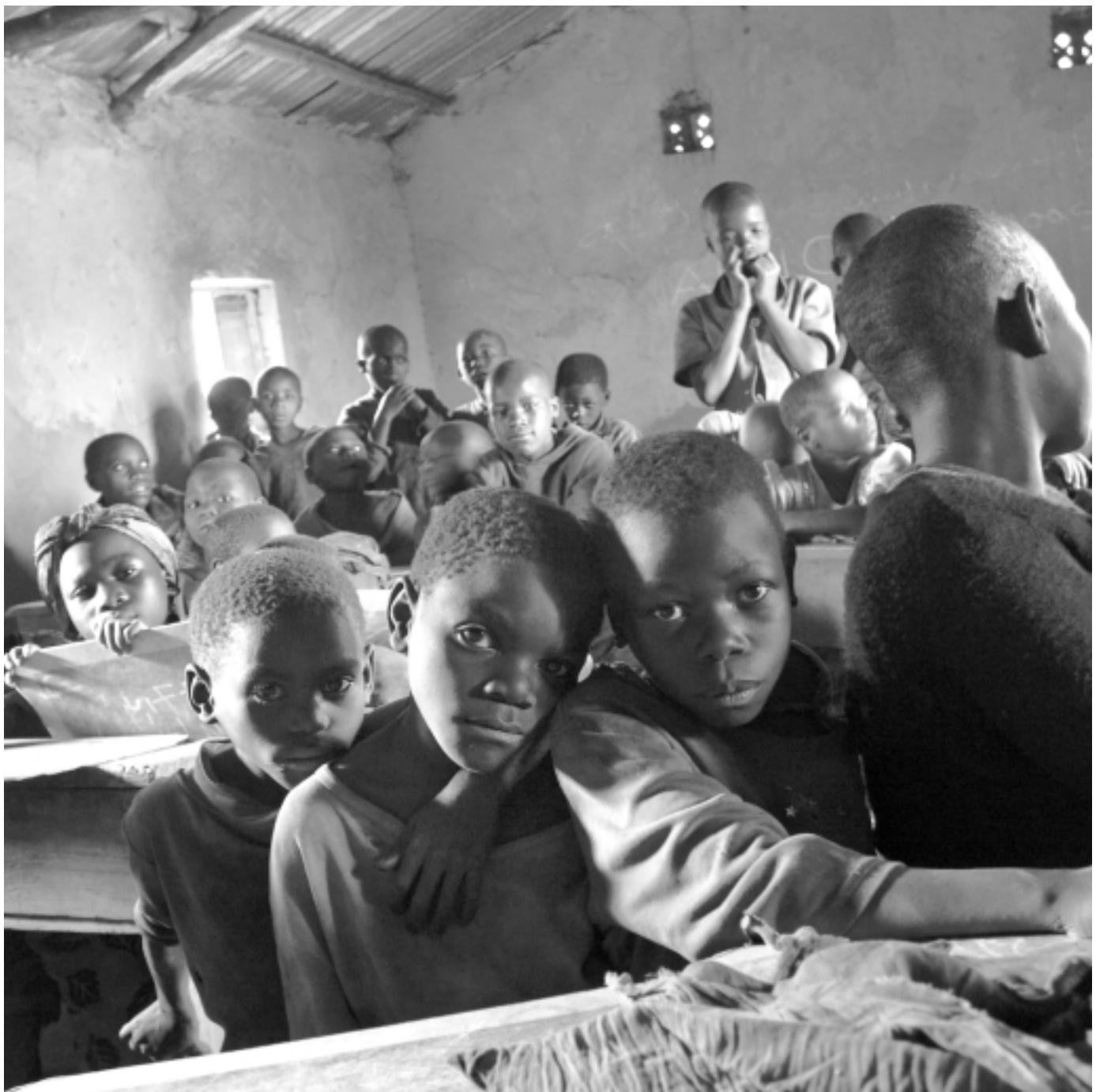


report

minority
rights
group
international

The Right to Learn: Batwa Education in the Great Lakes Region of Africa

By Fay Warrilow





Batwa children await for class to begin in Rwamahano near Kabale, Uganda.
Cheryl Nemazie.

Acknowledgements

Minority Rights Group International gratefully acknowledges the support of the EU and Irish Aid and all of the other organizations and individuals who gave assistance to this report. The author wishes to thank all the organizations and individuals who gave assistance, including Kathleen Spencer Chapman, Adam Wood, Estelle Levin and Jennifer Hinton. Project Coordinator: Tadesse Tafesse, Commissioning Editor: Preti Taneja, Report Editor: Sophie Richmond, Production Coordinator: Paolo Gerbaudo.

The authors

Fay Warrilow is a journalist and researcher specializing in development issues in the Great Lakes Region of Africa. She lived and worked in the region from 2006 to 2008. She holds a first class Bachelors degree from the University of Cambridge, and a Masters with merit from the School of Oriental and African Studies, London. She is currently based in London.

Minority Rights Group International

Minority Rights Group International (MRG) is a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide, and to promote cooperation and understanding between communities. Our activities are focused on international advocacy, training, publishing and outreach. We are guided by the needs expressed by our worldwide partner network of organizations, which represent minority and indigenous peoples.

MRG works with over 150 organizations in nearly 50 countries. Our governing Council, which meets twice a year, has members from 10 different countries. MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), and observer status with the African Commission on Human and Peoples' Rights (ACHPR). MRG is registered as a charity and a company limited by guarantee under English law. Registered charity no. 282305, limited company no. 1544957.

© Minority Rights Group International 2008
All rights reserved

Material from this publication may be reproduced for teaching or for other non-commercial purposes. No part of it may be reproduced in any form for commercial purposes without the prior express permission of the copyright holders.
For further information please contact MRG. A CIP catalogue record of this publication is available from the British Library.
ISBN 978-1-904584-81-0. **Published** December 2008. **Typeset** Kavita Graphics. Printed in the UK on recycled paper.
The Right to Learn: Batwa Education in the Great Lakes Region of Africa is published by MRG as a contribution to public understanding of the issue which forms its subject.

The Right to Learn: Batwa Education in the Great Lakes Region of Africa

By Fay Warrilow

Contents

Acronyms	2
Executive summary	3
Map	4
Introduction	5
Who are the Batwa?	7
The importance of education	9
Education for Batwa: the reality	13
Government, international and NGO response: what is being done	24
Conclusion	30
Recommendations	31
Notes	33

Acronyms

ABEK	Alternative Basic Education for Karamoja	MBCT	Mgahinga-Bwindi Conservation Trust
ACHPR	African Charter on Human and Peoples' Rights	MDGs	Millennium Development Goals
AICM	African International Christian Ministries	MINALOC	Ministry of Local Government, Good Governance, Community Development and Social Affairs (Rwanda)
AIMPO	African Indigenous and Minority Peoples' Organization	MINEDUC	Ministry of Education (Rwanda)
BCHC	Bwindi Community Health Clinic	MRG	Minority Rights Group International
BINUB	Bureau Intégré des Nations Unies au Burundi (formerly ONUB)	NGO	Non-Governmental Organization
CAMV	Centre d'Accompagnement des Autochtones Pygmées et Minoritaires Vulnérables	ONUB	Opération des Nations Unies au Burundi (now BINUB)
CAURWA	Communauté des Autochtones Rwandais (now COPORWA)	PEAP	Poverty Eradication Action Plan
CEDAW	International Convention on the Elimination of All Forms of Discrimination Against Women	PIDP	Programme d'Integration et de Développement du Peuple Pygmé au Kivu
CERD	Committee on the Elimination of Racial Discrimination	RAPY	Réseau des Associations Autochtone Pygmées
COPORWA	Communauté des Potiers Rwandais (formerly CAURWA)	UCEDD	Union Chrétienne pour l'Education et Développement des Deshérités
CRC	Convention on the Rights of the Child	UN	United Nations
DfID	Department for International Development (UK)	UNDM	UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
DRC	Democratic Republic of Congo	UNESCO	UN Educational, Scientific and Cultural Organization
HIPCs	Highly Indebted Poor Countries	UNESCR	UN Committee on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights	UNICEF	UN International Children's Emergency Fund
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination	UNIPROBA	Unissons-Nous pour la Promotion des Batwa
ICESCR	International Covenant on Economic, Social and Cultural Rights	UOBDU	United Organization for Batwa Development in Uganda
ILO No. 169	ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries	UPE	Universal Primary Education
ILO	International Labour Organization	USAID	United States Agency for International Development
IMF	International Monetary Fund	USE	Universal Secondary Education
INGO	International Non-Governmental Organization	VSP	Village Schools Project
IWGIA	International Work Group for Indigenous Affairs		

Executive summary

The Batwa communities of the Great Lakes Region are mainly former hunter-gatherers who have been evicted from their forest homes over the course of many decades. They now live as a neglected and marginalized minority, often in remote conflict and post-conflict areas. Though Batwa adults and children across the region have identified education as one of their most important priorities, the vast majority have had little if any chance to go to school. Poverty and hunger, and the long distances they often have to travel to access schooling, prevent children from enjoying what is their fundamental human right.

Batwa communities have experienced almost every kind of abuse imaginable, particularly in times of war. More generally, they are routinely excluded from participation in public life and are denied their share of public resources. There are many interconnected reasons for this, but poor access to education is a central one.

For Batwa, access to education means change at the most basic level, such as being able to read public signs and notices. It allows self-sufficiency and promotes self-esteem; it offers the potential to undertake training in technical skills or to access employment, all of which would help Batwa people combat the poverty they live in. Poverty means that few Batwa can afford proper healthcare. Some Batwa women become sex workers in towns to supplement their low income; they are paid very little, or may be paid in beer. Some Batwa even remain in bonded labour, a form of slavery.

Even when Batwa children do access school, they experience direct and indirect discrimination. Many suffer verbal abuse and Batwa women and girls report being sexually harassed by male teachers and pupils at school, and being ambushed on the way home from school.

This may result in unwanted pregnancies, poor performance at school and dropping out of school entirely.

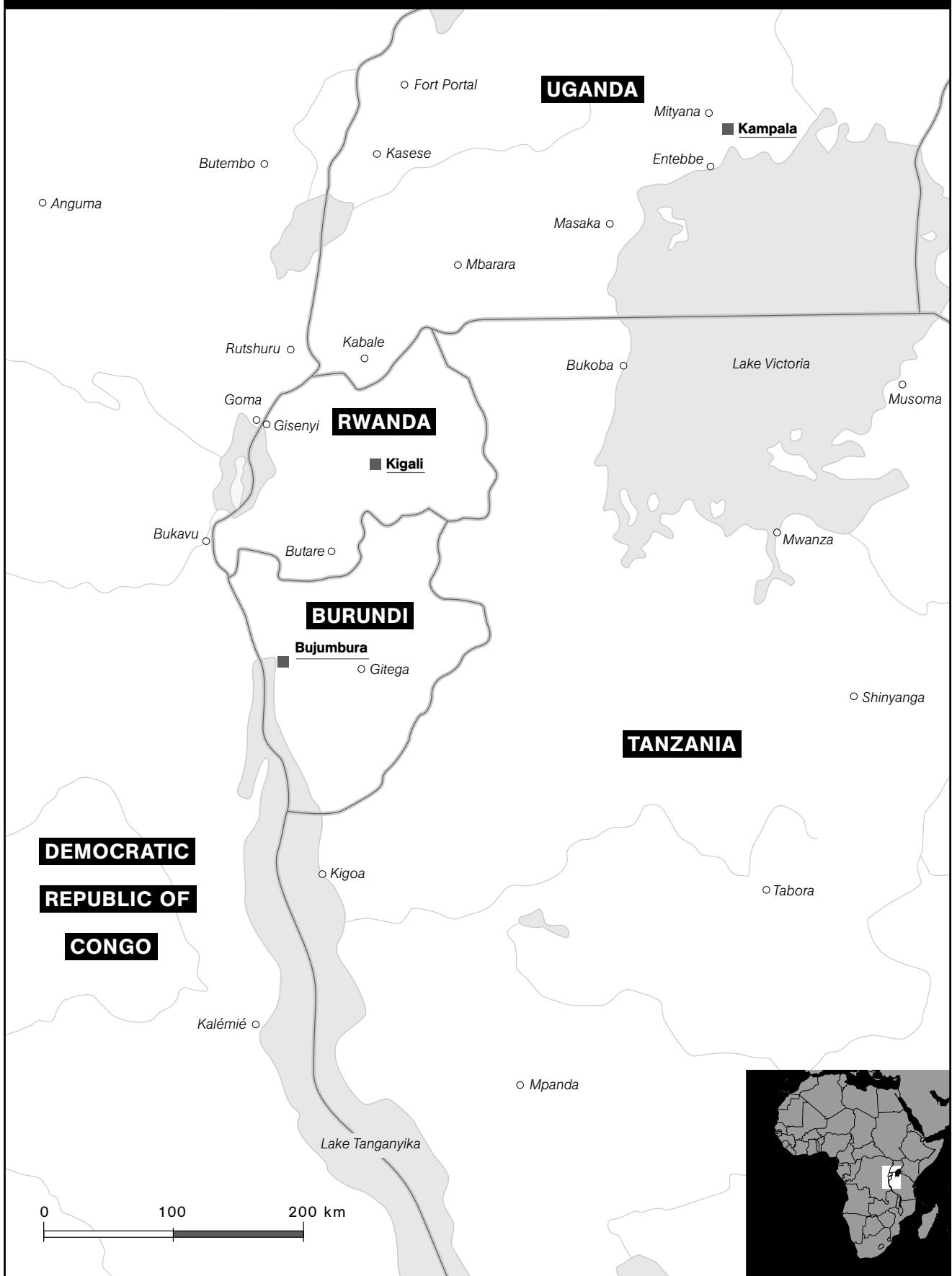
Batwa identity has been historically misrepresented in school curricula in the region, and this continues today. Teaching materials reportedly still used in some Francophone Rwandan schools portray Batwa as greedy, ready to work with diabolical forces and poor through their own misdeeds. Batwa children in Burundi report being told by teachers that because they are Batwa, they are ‘worth nothing’.

The situation differs across the four countries and in each community, but similarities exist across the board. The positive benefits of education are clear: Levi, a member of the Bakiga community in Kisoro, Uganda, says things have changed since the Batwa began to receive education and land to settle on; traditional prejudices, including the refusal to share drinking and eating implements with Batwa, are being eroded.

The wealth of first-hand research from each country contained in this report clearly shows that more positive action is needed from governments, civil society organizations and the international community. The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDRM) stipulates that UN bodies should encourage conditions for the promotion of minority ethnic identity, and education has a central role to play. However, no UN bodies have dedicated projects promoting Batwa education in the countries in question.

The welfare of minorities within a country has repercussions for the welfare of the country as a whole. If the social and political exclusion of the Batwa is to end, it is clear that their education opportunities must improve dramatically at every level.

Burundi, Democratic Republic of Congo, Rwanda, Tanzania and Uganda



Introduction

'School is very important because when you have been you have a better life, better health.' (Janine, 15-year-old Mutwa girl, Cibitoke, Burundi)¹

Education is a fundamental human right and a definitive basic aim in human development. It is understood to have a 'multiplier effect'² on other rights, such as the rights to health, freedom of expression, culture and work. Universal Primary Education (UPE) is one of the internationally agreed Millennium Development Goals (MDGs), and the UNESCO-led 'Education for All' initiative aims to meet the education needs of all children, youth and adults by 2015.

But as with so many other rights, education is an area in which minorities and indigenous peoples are short-changed. Whether by direct or indirect discrimination, many minority communities find their access to this fundamental human need limited or denied. Among its other benefits, education makes it easier to have a voice in society. In regions where needs are many and resources few, it is often those who are not vocal who are overlooked – by their neighbours, by their governments and by the international community.

The Batwa people of the Great Lakes Region of Africa – i.e. Burundi, Democratic Republic of Congo (DRC), Rwanda and Uganda – experience these problems with education at their most extreme. Living as a minority in conflict and post-conflict regions, they know well how it is possible to be neglected and ignored. As former hunter-gatherers evicted from their forest homes and left to survive as best they can, they also appreciate what it is like not to have a voice. The vast majority of Batwa adults have had little, if any, chance to go to school. They send their children to school where they can in order to give them the opportunities they did not have, but often these children must leave early because of hunger, lack of materials and discrimination. Universal primary education is far from a reality in any of the Great Lakes countries, and education is not yet for all.

There are at least 100,000 Batwa in the region, possibly many more. The political, geographical and socio-economic situation is different in each of the four countries under scrutiny, and so is the situation of the Batwa communities who live in them. But 'their continued social and political exclusion is universal'.³ Batwa communities have experienced almost every kind of abuse imaginable, particularly in times of war. More generally,

they find participation in public life extremely difficult and are denied their share of public resources. There are many interconnected reasons for this, but poor access to education is central. If the social and political exclusion of the Batwa is to end, their education opportunities must improve dramatically at every level.

Access to education is not just about whether it is possible to go to school; it is about whether education is appropriate, nurturing a community's own sense of identity as well as encouraging a sense of belonging and integration on the wider local, national and international stage. For minorities all over the world, education has been far from appropriate in this respect. There is a complex sense of cultural identity within the Batwa communities of the Great Lakes, but it is being eroded as the Batwa who have been propelled into settled agricultural communities struggle to integrate and survive. In these communities, the Batwa language is all but forgotten, and no serious consideration is given to Batwa history and culture in state schools.

The international community, the governments of the Great Lakes countries, civil society and Batwa communities themselves have the responsibility and power to change this situation. They can do this through civil society initiatives, through lobbying and advocacy, and through appeal to national and international legislation. Avenues for redress will be discussed later, as the nature and extent of the problem is explored.

A particular threat to the education rights of the Batwa in the Great Lakes has been the persistence of armed conflict. The eastern DRC has suffered war for over a decade and an escalation of hostilities at the time of this report's completion in autumn 2008 has created a humanitarian crisis in North Kivu, with 250,000 people fleeing their homes in addition to the 1 million already displaced in the region. Although all communities have been affected, and schools have been closed in a large part of the province, previous experience indicates that, without special measures being taken, the Batwa are unlikely to benefit from humanitarian aid made available or from post-conflict reconstruction.

Research for this report involved interviews and group discussions over two and half months in more than 20 Batwa communities in Burundi, eastern DRC, Rwanda and Uganda. Actors within international and national non-governmental organizations (INGOs and NGOs) were also interviewed, as well as government and United

Nations (UN) representatives where possible, schoolteachers and other education specialists.⁴ There is a serious shortage of statistical data on education in Batwa communities, and this is much needed. But the extensive contact with Batwa communities and activists that this research afforded, plus the assistance of other interviewees and researchers, allows for a new and reliable overall picture of the problems and aspirations within the Batwa popula-

tion. Due in large part to their institutional neglect, the situation of Batwa communities varies significantly within and between countries, but common complaints were heard across the board. The quotations and statistics in this report are chosen to reflect the most widespread experiences, opinions and grievances in the Batwa community, as well as among their supporters and detractors. They make a strong case for change.

Who are the Batwa?

History

The Batwa people of the Great Lakes Region are said to have been the first inhabitants of the mountainous forests of the Rift Valley.⁵ They are part of a wider group of equatorial forest-dwelling peoples in Africa academically termed 'Pygmies'.⁶ It was, and is, difficult to estimate exactly the number of Batwa in the region – recent figures estimate that there are between 67,500 and 87,000⁷ in non-forest communities, and tens or even hundreds of thousands more remaining in the forests of eastern DRC.⁸

Over a period of centuries, through a gradual process of migration, appropriation and finally eviction, many Batwa were forced to leave the forest. Deforestation began in Burundi and Rwanda in pre-colonial times as settled agricultural and pastoral communities moved into new areas, while in more recent times war and industry have speeded the process of forest clearance.⁹ In the past four decades, the creation of national parks and protected forest areas such as Bwindi, Echuya and Mgahinga in Uganda, Kahuzi-Biega and Virunga in eastern DRC, and the Parc des Volcans and Nyungwe in Rwanda have resulted in the final expulsion of all but a few forest-dwelling communities from those parks. For many, forcible expulsion into societies where their nomadic lifestyle was at extreme odds with the mainstream and there was no opportunity to use the skills that had served them so well in the forest, meant marginalization, exploitation, physical and verbal abuse and, in some areas, near-slavery. The hunters, gatherers, dancers, warriors and craftspeople of the Rift Valley mountains became the dispossessed, the enslaved, the despised of the settled agricultural communities at the borders of their former home.

The long presence of Batwa communities within the forests of the region is well documented in regional and Northern (i.e. western European and North American) history books and in oral traditions among the Batwa themselves and their neighbours. Semi-nomadic, forest-dwelling Batwa or Impunyu have sacred sites within the now out-of-bounds national parks which they reportedly still visit secretly.¹⁰ The hunter-gatherer lifestyle involves particular skills; not only in finding food but in the medicinal use of plants. Many Batwa still consider these skills to be their true profession. This lifestyle also generates an understanding of the world which can be at odds with that of agriculturalists and town-dwellers: the egalitarian

tarian, immediate economic structure of hunter-gatherer Batwa society, in which goods are shared and there is no tradition of the investment required for agriculture, puts 'begging' and 'lack of planning' in context. Begging was an extension of demand-sharing, a way of distributing resources to the needy; forward planning was hardly necessary for a forest lifestyle.¹¹

There are still substantial numbers of forest-dwelling Pygmies, including Batwa, in the DRC where almost all of the forest has not been made into parkland. They face a growing threat from the expansion of industrial logging. But for other evicted and/or semi-settled, communities, the hunter-gatherer lifestyle grows increasingly distant. Consequently much of the Batwa's knowledge of the forest, including herbal medicine, is being lost.¹² Though national and Northern conservation agencies have played their part in evicting the Batwa and alienating them from their forest livelihoods,¹³ there are some positive developments. Some Batwa are employed as trackers in Kahuzi Biega national park, and some conservation agencies, including the Gorilla Organization, work with Batwa organizations.

Cultural practices

Pottery

Batwa 'potters', of whom there were an estimated 60,000 to 76,000 in 2000,¹⁴ have historically partially integrated with the agricultural communities that surrounded them. The great majority of Batwa in Rwanda and Burundi come into this category. As the long process of appropriation of Batwa land took place, Batwa found means to supplement their hunter-gathering lifestyle. Pottery became central to the identity of many Batwa communities:¹⁵ the term 'potters' also carries connotations of the protection, labour and entertainment services that the Batwa offered to their neighbours as they diversified. Traditionally it is women who make the pots, but the finding and firing of clay, and selling of wares are jobs for the whole family.

Batwa potters value their skills, and are proud to demonstrate to visitors how pots are made.¹⁶ But the pottery industry has waned in the face of a barrage of obstacles, including the cheap availability of more durable plastic and metal products, the rising expense of buying clay and, in Rwanda, environmental protection laws

against wood burning. Land shortages have led to the draining of marshland to make fields, also depriving the Batwa of clay.¹⁷ Potters in Cibitoke, Burundi, sum up the problems associated with the industry:

*'It takes a lot of means, a lot of effort to sell our pots. We have to go and look for wood, and then selling them is difficult. It's changing ... it's an occupation which doesn't bring us anything.'*¹⁸

This skill, like the Batwa's forest knowledge, is not capitalized on nationally in the Great Lakes Region. For example, leaflets for tourists in the arrivals lounge of Kigali airport on Rwandan culture mention pottery, but there is no mention at all of the Batwa, the country's most famous potters.

Other traditional skills

Batwa people are also known historically for their dancing and entertainment abilities. Groups have travelled as far overseas as New York to perform.¹⁹ 'The only historical part which we need to reserve is singing and dancing. First of all it is commercial nowadays. It also passes on a very good message of love, unity, reconciliation,' states Cecile, a Mutwa woman from Ruhengeri, Rwanda.²⁰ But dancing is also much less in demand than in previous times, and difficult living conditions make organization into viable dance troupes a challenge.

Some Batwa are known as fisherfolk: 3,000 to 4,000 live around Lake Kivu and Idjwi Island in DRC and by Lake Tanganyika and Rweru, and like other Batwa they are reported to be considered the first inhabitants of their region.²¹

Language is often a distinguishing factor for minorities. There are remnants of Batwa languages in words used by Batwa communities, and some older Batwa in Uganda who claim to remember the Batwa language,²² but in societies which live among non-Batwa, the mainstream language is used.²³

Impact of recent conflicts

During times of conflict, Batwa have often suffered disproportionately. It has been estimated that 30 per cent of

the Batwa population perished during the 1994 genocide in Rwanda, while in both Rwanda and Burundi Batwa were coerced into 'taking sides' in the conflict.²⁴ A study of Burundi for the International Institute for Educational Planning, carried out in 2004, but not published till 2008, notes that: 'the most vulnerable people in Burundi today are displaced people, returnees, orphans, children, female-headed households, and the [Batwa].'²⁵ A May 2007 report states that:

*'Politics plays a considerable role in limiting educational access for some orphaned girl of children [sic] in Rwanda. For example, due to the need to eliminate the genocide ideology, government is reluctant to acknowledge or take action on marginalized groups such as the Batwa (pygmies) who regularly miss out on Education.'*²⁶

Uganda, too, has suffered from instability on a wide scale, most recently in the north of the country. The northern districts, otherwise called Acholiland, have experienced 20 years of fighting between rebel group the Lord's Resistance Army and government forces. This fighting resulted in the displacement of nearly 2 million people, many of whom have yet to return to their villages. There has also been fighting in the east of the country between Karamojong cattle herders/rustlers and Ugandan government forces. Though they are being disarmed by force and persuasion, the Karamojong have long carried out cattle raids into more central districts, also resulting in instability. The Batwa have not been directly involved in these two sources of unrest, but they are indirectly affected since most international and national humanitarian and policy resources, including specially tailored education measures, continue to be directed towards Acholiland and Karamoja.

There has also been instability on Uganda's western border with DRC, close to the home districts of many Batwa communities.

But it is in eastern DRC where the wartime abuse of Pygmies, including the Batwa, has reached the most horrific levels. There are many accounts of rape, mutilation and cannibalism against the Batwa by the various forces roaming the region since 1998.²⁷

The importance of education

Why is education important to the Batwa?

Batwa parents and grandparents interviewed for this report are aware of the freedoms education can bring, and are optimistic about its potential for their children. They know that they have rights: to food and shelter, to health, to land, to work, to fostering their cultural identity and preserving their history. They recognize how formal education and literacy training can improve their access to these other rights. At a basic level, being able to read prevents one being at the mercy of others by enabling one to read letters, signposts and notices on public buildings. At a more complex level, the opportunity to send bright children to secondary school and then university gives them a chance to become doctors, lawyers, politicians, and protect the interests of their community on the local, national and regional stage.

Three sample quotations illustrate the range of opportunities Batwa communities see in formal education:

*'The importance of school is to go to follow studies, and when we go to school we meet our colleagues, our schoolmates from other communities like Hutus and Tutsis, and then because of that we build our relationship to the extent that we understand one another, we love one another, we make friends. The teachers can testify to that and they witness it.'*²⁸

*'It's really very important despite these oppressions. We can't give up – only if we don't have the means to continue. The language of the teachers, the oppression, the discouragement, can't push us to abandon school; the only thing that can push us is lack of means. I can be in society like all the others. If I've studied I can also be a community leader, a political leader like all the others, an administrator, even a minister.'*²⁹

*'We want to conserve our culture, we should have a leader. Our vision for the future is: if now between you and us there is a person who translates your message to me, in the future we won't need a person who can communicate between the foreign visitor and my community. We will communicate directly. If our community has educated leaders, real representatives who represent our community faithfully, this is the future which we need.'*³⁰

These statements, respectively from a teenage boy in a Batwa community near Ruhengeri, Rwanda, a teenage girl in Gitega in Burundi and an elder of the same Batwa community in Burundi, show that Batwa people, young and old, wish to use their own voices and to be free from oppression. Basic literacy can empower Batwa adults in simple but important ways, added the Mutwa elder from Gitega: 'It's very important for us, even for simple things like finding our way without having to ask people.' Children's education can benefit a whole community, he added:

*'I studied in 1968 at primary school. I am old, but I know how to write, to count. But if I have a document to read or a letter I take the letter and give it to my son, and because my son knows how to read very well he can translate the message which is in the letter to me.'*³¹

For some Batwa, formal education also affords confidence when dealing with foreigners. As Cecile, a Batwa community leader in Kaganaro, Rwanda, said:

*'Education is very important because there is no development for an illiterate person. I am talking to you, a muzungu,³² because I went to school. An ignorant person can't have that boldness to stand before you because he doesn't know what to say or do, he just runs away.'*³³

Vocational training and tertiary education

Acceptable and adaptable education also extends to the types of formal education on offer. It is not only primary and secondary school that are important. Education and aptitude are only as good as the number of white-collar jobs on offer – the office jobs, jobs with NGOs, or the government, or businesses. The demeaning work their parents, and they themselves, are forced into, contributes to low self-esteem among Batwa children and young people.

Some young Batwa in Gasabo, Rwanda, see in vocational education – i.e. training in technical skills such as carpentry and mechanics – hope for escaping the back-breaking physical labour they are forced to perform:

'Education is very important ... what we are doing here is very risky, we're involved in stone digging and breaking. We're not doing it for ourselves, we're doing

Mulenge/Mulama secondary school pupils – DRC

When they hear the name 'Mulenge', the Congolese border authorities look up suspiciously. Mulenge was a centre of rebel activity during recent hostilities, and indeed as we make the treacherous five-hour drive from Uvira to Mulama Batwa community, we pass men wearing camouflage and holding guns who are clearly not government soldiers.

The wounds caused by war always run deeper than the first, obvious cut. And in a country like DRC, which has experienced far more than its fair share of conflict, the effects are all-pervasive. For three young men from Mulama, Poto (18), Huruma (17) and Kyubwa (20), war put school on hold.

'We started late because we were poor and because of the war. When there was war here there was no going to school, and the school wasn't working. The other pupils are of a lower age.'

From Mobutu's time until now, teachers have not received government salaries in DRC. Schools are supported by parents' contributions. But when the conflict came, Batwa families could no longer rely on paid work from other communities, who were also short of resources. These other families could still afford to pay for their children to be educated, say Poto, Huruma and Kyubwa, but they could not afford to employ Batwa workers.

*'it for someone else – we do it and they get some little money. If we can get a vocational school we can learn some skills, maybe carpentry, and do some other work. Otherwise we don't have the chance to learn because of the kind of work we're doing.'*³⁴

In Butare, Rwanda, Batwa expressed disillusionment with pottery as an industry and some enthusiasm for the possibilities of vocational training:

*'We make pots but it's only that we don't have an option. If we had an option [for technical training] we would go for it because the pots can't earn money, they can earn some food but not more than that.'*³⁵

Although primary education is the priority concern for Batwa communities, then, it is not the only kind of education that should be available to Batwa children (and adults). As one commentator in Uganda argues, though primary and secondary school are important for promot-

'Our parents work for people and when they earn some money they pay for us to go to school.'

'The difference is, when we were at war sometimes other people carried on going to school. But Batwa people, because they looked for the fees from those other people, they didn't find the fees for their children.'

Today, however, a tentative peace has dawned and the three boys are able to work their way through secondary school. But there are still problems, says Huruma. They have not experienced the marginalization sometimes suffered by Batwa pupils, but resources are short.

'There is no discrimination but, when we go to school, we go without good clothes or shoes. In secondary school the headmaster demands of all pupils that it is an obligation to have good shoes, good clothes, and if we haven't it is a problem and we feel very bad.'

But the pupils are optimistic about their education, at the small school within sight of the steep green hill the community lives on.

'If we finish our schooling, we can become leaders of our community and help another generation.'

(Source: Interview with the author during UCEDD-accompanied visit, eastern DRC, March 2008.)

ing the acceptance and integration of Batwa children within majority society, government and civil society should also examine the place of vocational education: 'The content of our education curricula is very inappropriate as far as the needs of our communities are concerned, producing job seekers as opposed to creators.'³⁶

A recent study commissioned by the Department for International Development (DfID UK)³⁷ echoes the idea that it is important for the development of a country that other forms of education, including secondary, tertiary and vocational, are available.

But tertiary education is virtually impossible for poor students in the Great Lakes Region without donor support. Some Batwa activists have proposed that international bursaries be set up by INGOs, the African Commission on Human and Peoples' Rights (African Commission) or the UN to allow Batwa students to pursue tertiary education overseas. They argue that this would create positive role models, able to advocate for their community at the highest levels of society. Others

argue that in-country tertiary education is best. Poor Batwa students in tertiary education not only need to have their school fees paid, but also maintenance grants, or they could be forced out of school to support themselves and their families.

Progress made

At the same time, communities throughout the region report changes for the better. A Mutwa elder from Giheta/Gitega community in Burundi states that:

In my time in all the province of Gitega there were only five Batwa pupils. Today in just one colline³⁸ there are at least 20 or 30 Batwa children. Another small change is that, even if there is still marginalization, there is more tolerance of Batwa now. We are not insulted any longer in the way we were before, when other children would come to chase us and call us 'Pygmies' and insult us. Even if it's not a great number, there are some at university. In my time there were no university students, no one even at secondary school.

This example, to have a few leaders, children who continue to secondary school and university, it encourages other younger Batwa children to continue and see the example of the older ones in front of them. This is why there is a mass of younger children continuing to follow these examples.³⁹

Formal education is also important to the Batwa for integration among their neighbours. Levi, a member of the Bakiga community, works with Batwa communities in Kisoro, Uganda. Things have changed since the Batwa began to receive education and land to settle on, he says – traditional prejudices, including the refusal to share drinking and eating implements with Batwa, are being eroded:

The Bakiga now know that there's a difference. They know that they are getting education like them, even some of them may be their leaders. There are some Batwa, they have some income, it's only a little but they can buy a bottle of local beer and bring it; they are not begging from them. Now a Mutwa can drink from that cup and share with the Bakiga. Now some Bakiga have married some Batwa. There is a very big difference between now and that time.⁴⁰

Self-empowerment

For some Batwa communities, government schools are too difficult to access physically or economically. In some cases, communities have taken matters into their own hands. When the war in their area subsided, Mulenge/Mulama community in eastern DRC, isolated

geographically and marginalized culturally, rebuilt primary and secondary schools for their children which, they said, had been constructed by the original Batwa settlers in their area:

We asked ourselves the following: seeing as our children aren't studying and don't want to go elsewhere to pursue their education because of being marginalized and discriminated against by children from other communities who are not ours, it would be better to create our own school at home here so that our children could also learn to read and write.

When it came to 30 August 2003 we had our second meeting, where we took the decision to cut down bamboo, trees, reeds and rope to make the school building. On 30 September 2003 lessons began and we gave it the name of a banana planted in the rocks by our ancestor Mbagwa, who in our dialect we call E.P. Kigundu Kyambagwa. The school functions because of the small payments which the parents provide despite their poverty.⁴¹

E.P. Kigundu Kyambagwa school suffers, however, from a shortage of teachers, school materials and building materials to maintain the school structure intact.

In a community just outside Bujumbura in Burundi, parents also call for a school to be built especially for Batwa children because 'we cannot send our children to school with the Hutu and Tutsi for fear they will be beaten'.⁴²

But not every group of parents and children believes that separation from other communities is the best option. In Nyangungu in Gitega province in Burundi, a school has been built by a Batwa community themselves, with the support of a grassroots Batwa NGO, Union Chrétienne pour l'Education et le Développement des Déshérités (UCEDD) and the international charity Christian Aid. Though majority Batwa, the school does not exclude children from other backgrounds, parents explain:

Our predecessors, they had never built a school, had never done such work which showed the capacity of the Batwa. But today we call this school our personal school. We built it through our own effort and it's us who made a decision not to exclude others even though they excluded us from their way of life. It's a school which belongs to us and we take joy in our work. Even if it's important for others, it is most important for us.

It was difficult to build our school. We had the will, mixed with suffering. When we were building it the Hutu and the Tutsi made fun of us. They said that we were unable to build the school. It was the war; we would spend one night in the forest and the

*next day we would come to continue building the school and so on. We spent one year without anything, our wives did not have clothes, our children too. Now the Hutu and the Tutsi have begun to realize that Batwa are able to do something.*⁴³

Scope of the right to education

In considering the role of education for the Batwa community, it is important to consider what education actually is, and what it is for. It can be a ‘tool of the weak, or a weapon of the mighty’;⁴⁴ it can be used to reinforce the cultural life of a community, or to destroy it. Education systems ‘reproduce their societies, and those societies’ positive and negative perceptions and practices’.⁴⁵ Put another way, the trappings of oppression are interconnected, and education is part of several factors – for example land rights, health and livelihoods – which can keep people in poverty and alienation or help them emerge from it. The right to education is protected under the UN International Covenant on Economic, Social and Cultural Rights (ICESCR), and a former UN Special Rapporteur on the right to education set out the ‘4As’ of education provision: it must be available, accessible, acceptable and adaptable.⁴⁶ The core principles of the ‘4As’ include that education should be free and compulsory (and where it is not, the state should develop a plan and a reasonable time frame to make it so);⁴⁷ that it should not permit discrimination against any cultural, religious, linguistic or ethnic group; and that it should be culturally appropriate. For most Batwa, the reality is far from this ideal.

Education, as a human right, must be available to every child. The right of minority communities to education and/or freedom from discrimination (which leads to equal rights to education) is enshrined in many instruments of international law which have been, or should be, ratified by the countries in question. These include: the ICESCR (ratified by all four countries with the reservation by Rwanda that it is bound only by the provisions of its Constitution); the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (ratified by none of the countries in question – nor indeed by any African country so far); the International Covenant on Civil and Political Rights (ICCPR; ratified by all four countries);

the UNESCO Convention Against Discrimination in Education (Uganda has accepted the Convention but has not yet ratified it, likewise Rwanda; it was ratified by Burundi in June 2004); and the International Convention on the Elimination of All Forms of Discrimination Against Women (ICEDAW; ratified by all four countries). The most pertinent conventions – the Convention on the Rights of the Child (CRC) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) – will be discussed in a later section.

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM) stipulates that UN bodies should encourage conditions for the promotion of minority ethnic identity: yet no UN bodies have dedicated projects promoting Batwa education in the countries in question.

Finally, denial of education can be a sin not of omission, but of commission. As Katerina Tomaševski, former Special Rapporteur on education to the UN and formulator of the ‘4As’, notes:

‘a government which denies human rights as a matter of policy is unlikely to exempt education and accept its responsibilities therein. Such a government is likely to deprive people of education lest they would learn that rebellion against oppression is their birthright.’⁴⁸

Although the governments of the Great Lakes Region do not openly deny the principle of human rights, and indeed are signatories to many major instruments of international law relating to education, the rights of the Batwa have been systematically ignored since the colonial era (just as they were during it). Starting with the removal of the land from which they, as forest-dwellers, made their livelihoods, this denial of rights extends to every part of public life in the settled agricultural communities they have been forced to adapt to. International conservation agencies and donor bodies have at times exacerbated this process. While ‘realization of the right to education can have a multiplier effect on the ability to realize other human rights’,⁴⁹ the reverse may also be the case. At its simplest level people who cannot read or write are at the mercy of those who can; they do not have legal recourse, or as great a public voice; they cannot even read a sign-post without help.⁵⁰

Education for Batwa: the reality

Poverty

Poverty in the Great Lakes Region

Each of the four countries under scrutiny has experienced its own particular problems, historically and in the present day. But they have some things in common: they have all suffered from instability, they are all socially and ethnically diverse, and they are all poor.

Uganda has an estimated population of 29.6 million people. However census data is limited and many births in rural areas are not registered. It is viewed internationally as one of the most stable and developed countries in east Africa, and has been credited as a leader in the battle against HIV and AIDS.⁵¹ However 31 per cent of Uganda's population still live below the poverty line and per capita income is only US \$300 per annum.⁵²

The population of Rwanda is approximately 8.9 million, and per capita income is US \$250. Though the population is relatively small, it is extremely dense and fertile land is in high demand. In 1994, Rwanda experienced the culmination of many years of civil tension in the form of a genocidal movement against the minority Tutsi group. Some 800,000 Tutsis, moderate Hutu and Batwa were killed, with little intervention from the international community. Rwanda has since received considerable international financial assistance to rebuild the country – described as 'guilt money' by some Rwandans – but the genocide has had a long-lasting influence on the social organization and psychology of the country. An estimated 60 per cent of Rwandans remain below the poverty line.⁵³

Burundi, with a population approximately 6.8 million, is similar to Rwanda in social make-up, landscape and history of civil strife. Years of conflict have left 500,000 dead and 68 per cent of the country below the poverty line.⁵⁴ It has been classed by the World Bank as the fourth least developed country in the world. Though a peace agreement was signed in 2005, shelling was reported outside Bujumbura as recently as April 2008.

The DRC is one of the largest, most ethnically diverse, most mineral-rich and least stable countries in Africa. It has a population of approximately 60 million and a per capita income of US \$140, making it one of the poorest countries in the world. Decades of misrule and war have destroyed DRC's economy: it is estimated that 4 million people have died since 1998 alone. Eastern DRC remains the least stable part of the country, with 1.1

million internally displaced people and a variety of militia groups conducting ongoing raids and battles.⁵⁵

Burundi, DRC, Rwanda and Uganda are all designated as Heavily Indebted Poor Countries (HIPC) by the World Bank and the International Monetary Fund (IMF). As such they have poverty reduction strategies in place, developed with the assistance of these bodies. These strategies, set out in the countries' respective Poverty Reduction Strategy Papers, include planning towards fulfilling the Millennium Development Goal of Universal Primary Education by 2015. The MDGs were adopted by UN member states in 2000, as well as by a number of international development agencies, and are intended to address the most pressing humanitarian problems experienced by the world's poor.

Education, then, is squarely at the interface between development and human rights. The complications of development strategies, particularly when they are formulated by the World Bank, have been widely discussed.⁵⁶ When the aim is purely poverty reduction, truly universal education may not be viewed politically and economically as the best means. And in none of the countries in question – nor indeed in the countries of the developed world – is even primary education equally available, accessible, acceptable and adaptable for all. Not even in Uganda, which the international community understands (erroneously) to have already successfully implemented universal primary education.⁵⁷ The realities of education are very different from what is seen on paper. Economic limitations, family pressures and fear of discrimination cast a shadow over the convictions and aspirations of Batwa parents and children.

But education is not merely a strategy for poverty reduction, it is a right; i.e. an *a priori* requirement. It is not practical to demand of poor countries that they provide access to a full education to university level for every one of their citizens – even many wealthy Northern countries do not do that.⁵⁸ But they must at the very least do in practice what they claim to do on paper. Uganda and Rwanda have reached post-completion point in their HIPC plan, meaning that they are now eligible for full implementation of debt relief plans agreed with the World Bank and IMF. One of the elements in the strategic plans they have implemented to achieve this post-completion stage is state-provided primary education. Uganda claims to provide free primary education to the first four children of every Ugandan family; Rwanda claims good

progress on the path towards universal primary education. In light of the situation of the Batwa and other poor communities in Uganda and Rwanda, neither country has in truth fully achieved what they claim. Donors should not be willing to accept claims on face value.

Socio-economic obstacles to education⁵⁹

Education opportunities are closely linked to other socio-economic considerations, including land access and ownership, health, labour opportunities and freedom to maintain cultural values. This is recognized by international bodies: for example UNICEF's 2001 evaluation report of the Ugandan Complementary Opportunities for Primary Education (COPE) programme states that 'economic necessities are the principal force excluding children from schooling'.⁶⁰ And in regions ground down by poverty, the Batwa are often the poorest of the poor. Frequently landless or settled on uncultivable land, many are forced to labour for others for very low wages or payment in food. Child mortality rates – the most widely used indicator of general poverty – are high in Batwa communities. A June 2006 study by British medical journal *The Lancet* found that up to one in four Batwa children dies at birth in Uganda, nearly four times as many as the rate for Uganda as a whole. General access to health care is also limited. As Nyang'ori Ohenjo reports in *The Lancet*:

*'Even where health care facilities exist, many Pygmy people do not use them because they cannot pay for consultations and medicines, do not have the documents and identity cards needed to travel or obtain hospital treatment, or are subjected to humiliating and discriminatory treatment.'*⁶¹

Rwandan, Congolese and Burundian Batwa also report experiencing problems accessing health care because of having to travel long distances to health centres, discrimination and cost.⁶²

Batwa often experience difficulty in finding permanent, well-paid employment due to their marginalized status and lack of literacy. Batwa women often become sex workers in towns to supplement their low income and are paid very little, or may be paid in beer. Batwa women and girls report being sexually harassed by male teachers and pupils at school, and being ambushed on the way home from school. They report that this sexual abuse results in unwanted pregnancies, sexually transmitted diseases including HIV, poor performance at school and dropping out because of relationships formed.⁶³ Some Batwa even remain in bonded labour, a form of slavery.⁶⁴

Finally, a central problem for the Batwa – as for many minority communities all over the world – is lack of land. The Batwa have suffered in each of the countries in ques-

tion from a loophole in the law concerning the land rights of hunter-gatherer peoples who leave little permanent imprint on their living space. Because Batwa land was not registered in the cadastre at the time of the expulsions the Batwa lost out: registered Bantu land was compensated for.⁶⁵ In an article in Uganda's *Daily Monitor* newspaper following the 2006 *Lancet* report highlighting the situation of the Batwa, the Kisoro District Secretary for Production and Natural Resources describes the problems landlessness brings. The Batwa are idling⁶⁶ in the towns of Kisoro and Bundibugyo, says the Secretary: 'They are wondering [sic] on the streets ... with nowhere to stay or cultivate crops and with no food to eat. Some of them are eating from garbage bins.'⁶⁷

All of these social and economic factors have their impact on education. Lack of food and financial security causes children to miss school because of hunger, or their parents to recall them to work to help find the next meal.

*'When the children go to school, they haven't eaten at home, and they have an intellectual weakness because of it. When they go back to school hungry, they have to repeat classes and this is why some get to 18 years old without progressing. It's poverty which slows the progress of these children.'*⁶⁸

Poor health, either of children or of the family breadwinners, also results in absenteeism.

For communities expelled from their forest homes who have not yet been able to find land to settle on,⁶⁹ it can be impossible to even start school. Kenneth, a 20-year-old Batwa student from Kitariro, Kanungu, Uganda, recently completed his secondary studies. He started school later than other children:

*'At that time we could not pay school fees, we were still moving around. Before I went to school, before we were settled in our communities, harassment used to happen, but now it does not. Why? Because we were dirty, we looked dirty, we had no clothes, we had to leave.'*⁷⁰

Communities which are no longer nomadic do not necessarily possess the amenities to live the same life as neighbouring communities. In one community in Gasabo, southern Rwanda, the nearest water facilities are reportedly an hour's walk from the bamboo-and-polythene shacks which serve the community as houses. This 'makes it very difficult to wash your body or your clothes. And if you go to school and you have not washed, you are sent home.'⁷¹

This community was given its land by the government some decades ago on eviction from the forest. Its members would like to construct more permanent houses, but

the type of soil makes it impossible: ‘There are lots of stones there and we don’t have the tools to dig.’⁷²

Communities which are not settled or live on poor land more frequently miss their forest life. Members of Buyungule community, near Kahuzi Biega national park in DRC, subsist on land in the middle of a tea plantation. The owners do not, they say, permit them to fetch water from its nearby taps so they must walk several kilometres to fetch water from the next source. They find it difficult to get regular, decently paid work in neighbouring communities and cannot afford to send their children to school. ‘Settled’ life has so far brought little that is positive for them, and they say that life was better in the forest.⁷³

Hidden costs of ‘free’ education

Lack of school equipment, uniforms and shoes is also a serious problem for Batwa children, who reported being sent home by teachers because of this.⁷⁴ Libérate Nikayenzi, one of six Batwa Members of Parliament in Burundi and a member of the Burundian senate, is also chairperson of the Burundian Batwa support organization Unissons-Nous pour la Promotion des Batwa (UNIPROBA). Material problems turn into problems of self-esteem for Batwa children, she reports:

We still have a need to support children. At the start of the year for example we found children who were dressed very differently to the others, because you could find a boy at school in his father’s shirt or a girl in a skirt of her mother ... and they feel different to the other pupils. As soon as they start the school year like that, the whole year continues in the same way, so support needs to start at the beginning of the year.’⁷⁵

In some areas, free education may not be not free because of indirect fees that must be paid to local authorities or teachers. State teachers throughout the region earn relatively low wages and may go for months without being paid. They are unlikely to have their transport costs paid, which can make it difficult to get to work. Consequently, many schools not only experience a low attendance rate of pupils, but of the adults who are supposed to be teaching them. ‘Motivational fees’ are supplemental fees paid by parents to state teachers in Uganda in return for the admission of their children to school. For poor families, this cost, however low, can be very difficult to meet. In Uganda an informal ‘parent–teacher association’ system is in place which effectively requires parents to supplement teachers’ wages. This ‘motivation’ is openly referred to by education authorities in south-western Uganda⁷⁶ and is sometimes maintained by schools as a prerequisite for attendance, as one community in Kabale, Uganda, attests:

Normally they chase us for fees and they chased our children from school. When the children had been sat here for some days the school administration sent for them saying that they should return to school. Then they came saying that they want UGX 1,000 from each pupil, but we don’t have the money. Because of this UGX 1,000, the children sat here for two days before they were recalled.’⁷⁷

Lack of community support networks

It is not only Batwa children who experience problems with resources and poor living conditions. But in many poor communities, those in an extended family who have money often use it – indeed are socially compelled to use it – to support bright children whose immediate family do not have the same resources.⁷⁸ Because Batwa communities are small and isolated, and uniformly poor, their access to the resources of extended family is very limited compared to other poor neighbours. Because of their displaced, itinerant history, Batwa have often lost contact with kin, so even if their kin had resources, they do not have the wide family connections of other people in their region. ‘Even if they do know Batwa in other communities, they often are afraid to go out visiting for fear of being attacked on the way.’⁷⁹

In addition, where extra funds are available formally to the people in a certain area – for example the proportion of national park fees in Uganda which is theoretically returned to communities surrounding the parks – they are distributed by village leaders who are rarely Batwa and who, faced with a multiplicity of needs, ‘may deliberately exclude them from sharing benefits or dupe and/or bully them into accepting that they have no claim’.⁸⁰

Janine, 15, from Cibitoke in Burundi, tells a familiar story of lack of family support:

I went to school, in another commune⁸¹ in front of Kayanza, but I have just left. My parents died during the war and there was no other member of my family who could support me in my studies. Like that I made the decision to abandon my studies because I was not supported by even one member of my family. I am ready to return to school, but I need glasses.’⁸²

For a family to be motivated to pursue education for their children, they must have confidence that it will bring benefits and lead to a better life. Even where education is available, sacrifices and risks are demanded of all poor families who want to help their children through primary, and certainly secondary and tertiary, schooling. Though Batwa parents say that they can see the positive potential of education, discrimination still remains a crippling burden.

Kenneth – Uganda

Like most young men of his age, 20-year-old Kenneth is more keen to talk about football than the rigours of education. And no wonder he seizes the opportunity to discuss his favourite teams as he browses the sports pages of Uganda's *Daily Monitor* – Kenneth has a big responsibility on his shoulders.

Supported by the Bwindi Community Health Clinic (BCHC), Kenneth was the first Mutwa to attend Uganda's prestigious Budu King's College, and the first in his country to start university. If he achieves his goal of becoming a doctor, he will again be the first Mutwa in Uganda to achieve such an elite position – leading to high hopes for his potential as an ambassador for his people.

'School is important because we want to study and get jobs and look after our people,' says Kenneth. 'Before we never studied, we just get a chance now.'

But it has not been an easy path to academic success for Kenneth. He started school later than his non-Twa counterparts because his family, newly evicted from the forest, had to travel from community to community finding whatever food and shelter they could. Then they were settled by the BCHC and he had the chance, finally, to go to school. Kenneth believes that in the future other young Batwa will be able to achieve a full education:

'My age is not good because if I had studied when I was young I would be finishing, but I started when I was older. But now the young ones are trying; they are still young, if they complete when they are at our age it will be good.'

Kenneth's father, Geoffrey, has high hopes for his son and others like him. While there are now adult literacy programmes and initiatives to educate Batwa children, there are not yet enough educated Batwa, so it is still necessary for sympathetic outsiders to advocate for them. But as the Batwa themselves gain literacy skills and higher education, they become more able to speak for themselves and assert their rights:

'We need a lawyer who will be able to tell us our rights. We cannot read and write, so we cannot write the letters we need to. While there are no educated Batwa we need a lawyer to help us, then later our children will do it.'

(Source: Interview with the author, Bwindi, Kisoro, December 2007.)

Discrimination

For education to be accessible, it must be non-discriminatory.⁸³ This does not just include direct discrimination, but indirect discrimination: the provision of inadequate facilities, an inferior curriculum, an unlevel playing field.⁸⁴ Batwa children are discriminated against directly and, even more often, indirectly.

Prejudice

The Batwa have been historically seen as 'other',⁸⁵ and said to be dirty, stunted,⁸⁶ backward, lazy, and imbued with magical powers because of their forest existence. In Rwanda, they are referred to by some non-Batwa as *moutons*, 'sheep' in French.

This refers to the belief that Batwa eat taboo foods.⁸⁷ In Uganda, they are also spoken of as foreign. A high-ranking official in Kabale district in southern Uganda informed the author that the Batwa:

'... are not originally from Uganda, they came from Rwanda and Congo in 1958 at the time of the civil war. They came and started staying with Ugandans,

*some Good Samaritans who gave them grass-thatched huts. Later on they decided to stay together – the reason is they are fighters; they have bows and arrows.'*⁸⁸

Further interviews testify to the lack of institutional will at district level in Uganda to address the problems of the Batwa. A frequent reason given for their neglect is that the Batwa themselves do not want to learn. The official previously quoted went on to say that the Batwa were 'clever, they could do innovative work', but claimed:

'they have been resistant to education. It is not easy to transform the lives of the Pygmies. They don't like working, they like to work for other people and are not interested to work in the fields, they go begging. They don't want to eat with you, they want to sit separate from Ugandans. Even if you give them soap they will not use it.'

An education services leader, also in Kabale, echoed this opinion: 'I went to visit them ten years ago and they were still living in trees. I heard that they were not going to school and I tried to persuade them but they don't want to go.'⁸⁹

Words can hurt just as much as sticks and stones, and their influence can extend much further. In Uganda, the characterization of Batwa as non-Ugandan could be used at local level as a justification for withholding public resources. There are also myths concerning the magical properties possessed by Batwa people. These can, at times, be advantageous to the Batwa,⁹⁰ but they also have a dangerous side. The belief that backache can be cured by sleeping with a Mutwa woman is pervasive within the Great Lakes Region. It leads to acts of sexual abuse, to prostitution, and to the spread of sexually transmitted diseases including HIV to the Batwa community. The belief that Pygmy flesh possesses magic properties contributed to aforementioned acts of cannibalism during recent conflicts in DRC.⁹¹

Textbook discrimination

'Gatwa le Potier is a potter. One day he comes back from the market and is sad because he hasn't been able to sell any pots. He meets a passer-by in the road who politely greets him and asks him for work.

Gatwa agrees. The new worker says that he will start work at nightfall.

Gatwa's new employee asks him for a lamp, water, and 10 cubic metres of clay, and warns Gatwa not to come and visit him while he works through the night. But sitting by the fire that night, Gatwa hears a terrible noise coming from the workshop, with occasional bursts of laughter. Curious, he carefully peeps round the wall of the workshop ... and sees a line of little devils making the pots. He runs away in fright.

But despite his shock, when the new worker asks Gatwa to count the pots the next morning, he is transported by greed. 40,000 pots! Gatwa fetches wood that night so that the devils can set the pots, and the next night paint so that they can finish them off. On market day, he takes his diabolical pots to market. The little devils help him to sell them all.

But the next time Gatwa goes to market, no-one will buy his pots. In fact, everyone shouts complaints to him: the other pots looked good, but they broke as soon as water was poured into them! And they say that Gatwa will trick them no more. From that day on, Gatwa can sell no more pots, and falls into poverty.'

These excerpts, translated and abridged from the French-language book *Gatwa le Potier*, are reported to have been used in Rwandan schools as a memory exercise for primary school children. Though the Kigali bookshops visited by the author stated that *Gatwa le Potier* is now out of print, it is reported by activists that it is still used in Francophone Rwandan schools.⁹² The book illustrates how poorly chosen curriculum material can objectify and

marginalize minority children. Gatwa – who is clearly a Batwa potter – is greedy, ready to work with diabolical forces, and falls into poverty through his own misdeeds.

Teachers' attitudes and impact on children

It is in this complex historical and linguistic setting of myth perpetuation that Batwa children must brave mainstream schools. Incidents of direct discrimination have a powerful effect on pupils:

'The other day in class the teacher gave an example of the Batwa in the Great Lakes, that the Batwa have hair like birds and are always naked. When we heard that we felt very bad, we couldn't study because it hurt our hearts. And when the other children heard that, when they came out of the class they started to call us birds, and it hurt us.

'The teachers don't do anything, rather they encourage the people who call us names to continue. The teachers say: "You reject these names but you Batwa are worth nothing and you will never continue. You are not destined to learn or study." My big sister was supposed to start the 5th and 6th year [of primary school] but she couldn't take the classes because they said to her "No, you are Mutwa and you can't continue".'⁹³

So say a group of pupils aged 12 to 15 from Giheta community in Gitega, Burundi, but similar situations are experienced all over the region. One grassroots Batwa activist based in Ruhengeri, Rwanda, explains how:

'Every bad thing or every abuse is related to Batwa. If someone wants to abuse a friend or a colleague they say "Look at this bad Mutwa." It even applies at times in schools ... [Batwa children] can't be open with you, they can't tell you everything. But you find that the students tell their parents I'm not going to school today because a b c d happened, someone was abusing me, that I'm like this and because I did this.'⁹⁴

Martin, a young Rwandan Batwa NGO worker who was one of the first in his country to go to university, felt unable to tell his classmates about his full history and identity: 'When I went to university, I never told anyone that I was Mutwa. I was afraid of what they would say and that it would make my studies difficult.'⁹⁵

In the 'École d'Espoir' in Nyangungu in Burundi, mentioned above, the community see their school as a way of ensuring that their children are educated, and also taking a positive stand against discrimination historically experienced – of reclaiming dignity and agency by showing tolerance:

*'We refuse discrimination. We have suffered discrimination and marginalization by other communities but we do not want to avenge this. We wanted to show, to avenge ourselves on the oppressor by a work which came from us. This is another way of avenging ourselves on the oppressor.'*⁹⁶

Discrimination within other communities is something that needs to be addressed by local and international agencies and government on a more widespread level than it is currently. In terms of education, it can discourage Batwa children from moving to mainstream schools at primary or secondary level, or they can be afraid to tell teachers and other children about their ethnic background. Teachers need to be trained to recognize discrimination in their own behaviour, that of other teachers, and that of children, and how to act if they see it. Some cases of discrimination are unintentional, others are not. All reveal a teacher's lack of sensitization to the needs of minority communities.

Children need to have a channel to report discrimination if they experience it, and regular assessments should be made by government and civil society as to whether schools are observing the regulations which are in place.

Rwanda's laws against ethnic discrimination and abuse, for example, are very strict, but need to be enforced.

Gender discrimination

Batwa women and girls say that they believe they are equal to men, and that anyone can be a leader. Charity, a young Mutwa woman from Kabale, Uganda, says:

*'Education brings guidance. A woman who is educated knows what should be done, she brings knowledge of different issues so she urges parents to take their children to school. Women can be leaders in terms of being medical personnel like nurses or teachers, and they can be other things, they can be exemplary.'*⁹⁷

Pygmy society is traditionally relatively egalitarian, with women less discriminated against than in Bantu societies.⁹⁸ In poor Batwa communities, however, as in poor communities everywhere, women tend to suffer more from reduced access to resources because of family obligations, in particular the demands of motherhood. Other problems reported by Batwa women from DRC and Uganda specific to girls include the need to help their family find food in times of famine.⁹⁹

Vital Bambanze – Burundi

Vital Bambanze is a 35-year-old Burundian activist who was one of the first Batwa to achieve a full education in his country. Vital has experienced first-hand the difficulties education presents for the Batwa people:

'In our time, if you were Batwa you were put apart from other children. For me, I sat with my brother on the same bench that my father made because we were forbidden to sit with other children in the classroom.. But now Batwa children can sit with other children, Hutu and Tutsi.'

School was not an easy place for Batwa children to be in Vital's time, he says, but his parents were convinced that he should attend – and sometimes used more than persuasion:

'For us who went to school, we were helped by our parents who pushed us to go, by force sometimes. Myself and my brother, when we went to school we were beaten by other kids and teachers sometimes but because our father pushed us, if we hid in the forest he would find us and beat us. There was no choice – we must go, better to be marginalized at school than be beaten by our father!'

There are still economic problems, and problems of marginalization, but the work of Batwa organizations combined with goodwill in some areas of government gives hope that things can continue to improve for Batwa children in Burundi, says Vital:

'There is a kind of sensitization of local authorities to push children to go to schools which can include Batwa. And now the planned national programme of education for all children can help some Batwa and there is a significant reduction of marginalization of Batwa at school.'

'But the problem we have is that children don't have enough uniforms, don't have copy books and pens. When children are in smelly clothes it is going to make other children marginalize them. And Batwa children in secondary school, they have the problem of having enough money to pay, they have more needs, they don't have uniforms, they don't have school fees, they don't have anything so most are obliged to abandon school rather than going on.'

(Source: Interview with the author, Bujumbura, March 2008.)

According to Libérate Nikayenzi, who became the first Mutwa in government in Burundi, girls face extra challenges. It was difficult to study in her day and remains so because of the extra challenges and responsibilities Batwa women face:

*'Girls are not encouraged to pursue studies very much because they need to help their mothers, and in the culture of the Batwa normally girls marry very young, at 15. There are lots of factors which push them to marry very young; most women can't get past 20 without being married. There are lots of divorces, separations and even mortalities because of young marriage when the girls are not yet mature and suffer complications in pregnancy.'*¹⁰⁰

The treatment of Batwa girls represents the extreme of how society looks at women, says Bernard Mujuni, Principal Social Development Officer/Human Rights Programme Coordinator at the Equal Opportunities Commission in Uganda's Ministry of Gender, Labour and Social Development: 'If a Mutwa girl goes to school, she will be discriminated against. If she doesn't

have sanitary pads, when she is having her periods she will have to stay home. We must empower the Batwa community.'

Assimilation/integration

Culturally appropriate education

Though the Batwa language has all but died out in settled communities, there are still areas of cultural knowledge important to Batwa communities which could be preserved in schooling. Hunter-gatherers and former hunter-gatherers are not 'an irrelevant, backward "remnant"'.¹⁰¹ Batwa communities value many aspects of their history and traditional culture. They also wish to participate in the public life of their countries, and benefit from modern advances such as medicine.

Formal education is also viewed as important – indeed, most important of all – by the Batwa. And provision of culturally appropriate education can also encompass the adjustment of formal schooling to the way of life of the minority community in question. In eastern Uganda, school hours for the Karamojong ethnic group are tailored

Hon. Libérate Nikayenzi – Burundi

When she became a Member of the Burundian Parliament in 1997, the Honorable Député Libérate Nikayenzi scored a double success. Not only was she a woman, but also a Mutwa – neither of which were favoured categories for government members.

'In our era we were threatened by our schoolmates and the teachers too. Even at church, I was treated differently. But today I really believe that marginalization at school is not as strong because we have started to bring to light the problems of the Batwa. We have always critiqued the behaviour of teachers towards Batwa children. We have always spoken of exclusion at school.'

Life is changing for the Batwa of Burundi in other ways, says Mme Libérate:

'In fact we are leaving behind the traditional pursuits of hunting, fishing, foraging, pottery. The pottery which remains is primitive, though if we look at Rwanda there is a pottery project for Batwa which is really very impressive.'

'Now the Batwa want to live from agriculture like all Burundians. The problem is land. Despite the fact that the government has made efforts concerning

distribution of land we're not satisfied yet because all Batwa can't have access to this land. To be landless is a form of slavery. In fact to be a Mutwa is like a burden, it's heavy.'

Today, several other Batwa have followed the trail blazed by Mme Libérate – the Constitution provides for three Batwa MPs and three Senate members. But there is still progress to be made. The Batwa MPs are not yet elected by the public, but co-opted – chosen by other Members of Parliament. And, despite being a pioneer, Mme Libérate does not find respect in every quarter:

'Even me, though I am an MP there are some who call me by my first name and not "Honorable". Other MPs are welcomed more by the authorities in some parts when they travel.'

'It's education which will lead us to a new level of integration. But donors don't accept financing this domain because they think they can't easily evaluate the result of that financing. Even if they do support it, it's in a small quantity which can't cover the whole country.'

(Source: Interview with the author, Bujumbura, March 2008.)

to their cattle-herding lifestyle. In DRC, Batwa communities report that the children of forest-dwelling communities drop out of school to help with fruit picking and hunting.¹⁰² Honey-collecting season, too, sees a low attendance from Batwa children in many areas.¹⁰³

The issue of cultural identity in Batwa communities is complex, but this is not an excuse for regional governments and international or national NGOs to ignore it. ‘Development’ for the Batwa is often seen by national and international NGOs exclusively as the encouragement of a settled, agricultural lifestyle. Indeed, for many Batwa, particularly in Burundi and Rwanda, forest life is now too far away for a return to it to be feasible. But it is possible that some Batwa communities have been ‘sensitized’ by NGOs to view agriculture and a ‘modern’ life as an improvement on their previous existence as nomadic hunter-gatherers.

Non-Batwa NGO workers on several occasions expressed the opinion¹⁰⁴ that what lies in store for the Batwa, if they are lucky, is complete assimilation into the mainstream cultures in which they live. Yet no Mutwa saw this as desirable. One Mutwa NGO leader in Burundi spoke with sadness of a discussion he had had with a politician on this subject. The politician had asked him, he said, whether he was married to a Mutwa woman. When he replied that he was, the politician said: ‘You are one of the few. And in a few years’ time, your people will disappear.’¹⁰⁵

The Batwa in Rwanda

Batwa identity, and the extent to which it should be recognized and preserved, is a contentious subject for all four states in question. The most extreme case is Rwanda, which does not recognize ethnic groupings at all.

A history curriculum for Rwanda has recently been developed by the Human Rights Centre at Berkeley University, USA, in conjunction with the Rwandan government. It reinforces the official Rwandan government reading of national culture: ‘the new Hutu–Tutsi–[Ba]Twa identities ... were imposed and circulated by the colonial and postcolonial bureaucracy at the beginning of the 1930s’,¹⁰⁶ it states in a discussion on the nature of clanship.

There is a substantial body of academic evidence supporting the view that the Hutu and Tutsi¹⁰⁷ designations were originally social – that you could become Hutuized or Tutsified depending on wealth and status – and were only hardened into ‘ethnic’ distinctions by the racist theories of colonizing powers. Others dispute this, or part of it, although it is clear that the construction of Hutu and Tutsi identities is both complex and controversial.

Because of this history of Hutu–Tutsi conflict, culminating in the 1994 genocide of the Tutsi, ‘ethnicity’ is considered by *all* parties in Rwanda to be a highly sensi-

tive – even dangerous – subject. The case of the Batwa, however, is not the same as that of Hutu and Tutsi social groupings: their history and culture makes them idiosyncratic. Many Batwa thus argue that Batwa identity cannot be conflated with Hutu and Tutsi identity.

In education policy, as in every aspect of Rwandan society, the issue of integration and reconciliation between different social groups is top of the agenda. Daniel Eugene Rudasingwa is director of the Girubuntu programme, which runs one infant school and three primary schools with supported places for poor children. He explains that his schools’ principle of not recognizing minorities is geared towards creating an atmosphere where everyone is equal – and hence, the number of Batwa children is not automatically recorded:

‘We have some children we are sponsoring – the majority of them are orphans of genocide. We have minority groups – the Batwa. We are trying to remove the gap between the rich and the poor. So children from wealthy families and children from very poor families, we are trying to bring them together to help psychological injuries the poor children might have.

‘But we don’t count them. We can do it if there is a need, but there has not been any need to count who is Batwa, who is what, because we are trying to counter discrimination.’¹⁰⁸

Secondary school headmaster Isaac Byamukama says that avoiding ‘genocide ideology’ is taken very seriously in his school.

‘We are all Rwandans – when we are here we are just one family. If someone is identified to have genocide ideology they can be punished, sentenced to life imprisonment. It’s something that extends beyond school limits. There are three categories of offence – expulsion, punishments where the pupil might slash the compound¹⁰⁹ or sweep, and then there are some criminal offences where the punishment is beyond school.’¹¹⁰

The intention may be good, but there are obvious ways in which a government policy of not recognizing minorities could exacerbate problems for groups which are overlooked or marginalized. If the number of Batwa children in Rwandan schools is not counted, there is no way of monitoring their level of access to schooling and their drop-out rates. And the atmosphere of tolerance found in the Kigali schools visited may not be uniform all over the country. Batwa activists say that they still receive reports of discrimination against Batwa in rural schools.¹¹¹ ‘Genocide ideology’ remains a problem in Rwanda.¹¹²

The Batwa have a distinct history and identity in Rwanda, as in the other countries of the region, which deserves to be preserved and celebrated within the school curriculum. There are opportunities within the curriculum to do this in a socially sensitive way: in the English P6 (year 6) social studies syllabus, for example, Rwanda's natural environment and cultural heritage is discussed.¹¹³ In a lesson about the national parks and their protection, there is surely a place to mention the people who once dwelt in them – indeed the Dian Fossey Gorilla Fund,¹¹⁴ which is mentioned in the lesson, itself supports Batwa welfare projects. In a lesson on 'Rwanda long ago', there could be more than one passing reference to hunter-gatherers (who are, again, described as a 'social class'). The rich Batwa history of pottery-making, dance, service in court to ancient Rwandan kings, is also Rwanda's history. It could be discussed in the curriculum.

Data and recognition

Statistical data on Batwa education, and Batwa communities in general, is sorely lacking. There are a number of reasons for this. First, logistics. Some Batwa communities live in remote areas and it is not easy to visit or communicate with them. This is particularly the case in

eastern DRC.¹¹⁵ Many Batwa in this area remain forest-dwellers, and, as discussed, it is not possible to put an exact figure on how many Batwa there are in the region, though a reliable NGO estimates put it in many tens of thousands.¹¹⁶

Second, there is lack of will – an institutional unwillingness to differentiate between Batwa and other poor non-Batwa communities. This is official policy in Rwanda, ingrained in Burundi, implicit in Uganda and DRC. This means that no official disaggregated data for the Batwa community exists in Burundi and Rwanda, and little in Uganda and DRC. Indeed Burundi, which has scarcely emerged from civil war, has not conducted even a general census for many years. A census which is due to be taken in 2008 provides an opportunity to highlight the special needs of the Batwa community.

Uganda was required by the Committee on the Rights of the Child in 2005 to provide disaggregated statistical data on the number and percentage of children under 18 for the years 2002, 2003 and 2004 by, among other criteria, ethnic group.¹¹⁷ It was also required to provide disaggregated data on budgetary allocations for programmes and services for children from minority groups. Non-discrimination against children from ethnic minori-

Patrick – Rwanda

When times got hard for the Batwa community in Gisagara, Rwanda, land was the first thing to go. One man shows me a sizeable plot – given to the community by the government in 1981 – which was sold for a single sheep. Another plot was sold, he tells me, for FR 3,000 – around US \$6. An elderly woman grabs my arm and angrily gestures down the hill to land which she says was traditionally owned by the Batwa and has been reclaimed by the government as part of its Imidugudu housing development scheme.

Without land, people are trapped into long hours of labour for little pay, and there is hardly time to think about an education. Patrick, 25, went to primary school up to P5 (year 5) before he had to leave. 'I am lucky to have gone up to P5. Even for the basics, knowing which direction to take when you see a signpost, even that is important enough,' he says.

Patrick would gladly go back to school. However, poverty and the demands of daily life – he is the father of one child with another on the way – make this impossible.

'We know that education is very important, and the only reason we don't go to school is because of the request that we put on shoes. We can't buy shoes, we can't buy uniforms. And another thing is that if we went to school

we would fail to get anything to eat. Even me, I am a man with a family but if I was given the chance to go to school I would. The problem is that I have to support my family, and generally it is poverty preventing us from going to school, that is the hindrance.'

There was a Catholic priest who wanted to help in the community, says Patrick, 'but the needs were too many'. He points to a young boy:

'There is a child who was discharged from school because of failure to get shoes. He had a uniform shirt but he couldn't get shoes. And the government requires that you have shoes to go to school.'

'It's important to keep up with the developing world. People are concentrating on formal education, yet also technical education would do so much for people like me. I am very, very interested in this but I can't study because at the same time I am staying home. There was even a project that was around for teaching people how to drive, but I couldn't join because I didn't know how to read, and I can't leave my family to do that.'

(Source: Interview with the author, March 2008.)

ties, as well as quality of education including ‘high levels of illiteracy and lack of trained teachers’,¹¹⁸ were identified as major issues for dialogue between the Committee on the Rights of the Child and Uganda.

The Ugandan Equal Opportunities Committee has conducted a survey of ethnic groups in Uganda, but the survey is not yet published and the Batwa are not acknowledged to be a priority.¹¹⁹ The idea that the Batwa community is small and insignificant has been used historically by the government in the DRC as an excuse for not implementing special measures to help the Batwa achieve equality.¹²⁰

In the absence of up-to-date census data, all births should be registered so that accurate statistics concerning school attendance can be produced (among other important statistics). Indeed the production of accurate school statistics was recommended to the Ugandan government in 2005 by the Committee of the Rights of the Child, but the recommendation has not yet been fully implemented.¹²¹

Regional examples of good practice

These examples, one from a country under scrutiny, and two from southern Africa, have been chosen for their relevance to the problems faced in education by the Batwa. The wealth gap between South Africa and the countries of the Great Lakes Region must be noted while looking at these provisions, but the example of the Karamojong Alternative Basic Education for Karamoja (ABEK) programme in Uganda shows that where there is a will, there is a way.

Namibia. As hunter-gatherers who have experienced displacement and marginalization, the San ethnic group of southern Africa bear some similarities to the Batwa. There are approximately 35,000 San in Namibia,¹²² and the government there has taken proactive steps to increase their access to education. In 2000 the Namibian Ministry of Basic Education, Sports and Culture identified ‘educationally marginalized’ groups in the country, including the San, and developed policies specifically tailored to these groups. The right of Namibia’s marginalized groups to receive culturally appropriate education in their mother tongue during the first years of school is woven into government education policy. Model schools such as the Nyae Nyae Village Schools Project (VSP) provide examples of the achievements and challenges associated with such ventures.

The Batwa generally speak the same language as the communities they live with or near. But given the history of marginalization in mainstream schools and the lack of a tradition of formal education within Batwa communities dedicated pre-primary schools have been viewed as beneficial. With the important difference that there has been no government support, at least one similar project

similar to the VSP has been established by an NGO in Kabale, Uganda, for Batwa children.¹²³ This project has experienced similar challenges concerning the transition of pupils from the dedicated local schools to mainstream primary schools. How to smooth the transition, for example by reducing apprehension felt by children from an ethnic/linguistic minority about moving to a mainstream school, and sensitizing neighbouring communities about the need for equal treatment in schools, is an area to be explored by actors in this field. Where similar projects exist in the Great Lakes, they should be supported by government. Where they do not exist, government and civil society should research their development.

Uganda. Uganda’s Karamojong ethnic group, though far larger than the Batwa, has experienced some analogous problems in respect of access to health and education facilities. By tradition nomadic cattle-herders and warriors, the Karamojong are fiercely protective of their unique culture and long held a suspicion of formal education. A ‘burying the pen’ ceremony was even held by Karamojong elders to underline their unwillingness to send their children to formal schools, which it is reported they feared would result in the assimilation of their children into mainstream Ugandan culture. Marginalized and often impoverished, the Karamojong also could not afford to pay for school materials or lose the labour generated by their children during school time. The Alternative Basic Education for Karamoja (ABEK) programme was developed by the Ugandan government as a flexible education programme to supplement universal primary education in the region. According to the ILO, 67 per cent of pupils enrolled on the scheme are girls.¹²⁴

The lifestyle of Batwa people who have left the forest and settled in agricultural communities is not as idiosyncratic as that of the Karamojong. But there are ways in which governments could adapt teaching content and timing to make it easier for Batwa children to attend school. As discussed, many drop out because of the need to search for or earn food: schools should provide food for the poorest attendees to reduce the pressure to leave. If it is inevitable that older children must contribute to the labour of their family, school should be timed to accommodate this work. Events such as the honey season – mentioned by Batwa in DRC as a reason for leaving school – should be taken into account. And though indigenous Batwa languages have all but died in areas visited by the author, there are many aspects of Batwa culture and history which remain in Batwa life as story and practice (for example stories of famous ancestors, and dancing and singing) which could, and should, be part of the curriculum – for Batwa children at tailored pre-primary schools; and for all children as a (positive) part of the social studies and history curricula. Provision of food to poor Batwa alone might intensify

discrimination, but if food is distributed to poor attendees, all children who need it could benefit.

South Africa. In South Africa the National Education Policy Act 1996 recognizes extensive social and cultural rights for all South African pupils. It is the right 'of every person to be protected against unfair discrimination within or by an education department or education institution on any ground whatsoever', 'of every student to be instructed in the language of his or her choice where this is reasonably practicable', 'of every person to the freedoms of conscience,

religion, thought, belief, opinion, expression and association within education institutions' and 'of every person to use the language and participate in the cultural life of his or her choice within an education institution'.¹²⁵

In South Africa school fees are set by a parental vote at annual public meetings of School Governing Boards. Parents who cannot afford to pay in full receive an exemption or reduction in fees. Since 2007, some no-fee schools have also been introduced. In that year, there were 5 million pupils at 13,912 no-fee schools.

Government, international and NGO response: what is being done?

Government measures

Democratic Republic of Congo

In DRC, the problems extend not only to the curriculum, but to the infrastructure of a country where poverty is a ‘generalized, chronic, mass phenomenon’.¹²⁶ There may be a ‘longstanding tradition of education and a strong demand for education among the Congolese people’¹²⁷ but, in a country where nearly half the population is under 15,¹²⁸ the World Bank states that ‘inequity of access at the base of the system is one of the defining characteristics of education in the DRC’.¹²⁹ Schools are remote and difficult to access for many children in settled communities, let alone those children who remain in forest-dwelling communities. The primary curriculum was revised in 1998 (the secondary curriculum has remained untouched for two decades) and textbooks have been prepared with the assistance of UNICEF, but ‘the market is very limited and costs are too high for parents who also have to pay for fees. As a result, primary textbooks are rarely available outside Kinshasa. Many primary students have not seen printed material of any kind.’¹³⁰

DRC’s Poverty Reduction Strategy Paper does not identify the Batwa as needing special support.¹³¹ Yet the World Bank – which has successfully been compelled by environmental and human rights groups to recognize the rights of forest-dwelling Pygmies in DRC – recognizes that the Batwa are among the most vulnerable groups when it comes to education.¹³² Its 2004 Country Status Report on Education describes how ‘inequity of access at the base of the system is one of the defining characteristics of education in DRC’.¹³³ Most of the children who cannot access or complete primary school are the poor and the rural, states the World Bank. But it singles out forest-dwellers for particular attention:

*In addition, there are special groups of children – children of forest dwellers, pygmies, enfants riverains – who have traditionally had limited access and who have been especially affected by the closure of schools in remote areas, due to the lack of teachers.*¹³⁴

According to the UK Department for International Development, fewer than 64 per cent of children overall are enrolled in primary school in the DRC, and the literacy rate in the country is 62 per cent.¹³⁵ DfID is among

the international agencies supporting education in DRC – others include USAID and UNESCO – but as yet there is no general government education policy, let alone a specific policy for Batwa children. As a weak state in the political sense, DRC’s very poor road networks and the lack of central government penetration mean that education standards vary dramatically within the country, and remote communities are generally poorly served. DfID and the United Nations Development Programme (UNDP) are among the international bodies working in DRC to strengthen state institutions and promote accountability and democracy.

Uganda

At present, there is no government support in Uganda specifically for Batwa children. However there are provisions in place for affirmative action in education for women and the disabled, and the new Equal Opportunities Act may provide an avenue for this to be extended to other minority groups such as the Batwa.

The Batwa are not officially recognized as indigenous by the Ugandan government but they are widely viewed as a first people in the region. Indeed, the official Ugandan Tourist Board website states that Uganda is:

‘... a cultural melting pot, as evidenced by the 30-plus different indigenous languages belonging to five distinct linguistic groups ... the country’s most ancient inhabitants, confined to the hilly southwest, are the Batwa and Bambuti Pygmies, relics of the hunter-gatherer cultures that once occupied much of East Africa ...’¹³⁶

Uganda’s Equal Opportunities Commission Act 2007 makes provisions to:

‘... give effect to the State’s constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them, and to provide for other related matters.’¹³⁷

The Committee created by the Act (the Commission is in the process of being established)¹³⁸ is empowered to monitor and evaluate state bodies, NGOs and businesses to make sure that they comply with the equal opportunities and affirmative action policies. Education is identified as a policy priority area, not only to ‘promote access and retention of vulnerable groups in formal education’ but to ‘promote non-formal education, including indigenous knowledge’. The Committee recently conducted a study into the situation of Uganda’s ethnic minorities which is due to be published soon. It is clear how this Act could help the situation of the Batwa and other marginalized minorities within Uganda, and stand as an example to governments of the region. Not only does it provide a watchdog against discrimination, but also a channel for affirmative action, positive steps towards equality. In the case of education this could mean more state intervention to support Batwa pupils and monitor levels of institutional discrimination against them.¹³⁹

Uganda’s Poverty Eradication Action Plan (PEAP), which was first formulated in 1997, provides the framework for education policy and planning towards the attainment of the MDGs. In the most recent January 2008 version, areas identified for intervention include ‘continuing the shift in public expenditure allocation in favour of broader access and quality to basic education while taking into account gender equity’ and ‘improving ... learners’ retention in the schooling system’. Uganda’s PEAP lists the many achievements of Universal Primary Education to date: expansion of access from 7,377,292 (2004) to 7,414,880 children (2007), number of trained teachers recruited (by both public and private schools) increased to 145,000 (2007), number of classrooms up, pass rates for literacy up, among other successes.¹⁴⁰

The PEAP provides a channel for the Ugandan government to specifically address the situation of the Batwa and other disadvantaged ethnic minorities. Gender equity is discussed in the PEAP, and one of the remits of the new Equal Opportunities Act is to work towards the incorporation into policy planning of the needs of minorities such as the Batwa, who are not directly mentioned in the Constitution.

However the Equal Opportunities Commission’s mandate is very wide. The Batwa are only one of several minorities it is working with, and are not identified as a priority.¹⁴¹ Ugandan activists draw attention to the issue of corruption, which limits the effectiveness of many Great Lakes Region government measures:

Much as we appreciate certain structures, such as Uganda’s Equal Opportunities Commission Act 2007, put in place to address Batwa issues we should also take into consideration the issues of corruption ten-

dencies that tend to hijack such opportunities from the intended beneficiaries and end up exacerbating their vulnerabilities.’¹⁴²

Second, the Ugandan government is now dropping the PEAP in favour of a National Development Plan which is more focused on economic poverty than the basic social dimensions of poverty affecting the Batwa.¹⁴³ The civil society consultation process which is under way as the PEAP is replaced by the National Development Plan should serve as a chance for Batwa organizations and other civil society bodies to press the case to the Uganda government and donors for supporting the Batwa. Generally speaking, Batwa organizations should be supported through training and capacity-building to contribute to shadow reports submitted to international monitoring bodies (as has been the case in Uganda),¹⁴⁴ and to provide information to Special Rapporteurs on the situation of the Batwa and the need for assistance in the field of education.

Rwanda

According to the Ministry of Education (MINEDUC), Rwanda has one of the highest primary net enrolment ratios in the region, at 92 per cent in 2004, with gender equitable enrolment for primary and secondary schools, and no fees for primary. It lists increasing the primary completion rate and secondary gross enrolment rates as targets for its Five-Year Education Sector Strategic Plan from 2006 to 2010, and Ten-Year Long-Term Strategy and Financing Framework. The strategies also aim to ‘drastically’ reduce drop-out rates and repetition. The government of Rwanda’s Vision 2020 initiative, to transform Rwanda into a ‘knowledge based and technology led society’ in keeping with its MDG commitments and the UNESCO-led ‘Education for All’ policy, views human development as a key strategy, states MINEDUC, but international funding is lacking.¹⁴⁵

There is no mention of Batwa as a marginalized ethnic group in the Rwandan government education strategies, but the Ministry for Local Government’s Good Governance, Community Development and Social Affairs’ (MINALOC) *Ubudehe* system¹⁴⁶ to identify vulnerable members of the community also provides some support to Batwa in light of their economic, rather than ethnic, status, in line with the ideology described above. A good point of this approach is the potential for avoiding any enhancement of marginalization by perceived ‘favouritism’ towards one ethnic group over another, something which is acknowledged as important by the Rwandan government. There is also some educational support through MINALOC directly for Batwa pupils as part of a wider scheme for helping poorer children through school. This uses lists compiled by Batwa welfare organizations, but

there are no readily available statistics on exactly how many pupils are assisted.¹⁴⁷

Some Batwa in Rwanda call for a dedicated grant system based on the model used to support genocide survivors. Epiphania, 35, from Ruhengeri, Rwanda, was not able to complete tertiary education because of lack of money:

*'Those who complete secondary school sometimes don't have qualifying marks to join universities and because of our situation, because of our economic background, we can't afford to go to private universities. And because of that we're not competitive for the labour market. So I want to ask if there could be support for those who have finished high school – like the fund for genocide survivors. If there could be a similar fund to support Batwa students who have finished high school to go to private universities the number can increase.'*¹⁴⁸

Burundi

In Burundi, the government is also working with UNESCO towards a goal of providing full free primary education by 2015. Batwa identity is recognized in Burundi; indeed, representation in Parliament and the senate for Hutu, Tutsi and Batwa is written into the Constitution. There is a lower pass rate required for girls at *lycée* level than boys, which could provide a template for affirmative action for Twa students. This view is supported by the Batwa community in Burundi. A Mutwa father from Cibitoke said:

*'It should be [the same way] they encourage girls, they reduce the percentage for them in the national exams. We asked for this to be introduced but they told us, no, you Batwa are like everybody else, you must adapt like the Hutu and Tutsi. But the Batwa are behind, in education, politics, even socially.'*¹⁴⁹

Alfred Ahingejeje, a Batwa MP and member of the government Social Affairs Commission, also described the need for affirmative action:

*'Generally speaking everyone in Burundi, the Hutu and Tutsi too, has needs in the area of education. But the Batwa have been forgotten for many years. This is why we ask for particular help ... the government says that there are no funds to lend to the Batwa in the domain of education ... the Batwa are forgotten, we haven't been able to do long studies. The government can't say that the Batwa don't suffer in the area of education. The government knows that. The problem is finding funds.'*¹⁵⁰

Burundi is the only one of the four countries under scrutiny to have ratified the UNESCO Convention on Discrimination in Education, and Batwa communities and activists report that discrimination has reduced in schools: 'Now the planned national programme of education for all children can help some Batwa and there is a significant reduction of marginalization of Batwa at school. Batwa children can sit with other children, Hutu and Tutsi.'¹⁵¹

But as in Rwanda, education has shown its divisive potential in Burundi. Study of colonial and postcolonial curricula in Burundi demonstrates that: 'exclusion from education has been a critical factor in fuelling conflict in Burundi, as in Rwanda and in Sudan, over the last 40 years'.¹⁵² Though the exclusion of the Batwa is unlikely in itself to lead to conflict, the treatment of minority groups is a vivid measure of the health of a nation and its social services. Moreover, the thorny issue of how recognition of different social/ethnic groups is handled generally in the region – in Rwanda and Burundi in particular – has a direct bearing on the likelihood of future conflict. In the colonial era in Burundi indirect discrimination was used as a means of social selection, with Hutu children given less education than Tutsi. The stratagem of exclusion of particular social groups and regions was then taken on by postcolonial rulers, with the Batwa 'the minority of minorities, marginalized socially, culturally and politically, and despised by Hutu and Tutsi alike'.¹⁵³

Regional and international monitoring bodies

Regional bodies

Burundi, DRC, Rwanda and Uganda are all party to the African Charter on Human and Peoples' Rights (ACHPR). In 2005, a working group undertook a research and information visit to Burundi to ascertain whether the terms of the ACHPR were being upheld. They found that the Batwa 'suffer exclusion because of the Burundian education system. Their lack of access to land and the stereotypes and contempt of other Burundians ... seem to be the root causes of the high illiteracy rates within the Batwa communities.' The Working Group made recommendations to the African Commission to 'exert pressure on the Burundian Government, the United Nations agencies and other development agencies to focus on the education of Batwa children', and to the Burundian government to 'create national sectoral policies [for the Batwa] within key areas such as ... education'.¹⁵⁴

A similar research visit to Rwanda is planned for the future, and the findings of a recent visit to Uganda are

yet to be published. Uganda's Equal Opportunities Policy (2007) states that it is consistent with the ACHPR, which requires, in Article 1, that all parties 'adopt legislation, if necessary, to give effect to the rights, duties, and freedoms listed in the Charter without discrimination'.¹⁵⁵

In its eighth State Party report to the African Commission, Rwanda said of the Batwa:

*'Rwanda is not a country where native populations (autochtones) can be identified in the western meaning of the term. Debates often took place for Batwa's reintegration, a marginalized category since long ago. Their [awakening], in order to participate actively in the national life, is the Government priority ... The Government is conscious that these communities have rights like other citizens and that politically they must enjoy a peculiar care like other vulnerable groups.'*¹⁵⁶

Rwanda has therefore, it states, provided for eight Members of Parliament specifically representing historically marginalized communities. However, the possibilities for positive discrimination in law are limited:

*'in view of facts that led to 1994 Tutsi genocide, Rwanda refrains from recognizing in this or that category of Rwandese, communities willing to identify themselves under ethnic form or under any grouping presenting itself as having some inborn rights that other Rwandese cannot have.'*¹⁵⁷

In DRC's eighth, ninth and tenth State Party report to the African Commission it stated that:

'With regard to Education, Article 43 of the Constitution stipulates: "Every individual has the right to academic education. This is provided by the national education system. The national education system includes the public institutions and the approved private institutions ... Primary education is compulsory and free in the public institutions".'

It continues that:

*'Framework Law no 86-005 of 22nd September 1986 on national education stipulates in Article 2 that national education is intended to respond to the obligation that the State has towards all Congolese to enable them exercise their right to education and to that which the parents have of fulfilling the responsibility of educating their children under the authority and with the help of the State.'*¹⁵⁸

International bodies

The instruments of international law in theory provide a channel for minorities to challenge their governments if they cannot achieve satisfaction in national courts. International provisions relating to education and discrimination have been discussed throughout this report, and Burundi, DRC, Rwanda and Uganda have ratified many of the international conventions regarding education and minority rights.

The International Convention on the Elimination of All Forms of Racial Discrimination. ICERD requires states parties to:

'prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law'.

Article 5(e) covers economic, social and cultural rights including, in section (v), 'the right to education and training'.

Burundi, Rwanda and Uganda have ratified ICERD. But the impact of the Convention is potentially limited in some cases by its signatories' understanding of the terms 'race' and 'ethnic group'. In 1997, Burundi reported to the Committee on the Elimination of Racial Discrimination (CERD) that:

*'Burundi has no races or ethnic groups ... as the Hutus, Tutsis and Twas who make up its population do not possess distinctive territories, cultures, languages or religions ... for this reason, no provision may be made for any special and concrete measures on behalf of such groups.'*¹⁵⁹

CERD responded by noting that there were many reports of discrimination against Bahutu and Batwa, and recommended that Burundi's next state report provide information on the representation of members of the Bahutu, Batutsi and Batwa groups in civil institutions.¹⁶⁰

Burundi's claim that no racial groups existed legally was rejected by CERD on the grounds that they exist in fact, and are discriminated against in practice, even if discrimination is not intentional government policy. Also in 1997, during the consideration by CERD of its seventh to tenth periodic reports, Burundi stated its commitment to 'taking further legislative, judicial and administrative measures to combat all forms of discrimination so as to ensure dignity and equality among its citizens'.¹⁶¹ It now has representation of Batwa in Parliament written into the Constitution.

CERD's non-acceptance in 1997 of Burundi's justification of its refusal to take special measures for Batwa

groups led to positive change. As discussed above, the issue of ethnicity in Rwanda is highly sensitive and complex, but a similar finding against Rwanda might have positive repercussions for the Batwa.

Convention on the Rights of the Child. Articles of the CRC to be noted are Article 19 (1):

'States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.'

This article relates to anti-discrimination and anti-bullying policies in schools.

Article 28, which deals directly with education, is also notable. Its content is similar to Article 10 of CEDAW, but also stipulates in section (3) that:

'States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.'

International sharing of experience and expertise, then, is to be encouraged. The Recommendations section of this report contains suggestions of how this might be done.

Article 30 provides specific protection for children from a minority or indigenous group, who:

'shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.'

Also relevant is Article 7, which requires children to be registered immediately at birth. This is not uniformly the case in poor communities in any of the four countries in question, affecting the reliability of statistics on school attendance and drop-out rates, as well as other social welfare issues.

Burundi, DRC, Rwanda and Uganda have all ratified the CRC. In 2005 the Committee on the Rights of the Child acknowledged 'the extreme deficiencies in Batwa children's enjoyment of their rights to education and health care in Uganda'. It recommended that the government:

*'Undertake a study to assess the situation and the needs of Batwa children and to elaborate a plan of action, involving leaders of the Batwa community, to protect the rights of those children and ensure access to their social services [and] ... adopt adequate means and measures to ensure that Batwa communities, including children, are provided with information regarding birth registration procedures, access to health-care facilities and education.'*¹⁶²

The Batwa were included in an initial survey of minority welfare conducted by the Ugandan Equal Opportunities Commission, but the detailed programmes recommended by the Committee on the Rights of the Child have not yet been implemented.¹⁶³

Uganda's second periodic report to the Committee on the Rights of the Child in 2004 had acknowledged that: 'Not all children currently have access to primary and secondary education', and that the categories of children with restricted access include 'children from semi-nomadic populations' and 'children from geographically marginalized populations'. No group is identified by name, however, and the attribution of cause for this lack of basic provision is vague. The report states that it is due 'mainly to the unfavourable environment within which they live'.¹⁶⁴

A 2005 supplementary report by Ugandan NGOs to the Committee on the Rights of the Child also asserts that, while education provisions have improved in Uganda: 'Government efforts in addressing children's issues are reactive interventions rather than specifically programming/planning for them'.¹⁶⁵

In the Committee on the Rights of the Child's 2004 consideration of Rwanda's second periodic report, Rwandan representatives stated that 'sustained efforts were being made to eradicate ethnic segregation, and that 'recent legislation' – Rwanda's Basic Law – 'prohibited mention of ethnicity in such official documents as passports, identity cards and driving licences'. Rwanda stated that 'members of the Batwa ethnic minority lived side by side with other ethnic groups and were treated as equal members of Rwandan society'.¹⁶⁶ However the Committee on the Rights of the Child noted that, 'according to NGO reports, Rwanda had experienced considerable difficulties in its efforts to integrate the Batwa people', and that 'the Batwa had been dispossessed of their lands; consequently the unemployment rate for that group was high'. It requested the delegation to 'provide information on Batwa's origin and the root cause of the problem'.¹⁶⁷ It noted that the illiteracy rate among the Batwa in Rwanda had 'reportedly reached 77 per cent' and that 'apparently 79 per cent of the Batwa community had never attended school and 57 per cent married between the ages of 15 and 20'.¹⁶⁸

NGO/INGO initiatives

Many of the grassroots Batwa organizations in the countries in question have education programmes. These include the African Indigenous and Minority Peoples Organization (AIMPO) in Rwanda, UCEDD in Burundi, the United Organization for Batwa Development (UOBDU) in Uganda and the Réseau des Associations Autochtone Pygmées (RAPY), Centre d'Accompagnement des Autochtones Pygmées et Minoritaires Vulnérables (CAMV) and Programme d'Integration et de Développement du Peuple Pygmé au Kivu (PIDP) networks in DRC. Other grassroots organizations – Communauté des Potiers Rwandais (COPORWA, formerly CAUWRA) in Rwanda and UNIPROBA in Burundi – do not at present have educational programmes but support Batwa communities in other ways. Nationally based NGOs founded by

non-Batwa, such as Burundi's Batwa Action and Uganda's African International Christian Ministries (AICM), Bwindi Community Health Clinic (BCHC) and Mgahinga-Bwindi Conservation Trust (MBCT) also have educational programmes for Batwa communities. These range from support for individual children to tailored preschools to community empowerment programmes. BCHC's health service treats Batwa children and adults alongside their Bakiga neighbours under the principle that perceived 'favouritism' towards the Batwa could make relations with their neighbours harder, rather than easier. Among the international NGOs with programmes aimed at the Batwa are Christian Aid in Burundi, which supports UCEDD's school in Gitega, and CARE Uganda. Though CARE does not have any specific education programmes, its Batwa Empowerment project in south-west Uganda is extensive.

Conclusion

'The poor do not like being handed things on a plate,' is a saying sometimes heard in development circles. But for the poorest communities in Africa, this is shamefully simplistic. Positive action is needed at every level to increase access to education for Batwa communities; not least because the welfare of minorities within a country has repercussions for its welfare as a whole, and 'improvement of conditions for the Batwa is likely to be one of the surest indicators of genuine improvement regarding ethnic, social, economic and political conditions in the Great Lakes Region'.¹⁶⁹

The testimonies of Batwa parents and children show that discrimination and poverty were and are an impediment to education. Batwa children are not the only ones to suffer from problems accessing schools, but the discrimination they experience makes these problems more acute. There are some successful initiatives under way to help the Batwa, but for their situation to improve through the region, there must be active assistance on the part of those whose responsibility it is to help. Batwa grassroots NGOs and role models work hard, but they cannot achieve everything on their own.

There are positive developments: initiatives on the part of grassroots Batwa NGOs, other local NGOs and

INGOs to help Batwa children access school. The work of these NGOs to provide land and farming opportunities to communities who live among settled agriculturalists assists with education by removing some physical impediments. But access to education for Batwa children remains poor in the countries of the Great Lakes Region of Africa.

If Batwa children are to take their place among the decision-makers of their respective countries and help to safeguard the rights of their communities, it matters not only that every child should receive a primary education, but also that children are able to graduate to secondary, tertiary and vocational education. Comprehensive education statistics need to be gathered from accessible communities, and the governments of the Great Lakes Region must recognize that the Batwa have special problems. UNICEF and UNESCO must also factor the special needs of the Batwa into their programmes, as is their mandate and responsibility. International donors, who can negotiate with governments about the direction of funding, must support educational programmes which will help the Batwa and their poor neighbours. National and international NGOs must include the Batwa in their work.

Recommendations

Governments

- Batwa communities should be recognized as having a specific culture and specific needs, and structural provisions should be put in place within education to meet them. Governments and donors in the Great Lakes Region should support existing educational programmes to help the Batwa, and research the development of more programmes.
- School curricula should include positive information about Batwa history and culture and be free from discriminatory representations of the Batwa, as stipulated by the UNESCO Convention Against Discrimination in Education.
- Vocational training and tertiary education should be made available to Batwa pupils, as well as primary and secondary education. Adult literacy programmes should be developed.
- Positive efforts should be made by governments to recognize Batwa traditional knowledge and incorporate Batwa in the management of national parks and other appropriate enterprises, as well as in mainstream employment.
- Teachers should be trained by the state as well as civil society to have positive, non-discriminatory attitudes to all their students. Governments should ensure this by implementing national anti-bullying policies in accordance with the stipulations of international law.
- Lack of land is an issue which fundamentally affects access to education in Batwa communities. Communities that were evicted from the region's national parks and protected areas should be compensated. Where communities do have land, it is sometimes uncultivable with poor facilities – this issue should also be addressed by government.
- Government and INGOs should positively encourage Batwa girl pupils to attend school. Anti sexual-harassment policies and complaints mechanisms should be put in place within state schools to ensure the security of girl pupils.
- As members of one of the poorest and most marginalized communities in the Great Lakes Region, vulnerable Batwa children should be identified and systematically supported by governments to start school at the same age as other children and to continue to the level they choose.

The UN and development donors

- The UN is required in several of its own instruments, including the UN Declaration on Minorities, to promote minority rights. This is generally lacking in the case of the Batwa.
- INGOs should work with governments and local civil society institutions to raise awareness of discrimination and build capacity in governments and institutions, with sensitivity to the political and social situations to be found in individual countries.
- Willing parties within government must be aided by international agencies to find specific ways to help the Batwa to access education services, and projects to do so should be monitored and evaluated in appropriate ways.
- Donors should use their influence to ensure that the Batwa and other minorities are not overlooked because of political/social reasons, such as the issue of ethnicity in Rwanda, or other pressing humanitarian needs.
- Hunger often causes children to drop out of school. In some regions, such as northern Uganda, the World Food Programme (WFP) provides school lunches for poor children: WFP and other international agencies should consider similar programmes for Batwa children.
- Comprehensive surveys of education levels should be conducted in Batwa communities by international donors and national civil society and/or governments acting in cooperation. The progress and results of the surveys should be carefully monitored and evaluated by donors.

African Commission on Human and Peoples' Rights

- The African Commission should address the problems of indigenous access to education thematically on the international stage. Batwa youth should be given the opportunity to meet role models not only from their own countries, but also from indigenous youth empowerment movements in other areas of the world.
- The African Commission should make visits to assess the situation of the Batwa in Rwanda and DRC in the same way as it has to Burundi¹⁷⁰ and Uganda (due to be published soon).

Batwa people and civil society groups who work with them

- Civil society groups – Batwa and non-Batwa – should take a strong role in increasing the opportunities for young educated Batwa people to find skilled work.
- Positive measures should be taken by Batwa support groups to sensitize communities to the importance of girls having equal opportunities to attend school. The general economic and health benefits of educating girls should be highlighted, and impediments such as sexual harassment and violence seriously addressed.
- Non-Batwa communities should be sensitized to accept Batwa children in the schools their children attend, for example through workshops to teach communities about non-discrimination and the mutual value of their heritage. Teachers should also be sensitized, and could attend the same events. Non-Batwa should always be assisted alongside the Batwa where they also suffer from poverty and limited access to education. Failure to do so can result in resentment and increased marginalization.
- Grassroots civil society groups and local NGOs, which play a major role in the assistance that Batwa people have at present in the Great Lakes, should continue to be supported in their work by international counterparts, including in the area of administration.

Notes

- 1 Group interview, Cibitoke, Burundi, March 2008.
- 2 Wilson, D., 'Education rights', in M.E. Salomon (ed.), *Economic, Social and Cultural Rights: A Guide for Minorities and Indigenous Peoples*, London, MRG, 2005.
- 3 Lattimer, M., 'Executive summary', in D. Jackson, *Twa Women, Twa Rights in the Great Lakes Region of Africa*, London, MRG, 2003.
- 4 For more information on methodology, contact the author.
- 5 For a list of supporting literature, see Jackson, *op. cit.*, p. 36, note 2.
- 6 The plural noun 'Batwa', and the singular 'Mutwa' will be used throughout this report, which covers Batwa groups of Burundi, north and south Kivu in eastern DRC, Rwanda and Uganda. The stem 'Twa' and the female nouns 'Batkakazi' and 'Mutwakazi', though used in the region, will not be used here for the sake of clarity. 'Pygmy' will be used when there is need for a wider generic term. It is acknowledged that these terms, particularly 'Pygmy', may have derogatory connotations for some Batwa groups, but are here used sparingly in the absence of any other widely used generic terms and with the understanding that they are also used by Batwa themselves. See Lewis, J., *The Batwa Pygmies of the Great Lakes Region*, London, MRG, 2000, p. 5.
- 7 This breaks down as 30,000 to 40,000 in Burundi; 16,000 in DRC; 20,000 to 27,000 in Rwanda; and 3,500 to 4,000 in Uganda. See Jackson, *op. cit.*, p. 4.
- 8 For more information see MRG and Réseau des Associations Autochtones Pygmées du Congo, *Erasing the Board – Report of the International Research Mission into Crimes under International Law Committed Against the Bambuti Pygmies in the Eastern Democratic Republic of Congo*, London, MRG, 2004. 'Bambuti' is the generic term for the Pygmy populations of eastern DRC. The current report focuses on the Pygmy populations of north and south Kivu, and not the more northern province of Ituri.
- 9 Jackson, *op. cit.*, p. 4.
- 10 *Ibid.*, p. 9.
- 11 See Woodburn, J., 'Egalitarian societies', *Man*, new series, vol. 17, no. 3, 1982, pp. 431–51, and his 'Indigenous discrimination: the ideological basis for local discrimination against hunter-gatherer minorities in sub-Saharan Africa', *Ethnic and Racial Studies*, vol. 20, no. 2, 1997, pp. 345–61, and 'The political status of hunter-gatherers in present-day and future Africa', in A. Barnard and J. Kenrick (eds) *Africa's Indigenous Peoples: 'First Peoples' or 'Marginalized Minorities'*? University of Edinburgh, Centre of African Studies, 2001.
- 12 Batwa interviewees in a settled community in Cibitoke, Burundi, identify medicinal knowledge as important to conserve because of lack of means to visit health centres:

'We are happy with the life we have now but the problem is how ... we can find natural medicine, because in the forest we were using traditional things. At the moment the Batwa, when they fall ill they end up dying, but before they were able to go and look for medicine in the forest.' (Group interview with author, March 2008)
- 13 The rationale for the eviction of the Batwa at the creation of national parks was that they hunted too many animals and damaged the ecosystem: yet the fact that they subsisted with little impact in the forests for hundreds or thousands of years before the forests became 'protected' makes a strong case against this. In particular the Batwa have been accused of hunting gorillas – indeed, they are portrayed as gorilla poachers in the 1988 film *Gorillas in the Mist*. But it is reported that Batwa communities in fact consider gorilla to be a taboo food. In any case, regional wars and Ebola have been the main factors in the decline of the gorilla populations of the Great Lakes Region.
- 14 Lewis, *op. cit.*, p. 20.
- 15 One Rwandan NGO, required to remove the word *autochtones* from its name due to Rwanda's legal prohibition on the identification of ethnic groups, inserted the word *potiers* instead: CAURWA, the 'Communauté des Autochtones Rwandais' became COPORWA, the 'Communauté des Potiers Rwandais' in 2007.
- 16 This was done on several occasions for the author.
- 17 This last example is from a paper supplied to the author.
- 18 Interview with the author, March 2008.
- 19 See for example Pareles, J., 'Africa's vast variety, in sights and sounds', music review, *New York Times* online, 13 May 1989, URL (accessed November 2008): <http://query.nytimes.com/gst/fullpage.html?res=950DE0D91631F930A25756C0A96F948260&sec=&spon=&scp=1&sq=Batwa%20&t=cse>
- 20 Interview with author, March 2008.
- 21 Lewis, *op. cit.*, p. 9.
- 22 The author met two such men in Kisoro, but they were only able to give examples of a few words.
- 23 Kinyarwanda in Rwanda, Kirundi in Burundi, and various languages in eastern DRC and Uganda including Masho and Rukiga respectively. For forest-dwelling Batwa in inaccessible areas of eastern DRC, who have little exchange with other societies, it may be different, but there is no documentation of this.
- 24 Reynjens, F., *Burundi: Prospects for Peace*, London, MRG, 2000, p. 21.
- 25 Obura, A., *Staying Power: Struggling to Reconstruct Education in Burundi since 1997*, Paris, International Institute for Educational Planning, UNESCO, 2008, p. 26, p. 41.
- 26 Taton, V., Nabongo, C., Chiejine, I. and Kamuragiye, A., *Investing in Rwanda: Effective Choices for Orphans and Girls in Primary Education*, Rwanda Division of Policy and Planning/UNICEF, May 2007, p. 11.
- 27 MRG and Réseau des Associations Autochtones Pygmées du Congo, *Erasing the Board*, *op. cit.*
- 28 Interview with the author, Rwanda, March 2008.
- 29 Interview with the author, Giheta-Gitega, Burundi, March 2008.
- 30 Interview with the author, Giheta-Gitega, March 2008.
- 31 Interview with author, March 2008.
- 32 Swahili for rich foreigner/white person – literally 'rich man'.
- 33 Interview with author, Ruhengeri, Rwanda, March 2008.
- 34 Group interview with author, March 2008.
- 35 Group interview, Butare, Rwanda, March 2008.
- 36 Paper supplied to the author, June 2008.
- 37 See Palmer, R., Wedgwood R. Hayman, R. with King, K. and Thin, N., *Educating out of Poverty? A Synthesis Report on Ghana, India, Kenya, Rwanda, Tanzania and South Africa*, University of Edinburgh, Centre of African Studies, 2007.
- 38 'Hill' – the second-smallest administrative region in Burundi (the smallest is *sous-colline*).
- 39 Village elder, group interview, Giheta community, Gitega, Burundi, March 2008.
- 40 Interview with the author, Kisoro, Uganda, December 2007.

- 41 Letter to the author by Mulenge/Mulama community, March 2008.
- 42 Interview with author, Bujumbura, Burundi, March 2008.
- 43 Parents, UCEDD-supported 'École d'Espoir' at Nyangungu, Gitega, March 2008.
- 44 Paper supplied to the author.
- 45 *Ibid.*
- 46 The 'four As' scheme was developed by former Special Rapporteur to the UN Katerina Tomaševski, and then adopted by UNESCR. See UN Special Rapporteur, *Preliminary Report*, UN doc. E/CN.4/1999/49 and *Progress Report*, UN doc. E/CN.4/2000/5, and CESCR, General Comment No. 13, The Right to Education, UN doc. E/C.12/1999/10, para. 6.
- 47 Wilson, *op. cit.*, p. 56.
- 48 Tomaševski, K., *The State of the Right to Education Worldwide – Fee or Free: 2006 Global Report*, Copenhagen, 2006, p. xxvi, URL (accessed November 2008): http://www.katarinatomasevski.com/images/Global_Report.pdf
- 49 Wilson, *op. cit.*, p. 55.
- 50 Being able to read signposts was frequently quoted by Batwa interviewed as being one of the advantages of education.
- 51 DfID country factsheet, URL (accessed November 2008): www.dfid.gov.uk/pubs/files/uganda-factsheet.pdf
- 52 *Ibid.*
- 53 DfID country profile, URL (accessed November 2008): www.dfid.gov.uk/countries/africa/rwanda.asp
- 54 DfID country profile, URL (accessed November 2008): www.dfid.gov.uk/countries/africa/burundi.asp
- 55 DfID country profile, URL (accessed November 2008): <http://www.dfid.gov.uk/countries/africa/congo.asp>
- 56 Notably Tomaševski, *State of the Right to Education Worldwide*, *op. cit.*, as well as a number of other publications.
- 57 In fact, Uganda has never undertaken to put in place full UPE – it is UPE for the first four children of the family (it is a mistranslation from Luganda to English that leads to the misunderstanding).
- 58 Britain, for example, has abolished free tertiary education.
- 59 The examples and statistics in this section are based on interviews throughout the region and research period. For an account of bonded labour in Burundi see African Commission on Human and Peoples' Rights, *Report of the African Commission's Working Group on Indigenous Populations/Committees, Research and Information Visit to the Republic of Burundi*, March–April 2005, p. 33; information on sex work from Jackson, *op. cit.*, p. 9.
- 60 Cited in Forest Peoples Programme, *Supplemental Report on the First Periodic Report of Uganda to the African Commission on Human and Peoples' Rights: State Party Report*, United Organization for the Batwa Development in Uganda, URL (accessed November 2008): www.chr.up.ac.za/hr_docs/documents/FPP-UOBUDU-IWGIA%20supplemental%20ACHPR%20report%20on%20Uganda%2030%2010%2006.doc
- 61 Okenjo, N. et al., *The Lancet*, 10 June 2006, cited in *Daily Monitor*, 'Ugandan tribe faces extinction', 7 June 2006, URL (accessed May 2008): www.monitor.co.ug
- 62 Interviews and informal discussions throughout the region, February–April 2008.
- 63 Reports from MRG Gender Training Conference, Uganda, September 2008.
- 64 One non-Batwa Burundian minister interviewed by the African Commission Working Group on indigenous issues admitted that his own family still used bonded Twa labour. See *Report of the African Commission's Working Group on Indigenous Populations/Committees, Research and Information Visit to the Republic of Burundi*, March–April 2005, *op. cit.*, p. 33. The unnamed minister promised to put an end to the practice in his family.
- 65 Paper supplied to the author, June 2008.
- 66 This term has a specific public meaning in Uganda, between loitering and being homeless.
- 67 Alweny, S., 'Landless and exposed to the elements', *Daily Monitor*, 7 March 2008, listed on URL (accessed May 2008): www.allafrica.com
- 68 Group interview with the author, Giheta community, Gitega, March 2008.
- 69 Though the example here is taken from Kisoro, the land problem is particularly acute in the Bundibugyo region of Uganda – see Alweny, *op. cit.*
- 70 Interview with the author, Buhoma, December 2007.
- 71 Group interview, Bwiza community, March 2008.
- 72 *Ibid.*
- 73 Group interview, December 2007.
- 74 Interviews throughout the region, February–March 2008. Though it should be noted that this also happens to poor children from other communities.
- 75 Interview, Burundi, March 2008.
- 76 Interview with district leaders, Kabale, Uganda, March 2008.
- 77 Interview with the author, Kabale, Uganda, March 2008.
- 78 Though it is alien to some Northern observers, this rigorously collective spirit is a well-documented cultural characteristic of many African countries. See for example Republic of Rwanda, National Poverty Reduction Programme and Ministry of Government and Social Affairs, 'Ubudehe to fight poverty', p. 3, URL (accessed November 2008): info.worldbank.org/etools/docs/library/96275/rwanda-nppr.pdf:
- 'Crop failure alone does not ... make the members of a household vulnerable to hunger. Factors such as having no store of food from last season, that they are newly settled in an area and have not yet established friendship networks who will help them through their troubles, will all effect their level of vulnerability.'*
- 79 Paper supplied to the author, June 2008.
- 80 Paper supplied to the author, June 2008.
- 81 Burundian administrative region.
- 82 Group interview, Cibitoke, Burundi, March 2008.
- 83 Wilson, *op. cit.*, p. 56.
- 84 See Goodwin, M., 'D.H. and Others v. Czech Republic: a major set-back for the development of non-discrimination norms in Europe', *German Law Journal*, vol. 7, no. 4.
- 85 A story from Uganda, told to the author in informal discussions with Bantu people of Kabale district in December 2007, is of the 'rivers' of Bantu blood that were spilled by the Batwa when they were enlisted by the king of Rwanda to fight the Bantu. Though there is some historical basis for this story, it inevitably conveys a view of the Batwa as an alien presence, potentially threatening and not wholly Ugandan.
- 86 For example, Alweny, *op. cit.*, describes them as 'dwarves who grow to an average height of four feet or less'. In reality it is difficult to distinguish Batwa people from their neighbours in terms of physical attributes.
- 87 In Rwanda, where many cultural practices and beliefs centre around cow-herding, lamb is traditionally not eaten.
- 88 Interview, Kabale, April 2008.
- 89 Interview, Kabale, April 2008.
- 90 As an expert reader comments:
- 'although the Batwa lifestyle has been at odds with the mainstream in many of the areas in question there is also a long history of co-operation between the Batwa and the Bantu, Batutsi and Bahutu. The myths about magic powers have also been useful to Pygmies in controlling Bantu oppression – they are genuinely feared for these powers.'*
- 91 See MRG and Réseau des Associations Autochtones Pygmées du Congo, *Erasing the Board*, *op. cit.*

- 92 COPORWA states that 'according to the secondary pupils with whom we have spoken about this text, they have told us that it is studied in most [Francophone] secondary schools, particularly in the cycle *inférieure* (*tronc commun*).'
Email to author, May 2008.
- 93 Group interview with author, Giheta community, Gitega, Burundi, March 2008.
- 94 Interview with the author, Ruhengeri, Rwanda, March 2008.
- 95 Interview, Ruhengeri, Rwanda, March 2008.
- 96 Interview with the author, Gitega, Burundi, March 2008.
- 97 Group interview, Kabale, Uganda, April 2008.
- 98 Paper supplied to the author, June 2008. There is some evidence that this is changing as Batwa societies become Bantuized, a subject for further research.
- 99 MRG Gender Training Workshop, held in Uganda in September 2008.
- 100 Interview with the author, March 2008.
- 101 'This report is written from the now generally accepted human rights perspective that there is no justification for treating hunter-gatherers and former hunter-gatherers as an irrelevant, backward "remnant"' Lewis, *op. cit.*, p. 7.
- 102 MRG Gender Training Workshop, held in Uganda in September 2008.
- 103 *Ibid.*
- 104 Interviews with author February–April 2008.
- 105 Interview with the author, March 2008.
- 106 Government of Rwanda, National Curriculum Development Centre, *The Teaching of the History of Rwanda – A Participatory Approach*, Ministry of Education, Science, Technology and Scientific Research, p. 8.
- 107 To be wholly consistent the plural prefix 'Ba' should also be used of Hutu and Tutsi here: however, since these terms are more commonly seen in international literature without the 'Ba', they are left in this form here for clarity's sake.
- 108 Interview with the author, April 2008.
- 109 That is, cut the grass.
- 110 Interview with the author, April 2008.
- 111 Interview with COPORWA, April 2008.
- 112 Informal discussions, Kigali, April 2008.
- 113 Bamusananire, E., Byiringiro, J., Munyakazi, A. and Ntagaramba, J., *Primary Social Studies*, Rwanda, Macmillan, 2006, pp. 74–8.
- 114 Now the Gorilla Organization – the Dian Fossey Gorilla Fund split into European and US bodies; the Gorilla Organization is the European body.
- 115 This report focuses on the communities living in north and south Kivu only, though there are Pygmy communities in other areas of the country including Ituri.
- 116 See MRG and Réseau des Associations Autochtones Pygmées du Congo, *op. cit.*, p. 9:
- 'There is no reliable estimate of the size of the [Bambuti/Batwa] population in the DRC [...] however] an interview with an Italian priest based in Watsa coordinating schooling projects for Bambuti children recorded a population in Ituri alone of over 30,000, with similar populations suggested for North and South Kivu.'*
- 117 Committee on the Rights of the Child, Pre-sessional Working Group, 'List of issues to be taken up in connection with the consideration of the second periodic report of Uganda (CRC/C/65/Add.33)', Part 1, Section a(1) and A(2)h, 6–10 June 2005
- 118 *Ibid.* Part IV, Sections 1 and 7.
- 119 Informal interview with Ministry of Gender, Labour and Social Development, Kampala, April 2008.
- 120 Paper supplied to author, June 2008.
- 121 The need for registration was recognized in a 2005 supplementary report by Ugandan NGOs to the Committee on the Rights of the Child. It noted that it was recommended by children (i.e. people under the age of 18) interviewed that 'there is dire need for Government to ensure that birth and death registration is available in every district in Uganda', and that 'public awareness on the registration of births and deaths should be adequately facilitated', Uganda Child Rights NGO Network (UCRNN), *NGO Complementary Report to the GOU First Period Report on the CRC*, 2000, p. 21.
- 122 All information in this paragraph is taken from Hays, J. and Siegruhn, A., *Education and the San of Southern Africa*, Indigenous Affairs 2005/1 – Indigenous Peoples and Education, IWGIA, 2005.
- 123 By African International Christian Ministries in Kabale, Uganda.
- 124 The information in this paragraph is taken from ILO, *Equality of Opportunity in Education and Training – Programmes Under the Ministry of Education and Sports, Uganda*, URL (accessed November 2008): www.ilo.org/public/english/employment/gems/eeo/edu/programme/ugmes.htm
- 125 Section 4 (a), (i), (v), (vi), (viii), National Education Policy Act 1996, Government of South Africa. To this end, the National Curriculum Statement is available in all 11 of the country's official languages and Braille, 'in keeping with the constitution, which grants parity of esteem to all languages'. However, minority languages which are not official, such as the San languages, receive little government funding. The Northern Cape Education Department, which is responsible for the education needs of most of South Africa's 7,500-strong San population, has acknowledged that a curriculum tailored to the San is required, but so far there has been little progress towards this.
- 126 World Bank, *DRC Poverty Reduction Strategy Paper*, 2007, p. 10.
- 127 World Bank, *DRC – Country Status Report on Education: Priorities and Options for Regenerating the Education Sector*, Report No. 30860-ZR, November 2004, section 1.3.
- 128 MICS 2001, quoted in World Bank, *DRC – Country Status Report on Education*, *op. cit.*, p. ii.
- 129 *Ibid.*, section 2.32.
- 130 *Ibid.*, section 4.42.
- 131 World Bank, *DRC Poverty Reduction Strategy Paper*, *op. cit.*
- 132 *Ibid.*, p. iii.
- 133 World Bank, *DRC – Country Status Report on Education*, *op. cit.*
- 134 *Ibid.*, sections 2.32, 2.52.
- 135 DFID, country profiles, DRC, URL (accessed November 2008): www.dfid.gov.uk/countries/africa/congo-Social-services.asp
- 136 URL (accessed 30 September 2008): www.visituganda.com/people.html
- 137 Government of Uganda, Ministry of Gender, Labour and Social Development, The Equal Opportunities Commission Act, 2007, p. 3.
- 138 Paper supplied to the author, June 2008.
- 139 Government of Uganda, Ministry of Gender, Labour and Social Development, The Equal Opportunities Commission Act, 2007, p. 3:
- '... "equal opportunities" means having the same treatment or consideration in enjoyment of rights and freedoms, attainment of social services, education, employment and physical environment or the participation in social, cultural and political activities regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability.'*
- 140 Government of Uganda, Ministry of Gender, Labour and Social Development, *Poverty Eradication Action Plan*, January 2008, pp. 2–4.
- 141 Interview, Equal Opportunities Commission, April 2008.
- 142 Paper supplied to the author, June 2008.

- 143 Paper supplied to the author, June 2008.
- 144 See Forest Peoples Programme, *Supplemental Report*, op. cit.
- 145 Government of Rwanda, Ministry of Education, *Long-term Strategy and Financing Framework 2006–2015*, Kigali.
- 146 See Republic of Rwanda, National Poverty Reduction Programme and Ministry of Local Government and Social Affairs, ‘Ubudehe to fight poverty’, op. cit.
- 147 Informal interview, MINALOC, April 2008.
- 148 Interview with the author, Ruhengeri, Rwanda, March 2008.
- 149 Group interview, March 2008.
- 150 Interview in Bujumbura, Burundi, March 2008.
- 151 Vital Bambanze, interview, Burundi, March 2008.
- 152 Obura, op. cit., p. 26.
- 153 Reyntjens 1995, quoted by Obura, op. cit., p. 7.
- 154 *Report of the African Commission’s Working Group on Indigenous Populations/Communities, Research and Information Visit to the Republic of Burundi*, March–April 2005, op. cit., pp. 31, 34.
- 155 Government of Uganda, Ministry of Gender, Labour and Social Development, *The National Equal Opportunities Policy*, 2006, p. 27.
- 156 *Eighth Periodical Report of Rwanda to the African Commission on Human and Peoples’ Rights*, March 2005.
- 157 *Ibid.*
- 158 Ministry of Human Rights, DRC, ‘Article 17: The Right to Education and to the Freedom of Cultural Life’, in *8th, 9th and 10th Periodic Reports to the African Commission on Human and Peoples’ Rights*, Kinshasa, 2007, paras 166, 167.
- 159 Jackson, op. cit., p. 20.
- 160 *Ibid.*
- 161 Consideration of Reports, Comments and Information Submitted by States Parties Under Article 9 of the Convention, Seventh to Tenth Periodic Reports of Burundi (CERD/C/295/Add.1; HRI/CORE/1/Add.16), 8 December 1997, Section 8.
- 162 Committee on the Rights of the Child, comments identified in Forest People’s Program, *Supplemental Report on the First Periodic Report of Uganda to the African Commission on Human and People’s Rights*, op. cit.
- 163 *Ibid.*
- 164 Convention on the Rights of the Child, Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Uganda, Second Periodic Report due in 1997, 5 November 2004, p. 50, para. 172.
- 165 Uganda Child Rights Network, NGO *Complementary Report to the Government of Uganda First Period Report on the CRC*, 2000, 12 September 2005, p. 28, URL (accessed November 2008): www.crin.org/resources/infoDetail.asp?ID=5881
- 166 Summary Record of the 954th meeting, Consideration of Reports Given By States Parties, Second Periodic Report of Rwanda, Committee on the Rights of the Child, 3 June 2004, paras 35–37 and 58.
- 167 *Ibid.*
- 168 *Ibid.*
- 169 Lewis, op. cit., p. 26.
- 170 *Report of the African Commission’s Working Group on Indigenous Populations/Committees, Research and Information Visit to the Republic of Burundi*, March–April 2005, op. cit.

working to secure the rights of minorities and indigenous peoples

minority
rights
group
international

The Right to Learn: Batwa Education in the Great Lakes Region of Africa

The Batwa communities of the Great Lakes Region are mainly former hunter-gatherers who have been evicted from their forest homes over the course of many decades. They now live as a neglected and marginalized minority, often in remote conflict and post-conflict areas. Although Batwa adults and children across the region have identified education as their most important priority, the vast majority have had little if any chance to go to school. Poverty and hunger, and the long distances they often have to travel to access schooling, prevent children from enjoying what is their fundamental human right.

Batwa identity has been historically misrepresented in school curricula in the region, and this continues today. Batwa children in Burundi report being told by teachers that because they are Batwa, they are 'worth nothing'. For

Batwa, access to education means change at the most basic level, such as being able to read public signs and notices. It allows self-sufficiency and promotes self-esteem; it offers the potential to undertake training in technical skills or access to employment, all of which would help Batwa people combat the poverty they live in.

The welfare of minorities within a country has repercussions for its welfare as a whole. If the social and political exclusion of the Batwa is to end, it is clear that their education opportunities must improve dramatically at every level. This report contains a wealth of first-hand research from Burundi, Democratic Republic of Congo, Rwanda and Uganda which clearly shows that more positive action is needed from governments, civil society organizations and the international community.