



Key points

01

States often designate forest peoples' land as protected areas, giving conservation authorities the right to control and manage the land.

02

Genuine security concerns are used by government and conservation authorities as an excuse to effect violent evictions that otherwise might not be able to happen.

03

After the security crisis calms down and the situation is normalised, the communities are never allowed to go back to their lands.

04

In these four cases, the real motives for evicting communities pre-exists - and has nothing to do with - the particular security crisis.

05

Such evictions neither conserve security nor secure conservation.

Using 'security issues' to seize community lands for 'conservation'

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From Eastern Congo to the coast of Kenya, "security" crises are used to evict forest peoples, creating greater insecurity in the process. We compare this practice in relation to the Batwa in present day Kahuzi-Biega (DR Congo), the Ogiek in 1980s Mt Elgon (Kenya), the Benet Mosopisyek both at Mt Elgon in 2008 (Uganda), and the Aweer in Lamu County from 1963 to 1967 (Kenya).

Context

- Forest peoples' lands are often designated by the state as "protected areas". As a consequence, forest peoples are evicted from their ancestral lands and forbidden to return to them or have access to them, and "management" of these lands is passed to conservation authorities.
- Forest peoples' lands may include areas where there are security concerns. Many of the places where forest peoples are trying to protect their rights to their traditional lands are also used and contested by other more powerful actors. Some are on or near national borders, some are rich in natural resources that attract economic interests, (often due to the many centuries of effective community custodianship before their dispossession), some are in countries or regions where governance is weak - and many are affected by all of those factors simultaneously.
- The security issues are not a result of forest peoples' activities or actions. Serious security challenges are posed by armed groups who are unconnected with forest peoples and are financed and supported by economic or political interests that are nothing to do with the communities on the ground.
- National and conservation authorities use security concerns as an excuse to contest forest peoples's legitimate claims to their ancestral lands. A security crisis is often used as an excuse to assert state and conservation authority control over forest peoples' ancestral lands and to justify their eviction and mistreatment.

About this briefing series: In 2003, at the 5th World Parks Congress in Durban, the conservation world made commitments to return lands to indigenous peoples that had been turned into protected areas without their consent, and to only establish new protected areas with their full consent and involvement. Those commitments have not been realised. This series offers case studies, testimony, research, and analysis from FPP and from our partners that examine the current state of play of the relationship between conservation and indigenous peoples, and local communities with collective ties to their lands. It will expose challenges and injustices linked to conservation operations, showcase practical, positive ways forward for the care of lands and ecosystems, led by indigenous peoples and local communities themselves, and reflect on pathways to just and equitable conservation more broadly.



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Sengwer women's traditional singing group congregating at their cultural centre, Kenya. Credit: Poppy Kohner, FPP

01 Batwa of Kahuzi-Biega (DRC):

There are genuine security issues in and around Bukavu in Eastern DRC. The issues that arose towards the end of 2021, including the confusing reports and the way in which the National Park authorities used this event to victimise the Batwa, is a very good example of what happens.

Bukavu was attacked by rebels. The reports are that on the nights of the 3rd November 2022 there were gun shots all over the city. In the morning the army came around and were shooting randomly. The people who died were shot by the army, about 8 people.

However, the attack in Bukavu was on the night of 3rd November (see these Aljazeera, Reuters and local news articles). If the attackers were pursued to Kahuzi Biega, that would have been everywhere in the news. What is clear is that the events of the 3rd were used as an excuse to attack the Batwa.

The attacks on the Batwa were unrelated to what happened in Bukavu. They were an attempt to terrorise the Batwa into leaving their ancestral lands. Lands that were turned into Kahuzi-Biega National Park back in the 1970s, evicting all the Batwa from their homes. The attacks on the Batwa by a joint force of the military and armed PNKB guards happened over the weekend of the 12th to 14th November. What we know is that these attacks involved the destruction of Batwa villages of Muyange and Bugamanda, the burning of their school and the burning of scores of homes. These burnings led to two children and a pregnant woman burnt alive in their homes. One Batwa man was shot at and killed, and two Batwa women were shot at and injured. After this the Park is threatened to attack Katasomwa.

PNKB authorities accuse the Batwa, who are living in their ancestral lands in Kahuzi-Biega National Park, of being a shield to rebels. But there's no reports of the attackers retreating to PNKB national park after the 3rd November attack in Bukavu. The gunfire in Bukavu was until 5am in the morning and the attackers clearly didn't want to move by day. They would have been seen if they had tried to move to PNKB - so will have melted into the urban population. Though there were armed groups in Bukavu, no one suggests evicting people from Bukavu.

Why is it that for communities like the Batwa the whole community is treated as criminal, whereas for other communities the criminals or criminality is separated from the community? Whenever there's criminality, normally the criminals are pursued, but if there are accusations of criminality in communities like the Batwa, the whole community is criminalised. There are rebels in the Park and then all the Batwa are criminalised. There are rebels in Bukavu but the residents of Bukavu are not all being criminalised.

The PNKB attacks on the Batwa are utterly unrelated to what happened in Bukavu, but what happened in Bukavu is being used as an excuse to burn, kill and forcefully evict the impoverished Batwa from their ancestral lands that were taken from them to create Kahuzi-Biega National Park (PNKB).

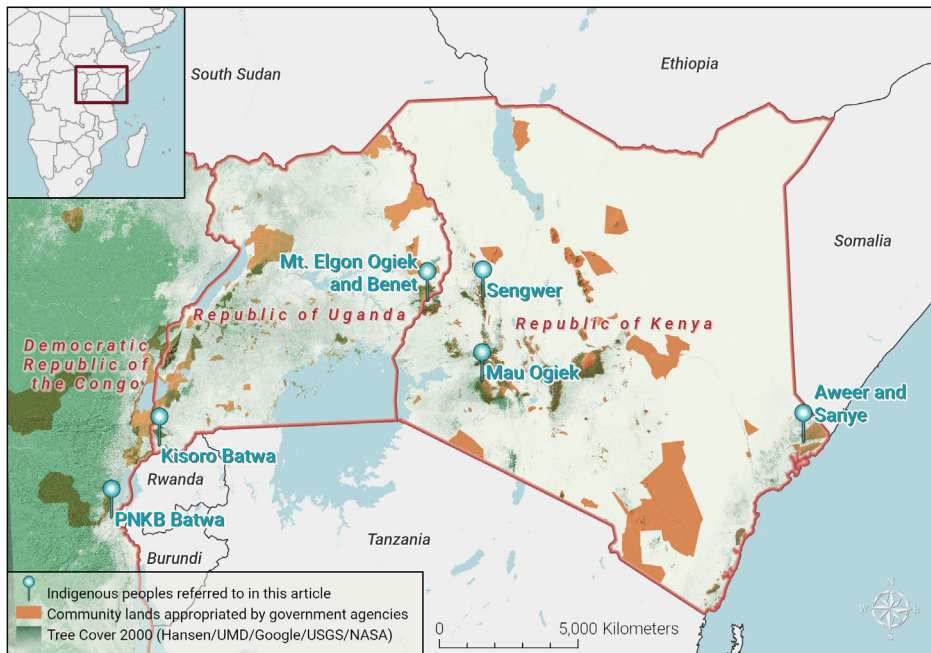


Image credit:

Indigenous Peoples referred to in this article, and some of the key community lands impacted by conservation operations in Kenya, Uganda and DRC.

The army is saying it's 3. The army say they arrested about 40 people and then said it was 30 something. They took them to Kinshasa. The population was not happy with this, saying these are innocent people. The Government said nothing about who was involved in carrying out the attack, nor where they were, yet they arrested people and took them to Kinshasa. The population saw the Government as just picked up anyone, as saying those they happened to pick up were part of the uprising.

Meanwhile, the Director of Kahuzi-Biega National Park (PNKB) said in an email that

“You have all learnt about the incursion of armed men into the town of Bukavu on the night of 09 to 10 November and up to around 9 am. When the army decided to neutralise them, they took refuge in the PNKB, their hiding place”.

02 Ogiek of Mt Elgon, Kenya:

For the Ogiek of Mt Elgon, the same thing happened when there was the overthrowing of the Government of Idi Amin in Uganda (1979) and the dissidents were pushed into the forest of Mt Elgon.

They were stealing everything on the Kenyan side - stealing our livestock, killing people, and kidnapping people. There are people who haven't been accounted for up to today. My father was an orphan whose parents passed on before he was 10. He grew up with this guy who was a brother to my father's mother, and after the kidnappings and killings by the dissidents from Uganda he has never been accounted for to date. We lost our livestock and lost everything. They started by attacking the Ogiek community. There were a lot of them.



Image credit:

Ogiek community women in mapping workshop, Community Resources Centre. Tom Rowley/FPP.

The MP for our area was always for the expulsion of the Ogiek from Chepkitale, wanting us to be pushed to Chepyuk. For as long as the Ogiek are in Chepkitale there is the history that this community is a separate community, that is on its ancestral lands, and it would be looked at differently in terms of land allocated in Chepyuk. We suspect that for as long as we are in Chepkitale, it makes it difficult for them to justify why other communities were getting land in Chepyuk. It looks like the Ogiek at Chepkitale have never been properly compensated, and so the Government might look into why the allocations had been done so unfairly, to the benefit of the MP, his allies and dominant communities, all people who were against the Ogiek being on our ancestral lands at Chepkitale, Mt Elgon.

Local political leaders were against us. At that time there were no political leaders from the Ogiek community, including no recognised Ogiek chiefs. The area MP made a statement in Parliament (2nd April 1980 - pages 789 and 790 in the records of the National Assembly of the Republic of Kenya) that misled the government by saying all members of the Ogiek community had moved to Chepyuk, and had left houses at Chepkitale that had been taken over by the Bagishu (from Uganda).

So when the paramilitary and police came, they came and evicted our community at Chepkitale, burning people's houses, shooting the few livestock that were left, and rounding up anybody that was found.

The security issue was a good excuse for the local political elites (especially the MP) to mislead the Government, and for the Government it was a good excuse to evict the community. They had tried to evict the community before, but now they had a 'security' excuse, and the community had already been attacked and weakened and so was very vulnerable. This was the only year larger scale evictions were successful.

This was late 1979 to 1980. I feel sorry for the MP Kisiero who is now old. I don't like harassing someone who is old, but all we are asking is for him to say he is sorry, but he refuses. The current MP is asking for our eviction, so this is a situation that is continuing. It didn't just happen back then. What happened then is what they want to happen now.

For us, what happened was that land-grabbing conservation organisations ganged up with local elites to pursue the eviction of the Ogiek community, long before any security issues arose. When the security issues arose, it simply provided another opportunity to evict us.

03 Benet Mosopisyek bopth of Mt Elgon, Uganda:

The Ugandan Benet were also evicted from their side of Mt Elgon because of the killing of a tourist. The last evictions they faced were in 2008, says Chemoti David, a Benet from Uganda.

In 2008 the whole community was accused of being implicated in the murder of a tourist. This provided the excuse to evict the Benet from their lands. In 2014 four people were convicted of the murder, none were Benet.

After the murder, the whole Benet community was told they were harbouring criminals and the Benet were all evicted. The Benet had been in a place like Chepkitale in that they were within the boundary of the National Park, and were then evicted from there - from their ancestral lands - to a place more like Chepyuk where they have to live on scarce land alongside more dominant neighbours.

The 'security' issue - whether caused by Uganda Wildlife Authority or whoever - was not caused by the Benet, but was used as an excuse to evict them.

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04 Aweer of Lamu County, Kenya:

The Shifta War (1963-1967, but with banditry continuing after) was carried out by Somalis who wanted some parts of Kenya to be part of Somalia.

The Aweer and Sanye forest peoples were accused of being complicit and were all rounded up and put in a kind of concentration camp, and later on put in concentration areas. In 1976, much of their forest was formally gazetted as the Boni National Reserve and the Dodori National Reserve.

Security was used as an excuse for these evictions. Even way after the Shifta war was ended they are never allowed to return to their lands.

Their lands are conservation areas. No one wants to hear their story.



Image credit:

Fred Kibelio speaking to the National Land Commission and Kenya Forest Service during NLC Chepkitale consultations, November 2015.
Justin Kenrick/FPP.

Conclusion

What we are learning is that genuine security concerns can be used as an excuse to effect violent evictions that otherwise might not be able to happen.

So we are left to weigh the question of human rights and security, whereas the truth behind the evictions is in no way related to the security issues that are put forward. In these four cases the real motives of evictions pre-exists the particular security crisis, and uses the excuse of the security crisis in order to effect violent evictions.

The other reason it is clear that these evictions are not related to the security crisis is that after the security crisis calms down and the situation is normalised, the communities are never allowed to go back to their lands.

The elites use 'security' as an excuse to devastate the security of the communities.

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