

# **“Indigenous Peoples of Africa”**

**Written Statement**

**by**

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**before the**

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Mr. Chairman, Members of the Commission, it is an honor and a privilege to present this testimony to the Tom Lantos Human Rights Commission. I welcome the opportunity to outline how the United States Agency for International Development is helping to address the challenges faced by indigenous peoples in Africa.

## **Overview**

In Africa, millions of indigenous people live in highly vulnerable ecosystems, including tropical forests, coastal zones, mountains and semi-arid rangelands -- all areas that have come under increasing pressure. All groups of indigenous peoples require development strategies and practices -- compatible with cultures, languages, natural resources and lifestyles -- that differ from those of the surrounding dominant cultures.

There is no universally agreed-upon definition of the term “indigenous peoples.” For the purposes of USAID’s policies and programming in Africa, arguably the best characterization might include the concept of “distinctive social and cultural groups that are relatively politically, economically and/or socially marginalized and therefore vulnerable.” This should include present and former hunter-gatherers, as well as many pastoralist communities. USAID, while recognizing the diversity of indigenous peoples, focuses attention and resources on ensuring all disadvantaged people, including indigenous peoples, are included in development.

USAID’s commitment to the interests of indigenous peoples (IPs) in Africa is made manifest in two principal ways. First, USAID is concerned about the legal rights of IPs, as well as the human rights of indigenous individuals, and the identification of social safeguards to protect these rights. Second, USAID recognizes the integrated manner in which IPs are part of sensitive and economically important ecosystems – such as the forested Congo River Basin, or the arid and semi-arid landscapes which many African pastoralists and their livestock inhabit, and where survival depends on the ability to be mobile.

Many IP communities, who generally do not fully participate in state or formal democratic governance institutions, are unprotected by strong forces that encroach on their traditional lands, threatening their vulnerable environments through resource exploitation. The legal rights of IPs

are seldom protected in this context, and the human rights of their members are neglected in the face of rapid economic growth. Even conceptualizing the rights of IPs poses challenges, as both individual rights and collective rights may be implicated.

USAID is committed to pursuing reasonable measures to strengthen protection of the human rights of indigenous individuals and the collective rights of indigenous peoples, and to protect their cultural and spiritual values and beliefs, ethnic identities, and customary governance systems.

USAID has a particular interest in reducing the sexual and gender-based violence that frequently targets indigenous women and girls in Africa. USAID is also advancing a strategic approach to current practices that connect faith traditions of IPs to conservation and the protection of biodiversity. “Faith” in this context refers to organized religion, and traditional culture/traditional knowledge. Our increasing efforts to integrate considerations of informal, indigenous and customary law into our Rule of Law programming worldwide will also have a positive effect on the legal rights of IPs.

### **Policy and Practice in USAID pertinent to Indigenous Peoples**

USAID’s approach to indigenous people and indigenous issues is included within various policy documents. Substantively, USAID focuses on:

- developing sustainable economic uses of biological resources;
- building local capacity for the management of biodiversity, including co-management of parks and protected areas;
- supporting innovative, nongovernmental conservation and research programs;
- encouraging the engagement of indigenous peoples and local communities at every stage of decision-making; and
- facilitating the setting of conservation priorities that respect the rights of indigenous peoples at the local, national, and regional levels.

Experience of fifty years of development overseas demonstrates that programs that integrate nature (environmental management), wealth (economic growth) and power (good governance), and ethical leadership have the most promising results. Proven strategies of socially and environmentally sound management of natural resources can simultaneously (1) help move rural people along the path to more active and engaged citizenship, leading the way toward a more democratic, decentralized and vibrant society, (2) provide for substantial economic growth for local communities and national accounts, and (3) lead to increases in the productivity of the resource base.

IPs depend on natural resources and ecosystem services, but too often are marginalized in terms of their decision-making power over these resources. Operationally, USAID has worked for decades to redress that situation through decentralized Natural Resources Management. For example, the Property Rights and Resource Governance (PRRG) program within USAID has included explicit language on IPs and has targeted IPs in activities such as the SECURE (Securing Rights to Land and Natural Resources for Biodiversity and Livelihood) project on the Kenya Coast. PRRG also produced a briefing paper on land tenure and property rights (LTPR) issues as they relate to IPs.).

The Land Tenure Unit at USAID is working closely with the Millennium Challenge Corporation and Department of State to develop a Whole of Government policy on land governance, which articulates a position within foreign policy. It will have specific language for all rights holders, including indigenous people. When completed, we expect this will also guide our government's policies on principles of responsible agricultural investment. It will also include a position on recognition of customary rights—the primary legal system by which indigenous people (and many other communities we work with in Africa) access land and resources.

USAID has strong environmental safeguards and monitoring and evaluation protocols and practices that include provisions for consultation with and engagement of local stakeholders – including IPs -on planned investments that might have environmental impacts. New initiatives such as Feed the Future and USAID's investment in supporting the international and national efforts in Reduction in Emissions from Deforestation and Forest Degradation (REDD)<sup>1</sup> call for renewed commitment to environmental and social safeguards as these investments will entail shifts in land and natural resource use, access, ownership and control. As such USAID is in the process of crafting a new Land Policy, an overarching policy on democracy, human rights and governance and comprehensive guidance on social impacts related to REDD in coordination with NGOs, civil society, and other donors.

There are some bright spots in increased protection of IPs in Africa. A recent example is the new Kenyan constitution, which obligates the state to provide for adequate representation of “marginalized groups” in all levels of government, exercise affirmative action on behalf of these groups, and promote the use of indigenous languages and the free expression of traditional cultures. The “marginalized groups” category has a broad and inclusive meaning, focusing on communities that have not participated in the economic and social life of Kenya as a whole, including hunter/gatherer and pastoral societies.

In addition, other countries are beginning to recognize the rights of IPs. The Republic of Congo (Brazzaville), for example, recently passed legislation recognizing the rights of IPs, including their rights to participation in decisions affecting them according to their own decision-making processes, and their rights to communal land, including land rights under customary law. The Central African Republic has also issued similar legislation.

USAID recognizes that more needs to be done to assist and support IPs in Africa. Better research is required to understand the character of the threats and opportunities faced by Africa's IPs. Policies need to be agreed upon among multiple stakeholders to adequately address IPs' issues, and to protect their rights, respect their cultural inheritance, as well as to incorporate their perspectives, knowledge, and preferences into development paradigms. The recent numerous violent conflicts in Africa have a disproportionate impact on IPs, and more needs to be done to achieve a resolution to such conflicts and a clear path ahead to sustainable peace. Efforts are also needed to mitigate the displacement of IPs due to militarization and violence, the forces of

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<sup>1</sup> “REDD” here includes REDD+ where the + stands for going beyond mere slowing or halting of deforestation: it includes “avoided deforestation”, i.e. conservation of existing forests, and “reforestation/afforestation”, i.e. increasing/enhancing existing forest carbon stocks. It is also typically understood to include a preservation of the rights of IPs as part of any REDD mechanism.

economic globalization, climate change, and even some environmental conservation initiatives. IPs' own governance structures and knowledge and skills should be capitalized upon to help improve security and resilience and quality of life.

## **Overview of USAID's Africa Programs**

USAID is active across Africa, and many of our programs have direct or indirect impact on indigenous peoples. An illustrative profile of USAID's African programming reflecting this focus is described below.

Democratic Republic of the Congo (DRC). While indigenous people are not specifically targeted by USAID's democracy and governance program, IP groups are indirect beneficiaries of the voter education sessions organized by sub-grants to civil society organizations (CSOs) under USAID's civic education interventions. Indigenous people did attend the electoral education caravans that USAID implemented in April 2011 in the streets of the three main cities of the Equateur province, which is one of the main IP areas in the country.

IPs are clearly indirect beneficiaries of the VOICE grant fund, given that several of USAID's sub-grantees are civil society organizations CSOs that are active in the promotion of human rights (including rights of members of minorities) at the local level. USAID's capacity building activities allowed these CSOs to better serve the communities where they are established – communities which include IPs and other vulnerable local populations.

Ethiopia. USAID is supporting the strengthening of democracy and good governance in the traditional home of the Mejangir people. This work is preserving the traditional cultural and livelihood practices of the Mejangir people while also presenting alternative livelihood options. This program is preserving the ecological integrity of the Godere Forest, its surrounding watershed and all the biodiversity that exists therein. In so doing, the program is also building knowledgeable and empowered indigenous communities while also strengthening an environment in which peace will be sustained. Since 2007, USAID Ethiopia has supported the Mejangir, Gambella Regional State, and the Mejangir zonal government in particular, to establish a participatory forest management system to help sustainably address existing tensions and future threats of renewed violent inter-communal hostilities issues of forest/land use and governance.

USAID Ethiopia also has had a significant investment in pastoral development programs for about 10 years, especially the Pastoralist Livelihood Initiative (PLI). The goal of the Pastoralist Livelihoods Initiative is to reduce poverty, hunger and vulnerability to droughts and other shocks in selected pastoralists' communities in Ethiopia. USAID pastoral development programs have:

- Advanced institutional sustainability measured in terms of the capacity and willingness of the Ethiopian government, the private sector and/or pastoral communities to continue project activities without USAID support;
- Improved accessibility of pastoralists to markets and improving the prices pastoralists receive for livestock and livestock products, thereby improving the capacity of pastoralists to purchase the inputs and services they require;
- Helped to create a policy environment conducive to pastoral resilience, welfare, and commercial success; and

- Improved collaboration with traditional authorities and conflict resolution by revitalization of elders' councils (to control of private enclosures and rehabilitate significant areas of degraded rangeland, for example) in the Borana Zones of southern Ethiopia.

Mali. The Dogon are an indigenous ethnic group living in the central plateau region of Mali. To support the Dogon indigenous population, USAID is funding the Mali Sustainable Tourism Alliance (MSTA). The goal of the MSTA is to help provide income-earning opportunities with fairly distributed benefits to all stakeholders while respecting and protecting natural resources in the local communities. The primary activities will be carried out in the Mopti Region, focusing on the Dogon area.

Namibia. USAID Namibia invested in the highly successful Namibia community-based natural resources management (CBNRM) program called Living in a Finite Environment (LIFE), from 1992 until June 2008, in cooperation with the Namibian Ministry of Environment and Tourism (MET). The program's objective was increasing benefits received by historically disadvantaged Namibians from sustainable local management of natural resources in communal areas.

LIFE fostered the creation of an enabling environment for CBNRM through a facilitative and supportive role in policy development and the strengthening of institutional capacity of CBNRM support organizations. It also enhanced the involvement of historically disadvantaged Namibians by fostering awareness of emerging CBNRM development opportunities — which helped change their attitudes toward wildlife and conservation. The LIFE2 phase continued to build the institutional capacity of project partners to provide CBNRM services to conservancies, institutionalized the CBNRM program at the formal tertiary educational level, and increased Namibian support of national-level CBNRM coordination, planning, and decision-making. In the LIFE Plus phase, the project strengthened partnerships with the private sector, provided intensified support to the development and management of conservancy natural resources (through participatory land use planning, development, and extension of community natural resources monitoring systems), supported the strategic introduction of wildlife in conservancies with low game densities, and diversified income generation opportunities to increase non-financial benefits and new income to households and conservancies.

Uganda. Karamoja, the north-eastern region of Uganda, is home to the Karamojong, Nilotic descendants with links to Ethiopia and Sudan who remain faithful to their nomadic agro-pastoralist heritage. Pastoral conflict in the region which has been exacerbated by easy access to weaponry, diminishing natural resources, and widespread poverty has undermined the development of the region. In close coordination with the USG interagency, USAID implements carefully targeted interventions designed to support key state and traditional institutions to improve stability and peace, provide humanitarian assistance, and promote improved livelihoods.

USAID/Uganda is addressing the causes of conflict and is engaging communities in activities that promote livelihood and reconciliation between communities. In these communities, USAID is also providing humanitarian assistance and emergency food aid as needed. In health, the Joint Clinical Research Centre (JCRC) supports Kaboong Hospital on Antiretroviral therapy (ARV), HIV care, lab services and post exposure prophylaxis for victims of sexual violence or health workers who sustain needle pricks while on duty. USAID also implements a Multi-Year Assistance Program for Karamoja to improve food production, consumption and sales among smallholder farming

households, and improve health and nutrition among pregnant/lactating women and children under five.

In southern Africa, USAID continues to support community-based natural resources management through a regional program called Conservation Partnerships for Sustainability in Southern Africa (COPASSA). COPASSA aims to scale up results produced by USAID conservation investments over the last 25 years in wildlife conservancies and other biodiversity-focused community-based programs in Southern Africa. COPASSA works to spur innovation and scale up successful initiatives by establishing partnerships that promote CBNRM principles, and developing and distributing tools to help rural communities use information more effectively.

### **Forested Regions**

Many indigenous peoples reside in areas that span national boundaries. Africa's forested regions represent a major focus for USAID. Some of Africa's most vulnerable IPs dwell in the rainforests in the Congo Basin, a region that represents 70% of all African forests, spanning more than one million square kilometers in ten countries. Only the rainforests of the Amazon are larger. More than 40 million people depend on the Congo River Basin rainforests for food, forest products (e.g., materials for traditional crafts, cultural/religious practices, and economic development), energy and medicine. Deforestation not only threatens IPs, but also important wildlife species and ecosystems such as watersheds that provide essential services to people and economies.

There are many indigenous groups in the Congo Basin. Small-scale societies, whether self-defined as IPs or not, are politically and economically marginalized, often the poorest of the poor, who try to be in harmony with the natural resources which form the basis of their livelihoods and culture. Logging is not what is threatening Congo Basin forests the most -- it is encroachment due to agricultural expansion and population growth. But appropriate agricultural and economic development is also needed by the larger society in which the IPs are embedded to provide for greater livelihood security for all. Conservation efforts are balancing the protection of ecosystems and species with improving the livelihoods of forest dwellers.

The U.S. Government shares a stake in preserving these forest environments, as they sequester carbon, and deforestation and use of wood for fuel releases large amounts of CO<sub>2</sub> and other greenhouse gases into the atmosphere, posing significant threats to the exacerbation of global climate change.

The Central Africa region – the Congo River Basin and other tropical forest landscapes – is the focus of USAID's Central Africa Regional Program for the Environment (CARPE). The CARPE program is a long term investment that has been particularly aimed at reducing deforestation, conserving great apes and their ecosystems, and enhancing the livelihoods of people in the region. CARPE is the Africa Bureau's "flagship" biodiversity program, and in the future, is likely to incorporate a focus upon reducing emissions from deforestation and forest degradation (REDD). As it evolves, for instance via foreign assistance financing and leveraged investment mechanisms which are expected to emerge as a result of international negotiations on climate change over the next few years, the REDD concept has the potential to transform the way that land-use decisions are made in developing countries by creating an economic value for standing forests, while also taking into consideration the needs and vulnerabilities of indigenous peoples who are integral

elements of the forest ecosystem. CARPE's support for indigenous peoples includes using participatory and inclusive approaches to land-use and management planning.

The estimated indigenous population of this region includes approximately 500,000 Mbuti people (pygmies<sup>2</sup>) living in the Central African rainforests. The members of these communities are partially hunter-gatherers, subsisting to some degree on the wild products of their environment and trading with neighboring farmers to acquire cultivated foods and other material items. Problems facing the indigenous peoples include discrimination by other ethnic groups, eviction from their traditional homelands due to deforestation caused by agricultural expansion and logging, and the general burden of living in extreme poverty.

In West Africa, USAID's Sustainable and Thriving Environments for West Africa Regional Development (STEWARD) program focuses on key transboundary priority zones across the Upper Guinean Forest Ecosystem (Guinea, Ghana, Ivory Coast, Sierra Leone, Liberia), working with local communities to promote a regional approach for biodiversity conservation in West Africa. STEWARD grantees, such as the Wild Chimpanzee Foundation, take a very community-centered approach and work in isolated areas. STEWARD will be working with countries and the Mano River Union on social safeguards for REDD, which directly addresses IP issues.

### **Rangelands, Pastoralism and Livestock**

The expansive rangeland regions where the pastoralists of Africa live are another important focus, and where regional approaches are called for. Arid and semiarid rangelands constitute about 60% of the surface area of East and West Africa. The so-called "Pastoral Arc" of the Horn of Africa contains the largest concentration of pastoralists, agro-pastoralists, and livestock in Africa. Pastoralism is a rational economic land-use system able to generate significant returns, and one that has strong relationships with the environment and deep roots in culture and tradition. Widespread misunderstanding about pastoralism has left it often under-protected, undervalued and an unintended victim of uninformed policy. But this traditional mobility-dependent livelihood, designed as an adaptive strategy for thriving in some of the world's harshest regions, is well suited to the climatic and economic uncertainties of our times. Harnessing the mobility and governance systems of pastoralists can be expected to enhance resilience to climate change and serve U.S. security interests as well.

USAID recognizes that revitalized customary pastoral clan governance systems, supported by understanding government institutions, can play a significant and robust role in solving inter-ethnic conflict in pastoral areas. Pastoralists' knowledge, skills, practices and customary governance structures are essential in maintaining the rangelands, biodiversity and peace in these fragile ecosystems.

From 2006 to 2010, USAID/East Africa managed an innovative transboundary program called Regional Enhanced Livelihoods in Pastoral Areas (RELPA) in the Horn of Africa. It built upon and complemented the Pastoral Livelihoods Initiative (PLI) of USAID /Ethiopia (see above) and the Northeast Pastoral Development Project (NEPDP) of USAID/Kenya. The aim of RELPA was

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<sup>2</sup> There is no single term to replace so-called "pygmies," who prefer instead to be referred to by the name of their various ethnic groups, or names for various interrelated groups such as the Aka (Mbenga), Baka, Mbuti, and Twa.

to support an effective transition from emergency relief to the promotion of long-term economic development in the transboundary pastoral areas of southern Ethiopia, northern Kenya, and southwest Somalia. In 2007, USAID partnered with a consortium of NGOs lead by CARE to implement a component of RELPA known as the Enhanced Livelihoods in the Mendera Triangle consortium program (ELMT). This project helped to foster a wide partnership of organizations in the cross-border region that could effectively implement RELPA activities at the field level, while other components focused on policy level interventions, such as a Policy for Food Security in Pastoralist Areas developed with the Common Market for East and Southern Africa (COMESA). Also, transboundary peace initiatives were mounted with the Conflict Early Warning and Response Network (CEWARN), a specialized body of the Intergovernmental Agency for Development (IGAD) in the Horn of Africa, in collaboration with the USAID/East Africa Regional Conflict Management and Governance (RCMG) office.

The In West Africa, the USAID Agribusiness and Trade Promotion (ATP) project includes a focus on the livestock value chain, consisting of cattle, sheep and goats, largely produced by pastoralists. While the project does not focus specifically on pastoralists at the production level, they are major stakeholders. ATP aims to increase the volume and value of intra-regional agricultural trade in West Africa. Through ATP, USAID focuses on target activities that catalyze the efforts of West African stakeholders to find sustainable solutions to key constraints in intra-regional agricultural trade. This approach will not only significantly strengthen intra-regional trade during the project, but will also make the impacts sustainable after the end of the project.

USAID also has a Global Livestock program called Adapting Livestock Systems to Climate Change Collaborative Research Support Program (ALS-CC CRSP). It aims to reduce vulnerability, increase adaptive capacity, and augment the income of livestock producers in regions where agricultural systems are changing, available resources are shrinking, and climate is having an impact. It is focused on small-scale livestock producers and pastoralists living in semi-arid ecosystems in regions in East and West Africa and Central Asia where livestock production is closely tied to the state of environmental, human, and animal health.

Finally, USAID's Higher Education for Development partnership Program has given a grant to Colorado State University and the University of Nairobi to establish a Sustainable Drylands Centre, which will advance pastoralist development issues around Africa.

## **Conclusions**

While this summary has primarily focused on USAID's activities in the context of natural resource management, Indigenous Peoples are beneficiaries in many of USAID's programs across the sectors, including economic growth, health, education, democracy and governance, conflict mitigation and management. Increasingly, USAID is including explicit language on IPs and has targeted IPs in its activities.

Current USAID guidance and practice focus on indigenous peoples and indigenous issues by:

- involving indigenous peoples and local communities at every stage of decision-making;
- facilitating the creation of conservation priorities that respect the rights of indigenous peoples at all levels of government;

- modifying or codifying indigenous tenure systems rather than introducing or fostering more formal, complicated and expensive systems;
- encouraging the development of indigenous organizations that meet people's requirements for sustained economic and social progress;
- developing sustainable economic uses of biological resources;
- building local capacity for biodiversity management; and,
- supporting nongovernmental conservation and research programs that target IPs.

Further, USAID has a particular interest in and focus on:

- reducing the sexual and gender based violence that frequently targets indigenous women and girls in Africa.
- advancing a strategic approach to current practices that connect faith traditions of IPs to conservation and the protection of biodiversity.
- integrating considerations of informal, indigenous and customary law into our Rule of Law programming worldwide will also have a positive effect on the legal rights of IPs.

USAID has also adopted the following fundamental principles and priorities in our work with African IPs:

Indigenous Peoples are stakeholders in their own development. USAID recognizes that Indigenous Peoples are distinctive social and cultural groups, and tend to be politically, economically and/or socially marginalized and therefore vulnerable.

Conservation efforts, biodiversity and the role for IPs. USAID recognizes that conservation of biodiversity requires working with and honoring the role of IPs, who should be enabled to be the stewards of their lands, while enjoying the benefit of appropriate social safeguards.

Land tenure, property rights and agri-business. USAID is working closely with the Millennium Challenge Corporation and Department of State on land governance issues within our foreign and development policies.

Climate Change and the impact on IPs. USAID leadership on strong environmental safeguards and monitoring and evaluation protocols and practices is represented in part by its support to the international and national efforts in Reduction in Emissions from Deforestation and Forest Degradation (REDD), which contains a call for renewed commitment to environmental and social safeguards. This means going beyond mere slowing or halting of deforestation: it includes “avoided deforestation”, i.e. conservation of existing forests, and “reforestation/afforestation”, i.e. increasing/enhancing existing forest carbon stocks. It is also typically understood to include a preservation of the rights of IPs as part of any REDD mechanism.

Likewise, helping pastoral communities revitalize their indigenous NRM and customary governance systems will improve rangelands productivity, and lead to better resilience to drought and reduced conflict, even in the face of higher threats to food security due to climate uncertainty. Healthy rangelands have enormous potential to sequester carbon.

In summary, while there remains much to do, both in terms of policies and programs, USAID has been highly cognizant and active in support of Indigenous Peoples.

