalf of the Saramaka in November and will act as counsel of record before the Court. We expect a hearing before the Court in mid-late 2007, and a judgment within one year of the date of the hearing.

As well as pursuing these cases, FPP drafted a petition to the Commission on behalf of the Kaliña and Lokono indigenous peoples of the Lower Marowijne River region of Suriname. The petition seeks the Commission's assistance to reverse violations of the Kaliña and Lokono's land and resource rights caused by logging, mining and protected areas, and to secure their ownership rights over their traditional lands.

We helped the Association of Indigenous Village Leaders in Suriname and Trio and Lokono indigenous communities of west Suriname draft complaints and protocols to deal with proposals for massive bauxite mining in their territory. We will step up this support in 2007.

We obtained an urgent action decision from CERD reaffirming that Suriname must develop legislation to recognize and protect indigenous and tribal rights and drawing the attention of the Human Rights Council to the 'alarming situation' in Suriname.

In **Guyana** our work with the Akawaio and Arecuna indigenous peoples of the Upper Mazaruni river basin to bring a potentially landmark aboriginal land title case against the Guyanese government continued to be frustrated by delaying tactics of the court. However, we did obtain extensive concluding observations from CERD, finding that Guyana's new law on indigenous peoples contravened international standards and requiring Guyana to report back within one year on the measures taken on a range of issues including land and resource rights, dealing with mercury and malaria in mining areas, legislative reform and Constitutional changes.

Totobiegosode children drawing water in the Chaidi indigenous community of the Chaco, Paraguay. FPP is helping the Totobiegosode's representative organisation to strengthen its advocacy work.
Photo: Lucas Bessire



We also supported the Amerindian Peoples Association to provide legal advice and support to indigenous peoples in Guyana. This included analysing recent and draft laws and providing information to communities and other interested parties about legal developments.

In **Brazil** FPP assisted the Macuxi, Wapichana, Taurepang, Ingaricó and Patamona indigenous peoples of the Raposa Serra do Sol to submit three separate communications to Inter-American Commission on Human Rights in pursuit of their petition. The petition alleges that Brazil has violated their territorial rights as well as their right to life, physical integrity and judicial guarantees, by failing to remove non-indigenous settlers from indigenous lands and by failing to protect the indigenous communities from increasingly violent attacks from hostile intruders. We expect a response from the Commission in early 2007.

Our request to CERD concerning the racial discrimination and violence associated with the demarcation and titling of indigenous lands in Raposa Serra do Sol resulted in CERD sending a urgent action letter to Brazil expressing concern and requesting information.

In **Peru** FPP worked with the Federación Nativa del Río Madre de Dios y Afluentes (FENAMAD) to submit a detailed report to the Inter-American Commission on Human Rights on the situation of the Mashco Piro, Yora and Amahuaca indigenous peoples. These peoples live in isolation in the Madre de Dios region of Peru. Their lands, resources, culture and very lives are severely threatened by the continued incursion of illegal loggers and the failure of the State to take actions to terminate these activities. FPP requested the Commission to respond to FENAMAD's 2005 petition for precautionary measures to address the urgency and gravity of the situation.

FPP provided technical advice to the Diaguita and Toba indigenous communities of northern **Argentina** to help them secure reforms to the constitutions and laws of the Chaco and Tecuman provinces related to the rights of indigenous peoples to their lands, culture and juridical personality. We also



helped with the drafting of an agreement between the Toba Meguesoxochi Association and the Chaco provincial government to secure indigenous management of their traditional forests.

We will continue this assistance during 2007 including supporting an outstanding Diaguita lawyer who has taken the lead on these matters and initiated several indigenous land claims in the Chaco, Formosa, Salta and Tecuman provinces.

FPP held meetings with the Totobiegosode indigenous peoples of **Paraguay** to help them strengthen their newly formed organization, OPIT, to advocate for the rights of their people – including those that remain uncontacted in the Chaco region of Paraguay.

We also supported indigenous organizations in Paraguay through negotiations with the Inter-American Development Bank and the national indigenous institution about the design and implementation of a project aimed at increasing the voice of indigenous peoples in the formulation of national policies and laws.

Asia

We held a training session with indigenous peoples from northeast **India**, to help them draft and submit a request for urgent action to CERD. This report requests that the Committee find that India's Armed Forces (Special Powers) Act contravenes its international obligations and discriminates against indigenous peoples. The Committee will consider this request in February 2007.

Settlements of isolated indigenous peoples in the Madre de Dios reserve, whose lives are threatened by the diseases and violence brought by illegal loggers in the reserve. With FPP support, FENAMAD is petitioning the Inter-American Commission on Human Rights to require Peru to take urgent steps to halt the loggers.

Photo: FENAMAD

Supporting indigenous peoples in Siberia

FPP continued its search for funds to assist the Evenki, a reindeer-herding and hunting and trapping forest people of central Siberia, to claim their rights to their lands and resources.

While Russian laws contain some provisions to secure indigenous peoples' control over their territories, these laws have rarely been put into effect and the Evenki have no security over their hunting grounds and herding areas. Meanwhile pressure on Evenki lands from oil and gas exploration, mining and logging is intensifying.

Working with the local organisation Arun (meaning 'rebirth'), FPP aims to assist Evenki initiatives to hold summer camps where indigenous youth are taught traditional livelihood skills and learn greater respect for their own language and culture, to build up the capacity of Arun, and document and share information among the communities who live widely dispersed across the Taiga forests of Siberia.

During 2006 we provided support for writing grant proposals to help Arun secure funds for this work.

Publications

'Advances in legislation recognising indigenous peoples' rights in Central Africa: a collision course with industrial logging concessions', by D Jackson. In: *Concessions to Poverty: The environmental, social and economic impacts of industrial logging concessions in Africa's rainforests*. Rainforest Foundation UK and Forests Monitor (forthcoming)

'Case Study: The Upper Suriname River', by S H Jabini and F MacKay. In: I. Roerhorst (ed.), *Legal Forest Destruction: The Wide Gap between Legality and Sustainability*. IUCN, Greenpeace, WWF, NCIV, ICCO: Amsterdam: 30-34 (2006)

'Logging in the Congo Basin: What Hope for Indigenous Peoples' Resources and their Environments?' by J Lewis and J Nelson. *Indigenous Affairs* 4/06 (2006)

'Indigenous and Tribal Peoples in Suriname: A Human Rights Perspective,' by F MacKay. In: M Forte (ed.), *Indigenous Resurgence in the Contemporary Caribbean: Amerindian Survival and Revival*. Peter Lang: New York (2006)

Indigenous Peoples and United Nations Human Rights Treaty Bodies: A Compilation of Treaty Body Jurisprudence 2005-2006, Volume II, edited by F MacKay. Forest Peoples Programme: Moreton-in-Marsh (2006)

Moiwana Zoekt Gerechtigheid – De Strijd van een Marronddorp tegen de Staat Suriname [Moiwana seeks Justice – The Struggle of a Maroon Village against the State of Suriname], by F MacKay. Koninklijk Instituut voor de Tropen/The Royal Tropical Institute: Amsterdam (2006)

The African Regional Human Rights System: A Guide for Indigenous Forest Peoples, by T Braun and L Mulvagh. Forest Peoples Programme: Moreton-in-Marsh (November 2006)

'The health situation of women and children in Central African Pygmy peoples' by D Jackson. *Indigenous Affairs: Africa and the Millennium Development Goals*. 1/06:38-45 (2006)

'The impact of commercial logging and forest policy on indigenous peoples in the Democratic Republic of Congo' by L Mulvagh. *Indigenous Affairs* 4/06:16-21 (2006)

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 Belmont Tchoumba
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 Africa Legal & Human Rights Coordinator
 Finance Officer
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 Administrator
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 Policy Advisor
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	Income	£420,993	Expenditure	£ 347,488
Grants	98.4%		Staff costs	42%
Bank interest	0.9%		Field projects	41%
Donations	0.7%		Travel/M&E	10%
			Administration	5%
			Documentation	2%

Forest Peoples Project

**1c Fosseyway Business Centre,
Stratford Road, Moreton-in-Marsh, GL56 9NQ, UK
tel: +44 (0) 1608 652893 fax: +44 (0)1608 652878**

fpproject@forestpeoples.org

www.forestpeoples.org/project.shtml

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