

What Happens in the Park

Attacks on Indigenous People in and around Kahuzi-Biega National Park, a UNESCO World Heritage Site in the Democratic Republic of the Congo

Réseau Initiative for Equality (RIFE) – October 2021
Revision – December 2021 & January 2022



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Initiative for Equality (IfE)

PO Box 1144, Rapid City, South Dakota 57709 USA
<https://www.initiativeforequality.org/>

with contributions from

Certain member organizations of Réseau Initiative for Equality (RIFE), a regional network of Batwa rights organizations in the Democratic Republic of the Congo (DRC), Burundi and Rwanda, including:
Réseau Congolais des Forestiers de la RDC (RCF-RDC)
Actions pour le Regroupement et l'Autopromotion des Pygmées (ARAP)

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Occasional Report (October 2021)

Revisions (December 2021, January 2022)

Initiative for Equality (IfE)

<https://www.initiativeforequality.org/>

Editor

Deborah S. Rogers

Contributors

Anonymous Individuals (unnamed to protect them from reprisals)

Deborah S. Rogers: *Initiative for Equality* (IfE)

Elikia AMANI ZAHINDA: *Réseau Congolais des Forestiers de la RDC* (RCF-RDC)

Julien BASIMIKA ENAMIRUWA: *Actions pour le Regroupement et l'Autopromotion des Pygmées* (ARAP)

Adèle BISHARHWA NABINTU: Attorney and Consultant for *Réseau Congolais des Forestiers de la RDC*

Translators

Julien BASIMIKA ENAMIRUWA (translated documents from Kiswahili to French)

Deborah S. Rogers (translated documents from French to English)

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Because of the haphazard way in which many of these reports reached us, we believe this list is probably a serious underestimate. There is an urgent need for more monitoring and incident reports on the ground, and for substantial investigations into the incidents listed in this report. However, this will be difficult given the lack of political will by authorities, the remoteness of the areas, the condition of the roads (many are impassible), and the dangers of going into these conflict zones.

Introduction

Kahuzi Biega National Park (PNKB) was created in 1970 in what was then called Zaire, and in 1975 the Park was expanded from 60,000 hectares to some 600,000 hectares.ⁱ This expansion entailed the expulsion of many thousands of people, including an estimated 6,000 indigenous Batwa people (also known as Indigenous Pygmy Peoples).ⁱⁱ While agricultural communities including the Shi, Tembo, and other tribes were given lands and retained their traditional governance structures, the Batwa, who had been semi-nomadic hunter-gatherers, were not considered to have “owned” land, and thus received no alternative lands or any other compensation when they were driven out.ⁱⁱⁱ Despite this grievous human rights violation, in 1980 the Park was designated a UNESCO World Heritage Site.^{iv}

Left to beg, steal, provide slave labor or starve, the Batwa became a permanently landless underclass, with no access to the predominantly agricultural economy, nor to other modern benefits such as education or health care. During the terrible conflicts in the Eastern Congo between 1996 and 2003 (and continuing to a lesser extent through the present), the PNKB lands were subject to repeated invasions by organized rebels, irregular militias and local self-defense militias, and then by migrants and others searching for minerals and timber to extract from the region.^v The Batwa, without defense, land, or economic security, were sometimes recruited or kidnapped into these efforts.

Current situation

The dire situation of the Batwa eventually attracted the attention of several international NGOs concerned with the relationship between indigenous minorities and natural landscapes such as tropical forests. In 2014, these international organizations helped to launch several negotiation or “dialogue” processes, hoping to support the Batwa community in pressing the Congolese government (now called the Democratic Republic of the Congo) and its parks agency, the *Institut Congolais pour la Conservation de la Nature* (ICCN), for compensation and justice.^{vi}

Over the course of the next six years, various Dialogue processes reached many signed agreements, but these were never implemented by the Congolese government or the ICCN.^{vii,viii} This led to even greater desperation on the part of the Batwa, who had been hopeful that they

would finally have access to land and a means of economic survival. Malnourished and out of options, in late 2018 many Batwa families decided to move back into the Park – their former home territory.^{ix}

This return by Batwa families and communities into the Park led to a crack-down by the PNKB ecoguards, who often collaborated with the Congolese Army (the FARDC) to attempt to drive the Batwa out. Isolated incidents and wider conflicts began to spring up, and relationships between the Batwa and the Park ecoguards and officials deteriorated.^x These conflicts became entangled with other conflicts between the FARDC and several dangerous militias (CNRD, FDLR, Nyatura, and Raia Mutomboki) seeking to fund their operations through resource extraction in the PNKB.^{xi} This muddied the waters, making it difficult to ascertain the purpose of any given attack; especially because there is no official attempt to do so.

Findings of this report

The rest of this report – a table called *Incident Summary: 2017-2021* – consists of a first attempt to list all the attacks, killings, village burnings and political arrests experienced by the Batwa at the hands of the Park or the Army since 2017, and subsequent retaliation against Park ecoguards in some cases. There is very little well-documented information on most of these incidents, thus the details are often unknown. However, given what little information we do have, the numbers of incidents of various types in and around the PNKB over the past five years can be summarized as follows:

- 29 Batwa killed by ecoguards or soldiers, 2 died in prison; 13 people (of whom an unknown number were Batwa) killed by militias in villages populated by Batwa
- 16 Batwa individuals wounded or threatened with killing (chased with guns, etc.)
- 5 cases of reported sexual violence against Batwa women (4 in one incident)
- 12 Batwa villages burned (from “several dozen” up to 180 homes in each village), with several of these being burned again after having been rebuilt
- 4 incidents reported of looting of Batwa goods and livestock (household goods; agricultural tools; merchant wares in a market; goats)
- 13 Batwa villages displaced (people fled general conflict or direct attacks)
- 17 people suffered “arbitrary” (i.e. political) arrests and detention in prison; 14 were later freed when attorneys intervened; two of the individuals died due to the poor conditions in prison
- 5 incidents of retaliatory attacks by Batwa against ecoguards or soldiers, resulting in 3 deaths; and one of which resulted in injuries to 13 ecoguards; and one documented incident of a clash in which 4 Batwa and 2 soldiers were killed

- Harassment or threats against Batwa rights NGOs by officials: 5 documented incidents

We have no way of knowing what fraction of these types of incidents are listed here. Are these all the incidents of the past five years, or only a small portion of them? Because of the haphazard way in which many of these reports reached us, we believe this list is probably a serious underestimate. There is an urgent need for more monitoring and incident reports on the ground, and for substantial investigations into the incidents listed in this report. However, this will be difficult given the lack of political will by authorities, the remoteness of the areas, the condition of the roads (many are impassible), and the dangers of going into these areas – many of which are conflict zones.

ⁱ Domínguez, L.; Luoma, C. Decolonising Conservation Policy: How Colonial Land and Conservation Ideologies Persist and Perpetuate Indigenous Injustices at the Expense of the Environment. *Land* **2020**, *9*, 65.

<https://doi.org/10.3390/land9030065> ; <https://www.mdpi.com/2073-445X/9/3/65/htm>

ⁱⁱ Ibid.

ⁱⁱⁱ Barume, A.K. 2003. En Voie de Disparition?: Les Droits des Autochtones en Afrique - Le Cas des Twa du Parc National de Kahuzi-Biega, en République Démocratique du Congo. Forest Peoples Programme: 140 pp.

^{iv} Domínguez, L.; Luoma, C. Decolonising Conservation Policy: How Colonial Land and Conservation Ideologies Persist and Perpetuate Indigenous Injustices at the Expense of the Environment. *Land* **2020**, *9*, 65.

<https://doi.org/10.3390/land9030065> ; <https://www.mdpi.com/2073-445X/9/3/65/htm>

^v Personal communications by a Batwa man who lived through this period and experienced these events.

^{vi} <http://www.forestpeoples.org/en/enewsletters/fpp-e-newsletter-october-2014/news/2014/10/3d-mapping-starts-bear-fruit>

^{vii} Domínguez, L.; Luoma, C. Decolonising Conservation Policy: How Colonial Land and Conservation Ideologies Persist and Perpetuate Indigenous Injustices at the Expense of the Environment. *Land* **2020**, *9*, 65.

<https://doi.org/10.3390/land9030065> ; <https://www.mdpi.com/2073-445X/9/3/65/htm>

^{viii} <https://www.forestpeoples.org/en/lands-forests-territories-rights-based-conservation/news-article/2020/update-batwa-communities-and>

^{ix} Ibid.

^x See the content of this report.

^{xi} Rogers, DS (ed). 2021. Le conflit entre Tembo et Hutu dans le territoire de Kalehe affecte la communauté des Peuples Autochtones : Province du Sud-Kivu, République démocratique du Congo, 03 Mai 2021. Occasional Report, April 2019 (Initiative for Equality). <https://initiativeforequality.org/wp-content/uploads/Conflit-entre-Tembo-et-Hutu-dans-le-territoire-de-Kalehe-avril-2021-FR.pdf>

Incident Summary: 2017 – 2021

Date	Incident Type	Details	Sources
26 Aug 2017	killing	4 ecoguards shot a father and son who had gone into the Park to gather medicinal plants; the father (Munganga Nakulire) was seriously wounded and the son (17-year old Christian Mbone Nakulire) was killed.	https://taz.de/Gewalt-in-afrikanischen-Nationalparks/!5671819/ ; https://www.forestpeoples.org/en/whakatane-mechanism/news-article/2017/young-batwa-boy-has-been-killed-national-park-while-trying ; lengthy description from local NGO including the follow-up that took place
Oct-Dec 2018	dialogue failure; return to Park lands	after authorities failed to implement agreements made in the course of 4 years of formal dialogue and mediation, many Batwa decided to go back into the Park (their ancestral lands) to live since they had no land or way to make a living outside the Park	https://www.forestpeoples.org/en/lands-forests-territories-rights-based-conservation/news-article/2020/update-batwa-communities-and ; email from local NGO
13 Dec 2018	new dialogue agreement; again violated	a handwritten agreement dated December 13, 2018, between the Batwa who were expelled from the Park and Park officials. This agreement was signed by all but was later violated by Park officials.	photo of handwritten signed agreement between PNKB and local Batwa (on file)
Feb and Oct 2019	political arrests; death	Detention in prison of 6 Batwa who had returned to live in the Park after they were arrested in February and October 2019 for participation in a militia and for illegal possession of weapons. One of them, Yonas Muderhwa, died in prison on 25 July 2019. [Note these detainees were never convicted, and were later released – see 15 Sep 2020]	https://envirodefenders.africa/2020/11/23/five-batwa-finally-freed-after-a-year-in-prison-without-trial/
14 Apr 2019	attempted killing	attempted murder of Kalimbimbiro Badesire Bujos Kasole (Batwa leader) by park warden Celestin (of ecoguard patrol post Madiriri); unknown reason; location: Bilorho / Maziba; authorities were informed but no follow-up	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
23 Apr 2019	killing	Park guards shot and killed a Batwa man, Matabishi Teso, in the PNKB while he was gathering some plants. (This happened a few meters from the patrol post in the Madirhiri-Kalonge section of the Kalehe district, a few meters from the Batwa camp which is occasionally set up in the park for charcoal production.) He had lived in the lower village of Bumoga, and was honorary president of the local civil society and MP. When members of the community found him, his body was found half naked and showed signs of torture.	https://actualite.cd/2019/04/25/rdc-un-garde-parc-tue-dans-un-accrochage-avec-les-pygmees-au-parc-de-kaenzi-biega ; https://taz.de/Gewalt-in-afrikanischen-Nationalparks/!5671819/ ; list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file) ; photos on file

24-25 Apr 2019	retaliation; further conflict; displacement	Batwa men returned to the ecoguard patrol post Madirhiri to retaliate for the torture and death of Matabishi Teso, killing one ecoguard (Espoir Batasomwa) and injuring another; the military and the police intervened in Umuga where they looted the property of the Batwa population. "We have already registered about twenty goats taken away. The situation remains tense. Batwa people who saw policemen and soldiers shooting in the air fled into the bush, where they hid from the military and police."	email from local NGO ; https://actualite.cd/2019/04/25/rdc-un-garde-parc-tue-dans-un-accrochage-avec-les-pygmees-au-parc-de-kahuzi-biega
26 Apr 2019	attempted killing	Barhatulirwa Muderhwa Bolingo (Batwa) was attacked by Célestin, a park guard of patrol post Madirhiri; unknown reason; escaped death thanks to the intervention of deputy chief Mr. Pascal of PNC (Congoles National Police) of Kalonge; location: towards the road of patrol post Madirhiri; in the presence of the authorities of Kalonge	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
29 Apr 2019	attempted killing	Musoda Nachifunzis (Batwa) was threatened, hit (by fist), and chased with a death threat from a gun, by Eric – a park guard of patrol post Madirhiri; place: in the village Nyamubanda	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the signed document in Kiswahili & translation on file)
29 Apr 2019	attempted killing; stolen goods	Heri Kalimbiro (Batwa salesman), loss of merchandise and other valuables from the sellers, public insults with arrogant words against Batwa and local communities; attempted shooting (by rifle) in the middle of the Bumoga market; by Eric – a park guard of patrol post Madirhiri; location: Bumoga Center	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
30 Apr 2019	new dialogue agreement; again violated	Agreement between the Batwa of PNKB, the delegation from the PNKB, the delegation of the Bami (traditional leaders, non-Batwa), and the delegation of the 33rd Région militaire (army); 2-page handwritten agreement in Kiswahili; signed on 30 April 2019; states that the Twa will leave the park by 21 May, but they will return if their conditions (outlined on the second page) are not met; Signed by members of all four delegations listed above.	copy of the signed Agreement in Kiswahili & translation (on file)
12 Jun 2019	attempted killing; stolen goods	Kulimushi Mupenda (Batwa); chased away by shooting and arbitrary arrest by ecoguards of patrol post Kasirusiru and Tshivanga; he had gone there to claim his farm tools stolen by park wardens; place: Kabujoka Garashomwa, towards Biega; authorities were informed and did follow up	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
12 Jun 2019	attempted killing; stolen goods	The Batwa men who were attacked were Murama, Pascal Gervais, Burhalike Buganda, Nyamulaluka; (the others fled: Mudekereza, Mastaki Paul, Nakarhambi, Martin); there were some wounded guards; the ecoguards (from Tshivanga) attempted to murder them by shooting; arbitrary arrest and then transported them to Tshivanga where they stayed for 3 days; they had gone to claim their agricultural tools taken by the guards; location: Kabujoka Kasirusiru; local authorities were informed of the situation and followed up	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)

18 Jun 2019	attempted killing; burning villages	Safari Lwaboshi, Cubaka, Baguma Ruhanga, Francois Nyamwijima; burning of Batwa houses and chasing them with gunshots; by park guards from Tshivanga; place: Biega Kahuzi commonly called Karhondo; local authorities informed, no follow-up	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
29 Jun 2019	burning villages	At this time, there are some park guards who once again burned the huts of the Batwa in the PNKB, especially in the area called Madirhiri, going to the KALONGE Groupement. It's very serious. / Nabarendera Cama, Kajuru M'buhendwa; burning of the houses of the Madirhiri camp and all the utensils set on fire there and other valuables; by Park rangers from PNKB; location: Madirhiri; informed local authorities, they did not follow up	email from local NGO; list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
01 Jul 2019	killing	According to eyewitnesses, a Batwa man was killed by a park ranger. The corpse lay on the floor of the park headquarters for all to see for days.	https://taz.de/Gewalt-in-afrikanischen-Nationalparks/!5671819/
03 Jul 2019	burning villages	Lwakuno M., Maria M'kabamba, Simoni Kahisa; burning of houses in the Batwa Bilorho camp; by Park rangers from PNKB; location: Bilorho / Maziba; informed local authorities but they did not follow up	list of human rights violations compiled by parajurist, signed 05 Jul 2019 (copy of the document in Kiswahili & translation on file)
July 2019	political arrest	In July 2019, Kasole Kalimbiro was falsely accused of ordering the assassination of an eco-guard. For weeks he was held without trial and his family could not visit him. Kasole, his lawyer and local civil society have all maintained his innocence and denounced state and PNKB authorities for criminalizing him in retaliation for his role in defending his community. "Everyone could see that there was no truth to the charges against Kasole by the state and the park authorities," said Patrick Kipalu, Africa director of RRI. "It was an act of intimidation to silence him, and to silence all defenders of community rights." [Note that he was also attacked on 14 Apr 2019 – see above.]	https://www.vironews-rdc.org/article/foret/60100002c1c1b539747cd815 ; email from local NGO
17 Jul 2019	killing	One Batwa, Lwaboshi Mirindi Debande [Lwaboshi Simba] shot and killed, another Chubaka Salomon Guilain [Gentiles Songoro] injured [gunshot wound in arm] in altercation with eco-guards in Muyange village (see trial outcome 31/12/20) / "We regret to announce the assassination of a TWA named Mr. Lwaboshi yesterday by a PNKB park guard. The victim was searching for non-timber forest products of first necessity in the PNKB, and his body was still hanging around at Tshivanga post last night where the Twa were in plain discussion with PNKB agents, (according to XXX living around PNKB)." [NOTE: There are several different versions given for what happened. Other versions report (a) that a group of Batwa men from Kadjeje and Muyange blocked a contingent of ecoguards from taking some Bantu to the headquarters at Tshivanga for questioning; or (b) that the Batwa men carried an AK47 and the ecoguards therefore "fired a warning shot".	https://bkinfos.net/news/sud-kivu-la-justice-militaire-condamne-5-ecogardes-du-pnkb-pour-meurtre-dun-autochtone/#.X_7xKjIxeUk ; 2 emails received from local NGOs

17-18 Jul 2019	retaliation	In an apparent retaliation for yesterday's killing of Lwaboshi, Twa attacked a contingent of ecoguards on patrol in the park, injuring 13 of them	https://actualite.cd/2019/07/18/sud-kivu-13-gardes-du-parc-de-kaenzi-biega-blesses-dans-une-embuscade-tendue-par-des
25 Jul 2019	political arrests; death	Yonas Muderhwa died in prison on 25 July 2019. He was detained in prison with 5 other Batwa who had returned to live in the Park. They were arrested in February and October 2019 for participation in a militia and for illegal possession of weapons, but were never tried. [Note these detainees were later released – see 15 Sep 2020]	https://envirodefenders.africa/2020/11/23/five-batwa-finally-freed-after-a-year-in-prison-without-trial/
27 Jul 2019	report of 6 additional killings	List of 6 recent killings of Twa people (dates not given) : <ul style="list-style-type: none"> • Malira • Kirauli Kaganda • Safari Kacibasa • Ozae Kacibasa • Kalabarha Kamunono • Bahati [Note that two others on the list (Christian Mbone Nakulire ; Lwaboshi Mirindi) were already reported earlier with dates given, while the 6 listed here are new information and no dates are known.]	names provided by a Batwa community in KABARE territory (on 27 July 2019) - Field Hearing report on file
01 Aug 2019	killing during conflict	a Batwa and an eco-guard were killed following an altercation in Bugamanda (in the territory of Kalehe). Bugamanda is one of the places that the Batwa have returned to inside Kahuzi-Biega National Park (PNKB) / According to eyewitnesses, in Bugamanda in the Kalehe district, a place in the interior of the park occupied by Batwa, a Batwa and an Ecoguard were shot dead as a result of a dispute between Ecoguards and Batwa. More clashes between Ecoguards and Batwa can be heard every day.	https://www.forestpeoples.org/en/whakatane-mechanism-rights-based-conservation/news-article/2019/drc-batwa-need-avenue-peacefully ; https://taz.de/Gewalt-in-afrikanischen-Nationalparks/!5671819/
05 Aug 2019	political arrest	The President of the Twa, Mr Kasole Chadesirwe Kalimbiro, is being prosecuted for murder according to his statements to the lawyer and has not yet been heard by the auditor. However, the file is already assigned to the magistrate. He is already transferred to the central prison where he was heard by the lawyer. We intend to follow through our lawyers to see the actions to prioritize. [see also July 2019, above]	email from local NGO
19-20 Sep 2019	dialogue process excludes local Batwa rights groups	There is a high-level meeting between the authorities and the Batwa living around the PNKB, yesterday we were invited to the preparatory meeting, today we were not selected to participate, tomorrow they close. (when asked "Who made the selection? How did they choose?" he said: "The members of the government with REPALEF.") [NOTE: REPALEF is an NGO in DRC funded by the World Bank and WWF]	emails from local NGO ; https://taz.de/static/pdf/Kahuzi_Biega_Dialogkonferenz_zwischen_Batwa_und_Park_in_Hotel_Panorama_2019.pdf

07 Nov 2019	killings	Madumbuko Sambo [Masumbuko?] was killed by ecoguards in the Park near Bunyungule, and his body was left to be consumed by wild animals. He leaves his wife, Mrs. Furaha M'Sindano, and five children. He was cousin to Lwaboshi Mirindi, also killed by ecoguards [see 17 Jul 2019].	personal communication from attorney who attended court case brought against ecoguards
10 Nov 2019	dialogue agreements not implemented	According to information broadcast on the local radio, the Kalonge Batwa and those of Kalehe refuse to leave the PNKB if the agreements and specifications are not respected by park officials. Those of Kabare have agreed to leave.	email from local NGO
24-25 Jan 2020	military raid and arrests	Eight Batwa were arrested for returning to their land inside the park when the government failed to keep its promises of compensation or alternative lands; the defendants were taken into custody in a military-style raid by the Congolese Army (FARDC) after midnight on the night of 24-25 January 2020; Chief Jean-Marie Kasula, head of the village of Muyange in the Miti Groupement, his wife, Faïda Bahati, as well as Kayeye Badosa, Bisimwa Mufanzala, Cirakarula Kayeye, Nsimire M'manda, Murhula Kashadu, and Chekanabo Kayeye. Convicted 04 Feb 2020.	https://www.initiativeforequality.org/indigenou-s-batwa-sentenced-prison-reoccupying-traditional-lands/ ; https://www.initiativeforequality.org/declaration-solidarity-indigenous-batwa-defendants/
28 Jan 2020	killings	According to reports, two people were killed and an Ecoguard injured in a raid near Musenyi	https://taz.de/Gewalt-in-afrikanischen-Nationalparks/15671819/
31 Jan 2020	threats to NGOs	PNKB director shares (in a Whatsapp group devoted to the fight against poaching) an article denouncing CAMV, ERND, UEFA and other NGOs of manipulating "alleged pygmies" and creating a conflict with the ICCN, in order to get funding from donors. [NOTE that this was posted while the PNKB / ICCN were in the process of arranging charges against the Batwa arrested on 25 January; the comment "alleged pygmies" was also made by them in court]	information from member of the WhatsApp group
04 Feb 2020	political arrests, punitive convictions	After a one-day trial filled with irregularities, on 04 February 2020 six men were sentenced to 15 years in prison plus \$5000 fines, and two women to one year each. Charges included conspiracy, illegal possession of firearms, associating with criminals, and malicious destruction of the park; Chief Jean-Marie Kasula, head of the village of Muyange in the Miti Groupement, his wife, Faïda Bahati, as well as Kayeye Badosa, Bisimwa Mufanzala, Cirakarula Kayeye, Nsimire M'manda, Murhula Kashadu, and Chekanabo Kayeye [see statement on arrest 24-25 Jan 2019]	https://www.initiativeforequality.org/indigenou-s-batwa-sentenced-prison-reoccupying-traditional-lands/ ; https://www.initiativeforequality.org/declaration-solidarity-indigenous-batwa-defendants/ ; https://www.justiceinfo.net/en/44154-drc-outcry-as-indigenous-people-convicted-for-wicked-destruction-of-nature.html
14 Feb 2020	dialogue process fails	FPP (Forest Peoples Programme) announces it will no longer invest effort in the dialogue process, due to the Congolese government's failure to honor its agreements.	https://www.forestpeoples.org/en/lands-forests-territories-rights-based-conservation/news-article/2020/update-batwa-communities-and

17 Feb 2020	killings	According to reports, there was a clash between an Ecoguard and two youths at Tshibati, in which one of the youths died.	https://taz.de/Gewalt-in-afrikanischen-Nationalparks/!5671819/
Feb-Mar-Apr	inhumane prison conditions (torture)	Chief Kasula and the seven other defendants convicted on 04 Feb 2020 are forced to sleep outside on the ground in wet running sewage; many become very sick; one (Chekanabo Kayeye) never recovered and eventually died [see 25 Apr 2021].	many personal communications by their attorneys who visit them in the prison
03 Jul 2020	Illicit logging by PNKB officials	Batwa organizations denounce illegal logging by PNKB authorities at four sites in the Park	https://7sur7.cd/2020/07/01/sud-kivu-des-bois-exploites-pour-un-motif-commercial-dans-4-sites-du-parc-national-de ; https://laprunellerdc.info/sud-kivu-des-responsables-du-pnkb-pointes-du-doigt-dans-labattage-des-arbres/
30 Jul 2020	release from prison	The two women imprisoned with Kasula were released from prison today, after many requests by attorneys for months. It's only provisional, until their appeal can be heard.	https://www.initiativeforequality.org/batwa-women-released-prison-femmes-batwa-liberees-de-prison/
27 Aug 2020	release from prison	following legal arguments by a team of attorneys working for Congolese Batwa rights organization RCF-RDC, indigenous Batwa Chief Jean-Marie KASULA along with one other man, Chekanabo Kayeye, were released from the prison in Bukavu, DR Congo. Together with the two women who were released on 30 July, four of the eight prisoners have now been provisionally released from the deadly, overcrowded prison. Both men will be required to check in with the court once a week, as they are still awaiting the full hearing on their appeal. Kasula was released on the grounds that as head of his community and father of a large family, he did not represent a flight risk. Kayeye was released because he has been suffering severe health problems in the prison.	https://www.initiativeforequality.org/chief-jean-mari-kasula-freed-le-chef-jean-mari-kasula-libere/
15 Sep 2020	political detentions overturned	5 Batwa held in the prison in Bukavu were released; they had never been tried or convicted [see Feb and Oct 2019]. A 6 th man died in prison [see 25 Jul 2019]	https://envirodefenders.africa/2020/11/23/five-batwa-finally-freed-after-a-year-in-prison-without-trial/
Oct 2020	threats to NGOs and Batwa activists	False allegations and rumors have been circulated by Park officials about Jean-Marie Kasula, one of the eight indigenous Batwa defendants who were imprisoned last February for attempting to reclaim their traditional lands within PNKB; Since his release, officials at PNKB have used their website and interviews with local news media to accuse him of a variety of illegal activities since he left the prison. In addition, a local organization and an international organization are alleged by the PNKB officials to support Kasula's illegal activities	https://www.initiativeforequality.org/false-allegations-pose-grave-danger-batwa-chief-kasula/ ; https://www.kahuzi-biega.com/denonciation-de-nouveaux-faits-graves-dans-le-parc-de-kahuzi-biega/

Nov 2020	killings	In November 2020, five civilians (Pygmies and Batembo) were found hanging from trees and mutilated by members of CNRD and NYATURA militias who were mining for minerals in Kahuzi Biega National Park (PNKB). Despite this event, neither the Congolese authorities nor the FARDC (army) provided assistance or relief to the local population.	Didier Kitumaini, President, Société civile de Bunyakiri en Territoire de Kalehe, Centre commercial de Bulambika ; déclaration publiée le 06/04/2021
13 Nov 2020	political arrests	"two more Batwa chiefs from near the Park have been arrested - Douze Amani (well-known; accused of deserting from the FARDC after other clearly false allegations didn't stick), and Kamola (... accused of collaborating with a non-Twa militia leader called Chance to extract resources from the park; Chance is in prison already)."	information from local NGO
30 Nov 2020	killings	4 dead including 3 Batwa and one soldier following a clash between the Batwa and the army at Kabamba in Kabare Territory (near the border with Kalehe Territory); the newspaper reports the Batwa barricaded the route to demand the return of Chief Douze (see 13 Nov incident), but current reports from three independent sources (who have not talked to each other) all say the same thing: that this was a dispute about the ability of the Batwa people to make and sell charcoal in the local market. The Batwa reportedly marched towards the market as a protest against being blocked from selling charcoal there, and were met by armed FARDC who began shooting at them. They fought back (by hand) and killed one soldier, but three Twa were shot.	e-mail 4/12 ; other personal communications ; https://actualite.cd/2020/12/01/sud-kivu-4-morts-dans-les-accrochages-entre-pygmees-et-fardc-kalehe
30 Nov 2020	legal case on expulsion from PNKB	An oral hearing was scheduled at the "cour de cassation" in the case challenging the constitutionality of the eviction of the Batwa people from the expanded PNKB; the ICCN is named as a respondent along with the Congolese government, but neither party showed up.	verbal communication from one party to the case
Dec 2020	militias and resource extraction	There is growing insecurity in Bunyakiri following the migrations and settlements there since 2018, with thousands of Hutus and Tutsis coming from Rutshuru and Masisi into this part of the Kalehe Territory in Sud-Kivu. Civil society has launched an SOS warning of the massive presence of these migrants wishing to settle permanently in the agglomerations of Katasomwa, Bibatama , Nyamugari, Kashiye, Rutare, Muzimu, Chireta, Chinono, Fuangeri, Shanje, Nyawaronga, Citendebwa and Kahuzi-Biega National Park on the pretext that they are war-displaced, and that these populations are integrated into the movements of the armed groups CNRD / FDLR. The administrator of Kalehe territory acknowledged the presence of these troops in Bunyakiri, and says a team has been dispatched to determine if they are armed or not, and if they are really there for the mining resources.	http://kis24.info/2021/01/22/sud-kivu-la-societe-civile-alerte-sur-une-occupation-etrangere-en-gestation-a-bunyakiri/

31 Dec 2020	conviction of ecoguards for killings	Two PNKB eco-guards were found guilty in absentia (by the Military Tribunal of Bukavu) and sentenced to 20 years prison for the murder of Lwaboshi Mirindi Debande in Muyange village. Three more eco-guards were found guilty in absentia and sentenced to 10 years for injuring Chubaka Salomon Guilain (aged 17 at the time). PNKB was recognized as a party with civil responsibility and ordered to pay \$80K to the dead victim's widow, Nsimire Mukeina, and \$10K to the injured youth.	https://bkinfos.net/news/sud-kivu-la-justice-militaire-condamne-5-ecogardes-du-pnkb-pour-meurtre-dun-autochtone/#.X_7xKjIxeUk ; https://www.radiomaendeleo.info/2020/12/31/justice/sud-kivu-poursuivis-pour-meurtre-et-coups-et-blessures-5-ecogardes-du-pnkb-condamnes-a-des-peines-allant-jusqua-20-ans-de-prison/
Jan 2021	militias and resource extraction	A report from Medecins Sans Frontiers in January 2021 said the situation was already dire in the region of Kalehe Territory around Katasomwa, with hundreds of displaced people living without basic infrastructure, and facing insecurity and often hardship and violence almost daily. [See incident in Dec 2020]	https://www.msf.org/south-kivu-democratic-republic-congo-endless-flight
21 Jan 2021	political arrests; threats to NGOs	Chief Kasula, out on bail, is re-arrested, accused of leading a group of men to conduct illegal mining in PNKB. REPALF [the World Bank funded NGO] circulated videos of the arrest within hours, which appeared to be staged or scripted; other NGOs were blamed for inciting the Batwa to return to the park.	personal communications ; videos on file
29 Jan 2021	threats to NGOs	Staff of a local NGO received a summons from Agence Nationale de Renseignements (the national intelligence service) for questioning. It's probably related to the comment in the previous incident (NGOs blamed for inciting the Batwa to return to the park).	Personal communications
06 Feb 2021	political arrests	Kasula was re-arrested once again (from the prison in Kabare, taken back to the prison in Bukavu now) on the grounds that he violated the terms of his "provisional release" during the appeal of the original conviction. The attorneys say the process used was not legal.	Personal communications
31 Mar – 01 Apr 2021	kidnappings; militias; resource extraction	five people were abducted from Mushunguti village, Mubuku groupement, where local communities include Twa, Tembo, Shi and Rega. The next day (April 1), the local population was very angry and decided to prosecute the kidnapers in Kahuzi Biega National Park (PNKB). In Chikomo [Tchigoma?], they came across a camp of foreign rebels from CNRD and NYATURA, who were exploiting the park's resources. These rebels fired at the local self-defense group, which started the current hostilities.	Didier Kitumaini, President, Société civile de Bunyakiri en Territoire de Kalehe, Centre commercial de Bulambika ; déclaration publiée le 06/04/2021
31 Mar - 03 May 2021	killings; sexual violence; militias;	Civil Society of Bunyakiri denounces the actions of militias CNRD and NYATURA (and the support given to them by the army - FARDC), leading to several cases of killings and sexual violence against the Batembo, Batwa, and Shi communities around Katasomwa in the PNKB.	Didier Kitumaini, President, Société civile de Bunyakiri en Territoire de Kalehe, Centre commercial de Bulambika ; déclaration publiée le 06/04/2021
02 Apr 2021	killings; militias;	On the morning of April 2, a man on his way to the Katasomwa market was shot in the leg in the village of Chirimiro, near Chitendebwa. A Batwa man was shot and	Didier Kitumaini, President, Société civile de Bunyakiri en Territoire de Kalehe, Centre

	resource extraction	killed on the spot while searching for medicinal plants, and another Batwa (who was mentally ill) was killed in Mirenzo. An hour after this, there was a clash at Chitendebwa.	commercial de Bulambika ; déclaration publiée le 06/04/2021
04 Apr 2021	killings; sexual violence; militias; resource extraction	On April 04, there was a clash between the FARDC of the 3312th regiment with the CNRD and NYATURA, against the local self-defense group [Tembo]. The FARDC of the 3312th regiment, which were under the command of officers of Rwandan origin, were heavily armed and came as reinforcements to armed groups against Congolese citizens. Two boys and a 14-year-old child, from Katasomwa, had their throats cut in Katasomwa. Two civilians were killed and a woman had her throat cut in Bushaku 2. Two civilians were captured and killed in Mirenzo, simply because they belonged to other communities (Batembo, Batwa and Shi). Another woman was the victim of rape and sexual violence and was taken to Ramba health center.	Didier Kitumaini, President, Société civile de Bunyakiri en Territoire de Kalehe, Centre commercial de Bulambika ; déclaration publiée le 06/04/2021
04-05 Apr 2021	killings; militias; resource extraction; displacement	Two officers of the Armed Forces of the Democratic Republic of Congo based in Kalonge in Kalehe territory were killed in an attack by Raiya Mutomboki militiamen [Tembo]. Four militiamen were also killed. This conflict caused several Batwa villages (Murangu, Chirimiru, Mushunguti & Katasomwa) to flee; they are currently displaced and sleeping outside.	https://www.radiomaendeleo.info/2021/04/05/securete/sud-kivu-2-officiers-fardc-tues-a-kalehe-apres-affrontements-avec-les-groupes-armes/ ; https://laprunellerdc.info/sud-kivu-larmee-confirme-la-mort-de-2-de-ses-officiers-et-4-rebelles-a-kalonge-kalehe/
07 Apr 2021	militias; displacement	According to committee chairman Buuma Bw'e Batembo from Kalehe, the latest displaced people are now without shelter or assistance, their children can no longer go to school. "So in all the villages, there is no one, there are only rebels circulating. The displaced are found from Karasi, there are displaced people and even in Bulambika." He says people live in bad conditions: "Children or students don't go to school. There is no food, people are living in poor conditions. Among the villages they emptied are Chikebeka [Chitebeka], Murnagu, Mushunguti, Chiribiro [Chiribiro], Chigoma in Kahirenge. There were deaths on the side of the Batembo. "	https://www.radiokapi.net/2021/04/07/actualite/securete/sud-kivu-la-communaute-buuma-bwe-batembo-appelle-letat-congolais ;
25 Apr 2021	inhumane prison conditions lead to death	Chekanabo Kayeye, one of the defendants along with Chief Kasula, dies, likely of a disease contracted due to appalling prison conditions which amounted to torture. Released 27 August 2020 but forced to travel to Bukavu every Thursday to check in with the court, in past few weeks he was unable to do so.	personal communication from local NGO; photos from funeral on file; https://www.initiativeforequality.org/attend-toujours-une-decision-still-waiting-decision/
03 May 2021	militias; resource extraction; displacement	In Kalehe in the highlands, there is still insecurity. The Tembo community does not cross through the Hutu positions of Katasomwa for Kalehe littoral. People are still on the move, but there is a little lull. People from Murangu, Mushunguti, Mirenzo, Karasi, Bushayi, Sanduku villages are displaced to Bulambika, including Indigenous [Batwa] Peoples.	Personal communication from local NGO

23 Jul 2021	killings; sexual violence; burning villages	A joint operation by FARDC soldiers and ICCN park rangers targeted Batwa villages inside the PNKB in Kalehe territory and opened fire on unarmed Batwa civilians. They killed at least two Batwa men, Ngubda Mbongana Kamushi and Amos Mulibanyi (also spelled Lwabosho Ngunda et Amos Mulimbanya), stole valuable goods and burned down one or more villages. Different preliminary reports suggest from several dozen to more than 100 homes were burned. The villages targeted reportedly included Bugamanda, Kayeye and Muyange Nord. Other affected villages included Buhoye, Buhama, et Maruti. The displaced Twa fled to Nyamutwe, Cisheke [Kisheke?] and Mabingu. A Batwa village chief said that more than 180 houses were burned in his village, and 4 cases of rape of Batwa women. He also said that many of the Batwa remain in the village and will not leave.	Reports from five organizations, each having their own contacts on the ground.
29 Jul 2021	response of NGOs to killings; burning villages	Joint letter by local and international NGOs to the army (FARDC) and the ICCN, calling on them to cease attacks & human rights violations against Batwa people and villages in PNKB; copied to government ministries and to donors to the Park	letter on file (in EN and FR)
30 Jul 2021	political arrests	Kasula and other defendants released. Their sentences were reduced to 15 months, and since they already spent 18 months in jail they were immediately released. Their fines were reduced from \$5000 to \$500 for “malicious destruction of the Park”. The charge of criminal conspiracy was dropped for lack of any evidence being provided.	https://laprunellerdc.info/pnkb-victoire-judiciaire-pour-kasula-et-consorts-exclusif/ ; personal communications from attorneys and others at the hearing
10 Aug 2021	response of PNKB to NGO letter; harassment of NGOs	Response to 29 Jul letter from NGOs, sent by De Dieu BYA’OMBE, Director of PNKB; denies responsibility for the attacks on 23 July; says these were operations by the Army against militias operating near the Park, and that if any Batwa got hurt, it was because they had been working with the militias; attached handwritten letter from PNKB collaborators claiming certain local NGOs were not legitimate.	email letter and attachment on file (in FR)
12-14 Nov 2021	Entrapment; attacks on Twa villages	The ecoguards together with the FARDC reportedly arrived in the Park; they asked the Bambuti (Batwa) to show them the sites where the rebels come from. After showing them, the ecogardes and FARDC told them to put their machetes in a house, then they started shooting and burning the houses. These are joint military operations by the FARDC and the ecoguards.	confidential sources; no media coverage
12-14 Nov 2021	Killings of Twa	two Batwa children were burned alive and perished inside their homes when the homes were burned (Nov 13 at Bugamanda)	confidential sources; no media coverage
12-14 Nov 2021	Killings of Twa	a pregnant woman and her unborn child were killed	confidential sources; no media coverage

12-14 Nov 2021	Killings of Twa	A Batwa man (Safari Kalimbiro Bunjali) was shot dead in Bugamanda (Nov 13)	confidential sources; no media coverage
12-14 Nov 2021	Villages burned	Tchibwisa, Maruti, Muyange and Changomo have been entirely burned down (Nov 13); 14 homes burned in Muyange; all the Batwa homes were burned (various reports) [Note: This is the village called Muyange in the northern extension of the park – not the one near Tshivanga]	confidential sources; no media coverage
12-14 Nov 2021	Villages burned	Buhoje was definitely burned down.	confidential sources; no media coverage
12-14 Nov 2021	Villages burned	Some reports suggest that at least 30 homes were burned in Bugamanda camp (Nov 13); all the homes in Bugamanda were burned, as well as a school constructed by the Batwa themselves	confidential sources; no media coverage
12-14 Nov 2021	Death threats	According to corroborating sources, these operations are planned to take place in other sites where the Batwa are established, notably in Katasomwa and Kayeye .	confidential sources; no media coverage
12-14 Nov 2021	Death threats	Ecogards have reportedly announced intentions to detain or kill Batwa traditional authorities in Kalehe Territory (Nov 12)	confidential sources
12-14 Nov 2021	Death threats	Ecogardes blocked roads outside Bugamanda on Nov 12; were still there Nov 13	confidential sources
12-14 Nov 2021	Twa shot and injured	Two Batwa women were shot and injured (Nov 13)	confidential sources
12-14 Nov 2021	people fleeing; displaced	Batwa were already fleeing deeper into the forest (Nov 12) ; most of the men from Bugamanda took refuge inside the Park	confidential sources
12-14 Nov 2021	people fleeing; displaced	Villages with displaced people: Mbinga Sud ; Buziralo ; Bishulishuli ; the Batwa from Muyange took refuge in Katana (Kabare Territory) ; Bulambika (people from near Bugamanda showed up to tell what happened)	confidential sources
17 Nov 2021	Response of PNKB to the allegations	De Dieu Bya'ombe, director of PNKB, responded to an email he received telling him to stop attacking the Batwa villages. The points in his response included: * This was a military operation against the unknown forces that invaded Bukavu on 09-10 November. * There are no villages in the Park. * The issue of human rights is our major concern at PNKB.	emails on file

		<p>* The lands [alternative lands for the Batwa] are identified and secured, the care of Pygmy children has gone from 300 to 1,500 children, the alternatives are underway, the engagement is effective, the rites are organized in the park and the access secured to resources is granted for medicinal plants and collection of dead wood. The complaints management mechanisms are in progress.</p> <p>* Some international and national NGOs contribute to the destabilization of eastern DRC by advising the Batwa to be human shields of the armed groups.</p>	
22 Nov 2021	Civil Society official supports "cleansing" of Batwa from the Park	This was a radio interview (Radio Okapi at 5 pm) at the office of Mr. Joseph ARUNA, in charge of biodiversity and environment for the Sud-Kivu Civil Society. He supports the « nettoyage » or cleansing of the Batwa from the PNKB.	Radio Okapi audio clip on file
04 Dec 2021	Killings of Twa, 2 soldiers	There was a clash between the Batwa and the FARDC inside the PNKB; 4 Batwa men and 2 FARDC soldiers were killed	confidential sources
09 Dec 2021	Villages burned	The FARDC burned other Twa homes in Kalehe. There were no deaths. Since the day before yesterday, people have reported a suspicious movement towards Mushunguti, Musenyi and Munyadjiro / Bukanga. From then on they [FARDC] were expected all day around the Park, but the results so far are not yet known.	confidential sources