

PROTECTING THE RIGHTS OF INDIGENOUS PYGMY PEOPLES IN THE DEMOCRATIC REPUBLIC REPUBLIC OF THE CONGO

Context

According to the International Work Group for Indigenous Affairs (IWGIA), the Congolese government estimates that there are around 700,000 Pygmies in the Democratic Republic of Congo (DRC), while civil society organizations (CSOs) put the figure at 2,000,000.

As part of the Universal Periodic Review (UPR), the DRC received thirteen recommendations, including five issued during the third cycle, from Norway, Bolivia, Mexico, Madagascar, Djibouti and Sierra Leone. These recommendations called for the adoption of legislative measures to promote and protect the rights of indigenous peoples, marking a turning point in the DRC's commitment to the recognition and protection of these marginalized populations.

What has been the impact of the UPR?

Law no. 22/030 of July 15, 2022 on the protection and promotion of the rights of indigenous Pygmy peoples was promulgated on November 16, 2022 by the President of the Republic. It had been adopted by the National Assembly on April 07, 2021 after more than 10 years of advocacy.

The adoption of this law represents a significant advance in the protection of the rights of indigenous pygmy peoples, now providing them with a specific legal instrument to assert their rights in an environment marked by



discrimination and prejudice. In addition, the law will have a lasting impact on improving land tenure security and livelihoods for indigenous pygmies, enabling them to play a leading role in achieving the DRC's climate and conservation objectives.

What was the role of civil society?

The issue of adopting a law to protect and promote indigenous Pygmy peoples was identified as a priority by civil society during the drafting of the UPR report and at the pre-sessions organized by UPR Info in Kinshasa and Geneva as part of the third UPR cycle. This issue, discussed during various consultations and dialogues at national level, was raised by the association Foundation for the Self-Promotion of Disadvantaged Pygmies and Indigenous People (FDAPID).



FDAPID works to eradicate the marginalization, discrimination and enslavement of indigenous Pygmy peoples by promoting human rights education, protecting the environment and improving socio-economic conditions in local communities. Following the DRC's third review, the organization became heavily involved at national level in following up recommendations concerning Pygmy rights. "I contribute by popularizing the recommendations and integrating them into all FDAPID initiatives, including urgent appeals, advocacy notes, calls to action, press releases and meetings with decision-makers", said Vicar Batundi, FDAPID's national coordinator.

In a context where traditions tend to favor the Bantu to the disadvantage of the pygmies, where peaceful coexistence is absent in certain regions, and where inter-community conflicts between the Twa and Bantu peoples in Tanganyika province are unfortunately frequent, the adoption of legal protection for indigenous pygmy peoples is essential.

However, to date, specific implementation measures have yet to be put in place, posing a major challenge. Among the persistent challenges is the lack of consultation with indigenous peoples when important decisions affecting them are being taken. In addition, flagrant violations of the rights of indigenous peoples are regularly observed, particularly with regard to the management of land and natural resources.