

From principles to practice Indigenous peoples and protected areas in Africa

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FPP would like to thank all the people involved in this project since 2001, especially the indigenous communities from the ten case study areas who shared their stories with us and our partners, and who actively participated in the dialogues with the conservation authorities in their areas. We hope that this book will support them as they continue their struggle to protect their lands and secure their rights.

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Foreword

by Marcus Colchester

Nearly 30 years have passed since the World Conservation Union (IUCN), at its 12th meeting held in Kinshasa, first acknowledged the need to respect indigenous peoples' rights to their lands in the establishment of protected areas. The resolution called on governments and conservation bodies to recognise the value of indigenous peoples' ways of life and to devise ways for indigenous peoples to bring their lands into conservation areas without having to relinquish their rights or be displaced (see Box 1 overleaf).

Yet the great majority of protected areas established in Africa since then have violated these rights. It is estimated that to date some one million square kilometres of forests, savannah, pasture and farmland in Africa have been redefined as protected areas yet in the great majority of these areas the rights of indigenous peoples to own, control and manage these areas have been denied. No one knows how many people have been displaced by these protected areas and little has been done to ameliorate the suffering and poverty that has resulted.

In the past 15 years, the conservation community has made more concerted efforts to develop principles and guidelines designed to reconcile indigenous rights with conservation initiatives. The Convention on Biological Diversity (CBD) imposes obligations on governments to respect, preserve and maintain indigenous peoples' knowledge, innovations and practices, and to protect and encourage their customary use of natural resources. At the same time major advances in international law have more clearly defined the rights of indigenous peoples and these advances have been consolidated in the form of the draft United Nations Declaration on the Rights of Indigenous Peoples.

It is now possible to point to international human rights instruments and treaties, and to the jurisprudence of the United Nations human rights committees which interpret them, and state with confidence that international law now recognises the rights of indigenous peoples to:

- self-determination;
- freely dispose of their natural wealth and resources;
- in no case be deprived of their means of subsistence;
- own, develop, control and use their communal lands, territories and resources, traditionally owned or otherwise occupied by them;
- the free enjoyment of their own culture and to maintain their traditional way of life;

Box 1

The Kinshasa Resolution (1975)

Protection of traditional ways of life:

Recognizing the value and importance of traditional ways of life and the skills of the people which enable them to live in harmony with their environment;

Recognizing also the vulnerability of indigenous people and the great significance they attach to land ownership;

The 12th General Assembly of IUCN meeting in Kinshasa, Zaire, in September 1975:

Recommends:

- 1 That governments maintain and encourage traditional methods of living and customs which enable communities, both rural and urban, to live in harmony with their environment;
- 2 That educational systems be oriented to emphasize environmental and ecological principles and conservation objectives derived from local cultures and traditions, and that these principles and objectives be given wide publicity;
- 3 That governments devise means by which indigenous people may bring their lands into conservation areas without relinquishing their ownership, use and tenure rights;
- 4 That the governments of countries still inhabited by people belonging to separate indigenous cultures recognize the rights of these people to live on the lands they have traditionally occupied, and take account of their viewpoints;
- 5 That in the creation of national parks or reserves indigenous peoples should not normally be displaced from their traditional lands, nor should such reserves anywhere be proclaimed without adequate consultation with the indigenous peoples most likely to be directly affected by such proclamation . . .

- free and informed consent prior to activities on their lands;
- represent themselves through their own institutions;
- exercise their customary law;
- restitution of their lands and compensation for losses endured.¹

In Africa too, the African Commission on Human and Peoples' Rights has set up a Working Group on Indigenous Peoples and has issued judgements recognising the collective rights of peoples.²

Through its resolutions and recommendations the World Conservation Congress has explicitly recognised these advances in international law and called on governments and its members to comply with them (see Box 2). In 1994, the IUCN revised its system of categories of protected areas to allow indigenous peoples, among others, to be the owners and managers of protected areas – previously the IUCN system had required protected areas to be controlled by State agencies. In 1999, the World Commission on Protected Areas (WCPA) adopted guidelines for putting these new conservation principles into practice. These guidelines place emphasis on co-management of protected areas, on agreements between indigenous peoples and conservation bodies, on indigenous participation and on a recognition of indigenous peoples' rights to 'sustainable, traditional use' of their lands and territories.³

Since 1997, the Forest Peoples Programme has jointly organised a series of conferences with indigenous peoples to assess the extent to which these new principles of international law and conservation are being put into practice. A first conference held in Pucallpa, Peru, with the *Asociacion Interetnica para el Desarrollo Sostenible de la Selva Peruana* (AIDSESP) and the International Work Group for Indigenous Affairs (IWGIA), examined 16 cases of indigenous experiences with protected areas in Latin America. A second conference held in Kundasang in Malaysia, with the Asia Indigenous Peoples Pact, IWGIA and Partners of Community Organisations in Sabah (PACOS) looked at a further 12 cases in South and South East Asia.⁴ This volume brings together the results of the third conference, which was held in Kigali in partnership with the *Communauté des Autochtones Rwandais* (CAURWA) and examines a further ten cases.

The overall findings from this review are sobering but not entirely discouraging. In general, protected areas continue to be established and administered in violation of indigenous peoples' rights and in ignorance of the new standards. However, in all regions, examples can also be found of protected areas where sincere efforts to apply these new standards are being made. These examples demonstrate that it is possible to recognise the rights of indigenous peoples and achieve conservation goals in the same areas. Future studies of these areas, indeed, may also find that conservation goals have been achieved more successfully in such areas than in those where managers find themselves in long-term conflict with neighbouring communities.

Box 2

Key phrases in IUCN Resolutions on Indigenous Peoples (1996)

Resolution 1.49 on *Indigenous Peoples and the IUCN* calls upon members ‘to consider the adoption and implementation of the objectives of’ ILO Convention 169 and the CBD, ‘and comply with the spirit of’ the UN Draft Declaration on the Rights of Indigenous Peoples.

Resolution 1.50 on *Indigenous Peoples, Intellectual Property and Biological Diversity* recognises ‘the rights of indigenous peoples to their lands and territories and natural resources, as well as their role in management, use and conservation, as a requirement for the effective implementation’ of the CBD.

Resolution 1.51 on *Indigenous Peoples and Mineral and Oil Extraction, Infrastructure and Development Works* calls on the IUCN and members to respect the rights of the world’s indigenous peoples, based on the ‘adoption and implementation of the objectives of’ the CBD, ILO Convention 169 and ‘comply with the spirit and principles of’ the UN Draft Declaration on the Rights of Indigenous Peoples and Chapter 26 of Agenda 21.

Resolution 1.52 on *Indigenous Peoples on Marine and Coastal Areas* recognises ‘the role and collective interest of indigenous peoples taking into account the terms of’ the CBD, ILO Convention 169 and the UN Draft Declaration on the Rights of Indigenous Peoples.

Resolution 1.53 on *Indigenous Peoples and Protected Areas* calls on the IUCN Secretariat and members to develop and implement a clear policy on protected areas and indigenous peoples based on ‘recognition of the rights of indigenous peoples to their lands or territories and resources which fall within protected areas’.

Resolution 1.54 on *Indigenous Peoples and Conservation in Meso-America* recognises ‘the rights of indigenous peoples taking into account the terms of’ ILO Convention 169, the CBD and the UN Draft Declaration of the Rights of Indigenous Peoples.

Resolution 1.55 on *Indigenous Peoples and Forests* recognises ‘the rights of indigenous peoples taking into account’ the terms of ILO Convention 169 and the UN Draft Declaration of the Rights of Indigenous Peoples.

Resolution 1.56 on *Indigenous Peoples and the Andes* recognises ‘the role and collective interest of indigenous peoples taking into account the terms of’ the CBD, ILO Convention 169 and the UN Draft Declaration on the Rights of Indigenous Peoples.

The case studies also show that a number of serious obstacles stand in the way of an effective recognition of indigenous rights in conservation practice. These include:

- entrenched discrimination in national societies' attitudes towards indigenous peoples such that indigenous peoples' ways of life are seen as backward, dirty or subhuman. In the context of conservation initiatives, the result may be a denial of rights and a feeling among affected peoples that they are treated worse than animals;
- absence of reform of government policies and laws regarding indigenous peoples. Many governments, especially in Asia and Africa, pursue integrationist or assimilationist social policies towards indigenous peoples, designed to elevate them from backward ways into the national mainstream;
- national laws and policies with respect to land which deny indigenous peoples' rights to own and manage their lands;
- national conservation policies and laws still based on the old exclusionary model of conservation. Few of the countries studied have adopted the revised IUCN protected area category system, which would allow communities and indigenous peoples to own and control protected areas;
- conservation agencies and NGOs lack appropriate training, staff and capacity to work with communities.

We believe that these studies by indigenous peoples of their own experiences with protected areas, and the conclusions that flow from them, have important implications for conservationists gathering in September 2003 for the Vth World Parks Congress in Durban, South Africa. If conservation organisations, including IUCN and WCPA, and State agencies are to ensure that existing and future protected areas are to be managed and established in conformity with indigenous peoples' rights, then they must:

- give priority to reforming national laws, policies and conservation programmes so that they respect indigenous peoples' rights and allow protected areas to be owned and managed by indigenous peoples;
- ensure that sufficient funds are allocated to national conservation programmes, and to the regional and international programmes that support them, to carry out these legal and policy reforms;
- retrain conservation personnel in both national and international bureaux so that they understand and know how to apply these new principles;
- encourage other major international conservation agencies to adopt clear

policies on indigenous peoples and protected areas in conformity with their internationally recognised rights and these new conservation principles;

- combat entrenched discrimination in national and international conservation programmes and offices and, where necessary, adopt affirmative social policies that recognise and respect cultural diversity;
- support the consolidation of indigenous peoples' organisations as independent, representative institutions;
- support initiatives by indigenous peoples to secure their territorial rights; and
- initiate transparent, participatory and effective procedures for the restitution of indigenous peoples' lands, territories and resources incorporated into protected areas and compensate them for all material and immaterial damages in accordance with international law.⁵

Clear measures to undertake these actions need to be introduced into the Durban Accord, which is the expected outcome of the Vth World Parks Congress. This is especially important as the successful uptake of the conclusions of the World Parks Congress will be dependent on debates at the VIIth Conference of Parties of the Convention on Biological Diversity to be held in Kuala Lumpur in 2004. The credibility of the CBD will be greatly enhanced by full compliance with the human rights standards already established in other UN treaties.

Marcus Colchester
Director
Forest Peoples Programme

Notes

- ¹ For full details see the web site of the Forest Peoples Programme: www.forestpeoples.org
- ² *Communication No. 155/96, The Social and Economic Rights Action Center and the Center for Economic and Social Rights/Nigeria*, at para. 58 and 69.
- ³ Beltrán, J and A Phillips (eds.). 2000. *Indigenous and Traditional Peoples and Protected Areas: principles, guidelines and case studies*. Best Practice Protected Area Guideline Series No. 4, IUCN, Cambridge and Gland.
- ⁴ Gray, Andrew, Helen Newing and Alejandro Padellada (eds.). 1997. *Indigenous Peoples and Biodiversity Conservation in Latin America: from Principles to Practice*, International Work Group for Indigenous Affairs, Copenhagen, and Forest Peoples Programme; Colchester, Marcus and Christian Erni (eds.). 1999. *Indigenous Peoples and Protected Areas in South and Southeast Asia: from Principles to Practice*, Forest Peoples Programme and the International Work Group for Indigenous Affairs, Copenhagen.
- ⁵ MacKay, Fergus. 2002. *Addressing Past Wrongs: Indigenous People and Protected Areas – the right to restitution of lands and resources*. Forest Peoples Programme, Moreton-in-Marsh: www.forestpeoples.org

Introduction and project overview

by John Nelson

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Executive summary

This chapter summarises over two years of collaborative work to document the impact of ten conservation projects on the lives and futures of indigenous peoples in seven African countries. The nine case studies presented here cover the experiences of Batwa from the Nyungwe Natural Forest and the Volcanoes National Park in Rwanda, Batwa from Mgahinga and Bwindi National Parks in Uganda, Batwa from around the Kahuzi-Biega National Park in the Democratic Republic of Congo, Maasai from around the Ngorongoro Conservation Area in Tanzania, Ogiek from the Mau Forest Complex in Kenya, †Khomani San from the Kgalagadi Transfrontier Park (formerly Kalahari Gemsbok National Park) in South Africa, Bagyeli from the Campo Ma'an National Park in Cameroon, and Baka from around the Dja Reserve and the Boumba Bek and Lobéké National Parks in Cameroon. In this chapter the experiences of these communities are contrasted against the new conservation principles established by the World Conservation Congress, and the associated guidelines published jointly by the World Commission on Protected Areas, the World Conservation Union and the World Wide Fund for Nature in 2000.

The analysis presented here shows categorically that these widely agreed principles and guidelines are not being applied in any of the cases, and the net impact of this on indigenous peoples has been severe. The impacts of these conservation projects on indigenous peoples include forced expulsions of indigenous peoples from their lands without compensation, the elimination of indigenous peoples' rights over their traditional lands, the progressive destruction of indigenous peoples' livelihoods, and the loss of indigenous peoples' identities and increasing socio-economic marginalisation of their communities. Indigenous cultures are particularly susceptible to these violations of their rights. Their mobility, their suspicion and even fear of outside impositions, their lack of access to education and health services, and existing social discrimination against them have led many African indigenous communities to the margins both socially and geographically. In many cases this has meant that indigenous peoples' traditional resources within protected areas have become even more essential for their livelihoods, even while their access to them has become more restricted. Conservation projects tip the balance against these communities by enabling the imposition of new and severe restrictions to land, following old-fashioned conservation approaches that are incompatible with the preservation of indigenous peoples' rights. The lack of consultation with indigenous peoples in the elaboration of these projects, and other barriers to the meaningful participation of indigenous peoples in the development of conservation plans means that many protected area managers have taken away the local communities' ability to determine their own futures, and thus bear a heavy responsibility for their current situation.

The significance of protected area policies in the destruction of indigenous

peoples' lives also highlights the great potential for protected areas in Africa to improve livelihoods for indigenous peoples, if only the approach is changed in line with the widely agreed new conservation principles which should indeed already be in practice. Appropriate channels of dialogue between indigenous peoples and protected area managers can be established by providing adequate and targeted funding; by assuring indigenous peoples' meaningful participation in planning processes; by providing employment for indigenous peoples within existing conservation projects; and by recognising indigenous peoples' rights to their traditional territories. Among the reasons for the failure of many conservation agencies to implement these new principles are the following:

- 1 a lack of commitment by conservation agencies to engage with local people over animals or plants;
- 2 a lack of awareness within protected area projects of international standards for working with indigenous communities, coupled with a tendency to treat all local communities as a single entity, rather than as distinct communities with different livelihood systems and cultural norms;
- 3 a lack of funding to enable protected area staff to develop a better understanding of indigenous peoples' worldviews and to enable indigenous peoples to participate meaningfully in the development of conservation plans;
- 4 a lack of capacity within protected area management teams to enable participative processes to occur with communities, and a lack of capacity of indigenous communities to adequately express their concerns about how their rights may be violated by protected area plans – a key gap which remains to be bridged in most of the cases; and
- 5 a lack of government recognition and respect for the rights of indigenous communities.

The solutions to these dilemmas are complex, and will involve:

- renewed political commitment by conservation organisations supporting the full application of the Principles which have formed the basis for this project;
- the provision of new sources of funding to support indigenous communities to engage with conservation agencies in regular dialogue and to reach solutions acceptable to both parties; and
- capacity-building initiatives to help protected area staff to adopt genuinely participative approaches in order to facilitate the meaningful participation of indigenous peoples in the elaboration of park management plans.

Introduction

This book provides an overview of more than two years of joint work between indigenous peoples in seven African countries and the UK-based Forest Peoples Project (FPP). The key sources of information for the nine case studies in this volume, which indigenous peoples and their supporters researched and wrote, include government officials, conservation organisations and development agencies from each of the regions concerned, and of course indigenous representatives who participated in the many community-based meetings that this project has supported over the past several years. The primary objectives of this work have been:

- to document the impact of protected areas on nine groups of African indigenous peoples;
- to record the degree to which conservation organisations have been applying the so-called ‘new conservation principles’ in their field projects; and
- to promote greater dialogue and cooperation between protected area managers and indigenous communities affected by their projects.

This project is promoting models of cooperation based upon principles that recognise the rights of indigenous people to use, own and control their traditional territories, and which protect their traditional knowledge and skills. These new conservation principles are embodied in, *inter alia*, WWF International’s ‘Statement of Principles on Indigenous Peoples and Conservation’ (1994),¹ the World Conservation Union’s (IUCN) resolutions on Indigenous Peoples (1996), the World Commission on Protected Areas’ guidelines (1999), and the relevant provisions of the Convention on Biological Diversity (CBD), which over 170 countries have now ratified.

Key concepts embodied in these provisions include:

- recognition for ‘the rights of indigenous peoples over their lands or territories and natural resources, as well as their role in management, use and conservation,’ and ‘the role and collective interest of indigenous peoples with respect to the management, use and conservation of biodiversity’;²
- the obligation to ‘protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements’;³
- recognition of indigenous peoples’ property rights based upon traditional occupation and use, as recognised through the African Charter on Human Rights.⁴

In 2000 the World Commission on Protected Areas (WCPA), the IUCN and the WWF jointly published their 'Principles and Guidelines on Protected Areas and Indigenous/Traditional Peoples'⁵ and these provide clear benchmarks against which one can assess progress with conservation projects in the field. These principles form an objective basis for assessing the case studies contained in this book, and along with the 22 associated guidelines⁶ they form the framework for the subsequent discussion.

The case studies in this volume cover the experiences of:

- Batwa and the Volcanoes National Park, Rwanda
- Batwa and the Nyungwe Natural Forest, Rwanda
- Batwa and the Kahuzi-Biega National Park, Democratic Republic of Congo
- Ogiek and the Mau Forest complex, Kenya
- Maasai and the Ngorongoro Conservation Area, Tanzania
- Batwa and Mgahinga and Bwindi National Parks, Uganda
- Baka and the Dja Wildlife Reserve, Cameroon
- Baka and Lobéké and Boumba Bek National Parks, Cameroon
- Bagyeli and Campo Ma'an National Park, Cameroon
- ꞤKhomani San and the Kgalagadi Transfrontier Park, South Africa.

These case studies were prepared during 2001 and presented and discussed in September 2001 at the Kigali, Rwanda, Conference: 'Indigenous peoples and protected areas in Africa: from principles to practice' which FPP organised with CAURWA (*Communauté des Autochtones Rwandais*), the Rwandan Batwa NGO with whom FPP has been working since 1995. The Kigali conference was attended by over 60 representatives from indigenous communities and support organisations – along with conservation and development organisations from across Africa – and the outcomes of this meeting have guided a series of follow-on initiatives in most of the case study areas in order to promote increased dialogue and interaction between indigenous peoples and conservation agencies. This follow-up work was initiated in June 2002, and it is still continuing.

The timing of this book is important because it provides a rich source of experience which can be brought into the thinking of the World Parks Congress in September 2003 and the meeting of the parties to the Convention on Biological Diversity during the first part of 2004.⁷ This book is also highly relevant for indigenous peoples involved in the ten cases: many of them are confronting critical moments of decision and action for their communities, and almost all of them are under increasing pressure from conservation initiatives affecting their lands.

This chapter begins by assessing the degree to which the Principles are in practice in the ten cases, and this is followed by detailed summaries of the case studies, along with updated information arising from the follow-up work which has been

carried out by FPP's partners over the past 18 months. The chapter ends with some general conclusions that can be drawn from these experiences, and a series of recommendations about how to strengthen the application of the Principles in Africa. This chapter is followed by a complete set of the case studies, interspersed with summaries of the discussions held at the Kigali conference in 2001.

Are the principles in practice?

Given the plethora of international legal instruments recognising indigenous peoples' rights to their lands,⁸ and the existence of both clear principles and implementation guidelines, it is reasonable to ask: are these principles yet being put into practice and with what results? The following sections thus assess the degree of compliance by comparing the key principles set out by the WCPA/WWF/IUCN⁹ with the actual experiences of indigenous peoples in Africa as described in the case studies in this book. The evidence from the case studies shows that the principles are still a long way from being implemented in Africa.

Principle 1: Co-existence, sustainable use and partnership

Indigenous and other traditional peoples have long associations with nature and a deep understanding of it. Often they have made significant contributions to the maintenance of many of the earth's most fragile ecosystems, through their traditional sustainable resource use practices and culture-based respect for nature. Therefore, there should be no inherent conflicts between the objectives of protected areas and the existence, within and around their borders, of indigenous and other traditional peoples. Moreover, they should be recognised as rightful, equal partners in the development and implementation of conservation strategies that affect their lands, territories, waters and coastal seas, and other resources, and in particular in the establishment and management of protected areas.

In all but one of the cases explored in this book the suggested guidelines for Principle 1 are not being followed. The one exception – the ǀKhomani San communities – are just beginning to see them implemented during their interaction with Kgalagadi Park authorities, now that a formal, binding legal agreement between ǀKhomani San communities, park managers and the government has been reached.¹⁰ Most of the conservation projects examined in this review have not validated Indigenous Peoples' Knowledge, or IPK, in their ongoing management plans, nor do they recognise openly that indigenous peoples 'have made significant contributions to the maintenance of the earth's most fragile ecosystems'. This gap in thinking is fundamental to the continuing marginalisation of indigenous peoples in conservation projects in Africa because in most situations protected area managers still perceive indigenous and traditional peoples only as

forest users, not as past or potential managers. Hence in project managers' eyes indigenous peoples should be subject to the standard protected area prohibition measures which have caused such great heartache for their communities, due to their close reliance on these lands for their livelihoods and the continuation of their cultures.

For most of the cases presented at the Kigali meeting, the proscribed enforcement measures implemented by protected area managers make no clear distinction between indigenous and traditional communities who have continued to rely on resources within and around the protected areas for their subsistence, and outsiders who have come in to exploit them commercially. This situation applies equally to Baka and Bagyeli in Cameroon, Batwa in the Albertine Rift, and Ogiek in Kenya. In addition, in many of the situations described below, indigenous communities feel that they are *more* vulnerable to enforcement measures than other forest users, many of whom are more powerful outsiders with greater social, economic and political protection. In all these examples, the authorities know well that indigenous communities continue to rely on forest resources in the protected areas to fulfil at least part of their subsistence needs. They have therefore become easy targets in the enforcement of measures which park guards are unable to impose on more powerful groups who are usually those causing the greatest harm to long-term biodiversity¹¹ – a fact readily recognised by many protected area managers and wildlife specialists across Africa during discussions over the past two years. For example, around the Dja Reserve in Cameroon, Baka carrying out subsistence hunting outside the Biosphere Reserve, which is legal under Cameroon law, feel terrorised by ECOFAC (Central African Forestry Ecosystems) guards, who regularly confiscate their subsistence game. Meanwhile, illegal commercial bushmeat hunters operate with apparent impunity within parts of the Reserve and are able to bypass control checkpoints with ease.¹²

Indigenous knowledge has also been vulnerable to exploitation when, for example, biodiversity researchers for Northern conservation organisations use local indigenous groups to help them identify the key biological and geographical characteristics of their forests, yet do not acknowledge these groups' continuing importance once protected areas are established over these same lands. In *none* of the cases highlighted here have indigenous peoples been involved in using their intimate local knowledge to support the ongoing development of protected area management plans. Moreover, they have been *marginalised from almost all* of the development of the conservation strategies affecting their lands in the cases that our partners have examined.

Principle 2: Agreements and traditional sustainable use

Agreements drawn up between conservation organisations, including protected area management agencies, and indigenous and traditional peoples for the establishment and management of protected areas

affecting their lands, territories, waters, coastal seas and other resources should be based on full respect for the rights of indigenous and other traditional peoples to traditional, sustainable use of their lands, territories, waters, coastal seas and other resources. At the same time, such agreements should be based on the recognition by indigenous and other traditional peoples of their responsibility to conserve biodiversity, ecological integrity and natural resources harboured in those protected areas.

In only one of the cases have conservation organisations elaborated a formal agreement with indigenous communities respecting, to some degree, their rights to use their lands. In this case, the ǀKhomani San secured this agreement through a combination of cultural research and land use mapping, spurred on by constitutional changes resulting from the transformation of the South African political system after the end of *apartheid*.¹³ Where other forms of agreement have been established between local communities and conservation organisations, the cases illustrate backsliding by conservation authorities. In Ngorongoro in Tanzania, for example, an agreement made with Maasai in the 1950s, which ensured their removal from the Serengeti in exchange for access to lands in Ngorongoro,¹⁴ has been broken repeatedly. In recent years they have experienced a progressive tightening of the rules regulating their livelihood and today face a government eviction order from the Ngorongoro region that will affect up to 50,000 Maasai.

In Uganda, complex agreements between the State, the Uganda Wildlife Authority and local community parishes have been established as part of the Multiple Use Programme covering portions of Bwindi and Mgahinga National Parks, yet Batwa were scarcely involved in the development of these agreements, and their rights to the forests have not been recognised in the final documents. It is generally acknowledged that they have been marginalised from the Multiple Use Programme and their participation is still minimal, primarily due to their social marginalisation. So far, local authorities have been reluctant to recognise Batwa collective rights. Indigenous peoples' lack of meaningful participation in 'participatory' conservation projects of this nature is reflected in and around Lobéké National Park in Cameroon, where Baka are now marginalised from management decisions concerning both the park and the various 'buffer zones' or 'community managed zones'. They have, however, secured legal access to a small proportion of the park area where they may fish and gather under government supervision, a significant development in a country where resource use within parks is normally forbidden. Here, conservation organisations are meant to involve local communities in the management of some of the 'buffer zones', including sport hunting zones and community-managed areas as stipulated in park management plans, but so far Baka participation in these schemes and representation in management committees is negligible, except where they are employed as guides or porters by the parks authorities, wildlife researchers or local safari companies, or as prospectors for logging companies in forest zones.

One of the common arguments for not establishing agreements with indigenous peoples within protected area management plans is that in most African countries national laws do not generally allow for any use of protected areas, mirroring outdated ‘wilderness’ concepts which form the basis for the predominant conservation model still employed in Africa, even where current or potential conservation areas are still inhabited.¹⁵ While strictly true in most of the countries where these cases were prepared, the common reality is that indigenous communities have continued to rely on resources within protected areas, for example in the Dja Reserve, where Baka retain strong links to ancestral areas within the reserve, tied to the hunting and gathering livelihood system upon which many still rely. ‘Interim arrangements’ such as those proposed in Guideline 2.4 are generally *ad hoc*, such as in Campo Ma’an, where for the moment at least, Bagyeli are able to assert their rights to reside, hunt and gather all around the reserve (but not in it) pending the development of the park’s management plan, so far delayed by the need to finalise the government’s protected areas management policy.

Indigenous peoples’ rights to ‘*guaranteed access to secure livelihoods*’ (Guideline 2.5) are not respected in protected areas where national laws have remained static, although there are important instances where protected area authorities have turned a blind eye to indigenous peoples’ subsistence activities within protected areas, both because they have been unable to stop them due to funding constraints, and because they have accepted that indigenous peoples’ impacts on biodiversity are negligible. However, in none of the cases has there been a public admission of this approach, as it remains contrary to national legislation in almost all cases.

Principle 3: Decentralisation, participation, transparency and capacity building

The principles of decentralisation, participation, transparency and accountability should be taken into account in all matters pertaining to the mutual interest of protected areas and indigenous and other traditional peoples.

While the *rhetoric* of participation is prevalent in many of the conservation policies overarching the ten cases, in *practice* participation by indigenous peoples in project management processes has so far not been ‘meaningful’ in the eyes of the case study authors. For many, participation has been limited to *sensibilisation*,¹⁶ which communities equate with awareness raising, i.e. being told about rules by authorities, rather than as genuine dialogue between project managers and local communities. In most cases the information has flowed one way, from parks authorities to the local people, usually in order to present and explain new rules, regulations or zoning regimes. When alternative visions of conservation are proposed by communities, these ideas are often not recorded, or are institutionally

ignored. In the World Bank's 'ladder of participation' conservation organisations have thus stopped at the first rung:

- 1 information sharing;
- 2 consultation;
- 3 joint decision-making;
- 4 initiation and control by stakeholders.¹⁷

Even when this has not been the intention of protected area managers or development NGOs working in parks and their peripheral zones, this is how it has appeared to most of the indigenous communities involved in this project.

Research that protected area managers undertake to assess human-environment interactions sometimes paradoxically neglects the very issues of greatest concern to indigenous peoples. For example, the research¹⁸ that has been used to justify the eviction order now hanging over the Maasai in Ngorongoro was dominated by natural scientists, and it failed to involve grassroots Maasai community representatives, favouring instead the participation of conservation authorities.¹⁹ When their important role in the landscape has been acknowledged prior to being gazetted, as in the case of Boumba Bek and Lobéké National Parks,²⁰ the overriding priority of conservation agencies has been to protect the areas from outside exploitation. This has meant that recommendations about serving communities' needs have been consistently ignored in favour of those promoting the development of the enforcement infrastructure, including guard posts, barriers, and a network of staff specially dedicated to the enforcement of the new protected area rules which they have then imposed on local communities.

In most cases described below, '*solid partnerships*' (Guideline 3.6) between indigenous communities and conservation agencies do not exist. So-called 'co-management' options favoured by conservation organisations²¹ (rhetorically, at least) do not enjoy support from indigenous communities, as they remain sceptical of conservationists' motives. In large part, the problem stems from the fact that the conservation projects themselves have not set aside enough time and money to address the rights of indigenous peoples. Conservation authorities involved in the cases have been reluctant to cede any actual power to indigenous communities through joint management plans. The exception is the legal agreement, established after a protracted process of negotiation, litigation, and finally compromise by both the ǀKhomani San and the Kgalagadi Transfrontier Park authorities in South Africa. This particular agreement was secured after the government recognised the San's land claims and restored their rights over a portion of their ancestral lands.

Other guidelines related to Principle 3 have been blocked by the reluctance of conservation authorities to devolve power over designated 'conservation land' to communities, in spite of the persistence of customary, usually collective, tenure

arrangements in the countries where the cases were prepared. The prospects of conservation organisations initiating *'formal processes to give legal recognition to indigenous and other traditional peoples' land and resource rights, if such legal recognition does not exist'* (Guideline 3.5 b)) remain bleak. Owing to prejudice against indigenous peoples, many conservation project managers misunderstand indigenous peoples' histories and the full nature of their claims. In south-west Uganda and south-west Cameroon respectively, there is clear evidence that many Batwa and Bagyeli communities are the first inhabitants of those areas to which they still lay claim. Prior occupation is a usual basis upon which customary rights are obtained by local communities in rural parts of these African countries.^{22 23}

Promoting more open dialogues, and supporting community capacity building in order to enable the development of transparent and solid partnerships between indigenous peoples and protected area managers has not, so far, been a priority for conservation agencies in any of the Central African cases. These circumstances make it extremely difficult to develop meaningful working relationships between indigenous communities and conservationists.

Principle 4: Equitable benefit sharing

Indigenous and other traditional peoples should be able to share fully and equitably in the benefits associated with protected areas, with due recognition to the rights of other legitimate stakeholders.

In most of the cases examined, the indigenous communities have not been able to *'share fully and equitably in the benefits associated with protected areas'*, mainly because their claims to these lands have not been recognised by the State or by the conservation projects concerned.

According to the IUCN, co-management is *'a situation in which two or more social actors negotiate, define and guarantee amongst themselves a fair sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources'*.²⁴ None of the conditions which underlay the co-management concept is in practice in the case study areas, except in the case of the ǀKhomani San.

In many cases conservation organisations have not yet even been able to assure the *'effective defence of territories against external threats'*²⁵ (Guideline 4.1), or *'technical, financial and political support for indigenous and other traditional peoples' own management activities'*, and not one of the seven governments involved has enabled the provision of *'sustained capacity building actions and processes for indigenous and local communities, in order to help them to manage their areas and resources effectively'* (ibid.), except as part of conservation agencies' awareness-raising campaigns about rules and regulations which have

already been approved by upper management without meaningful participation by indigenous peoples.

While many governments have attempted to '*design and implement economic and other incentive systems for conservation and sustainable use*' (Guideline 4.2), their efforts have focused mainly on the creation of 'disincentives' through strict enforcement measures, including the threat of fines, arrest or expulsion for those who do not conform to the new regulatory regimes. Measures to promote the conservation and sustainable use of indigenous peoples' lands in these cases have almost exclusively targeted areas outside core protected zones,²⁶ and this has enabled a further colonisation of indigenous peoples' lands on the periphery of conservation zones, through re-zoning processes in so-called 'buffer zones' where new prohibitive rules are then applied.²⁷

In none of the cases cited here have indigenous peoples '*benefited fully from the economic and employment opportunities associated with the existence of protected areas*' (Guideline 4.3, emphasis added), although it should be acknowledged that several protected areas have enabled at least some indigenous peoples' employment as guides and porters,²⁸ in order to help them overcome the significant gap in income and welfare between indigenous peoples from around the parks and surrounding farmers whose long-term residence and transformation of the landscape generally assures them secure usufruct rights to their lands.²⁹ In the case of Lobéké National Park in Cameroon, for example, Baka are regularly employed as guides and porters. So far, in Mgahinga Park Batwa benefits from tourism have been insignificant, but the new park plan does allow greater provision for this.

Principle 5: International obligations for transboundary areas

The rights of indigenous and other traditional peoples in connection with protected areas are often an international responsibility, since many of the lands, territories, waters, coastal seas and other resources which they own or otherwise occupy or use cross international boundaries, as indeed do many of the ecosystems in need of protection.

Only one case concerns a protected area that crosses a national boundary. As explained above, in South Africa³⁰ significant improvements have been made by the government with respect to the restitution of indigenous peoples' lands in part of the Kalahari Desert ecosystem. Proposed 'Peace Parks' in the Albertine Rift do, however, overlap indigenous peoples' traditional lands. These areas are currently embroiled in serious conflicts, resulting in the murder and alleged cannibalism of indigenous Pygmy communities by local militias near the Okapi Reserve in north-eastern DRC.³¹ So far, no agreement between DRC, Rwanda and Uganda has been reached to enable the development of '*zones of peace and reconciliation*' (Guideline 5.2). It should be underlined that the lack of progress here is not the

fault of the conservation agencies; the vicious conflicts in this region stem from a variety of sources, including international geopolitical interests, inter-ethnic rivalry and the rush for valuable natural resources, including timber, gold, coltan and other mineral resources in which many European and North American private companies are implicated, in violation of international guidelines set up by the OECD (Organisation for Economic Cooperation and Development).^{32 33}

Other transboundary protected areas are proposed in west Central Africa, in the Lobéké-Sangha Region overlapping Cameroon and south-west Central African Republic, and in the Minkébé-Dja-Boumba-Odzala transfrontier zone traversing Cameroon, northern Congo and northern Gabon. These projects have yet to demonstrate to local indigenous communities how they intend to assure *‘that protected area management respects and supports the integrity of the respective indigenous and local communities’* (Guideline 5.1). Both of these zones are inhabited by significant populations of indigenous peoples who have internationally protected rights to their lands that should be taken into account before plans are finalised, but proper local consultations with them have not yet been carried out. This is partly related to weak central government control over the zone, and the existence of robust local commercial bushmeat hunting operations which easily co-opt local conservation agents and local indigenous people, who have then become implicated in these destructive processes.³⁴

The case studies

Over 18 months have passed since the original case studies were presented in Kigali, and since then FPP has supported a series of follow-up actions with most of the indigenous groups involved in this project. These activities came out of the discussions between indigenous groups and conservation organisations during the Kigali conference, and between FPP and the project steering committee, which is composed of the authors of the case studies. The following nine sections provide up-to-date summaries of the ten cases, including a review of the follow-up actions that the project supported and an overview of their primary impacts upon the level of dialogue and cooperation between indigenous peoples and conservation agencies.

1 Batwa and the Volcanoes National Park and the Nyungwe Natural Forest in Rwanda³⁵

In 1925 King Albert I of Belgium created the Volcanoes Protected Zone, covering the present countries of Rwanda and the Democratic Republic of Congo, and this later became Albert National Park. In 1960 Albert Park was split into the Virunga National Park, and the Volcanoes National Park in north-west Rwanda. Both are important ecotourism sites due to their populations of endangered mountain gorillas. Nyungwe Natural Forest in the Rwandan south-west was established as a

Forest Reserve in 1933 and, like the area around Volcanoes, is a zone of high biodiversity, especially in relation to the much larger, adjoining areas that have been taken over for cultivation by Rwanda's dense population.

Both of these protected areas overlap the traditional lands of indigenous Batwa, yet Batwa were not consulted when the parks were established, even though these forests were central to Batwa livelihoods at the time of their creation. Over the intervening years, removal of human inhabitants from protected forests and increasing enforcement measures by conservation authorities, coupled with demands on Rwanda's scarce land and forest resources by the country's growing population and large numbers of returning refugees, have led to extreme pressures on forest-dwelling Batwa livelihoods. The Rwandan Batwa can no longer practise a forest-based lifestyle. Central problems for these Batwa are their persistent inability to secure land for their communities outside the forests, and their social marginalisation which is due to deep-seated prejudice against the Batwa as a 'Pygmy' people and their extreme poverty. Surveys carried out in 1993 and 1997 show that only 1.6% and 1.5% of Batwa families respectively had agricultural land³⁶ compared with a national average of 85%.³⁷ Batwa access to health care and education is very low. Batwa primary school enrolment is estimated at 28% compared to a national average of 88%.

Over the past few decades Batwa communities have received little information about the management of either Volcanoes Park or Nyungwe Forest, even though in both regions many Batwa have remained reliant on the resources within them to secure their livelihoods, especially around Nyungwe Forest in the more remote south west. Hunting, honey collecting, and gathering food and material from the forest are still important elements in the culture of current and former forest-dwelling Batwa communities. Batwa in these two case study areas are aware, however, that 'their' forests have come under outside protection; their accounts of their evictions from the protected areas and the repressive measures employed against Batwa who try to continue to secure their livelihood from the protected forests are illustrative:

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.³⁸

Despite this attitude by park managers, and the ongoing threat of repression by the forest guards near their rural communities, many Batwa living around both protected areas still rely partially upon forest resources, especially since there are few alternative livelihood options open to them due to their socio-economic marginalisation and lack of land. Despite their dependence on forest resources, prior to 2001 Rwandan government and NGO conservation agencies had never consulted them about park management plans, and have continued to apply

traditional enforcement measures in line with national conservation legislation. These include access and use interdictions against human activities in the forests which in their present form are incompatible with the continuation of Batwa forest-based livelihoods:

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.³⁹

Since 2001 in Rwanda a dialogue has opened up between indigenous Batwa and government agencies, including the Rwanda Office of Tourism and National Parks (ORTPN), through the efforts of CAURWA, the Rwandan Batwa NGO. CAURWA engaged with government ministries and international conservation organisations to make them aware of the impact on Batwa communities of Volcanoes Park and Nyungwe Forest, and facilitated local workshops between Batwa and conservation authorities in the two case study areas. These consultations have led to increasing cooperation between conservation authorities, CAURWA and local Batwa communities over the development of alternative sources of income for Batwa living near the parks, and have begun a process of dialogue to enable Batwa to secure at least part of their living from the reserve areas.

2 Batwa and the Kahuzi-Biega National Park in the Democratic Republic of Congo (DRC)^{40 41 42}

Bambuti Batwa ‘Pygmies’ are widely recognised as the first inhabitants of the region where Kahuzi-Biega National Park (PNKB) is located in eastern DRC. Before the park was established in 1970, the area had been a Zoological and Forest Reserve where up to 6,000 Batwa continued to live and practice their livelihoods which centred around hunting and gathering activities in the remaining forests. The original PNKB covered 60,000 ha; in 1975 it was extended by 540,000 ha, and became a World Heritage Site. Between 1960 and 1975 Batwa were expelled progressively from the highlands. Batwa in the lowlands faced growing eviction pressures into the 1980s, and now almost no Batwa live in the park, living instead in areas around the park’s margins. Many Batwa still rely on resources within the park’s boundaries to satisfy their subsistence needs, but hunting or gathering within the park is now illegal. Severe enforcement measures are now in place that mean that many Batwa have become clandestine ‘intruders’ onto their ancestral lands. At the same time the PNKB is under serious pressure from illegal poaching, much of which serves the bushmeat trade carried out involving the many migrants to the area involved in mining inside the eastern portion of the park.

When the park was created over 30 years ago, the park managers failed to consult the resident Batwa over the park’s establishment, its management, or the Batwa’s

aspirations for the future, and they have done so during the intervening years. Batwa who were evicted from the area to make way for the park have received no compensation, and now face low and declining welfare, the destruction of their livelihoods, poor access to public services, and social marginalisation. Their dilemma is exacerbated by the ongoing conflict in the region between the various warring factions struggling for control of the region's resources. Many local communities subject to the new enforcement measures imposed by the PNKB have become disillusioned with the park because of the loss of their forest rights – which underpin their livelihoods – in order to protect gorillas. Many communities are becoming more implicated in non-traditional extractive activities that will lead, in the medium term, to the accelerated destruction of this important habitat.

Since FPP began supporting the indigenous Batwa community in eastern Congo to document these negative impacts of the PNKB project on their lives, awareness amongst Batwa about their rights has risen. PNKB managers have become both more aware of the need to address Batwa concerns and aspirations in their management plans, and of the important potential of increased collaboration with Batwa in the management of the park. Park managers are supporting some Batwa children to attend school; they have begun to employ Batwa in minor roles, and are collecting additional socio-economic data on the location and constraints of Batwa communities located around the park boundaries.⁴³

The NGO community in eastern DRC has reiterated its commitment to strengthen its capacity to address Batwa communities' needs through greater accountability and improved organisation,⁴⁴ but a continuing mutual distrust exists between NGOs working with Batwa around the PNKB, park managers, and many indigenous communities.⁴⁵ This has, so far, prevented a constructive engagement of these parties and the development of suitable solutions to the problems that Batwa face. This in turn has impeded planned follow-up actions to promote greater dialogue and interaction between Batwa in eastern DRC and Kahuzi-Biega Park managers, which is unfortunate for the indigenous communities of former hunter-gatherers now at the margins of the debates over the future of the park.

3 Ogiek and the Mau Forest complex in Kenya⁴⁶

The Mau Forest complex is the largest remaining near-contiguous bloc of montane indigenous forest in East Africa. Situated about 170 km north west of Nairobi, it has an approximate area of 350,000 ha and is divided into seven separate blocs which merge to form the Mau Forest complex. The Ogiek community are scattered all over the seven forest blocs. The Ogiek people are the last remaining forest dwellers and are among the most marginalised of all indigenous peoples and minorities in Kenya. They are traditionally honey gatherers, surviving mainly on wild fruits and roots, game hunting and traditional bee keeping. The term 'Ogiek' literally means 'the caretaker of all plants and wild animals', and they display skills in bow and arrow marksmanship, the training and management of hunting dogs,

rapid identification of flora and fauna, forest knowledge and mapping and animal tracking. Many have taken up subsistence farming. The Ogiek are the first inhabitants of the Mau Forest, holding land communally administered through a council of elders. Their numbers have been declining over the past century due to assimilation and persistent pressure on their land tenure system by government administrators who have collaborated with attempts to degazette their traditional lands, or to introduce exotic tree species into Ogiek forests which are inappropriate to sustain the Ogiek's traditional livelihood system.

Serious encroachment on Ogiek lands started in 1856 when neighbouring Maasai communities attempted to annex Ogiek lands in two of the blocs, leading to a war between the Ogiek and Maasai which led to the loss of some Ogiek forest. Subsequent attempts were made by colonial administrators to evict the Ogiek from their lands from 1911-14, in 1918, 1926, and 1927 but these were broadly unsuccessful due to the Ogiek's determination to remain. Post-colonial attempts to evict the Ogiek began in 1977, when government forces invaded West Mau Forest, torching Ogiek houses and arresting Ogiek community members, who were then arraigned on charges of being illegal squatters in the forest. This incursion led to much destitution amongst the Ogiek community; many families lost their animals and property, and parents were unable to pay school fees for their children. In 1987 the government introduced a ban, targeting the Ogiek, on livestock keeping and farming in the forests, and Ogiek schools were closed. Meanwhile, in other blocs, the government encouraged other ethnic groups to settle on Ogiek lands.

From 1993 the Kenyan government began to systematically carve out huge parts of the Mau Forest to settle people from other ethnic communities on Ogiek lands, and this led to ongoing conflict between them and the Ogiek, who viewed their presence as a direct threat to their future in the region. In addition, government authorities used their power to try to allocate sections of the Mau Forest to political supporters, which included issuing title for Ogiek lands to outsiders. The Ogiek responded to these new threats by engaging in a series of protracted legal battles in the courts and managed to secure a series of injunctions to protect their lands. These were consistently ignored by government, or overturned by government-appointed judiciary.

As the 2002 presidential elections approached, and the Kenyan constitutional review process entered its final phase, the Ogiek Welfare Council (OWC) worked with other Ogiek NGOs to lead a mass civic education programme amongst the Ogiek about the threats to their lands. In July 2002 the Ogiek were invited to present their views to the Constitutional Review Commission and, for this, FPP supported the OWC to facilitate community consultations to prepare a document which was presented to the Commission in the presence of more than 50 community leaders from across the region. Later in the year the Ogiek Welfare Council collaborated with other NGOs to organise a cultural festival and exchange visit involving 500 representatives from indigenous Ogiek from all over Kenya,

indigenous Sengwer from the North Rift and Maasai communities from Ngorongoro in Tanzania. These exchanges were partly supported by the African Wildlife Foundation.

The dramatic landslide victory in Kenya in November by the opposition party was an important development in the Ogiek's struggle to protect their lands from outsiders. The new Minister for Environment and Natural Resources has vowed to repossess all lands excised illegally by political supporters of the previous KANU government, a development welcomed by the Ogiek, who have seen their lands slowly dwindle as their forests were degazetted and handed out to other ethnic groups. Central to the current success of the Ogiek community's struggle to protect their lands is their strong organisation and ability to raise protests against threats to their land rights in the courts. The Ogiek now hope that the new government will be more accountable in order to lead to greater protection for their lands and the further return of lands that have already been taken away.

4 Maasai and the Ngorongoro Conservation Area in Tanzania⁴⁷

In 1955, Maasai living in the Serengeti gave up their claims to the lands in exchange for rights to lands in the Ngorongoro Crater and the Northern Highlands Forest Reserve. A driving force for this change was pressure from conservationists. In exchange for their move the Maasai received assurances that they would be able to continue with their way of life in Ngorongoro, and were given promises of water, grazing lands, veterinary services, security, health services, and rights to subsistence cultivation. The 1964 conservation regulatory framework contained within it a promise to the Maasai that they would be able to continue with their way of life. This community-use principle was enabled through the 1959 Ngorongoro Conservation Area Ordinance, which had adopted a multiple-use philosophy.

However, in 1975 the government imposed new Conservation Area Rules, which placed new and unanticipated restrictions on the livelihood activities of the Maasai in Ngorongoro, leading to the loss of lands, declining Maasai welfare, and persecution of Maasai communities by the local authorities. The conventional conservation approach upon which the new conservation rules are based does not allow for the continuation of Maasai livelihood activities within the nominated protected areas. These rules were imposed without any participation by Maasai in their formulation, and without any consultation with Maasai about their implementation. The ten-year general management plan for the zone that was approved by the Ngorongoro Conservation Area Authority (NCAA) in 1996 was not based upon any informed participation by Maasai, many of whom could not understand the English text of the plan, contrary to the 'new model of conservation' set out in the 2000 guidelines of the WCPA.

I regret to have participated in the making of the General Management Plan. Today I see clearly how the NCAA tricked us. I have never agreed

to the re-imposition of the ban on cultivation, which the NCAA is to implement this year.⁴⁸

Between 1999 and 2001 consultations were undertaken over amendments to the Ngorongoro Conservation Ordinance, which regulates multiple land use in the area, and FPP supported community participation in consultations over these changes. In September 2002 a government-commissioned research assessment determined that the Ngorongoro Conservation Area was under terminal threat from the activities of the Maasai, whose population had grown to 50,000, and the Maasai community was told in October 2002 that they were to be evicted from the zone. The flawed research assessment that was the justification for this eviction order had not included any assessment of social or equity issues, and did not involve the Maasai community, again, contrary to guidelines agreed by conservation organisations a decade ago.

We conserve nature because we live in it, because it is our life, it is the life of our cattle. The conservation people [NCAA] do it because it gives them employment, because they get money from the white men [tourists] . . . For us, even if the white man does not bring money we will still preserve the environment.⁴⁹

While the impulse for the eviction came from conservation quarters, the Tanzanian government was the main instrument for the actions taken against Maasai, and the government now intends to relocate the Ngorongoro Maasai to an adjacent district inhabited by another Maasai group. The land where the Ngorongoro Maasai community is to be located by the government is not suitable; Ngorongoro Maasai have no customary rights in the area, and their arrival in the zone would lead to serious conflict with this smaller division's residents. These other communities face continuing intimidation and harassment from outside grain producers and commercial wildlife interests, despite some initial success in protecting their customary rights from these forces in the 1980s.

5 Batwa and the Mgahinga and Bwindi National Parks in Uganda⁵⁰

The Mgahinga and Bwindi National Parks in south-west Uganda overlap Batwa traditional lands where they have been carrying out their livelihood activities since before the areas were gazetted in the 1930s. In the early 1990s they were all finally evicted from all the forests to comply with the management plans of both parks which outlawed all forms of exploitation in order to protect the integrity of the region's biodiversity, including groups of mountain gorillas, which have become an important source of tourism revenue for the country.

Our grandparents used to stay in the forests. We were born in the forest; our grandparents lived there since the first ancestors. It provided us with

*everything: roofing materials, materials to make ropes, honey, some pigs, antelopes and other small animals. The forest has been our home up to the time we were moved out. Nothing we were given. We are fighting for the right to go to the forest, and to have our own land to cultivate. Other local people do not feel happy when we have some developments, for example we may be having a hen or sheep. They want us always to remain poor and cheap so that we can keep working for them.*⁵¹

When they were evicted, the Batwa initially received no compensation. In 1995 the Mgahinga and Bwindi Impenetrable Forest Conservation Trust (MBIFCT) became operational, using a GEF- (Global Environment Facility) provided endowment which was to be used to generate a sustainable income to fund the parks' protection, community projects near the parks, and land purchases for Batwa community members, most of whom were then landless. Subsequently, the Uganda Wildlife Authority (UWA) began to develop with the NGO, CARE, a Multiple Use Programme to explore ways to enable communities to secure regulated access to key forest products, including herbal remedies and materials for craft production. The Multiple Use Programme is based upon a series of agreements between government agencies, including the UWA, and local communities about the scope, nature and rules governing their access to the protected area to collect forest products.

Batwa communities in Uganda have long faced persistent marginalisation by society, and it has continued under the conservation programmes that became established as the park management plans were developed. The Batwa have so far not been consulted about the parks' management plan, and their participation in the Multiple Use Programme has so far been limited. This has been due to a lack of knowledge amongst Batwa about these processes, Batwa suspicion about the reality of the supposed benefits they would receive, especially when their views were not generally taken into account in meetings with authorities, and overly rigid Memoranda of Understanding specifying approved products, activities and people, which do not address the special needs of Batwa.

The FPP project supported Batwa to engage with local government authorities and conservation organisations over their Batwa programmes, and Batwa access to the park areas, during two workshops with Batwa representatives from across south-west Uganda that FPP helped to facilitate. Through support from the United Organisation for Batwa Development in Uganda (UOBDU), a national NGO run by Batwa, Batwa representatives from across three districts initiated a dialogue with the Batwa Officer at MBIFCT, and other development NGOs targeting Batwa. Despite this dialogue, in July 2002 MBIFCT announced that it was ending the Batwa land acquisition programme. This was due primarily to a lack of finance stemming from the reduced growth of the GEF-provided fund on the US stock market, which had been in decline since late 2001. Although the Mgahinga and

Bwindi National Parks are hailed as a successful example of conservation involving and benefiting the local community,⁵² the reality for the Batwa is very different.

However, over the past two years there have been some positive developments for Batwa around the parks. Local NGOs and conservation staff from the UWA are more responsive to Batwa needs, and they are more willing to collaborate with UOBDU and Batwa representatives from the parishes adjoining the parks. In addition, Batwa are now more confident about raising their concerns with local government authorities and Trust representatives, and Batwa are now involved in committee meetings that help to advise on the Trust's programme. Their participation is, however, limited to only a few individuals. These organisations need to address the question of greater Batwa participation in future project rounds.

6 Baka and the Dja Wildlife Reserve in Cameroon⁵³

The Dja Wildlife and Hunting Reserve in south central Cameroon was created in 1950 by the French High Commissioner for Cameroon. In 1981 it was named a UNESCO Biosphere Reserve and in 1987 became a World Heritage Site. Since 1992 the reserve has been managed by the EU-funded ECOFAC programme, which has been supporting the establishment of a network of protected areas across Africa. In the middle of the 20th century the Baka now living in Miatta village, which is many tens of kilometres from the Dja Reserve, were forced to move from their ancestral village, Mabé, located in the heart of the present reserve, to their present location along the Sangmélina-Djoum road. The period of their move coincided with the implementation of the National Sedentarization Policy, when many Baka were encouraged to move their main camps nearer to the main transport routes.

After their move, neighbouring Bantu communities benefited from the Baka's free labour, their supply of medicinal plants, and reduced prices for game, which the Baka were allowed to hunt. Over time, the Baka community in Miatta has become split between those concentrating on cultivation and those relying mainly on hunting and gathering activities in the forest. A key constraint to Baka subsistence agriculture is the lack of customary rights over land near the Bantu communities where most Baka are located. Many Baka in Miatta simply cultivate for others in exchange for food or other material goods, usually on very unfavourable trading terms. Forest-based activities remain a central feature of life for most Baka living under these precarious circumstances, even for those Baka who now rely mainly on agriculture.

Many Baka continue to rely on forest products gathered from areas adjacent to Miatta, as well as further afield, near hunting camps distant from Miatta, even within the Dja Reserve itself. Baka from the around the park still visit their

ancestral territories in the reserve to harvest plants, fruits from old trees, or other essential forest products, although this must be done in secret, as it currently is against the law. The Baka's continuing reliance on the forest is becoming more acute as the productivity of the forest near Miatta has declined, due mainly to population pressure and consequent over-harvesting. Baka in the Djoum area have had to bear the brunt of pressure applied by ECOFAC forest guards who now control forest access, and who find it easy to confiscate game from fearful Baka, even when the game is hunted legally to serve subsistence needs.

If they [the ecoguards] catch us with only one antelope which we caught in this forest, which is a long way from Dja, they take it and often our other food as well . . . they have it for supper.⁵⁴

The FPP project supported the first ever meeting between Baka community representatives and senior managers of the Dja Reserve working for ECOFAC. For the first time since the park was established there was a formal forum where Baka's views about the reserve's management could be discussed with park staff. During this meeting the Baka expressed their unhappiness with the reserve and forest protection regimes that they believe are overriding their rights to secure their subsistence needs. This makes them very unhappy with the work of ECOFAC forest guards, especially when they see outsiders coming in to hunt or log with impunity. In the meeting, Baka representatives were surprised:

That meeting was the first time that ECOFAC ever talked to us about the Dja Reserve . . . we learned that ECOFAC's employees were not doing what their boss said they should be doing.⁵⁵

ECOFAC has now launched a wider programme of community consultations all around the Dja Reserve which should, hopefully, allow for meaningful participation of the Baka communities who have so far been neglected by the project.

7 Baka and the Lobéké and Boumba Bek National Parks in Cameroon⁵⁶

Lobéké National Park was established in 1999 in south-east Cameroon over 220,000 ha of flora- and fauna-rich lands, much of which had until then been used for subsistence purposes by settled Bantu communities and Baka, who primarily hunt and gather in the extensive forests covering the region. To the north west of Lobéké adjoining the Boumba River lies Boumba Bek National Park, which was officially established after Lobéké. The area between the Boumba River and Lobéké Park is home to many communities engaged in farming, hunting, fishing and gathering for mainly subsistence purposes, along with commercial safari companies who operate across the huge (greater than 400,000 ha) sport hunting areas which were established around the park, the smaller community-managed hunting zones, and several large logging concessions.

For hunting and gathering peoples in Cameroon, Lobéké National Park is significant because the Cameroon Ministry for the Environment and Forests (MINEF), along with various international conservation and development organisations, obtained legal government permission for strictly regulated access by Baka and other local communities to a minor portion of the park to carry out subsistence fishing which, under normal circumstances, is contrary to Cameroonian law. Current plans by international agencies active in the zone, including WWF and GTZ (German Technical Cooperation), are to ensure that each of the newly gazetted zones surrounding the parks are attributed to clear stakeholders, with stakeholders' representatives becoming more involved in the management of their areas over time.

However, there are serious problems with the matrix of conservation zones around Boumba and Lobéké, especially the way in which customary rights to forest resources are being eliminated under the impulse of conservation pressures from outside. For example, Baka communities are key forest stakeholders in the region as they are numerous, and most rely upon forest resources to secure their livelihoods. However, many of their views were ignored during consultations carried out by the conservation agencies about the establishment of the park, and they have been left out of most or all of the schemes which are supposed to enable local involvement and empowerment in the management of the different classes of protected areas, which mainly include the various types of 'buffer zones' which have been created around core protected areas.

One of the new mechanisms for enabling local participation in these different zoned areas is through the establishment of *Zones d'intérêt cynégétique à gestion communautaire* (ZICGCs), which are areas where communities are able to exploit the flora and fauna, subject to the development of supposedly community-led management plans with oversight by government conservation authorities. Membership of the group of community delegates responsible for managing the ZICGCs is overwhelmingly dominated by established local elites, and the committee selection methods and criteria, including the need for French literacy, mitigates against committee membership by representatives from the majority Baka community. The consequence of this is that decisions of the management committee, for example, to allow safari companies access to prime forest hunting areas in the ZICGC, usually for a small fee, can come into direct conflict with the livelihood strategies of local Baka who have always relied on these zones to satisfy their subsistence requirements. FPP has documented several cases occurring over the past two years where Baka were chased out of their traditional hunting zones located outside the parks by hunting guards operating under this regime.

*We were born in the forest and we do everything there, gather, hunt and fish. Where do they want us to make our lives? They say we cannot go to the forest – where are we supposed to live?*⁵⁷

Most conservation managers in the region agree that subsistence hunting by Baka in and around the protected areas of south-east Cameroon does not pose a serious threat to the region's biodiversity. The current consensus of conservation actors in Cameroon is that commercial hunting, especially for bushmeat, presents the gravest threat to endangered species, and legal and illegal logging poses the key threat to rare or endangered habitats. Local conservation authorities have so far not found adequate local incentives to prevent the trade in illegal bushmeat, and governance of the logging sector in Cameroon has been chronically weak, so these dangers are still prevalent in the Lobéké and Boumba regions. The conservation priority of the international conservation community has continued to override local livelihood concerns and communities' customary rights. Rather than targeting the commercial trade in bushmeat and backing it up with strong enforcement measures, the enforcement measures now in place apparently target subsistence hunting by communities in a bid to protect the resources and habitats that local people, especially Baka, already cherish but are powerless to protect because they do not have secure rights to them.

Many Baka facing increasing forest restrictions have expressed their desire to enter into an equitable dialogue over conservation plans with protected area managers, but no formal mechanisms to enable this have so far been developed by the agencies working in south-east Cameroon. Baka are sceptical about the commitment of conservation organisations to principles of openness, fair play, and negotiation with them, while conservation and development organisations working in Lobéké and Boumba express doubts about the feasibility of collaborating with Baka and developing joint initiatives, due to the Baka's lack of literacy, and their inexperience with government bureaucracy. New models of collaboration between Baka communities and the conservation authorities will have to be developed if 'participatory' schemes like Lobéké are to be truly successful. FPP will continue to support Baka to engage with these processes.

8 Bagyeli and the Campo Ma'an National Park in Cameroon⁵⁸

The Campo Reserve in south-west Cameroon was originally created in 1932, and full protection for the zone was brought about in 1999 through the Campo Ma'an GEF/Biodiversity project that sought to conserve and manage the area's biodiversity. The Campo Ma'an Park project is now to be enabled through funds arising from environmental compensation for the building of the controversial Chad-Cameroon Oil Pipeline, which traverses south-west Cameroon, passing to the north of Campo Ma'an National Park.

Before the establishment of this initiative and the subsequent progressive tightening of hunting and access regulations, Bagyeli hunter-gatherer communities relied upon the resources of the area now covered by the park, proved by the networks of paths through the forest, the ancient gardens and plantations, the remnants of Bagyeli camps, and the testimony of Bagyeli

communities. When the park was established through support from the World Bank GEF funds, and before a management plan was prepared, park managers imposed severe new rules forbidding access to the reserve and controlling all hunting in and around the park. These rules have had a very negative impact on Bagyeli communities, who mostly rely on hunting and gathering in their traditional zone to survive. Inadequate social impact studies have so far been carried out by the conservation project and its development partners, even through one of their technical community hunting studies, while neglecting to mention the Bagyeli's specific situation, acknowledged that local communities had been active in hunting for subsistence within the nominated reserve area for a long time.

The World Bank forbids us to hunt, we have been asked to leave [the reserve], but we do not want to.⁵⁹

The World Bank, the World Bank, everyone keeps talking about the World Bank. What is that, the World Bank?⁶⁰

Bagyeli have not been consulted about the park's plans by the prospective managers, have received no compensation for the losses they have incurred due to the new rules, and are likely to suffer further once the final management plan has been approved and the different zones around the park are attributed to different stakeholders by the partners involved. These include WWF, who signed a convention over the financing of the park with the Cameroonian government at the end of January 2003. The prime stakeholders in these zones are likely to include: conservation and commercial interests, including logging companies; local communities; and the Bagyeli, who were the first inhabitants of the area, and whose forest-based livelihoods are based upon a great mobility across the zone over the course of the year. Their understanding of the area and their role in conserving the wildlife has not yet been acknowledged fully by conservation authorities. Instead, Bagyeli are scorned by other ethnic groups for their lifestyle, and marginalised by society. The fear now is that they will be marginalised further by this conservation project, and that their traditional forest use rights shall be extinguished by the protection measures which shall undoubtedly be imposed.

We do not know what a reserve is; we were not told; we were not asked for our views.⁶¹

Since the Campo Ma'an conservation project started, conflicts have developed between Bagyeli and forest guards and with other ethnic groups, particularly Bebili, temporary immigrants who hunt commercially and illegally in the area to serve the urban bushmeat market. During 2001 and 2002 FPP enabled a process of community consultations to begin amongst Bagyeli, and between Bagyeli representatives from across the region and the forest warden responsible for the park's protection. These were the first ever meetings of this kind, and since then local

park managers have begun to express a greater appreciation of the need to address Bagyeli grievances, although the Bagyeli have seen no practical changes for their communities. The Bagyeli now hope that a management plan which acknowledges their role in the forests and guarantees their informed participation in the conservation process will finally be approved and implemented by the new park managers. The Bagyeli of Campo Ma'an want to be consulted about these plans and hope that they will be able to preserve their traditional rights of access and use throughout the protected areas, and that the conservation project deters the entry of outsiders intent on commercial exploitation of these lands.

9 #Khomani San and the Kgalagadi Transfrontier Park in South Africa⁶²

‡Khomani San are part of a distinct group of San tribes from the southern Kalahari ecosystem which, at the turn of the 20th century, survived by hunting and gathering in the harsh Kalahari environment. By 1970 they had been totally dispossessed of their traditional lands by the State and by conservation authorities, which had generally regarded their traditional areas as unoccupied land, in spite of the long history of San occupation. In 1994 the ‡Khomani San launched a claim under the new South African constitution for the return of their ancestral rights over their traditional lands, most of which then lay within the present Kgalagadi Transfrontier Park in the southern Kalahari.

The San's strategy, which they implemented with the support of a range of non-San organisations, was to assert their land rights by proving their connection to the land through the documentation of ‡Khomani San culture. Through a cultural resource mapping process which involved outside research, the recording of oral histories, and mapping work on their traditional lands, San were able to generate vast quantities of information relevant to their land and to rebuild the ‡Khomani San community which had become very dispersed and demoralised by the persistent discrimination which they had faced ever since colonial authorities systematically cleared them from their traditional lands.

Our people had been evicted so we had to travel all over to look for them and bring them together – and to find some that could speak the old language. We had to put them on maps and prove to the government that we were from the Kalahari area – we had to physically go and do this.⁶³

In 1999 the South African government accepted the validity of the ‡Khomani San land claim, and initially provided them with 40,000 ha of farmland outside the park, along with development funds, pending final negotiations which continued until April 2002, when a final legal settlement was agreed. The settlement, which was set out in an extensive legal contract with the South African State, gave the ‡Khomani San titled ownership of 28,000 ha along the southern boundary of the park, symbolic and cultural use of about half of the South African section of the park, comprising 4,000 km², and rights to receive commercial benefits through

San-directed development activities in clearly specified areas, new ecotourism enterprises, and special commercial zones to be established just outside the entrance to the park. This institutional framework is subject to a contractual joint management regime comprising elected San individuals and representatives from a council of San elders, along with government and conservation agency representatives.

Central to the success of the ǀKhomani land claim was the in-depth research which they and their supporters carried out into the exact nature and extent of ǀKhomani San rights in the region. The process of cataloguing this information enabled these uprooted communities to reconnect with one another and reaffirm the importance of San traditional knowledge. In addition, changes to the South African constitution opened legal channels for the ǀKhomani land claim to be implemented.⁶⁴ The FPP project provided funds to support the continuing San community consultations and the documentation of San views.

Conclusions and recommendations

The case studies summarised above and which are contained in the subsequent chapters provide sober reading. The protected areas examined by this FPP project have mostly led to a continuing erosion of indigenous peoples' rights over their lands, including their eviction from core protected zones, increased their poverty, put further pressure on indigenous peoples to transform their livelihood systems in order to mimic their culturally distinct neighbours, and contributed to the loss of indigenous peoples' identity. In most cases the protected areas are providing the final blow against indigenous peoples, who also face other pressures from growing neighbouring populations and subsequent increases in land pressure for farming, uncontrolled natural resource exploitation by ranchers, loggers and miners, often from outside, a lack of good governance by the States concerned, and State laws which are incompatible with indigenous peoples' customary land tenure systems.

Indigenous culture has been susceptible to other communities' advances against their rights; their mobility, suspicion and fear, lack of access to education and health services, and social marginalisation have led many indigenous communities to the margins socially and geographically. In many cases this has meant that their traditional resources within protected areas have become the principle cornerstone of their livelihoods. Conservation projects tip the balance against these communities by enabling the imposition of new and severe restrictions to land following old-fashioned conservation approaches, and providing funding to cover the costs of protective models which are not appropriate for the different contexts. The lack of consultation with indigenous peoples in the elaboration of these projects, and other barriers to the meaningful participation of indigenous peoples in the development of conservation plans means that many protected area managers have taken away local communities' ability to determine

their own futures, and thus bear a heavy responsibility for their current situation.

The significance of protected area policies in the destruction of indigenous peoples' lives also highlights the great potential for protected areas in Africa to improve livelihoods for indigenous peoples, if only the approach is changed in line with the widely agreed new conservation principles, which should indeed already be in practice. Appropriate channels of dialogue between indigenous peoples and protected area managers can be established by providing adequate and targeted funding; by assuring indigenous peoples' meaningful participation in planning processes; by providing employment for indigenous peoples within existing conservation projects; and by recognising indigenous peoples' rights to their traditional territories. Among the reasons for the failure of many conservation agencies to implement these new principles are the following:

- 1 a lack of commitment by conservation agencies to engage with local people over animals or plants;
- 2 a lack of awareness within protected area projects of international standards for working with indigenous communities, coupled with a tendency to treat all local communities as a single entity, rather than as distinct communities with different livelihood systems and cultural norms;
- 3 a lack of funding to enable protected area staff to develop a better understanding of indigenous peoples' world views and to enable indigenous peoples to participate meaningfully in the development of conservation plans;
- 4 a lack of capacity within protected area management teams to enable participative processes to occur with communities, and a lack of capacity of indigenous communities to adequately express their concerns about how their rights may be violated by protected area plans – a key gap which remains to be bridged in most of the cases; and
- 5 a lack of government recognition and respect for the rights of indigenous communities.

The solutions to these dilemmas are complex, and will involve:

- renewed political commitment by conservation organisations supporting the full application of the Principles sanctioned by the 1992 World Parks Congress, which have formed the basis for this project;
- the provision of new sources of funding to support indigenous communities to engage with conservation agencies in regular dialogue and to reach solutions acceptable to both parties; and

- capacity building initiatives to help protected area staff to adopt genuinely participative approaches, in order to facilitate the meaningful participation of indigenous peoples in the elaboration of park management plans.

Wider dissemination of the Principles and Guidelines needs to be carried out, and new legislative provisions recognising and protecting customary rights will need to be developed by governments. The 2003 World Parks Congress should reinforce the Principles' existing provisions and governments should work to make them binding through the relevant guidance to be developed for the Convention on Biological Diversity. The development of this guidance should involve the meaningful participation of indigenous representatives.⁶⁵ The promotion of the WCPA Principles in line with these recommendations shall enable indigenous communities in Africa to become equal and active participants in the conservation of their lands.

Notes

- 1 WWF 1994. WWF Statement of Principles: indigenous peoples and conservation, WWF International, Gland.
- 2 IUCN. 1997. Resolutions and recommendations: World Conservation Congress, Montreal, Canada, 13-23 October 1996, IUCN, Gland.
- 3 Convention on Biological Diversity. 1994. Article 10(c), Secretariat of the Convention on Biological Diversity, United Nations Environment Programme, Montreal.
- 4 MacKay, F. 2002. 'Addressing Past Wrongs. Indigenous Peoples and Protected Areas: the right to restitution of lands and resources', Working Paper, Forest Peoples Programme, Moreton-in-Marsh.
- 5 IUCN - World Conservation Union/WCPA – World Commission on Protected Areas/WWF – World Wide Fund For Nature. 2000. Principles and guidelines on protected areas and indigenous/traditional peoples.
- 6 See full guidelines in Annexe.
- 7 COP 7 (Conference of Parties) of the CBD.
- 8 Summarised by MacKay, *op. cit.*
- 9 See Note 5, *supra*.
- 10 !Ae Kalahari Heritage Park Agreement by which the land restitution claims of the †Khomani San Community and the Mier Community are finalised. Draft 7, 15. March 2002. †Khomani San Community/Mier Community/SANParks/DEA&T.
- 11 Including loggers and commercial bushmeat hunters in Central Africa.
- 12 FPP field notes 2002.
- 13 Also see MacKay, *op. cit.*
- 14 Olenasha, W. 2002. 'The Chronic Ngorongoro Maasai Woes: Our 21st Century Dawn Storm Alarm is on', PINGOs Forum, m.s. submitted 2002, Arusha.
- 15 Also see Colchester, M. 1994. *Salvaging Nature. Indigenous Peoples, Protected Areas and Biodiversity Conservation*, UNRISD Discussion Paper, WRM with UNRISD and WWF.
- 16 Sensitisation (*Fr.*).
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- 22 Nelson, J. 2002. 'Sub-Saharan Africa'. IN: Colchester, M (ed.) 2002 *A Survey of Indigenous Land Tenure: A report for the Land Tenure Service of the Food and Agriculture Organisation*, FAO, Rome; FPP, Moreton-in-Marsh, www.forestpeoples.org.
- 23 Alden Wily, L and S Mbaya. 2001. *Land, People and Forests in Eastern and Southern Africa at the Beginning of the 21st Century: the Impact of Land Relations on the Role of Communities in Forest Future*, IUCN-EARO, Nairobi.
- 24 Borrini-Feyerabend, op. cit.
- 25 E.g., in the Dja Reserve, the Mau Forest, or Kahuzi-Biega National Park.
- 26 Core protected zones of national parks often comprise areas where indigenous peoples have the strongest claims.
- 27 Lobéké, Ngorongoro and Dja are good examples of this phenomenon.
- 28 DRC, Lobéké and the new Management Plan for Mgahinga and Bwindi National Parks.
- 29 E.g. Wily and Mbaya, op. cit.
- 30 The Kgalagadi Park overlaps both South Africa and parts of south-west Botswana, where San are currently in dispute over access to lands in the Kalahari Desert Ecosystem.
- 31 E.g., as documented by Kapupu. 2002. (op. cit.) Numéro 7.
- 32 United Nations Security Council. 2002. *Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo S/2002/1146*, The United Nations Security Council, New York.
- 33 Société Civile de la République du Congo. 2003. *Déclaration au sujet de l'exploitation illégale des ressources naturelles et conflit dans le pays*, CENADEP, Kinshasa.
- 34 Colchester, M. 1995. *Slave and Enclave: the Political Ecology of Equatorial Africa*, World Rainforest Movement, Penang; also FPP field notes.
- 35 Based on the work of Kalimba Zephyrin and CAURWA.
- 36 Lewis, J and J Knight. 1995. *The Twa of Rwanda*: 35-41, World Rainforest Movement and International Work Group for Indigenous Affairs, Denmark; Association pour la promotion des Batwa. 1997. *Visites et recensement des familles Twa*, Rwanda.
- 37 Core Welfare Indicators Questionnaire (CWIQ). 2001. Reported in *Poverty Reduction Strategy Paper: Zero draft*: 30, MINECOFIN, Kigali.
- 38 Batwa man.
- 39 Rwandan protected area manager.
- 40 Based on the work of Kapupu Diwa Mutimanwa, Albert Barume and FPP.
- 41 See also: Kapupu, D M (ed.) 2002-3. *Bambuti Feuillet de Liaison*, PIDP, Bukavu.
- 42 Barume, A K. 2000. *Heading towards extinction? Indigenous Rights in Africa: the case of the Twa of the Kahuzi-Biega National Park, Democratic Republic of Congo*. Forest Peoples Programme and IWGIA, Moreton-in-Marsh and Copenhagen.
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- 45 FPP field notes; Lewis. 2003. op. cit.
- 46 Based on the work of Joseph Sang and the Ogiek Welfare Council.
- 47 Based on the work of William Olenasha, William Ole Seki and Margareth Kaisoe.
- 48 Maasai elder.
- 49 Maasai elder.
- 50 Based on the work of Penninah Zaninka, Justin Kenrick and John Nelson, FPP.
- 51 Batwa man from Kisoro District.
- 52 'Trust funds initiated in the Uganda Mgahinga Gorilla National Park and Bwindi Impenetrable National Park projects have produced sustainable funding for GEF biodiversity projects in a country where budget allocations are very low.' GEF 2003. 'The Challenge of Sustainability': 53.
- 53 Based on the work of Samuel Nguiffo and FPP field notes.
- 54 Baka man from Dja.
- 55 Baka man from Dja.
- 56 Based on the work of Benoît Ndameu, and FPP field notes.
- 57 Baka man from the Lobéké and Boumba region.
- 58 Based on the case study by Joseph Claude Owono and FPP field notes.

- 59 Bagyeli man.
 60 Bagyeli man.
 61 Bagyeli man.
 62 Based on the work of Roger Chennells.
 63 San man, ref. Kigali conference synopsis.
 64 Chennells, this volume, and MacKay, op. cit.
 65 As called for by the ad hoc TILCEPA working group which is coordinating indigenous participation for the World Parks Congress, and in the final declaration by indigenous representatives at the March 2003 meeting of the *Conférence sur les écosystèmes de forêts denses et humides d'Afrique centrale* held in Kigali, Rwanda, and organised by the IUCN and CAURWA.

Acronyms

CAURWA	Commaunté des Autochtones Rwandais
CBD	Convention on Biological Diversity
DRC	Democratic Republic of Congo
ECOFAC	Central African Forestry Ecosystems
FPP	Forest Peoples Project
GEF	Global Environment Facility
GTZ	German Technical Cooperation
IPK	Indigenous Peoples' Knowledge
IUCN	World Conservation Union
MBIFCT	Mgahinga and Bwindi Impenetrable Forest Conservation Trust
NCAA	Ngorongoro Conservation Area Authority
NGO	Non-governmental organisation
OECD	Organisation for Economic Cooperation and Development
ORTPN	Rwanda Office of Tourism and National Parks
OWC	Ogiek Welfare Council
PNKB	Kahuzi-Biega National Park
UNESCO	United Nations Educational, Scientific and Cultural Organization
UWA	Uganda Wildlife Authority
WCPA	World Commission on Protected Areas
ZICGC	<i>Zone d'intérêt cynégétique à gestion communautaire</i> [Local peoples' hunting zone]