

# **Observations on the State of Indigenous Human Rights in Uganda**

## **Prepared for United Nations Human Rights Council: July 2021 3rd Cycle of Universal Periodic Review of Uganda 40th Session of the Human Rights Council**

### **CULTURAL SURVIVAL**

Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States.

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### **AMERICAN INDIAN LAW CLINIC OF THE UNIVERSITY OF COLORADO**

Established in 1992, the Clinic is one of the first of its kind, representing individuals, Indian Tribes and Tribal entities in a variety of settings involving federal Indian law, as well as the laws and legal systems of Indian Country. It also works with the United Nations in representing Indigenous rights.

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### **SUPPORT FOR WOMEN IN AGRICULTURE AND ENVIRONMENT (SWAGEN)**

An officially registered NGO, SWAGEN works to provide Ecosystem Based solutions for the challenges that plague our generation. SWAGEN works at the grassroots, among forest dependent Indigenous Peoples and Local Communities to promote agroecological technologies and practices, plant trees for food and Climate Mitigation, construct fuel efficient stoves, rain water harvesting facilities and transfer appropriate energy technologies such as solar at household level for Climate Change Adaptation to enhance community resilience. The organization promotes forest-based non extractive income generation. SWAGEN has been recognized by the FAO Collaborative Partnership on Forestry and awarded the Wangari Maathai Prize for Forestry and the ONE Prize for eradication of extreme poverty.

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## **I. Executive Summary**

Since colonization in the early 1900s and after independence in the 1960s, the State of Uganda has historically failed to fully respect the rights of Indigenous Peoples. Although it has taken some commendable steps in the past few years, the State continues this pattern today despite accepting UPR recommendations in the second cycle to address land rights of Indigenous Peoples. Uganda has continued to ignore pastoral and Indigenous claims to land and failed to provide restitution for forcibly evicting Indigenous Peoples from their ancestral lands. These evictions, in the name of conservation, violated the United Nation Declaration on the Rights of Indigenous Peoples (“UNDRIP”) by failing to achieve the Free, Prior and Informed Consent of impacted Peoples. The subsequent landlessness of Indigenous Peoples has led to their pervasive mistreatment and is the root of systemic negative outcomes in other aspects of their lives. Additionally, Uganda fails to adequately protect the civil rights of Indigenous Peoples. Uganda has failed to recognize some Indigenous Peoples as Ugandan citizens, despite long term claims to the land. The State fails to effectively implement programs that directly benefit Indigenous Peoples, such as delivery of high quality healthcare, culturally relevant educational resources, and access to stable food sources.

## **II. Background**

1. Uganda is home to a wide diversity of Indigenous Peoples who total an estimated population of 1.2 million. The constitution recognizes 65 “Indigenous communities”; however, this number excludes many self-identifying Indigenous Peoples. The majority of the Indigenous population is located in remote regions throughout the country, far from Kampala, the capital city.
2. The Indigenous Peoples of Uganda include hunters and gatherers, such as Benet and Batwa, also known as Twa. They also include minority groups like the Ik, the Karamojong and the Basongora. The Benets, who number just over 8,500, live in the northeastern part of Uganda. The Batwa, who number about 6,700, live mainly in the southwest region. The Ik number is approximately 13,939 and live on the edge of the Karamoja / Turkana region along the border between Uganda and Kenya. The Karamojong live in the northeast and total about 988,429. The Basongoras, who number 15,897, are a pastoralist community that lives in the lowlands adjacent to Rwenzori Mountain in western Uganda.
3. Uganda is located on a fertile plateau in the center of Africa, surrounded by mountains and lakes, including Lake Victoria in the southeast. It is crossed diagonally from southeast to northwest by the Nile River. Uganda has 60 protected areas, including ten national parks. Its forest cover has reduced from 1990 at 18% to 12% as of 2018<sup>1</sup>. The Karamoja in the northeast is semi-arid. Agriculture remains a major occupation within the country, with matooke bananas, cassava, and maize being the main staple foods of Uganda.

## **III. Past UPR Recommendations and Responses Pertaining to Indigenous Peoples**

4. In the past two cycles, Uganda has received multiple recommendations concerning their treatment of Indigenous Peoples, including pastoral communities. During the first cycle 1 (Oct. 2011), Algeria and the Republic of Congo recommended Uganda take two actions regarding Indigenous Peoples:

- 4.1. Algeria recommended “*pursuing accommodative dialogue with indigenous communities, with a view to minimize disruptive approaches to their lifestyle and traditions while improving their life conditions.*”
  - 4.2. The Republic of Congo recommended that Uganda “*continue to take legislative and administrative measures to improve the rights of BATWAS people.*”
  - 4.3. The Netherlands recommended that Uganda “*align policies to ensure access to land and water for pastoralists with the African Union Framework on Pastoralism and conclude regional agreements to facilitate cross-border pastoralism.*”
5. Although Uganda supported these recommendations, it has yet to fully implement them, as we will expand on in this report. The government continues to mistreat the Batwa and others, and the little dialogue it has had with Indigenous communities has been inadequate.
  6. During the second cycle in 2016, Uganda received one recommendation specifically related to Indigenous rights, which the country merely noted. Guatemala recommended that Uganda “*accede to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).*”
  7. Uganda has not ratified the ILO No. 169 convention. Although it has endorsed the United Nations Declaration on the Rights of Indigenous Peoples, it has not passed domestic legislation to implement.

#### **IV. Continuing Rights Violations**

##### **8. Violations to Indigenous Land Rights**

- 8.1. Article 10 of the UN Declaration on the Rights of Indigenous Peoples states: “Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.” Article 32 of the Declaration states that “Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources” and requires Indigenous Peoples’ “free and informed consent prior to the approval of any project affecting their lands or territories and other resources.” Yet Uganda continues to implement fortress-style conservation, as well as other forms of landgrabbing, at the expense of Indigenous Peoples.
- 8.2. Though the Land Policy of 2013 recognizes ethnic minorities in vulnerable situations and directs the government to take measures to correct the situation, it is reported that “enforcement is lacking and more enabling policy framework needs to be done to increase their protection. Policies on land use, management and ownership at the moment fail to align with the ethnic minority way of life.”<sup>2</sup> Indigenous People are usually not effectively represented within decision making structures, both at the central and local government levels, meaning they do not participate in and influence policy and development processes. In practice, Indigenous Peoples are represented by people of other ethnic identities (usually from the dominant communities).<sup>3</sup> Without resources and power to exert their rights, Indigenous People are largely excluded and discriminated against in the allocation of resources and social services, and cannot realize their rights as citizens. Land is provided to foreign investors, continuing to displace Indigenous

Peoples and otherwise violate their rights.<sup>4</sup> The year 2018 was rife with state attempts to amend the Land Act to facilitate easier land-grabbing without consent.

- 8.3. Among those who have been deeply affected by fortress-style conservation include Batwa communities, about 6,700 people, located in the far southwest corner of Uganda along the borders of Rwanda, and the Democratic Republic of Congo. In 1991, Uganda forcibly evicted the Batwa People from the area to create the Bwindi Impenetrable National Park, the Mgahinga Gorilla National Park and Echuya Central Forest Reserve.<sup>5</sup> The park aims to protect gorillas and to generate revenue through ecotourism,<sup>6</sup> yet the Batwa have lived with the gorillas for generations, and the park's protection measures come at the expense of Indigenous rights.<sup>7</sup> Despite these forests being the traditional home to the Batwa, they now face state-sponsored violence, including beatings,<sup>8</sup> arrests, and imprisonment when they engage in their ancestral subsistence hunting and gathering practices on their ancestral lands.<sup>9</sup> Stripped of their traditional lifestyle and land, and without compensation,<sup>10</sup> a vast majority of the Batwa live under the poverty line, suffer poor nutrition, and are subjected to wage exploitation by dominant communities, and Batwa women are sexually abused.<sup>11</sup> In response to the 2011 recommendations, the Ugandan government implemented a new profit-sharing program between the national park and the Batwa people, but the scheme has failed to provide funds to the target beneficiaries, and overall funds provided have been minimal.<sup>12</sup> An egregious example is the Batwa trail, where the few Batwa who are allowed into their ancestral lands carry out a reenactment of Batwa traditional life; 50% the revenue for this tourist attraction is intended to be shared with the communities, but Batwa leaders "say they have not received any of the money."<sup>13</sup>
- 8.4. On the opposite side of the country, the Benet Peoples, a population of approximately 8,500, have lived on Mount Elgon since time immemorial.<sup>14</sup> In 1936, the colonial government declared the mountain and surrounding areas a protected forest area; after independence in 1966, the new Ugandan government set aside Mount Elgon as the Mount Elgon National Park, and the Benet People were forcibly evicted from their ancestral homelands<sup>15</sup> by the Uganda Wildlife Authority.<sup>16</sup> The Benet continue to work for a return of their land.<sup>17</sup> Part of the community was resettled in the 1980s in a 6,000 acre reserve; however, this resettlement was botched for a number of reasons, including distribution of land to non-Benet people<sup>18</sup> and Benet people who ended up on the land inside the park were unable to erect permanent structure nor, thus, to establish their community.<sup>19</sup> Since April 2020, park rangers have allegedly shot seven Benet community members<sup>20</sup> and they have also raped and otherwise attacked Benet people, prevented their access to their ancestral homelands, and extracted money in exchange for returning Benet people's livestock.<sup>21</sup> In October 2020, the Ugandan government signed an MOU bestowing access to various resources within the park to the Benet People, yet ranger violence continues. Over 40 people, including at least two children, have been registered among those injured or killed.<sup>22</sup>
- 8.5. Despite a 2005 High-court consent judgment that directs the government to de-gazette (or remove protected status from) parts of the national park for the benefit of the Benet, Uganda has yet to act.<sup>23</sup> Instead, in July 2019, Uganda passed new regulations—without input from the Benet—that increased penalties for livestock wandering into the park, ignoring the fact that there

are no buffer zones.<sup>24</sup> In July 2020, the government visited the Benet and promised an additional 2,000 hectares, but these promises are considered “merely tokenisms [used] to secure the vote of the community,” says Mungech Chebet, Benet Community Human Rights Defender and Land Rights Activist.<sup>25</sup> Elder Moses Kiptala, a Benet Community Elder, summarized: “All that we demand is that the government fulfills the contents of the judgement.”<sup>26</sup>

- 8.6. The Tepeth are a forest-dependent pastoralist group that live in three mountains of Moroto, Napak and Kadam in the districts of Moroto, Napak and Nakapiripirit in Karamoja region. The 2014 National Population Census put their population at 23,422 individuals. The Tepeth depend on Mt. Moroto, Mt Napak, and Mt. Kadam Central Forest Reserves. The Central Forest Reserves are important water catchment areas in the semi-arid and chronically food insecure Karamoja region of Uganda. Mt. Moroto CFR is also rich in biodiversity and mineral resources. The Tepeth depend on the CRFs for pasture, handcraft material, honey, medicinal plants, fuel wood, building poles and fruits, and their strong social structure and traditional norms ensured sustainable utilization of the forest until recently.<sup>27</sup> However, the resource base on which the Tepeth depend is being steadily degraded. Part of the problem arises from the introduction of commercialized crop farming through government policy emphasis on crop-based livelihoods in Karamoja. For example, Bintooro (2015) reveals that crop farming is the main driver of deforestation in Mt. Moroto CFR, concentrated along river valleys which were grazing areas for Tepeth during dry season, and trees of high food, medicinal and cultural values, are being cut. As a result cattle keepers are forced to invade and overgraze high altitude and fragile areas like moorland leading to unprecedented land degradation.
- 8.7. The 2014 National census puts the population of the Ik at 13,939 individuals (Uganda Bureau of Statistics, 2015). Following the gazettement of Kidepo National Park in 1962, and later Morungole and Timu Forest Reserves, a large portion of the land that the Ik occupied was lost. The land gazetted formed the basis of their livelihoods, material substance and cultural values since they were traditionally hunter-gatherers and cattle keepers. The alienation of these lands, coupled with frequent attacks by the other pastoral tribes to raid cattle, eventually forced them to abandon cattle keeping and adapt to subsistence agriculture together with bee keeping, hunting and gathering as a way of life. The gazetted areas were also significant as sacred places of worship, historical sites with sacred rivers and streams for ritual cleansing and as a source of medicinal herbs and honey. Indigenous Peoples’ rights to their spiritual traditions and cultural and religious sites are enshrined in UN Declaration Articles 12 and 25.

## **9. Uganda has Inadequate Civil Rights for Indigenous Peoples**

- 9.1. Uganda’s constitution expressly recognizes sixty-five Indigenous communities.<sup>28</sup> However, a gap exists between the manner in which the Ugandan government perceives the term ‘indigenous peoples’ and the manner in which it is employed by the UN agencies and the African Commission (The African Commission, 2006). To recognize the multi-ethnicity of the country, the 1995 Constitution of the Republic of Uganda defines “Indigenous Peoples” as all the 65 Ethnic Groups that were existing by February 1st 1926<sup>29</sup>. On the other hand, the African Commission’s Working Group on Indigenous Populations / Communities identifies Indigenous Peoples as Peoples whose “cultures and ways of life differ considerably from the dominant society and [...] their cultures are under threat, in some cases to the point of extinction. [...] the

survival of their particular way of life depends on access and rights to their traditional lands and the natural resources thereon.

- 9.2. Although Article 21 of the Constitution of the Republic of Uganda imposes a general prohibition on ethnic- or tribal-based discrimination, it has done little to truly protect the civil rights of Indigenous People in its territorial boundaries, specifically the Batwa, Benet, Ik, Tepeth, as well as Indigenous Peoples are yet to be recognized. Moreover, the constitution's limited conception of citizenship by birth systematically excludes some Indigenous communities, including the Maragoli Peoples, among others. For Indigenous People, Article 10(a) grants citizenship by birth only to those born in Uganda with a parent in one of the sixty-five constitutionally recognized tribes. Additionally, children of those who are Ugandan by birth are also considered Ugandan by birth. This constitutional quirk works to exclude Indigenous Peoples whom the government claims were not in the country before 1926. Most notably, the Maragoli People, who claim ties since the 18th century, are denied citizenship by birth because Uganda did not recognize the Maragoli as an Indigenous group in 1926. This is the case even as the Maragoli have lived and birthed children in present-day Uganda. Thus, unless they marry outside of their tribe to someone who was a citizen by birth, or deny their ethnicity, no Maragoli children can claim Ugandan citizenship even though they were born and raised in Uganda.<sup>30</sup>
- 9.3. Lack of citizenship has huge ramifications for Indigenous People. Aggrey Anyamba, a Maragoli primary school teacher explains: "Without an identity card, you cannot get treatment at a government hospital, your children cannot benefit from free education, you cannot apply for a passport or driving permit. You cannot stand for any political leadership position; open a bank account and SIM card registration."<sup>31</sup> In short, despite paying taxes and being part of a community, the Maragoli have no legal or political rights.
- 9.4. Sawga Moses Masaba, a Maragoli, changed his name so that he would be tied to the Bamasabe tribe, a constitutionally recognized tribe.<sup>32</sup> He said: "It was very painful to take on a name from another tribe. But I did it for survival. [The Maragoli] have been part of the Ugandan community before colonialism, before Uganda was formed as a nation. Calling us non-Ugandan is actual discrimination."<sup>33</sup> The Maragoli explain that the solution is simple: recognize the Maragoli people in the constitution. "Being recognised by the Constitution will liberate [us]," says Christopher Kagunza, chairman of the Maragoli Community Association.
- 9.5. As of February of 2021, a bill is under consideration to modify the constitution to include the Maragoli as an Indigenous People of Uganda.<sup>34</sup>

## 10. Indigenous Peoples' Access to Education

- 10.1. Article 14 (2, 3) of UNDRIP provides that "Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination. 3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language."

- 10.2. However, Uganda has consistently failed to provide access to education for all of its citizens. According to data from the Human Rights Measurement Initiative's Rights Tracker, even after taking into account Uganda's per-capita income, over the last eight years the State has consistently scored as underperforming in meeting its citizens' rights to education, achieving just 65% of what should be possible with its level of income compared to similarly situated countries.<sup>35</sup>
- 10.3. Many barriers exist for Indigenous Peoples to access education<sup>36</sup> including: cost– the requirement of uniforms and purchasing of school materials; lack of infrastructure–within conservation zones, no permanent buildings are allowed, meaning school must be held in poor temporary structures that are not well maintained; distance–the Ik, with a population of over 14,000, have only two government-supported primary schools to provide for their children, which have no boarding facilities and therefore cannot be used by children living far away. No secondary or technical schools are available within the Ik areas.
- 10.4. Uganda law permits children to learn in their native tongue but has done nothing to ensure Indigenous children enjoy this right. Instead, primary education is systematically erasing Indigenous cultural identities by teaching in the dominant regional language rather than local Indigenous languages. Without government funding to train teachers and provide curriculum, schools cannot impart Indigenous languages to Indigenous children. Agnes Kabajuni, Kampala-based Africa Regional Manager for the Minority Rights Groups, explained that “the teaching of ...languages of dominant ethnic groups inadvertently impacts negatively on the growth and revitalization of languages of indigenous peoples.”<sup>37</sup>

## 11. Uganda Disregards the Health of Indigenous Peoples

- 11.1. UNDRIP article 24.2 states “Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health.” Although there have been improvements in healthcare nationally, the Human Rights Measurement Initiative indicates that Uganda is achieving only 79.7 of what is within its means towards meeting its immediate human rights obligation in terms of health.
- 11.2. According to the Human Rights Measurement Initiative, Uganda is doing 78.2% of what should be possible at its level of income, in relation to meeting the country's citizens' right to food.<sup>38</sup> Food security is a particularly pressing problem for Indigenous women, as they are largely responsible for their family's food, yet face government opposition to gathering Indigenous food on national park lands. Director for the Support for Women in Agriculture and Environment, Gertrude Kenyagi, has explained that Uganda has stripped Indigenous women of the choice to decide “what to eat and how to produce it.”<sup>39</sup> In her article, she quotes Dina Nyirarukundo, a Batwa woman: “We sneak back into the forest to harvest fruits, tubers, honey, and other foods. When we are caught, we are beaten and sometimes imprisoned. We have been turned into thieves of our own inheritance.”<sup>40</sup>
- 11.3. The government's response to the COVID-19 pandemic has largely neglected Indigenous Peoples, largely due to inadequate existing health networks and deeply entrenched

prejudice. The International Center for Research on Women found that non-Indigenous communities discriminate against Indigenous Peoples based on misinformation about the relationship between the coronavirus and wildlife. It was reported that in East Africa, there exist discrimination against Indigenous Peoples due to “contemptuous beliefs that they are dirty, backward, unsanitary and bereft of the skills and knowledge to prevent COVID-19.”<sup>41</sup> Uganda did nothing to mitigate these beliefs, failing to protect Indigenous People from health discrimination while simultaneously lacking to provide any kind of health care specifically targeting Indigenous Peoples. Furthermore, Uganda has given no financial aid to Indigenous Peoples despite the pandemic’s disastrous impact on their livelihoods.<sup>42</sup> Many Indigenous Peoples, including the Batwa, rely on exchanging cheap labor for wages or food.<sup>43</sup>

- 11.4. With government-mandated lockdowns, demand for Batwa labor decreased; coupled with limited access to farming land, this decrease in wages has increased hunger and poverty among the Batwa.<sup>44</sup>

## V. Recommendations

12. We join Indigenous Peoples of Uganda in urging member States to recommend the government of Uganda take the following actions:
1. Implement policies to legalize and facilitate the accessing of Indigenous Peoples, especially the Batwa, to cultural sites within and around their ancestral homes that currently exist within militarized conservation zones.
  2. Recognize the full rights to access of Indigenous communities adjacent to forests; take steps to reduce animosity between communities and National Forestry Authority officials, and clarify Collaborative Forestry Management guidelines and the agreements with communities.
  3. Establish social services for Indigenous communities living on gazetted forest land.
  4. Recognize and promote the roles of the Batwa in the traditional management of their forests, and justly and fairly compensate for the suffering caused since the eviction of 1991.
  5. Provide for the return of conservation land taken without the Free, Prior and Informed Consent of Indigenous Peoples, or where this is not possible, take immediate steps to provide restitution for such land acquisition, including just and fair compensation.
  6. Immediately and fully implement the 2005 Ugandan High Court judgement in favor of the Benet and reinstate their land.
  7. Engage Indigenous Peoples in policy-making processes to ensure that they benefit from specifically targeted programs. Specifically, the forestry and social protection sub-sectors should collaborate with Indigenous Peoples to determine interventions that enhance conservation as well as socio-economic livelihoods for Indigenous Peoples simultaneously.

8. Include the promotion of growing local tree species and local food crops, especially in the semi-arid areas, in social protection programs for Indigenous Peoples.
9. Consult with Indigenous Peoples to include minority Indigenous languages in the national education curriculum as well as to fund programs for the establishment of community-based cultural heritage centers.
10. In consultation with Indigenous Peoples, amend the constitution to officially recognize and respect the rights of Indigenous Peoples, according to their own self-determination, in particular amending Articles 26 and 32.
11. Establish meaningful mechanisms for Indigenous women's participation in decision making on programs and policies that affect them.
12. Ensure priority access for Indigenous Peoples to COVID-19 vaccine distribution and begin urgent, immediate programs to effectively communicate public health concerns in rural areas in ways that are linguistically and culturally appropriate.
13. Devote resources to more deeply investigate, with the participation of Indigenous Peoples, the issues they are facing, and solutions needed to provide a more harmonized social protection system.
14. Ratify ILO Convention 169 and develop a national policy to implement Indigenous Peoples Free, Prior and Informed Consent.
15. Publicly endorse the UN Declaration on the Rights of Indigenous Peoples
16. Invite the UN Special Rapporteur on the Rights of Indigenous Peoples to visit Uganda.
17. Create an action plan to implement the Outcome Document of the World Conference on Indigenous Peoples.

<sup>1</sup> Food and Agriculture Organization, electronic files and web site, available at <https://data.worldbank.org/indicator/AG.LND.FRST.ZS?locations=UG>

<sup>2</sup><https://www.monitor.co.ug/uganda/special-reports/maragoli-minority-group-to-be-recognised-soon-3357614>

<sup>3</sup> IUCN, 2017. Consultations with Forest Dependent Peoples/Local Communities in/around Mt Elgon Forest/National Park and Karamoja on the National Forest Investment Plan. Stakeholders Consultation Report – Draft 1.

<sup>4</sup>

[https://reliefweb.int/sites/reliefweb.int/files/resources/Land%20and%20inequality%20in%20Uganda\\_November%202019.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Land%20and%20inequality%20in%20Uganda_November%202019.pdf)

<sup>5</sup> Emma Eastwood, *Uganda: Decades of displacement for Batwa, uprooted in the name of conservation* Minority Rights Group (2018), <https://minorityrights.org/trends2018/uganda/>.

<sup>6</sup> NYATANYI, Thierry. 2019. Understanding Barriers to Accessing Healthcare Among the Most Deprived of the Deprived – the Case of the Batwa in Southwestern Uganda. Master's thesis, Harvard Medical School. Citable link <https://nrs.harvard.edu/URN-3:HUL.INSTREPOS:37364902>

<sup>7</sup> Emma Eastwood, *Uganda: Decades of displacement for Batwa, uprooted in the name of conservation* Minority Rights Group (2018), <https://minorityrights.org/trends2018/uganda/>.

<sup>8</sup>Id

<sup>9</sup> Survival International, *Uganda: Batwa “Pygmy” faces prison in the name of conservation* (Feb. 10, 2017), <https://www.survivalinternational.org/news/11567>.

<sup>10</sup> Indigenous Africa: “Batwa vs Land Grabbing in Uganda” accessed June 2020 <https://indigenouafrica.org/batwa-vs-land-grabbing-in-uganda/>

<sup>11</sup> NYATANYI, Thierry. 2019. *Understanding Barriers to Accessing Healthcare Among the Most Deprived of the Deprived – the Case of the Batwa in Southwestern Uganda*. Master's thesis, Harvard Medical School. <https://nrs.harvard.edu/URN-3:HUL.INSTREPOS:37364902>

<sup>12</sup> Twinamatsiko, Medard, et al. 2019. *Beyond gorillas Local economic development through tourism at Bwindi Impenetrable National Park*. <https://pubs.iied.org/sites/default/files/pdfs/migrate/17648IIED.pdf>

<sup>13</sup> Indigenous Africa: “Batwa vs Land Grabbing in Uganda” accessed June 2020 <https://indigenouafrica.org/batwa-vs-land-grabbing-in-uganda/>

<sup>14</sup> Eunice Nsikak Olembo, “*Five Decades down the line, we shall not relent . . .*”, MINORITY RIGHTS GROUP, Aug. 27, 2020, <https://minorityrights.org/2020/08/27/we-shall-not-relent/>.

<sup>15</sup> Id

<sup>16</sup> Wilmot, Shua. “The Benet people in Uganda continue to suffer from gross human rights violations” May 2021. <https://www.iwgia.org/en/news/4366-uganda-benet-2021.html>

<sup>17</sup> Eunice Nsikak Olembo, “*Five Decades down the line, we shall not relent . . .*”, MINORITY RIGHTS GROUP, Aug. 27, 2020, <https://minorityrights.org/2020/08/27/we-shall-not-relent/>.

<sup>18</sup> Minority Rights Group International, *Eviction of Indigenous Benet in Uganda risks conflict*, 6 November 2014, available at: <https://www.refworld.org/docid/55fbd0fc4.html> [accessed 14 July 2021]

<sup>19</sup> Eunice Nsikak Olembo, “*Five Decades down the line, we shall not relent . . .*”, MINORITY RIGHTS GROUP, Aug. 27, 2020, <https://minorityrights.org/2020/08/27/we-shall-not-relent/>.

<sup>20</sup> Id

<sup>21</sup> Wilmot, Shua. “The Benet people in Uganda continue to suffer from gross human rights violations” May 2021. <https://www.iwgia.org/en/news/4366-uganda-benet-2021.html>

<sup>22</sup> Wilmot, Shua. “The Benet people in Uganda continue to suffer from gross human rights violations” May 2021. <https://www.iwgia.org/en/news/4366-uganda-benet-2021.html>

<sup>23</sup> Eunice Nsikak Olembo, “*Five Decades down the line, we shall not relent . . .*”, MINORITY RIGHTS GROUP, Aug. 27, 2020, <https://minorityrights.org/2020/08/27/we-shall-not-relent/>.

<sup>24</sup> Id

<sup>25</sup> Id

<sup>26</sup> Id

<sup>27</sup> Bintooro A. 2015. Assessment of the threats to conservation of Mt. Moroto Central Forest Reserve and their effects on livelihoods of Tepeth People in Moroto District, Uganda. *International Journal of Current Research*. Vol. 7, Issue 04, pp 14734-14740, 2015. <http://www.journalcra.com/sites/default/files/issue-pdf/8310.pdf>

<sup>28</sup> Uganda Const. third schedule, article 10(a). <https://www.wipo.int/edocs/lexdocs/laws/en/ug/ug002en.pdf>.

<sup>29</sup> Schedule 3 of the Constitution

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<sup>30</sup> Nakisanze Segawa, *Trapped and Invisible: Uganda's Maragoli People Fight for Official Recognition*, Global Press Journal (Feb. 2, 2021), <https://globalpressjournal.com/africa/uganda/trapped-invisible-ugandas-maragoli-people-fight-official-recognition/>.

<sup>31</sup> Bamaturaki Musinguzi, *Maragoli minority group to be recognized soon*, DAILY MONITOR (Apr. 11, 2021), <https://www.monitor.co.ug/uganda/special-reports/maragoli-minority-group-to-be-recognised-soon-3357614>.

<sup>32</sup> Nakisanze Segawa, *Trapped and Invisible: Uganda's Maragoli People Fight for Official Recognition*, Global Press Journal (Feb. 2, 2021), <https://globalpressjournal.com/africa/uganda/trapped-invisible-ugandas-maragoli-people-fight-official-recognition/>.

<sup>33</sup> Nakisanze Segawa, *Trapped and Invisible: Uganda's Maragoli People Fight for Official Recognition*, Global Press Journal (Feb. 2, 2021), <https://globalpressjournal.com/africa/uganda/trapped-invisible-ugandas-maragoli-people-fight-official-recognition/>.

<sup>34</sup> The Independent. MPs considering constitutional amendment to recognize Maragoli tribe. February 10, 2010. <https://www.independent.co.ug/mps-considering-constitutional-amendment-to-recognize-maragoli-tribe/>

<sup>35</sup> <https://rightstracker.org/en/country/UGA>

<sup>36</sup> Kisoro Memorandum, 2018. Available at

<https://www.forestpeoples.org/sites/default/files/documents/Kisoro%20Memorandum.pdf>

<sup>37</sup> Geoffrey Sabilti, *Indigenous Communities in Uganda Mark International Day of the World's Indigenous Peoples*, MINORITY RIGHTS GROUP (Aug. 16, 2019), <https://minorityrights.org/2019/08/16/indigenous-communities-in-uganda-mark-international-day-of-the-worlds-indigenous-peoples/>.

<sup>38</sup> Human Rights Measurement Initiative, Country profile, Uganda. <https://rightstracker.org/en/country/UGA>  
Accessed June 2021.

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<sup>43</sup> Id

<sup>44</sup> United Organisation for Batwa Development in Uganda (UOBDU), *Increased Hunger and poverty among the Batwa amidst COVID-19 in Uganda*, Forest Peoples Programme (May 7, 2020), <https://www.forestpeoples.org/en/increased-hunger-and-poverty-for-Batwa-in-Uganda-amid-covid-19>