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## **Évènements en 2021**

### **Indigenous women's rights**

On 11 November 2021, the United Nations agencies launched a social welfare programme in the southern department of Lékoumou entitled the "Joint SDG Fund" aimed at improving the quality of life of Indigenous populations in this part of the country. Implemented jointly by the Ministry of Social Affairs, the World Food Programme (WFP), the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), this programme will contribute to achieving the Sustainable Development Goals (SDGs). It is aimed, among other things, at improving Indigenous women's access to health care services by implementing a package of services (counselling, care, etc.). It also intends to help remove the barriers that prevent Indigenous women from owning land and to involve them more in income-generating activities. The programme has a total budget of USD 4,714,966.

Some of the activities are worthy of note, particularly in terms of empowerment and rights awareness. These include one project being implemented jointly by the Association for the Protection of the Rights of Indigenous Peoples and Vulnerable Persons (APDPA-PV), the Association of Agricultural and Livestock Farmers of Congo (ARAEC), the Nkayi Indigenous Women's Group (GFANK) and the Departmental Directorate for the Promotion of Indigenous Peoples (DDPA). It was initiated by the Empowerment and Human Rights Project (ADH) and is aimed at consolidating the emancipation and improving the conditions of Indigenous women and girls. It is being implemented in the village of Tsiaki, in Bouenza department (in the south of the country) and comprises several components. In addition to enabling the beneficiaries to learn about their rights (through awareness-raising) and to follow literacy classes, the Indigenous women in the group are being trained in soap making and marketing. A total of 100 women are targeted by the project. Thirty-four women have been trained as trainers and they, in turn, have trained their peers.

All these initiatives are certainly commendable but they remain vastly insufficient given the immensity of the task. The protection of Indigenous women's rights continues to face many challenges: stereotypes and discrimination; implementation of the second generation national gender policy and the action plan for its implementation (2017-2021); the low rate of prosecutions and convictions, as well as mechanisms, for identifying victims of contemporary forms of slavery; the enrolment and retention of Indigenous girls in school; improved access to health care services for Indigenous women, whether pregnant or not (75% of Indigenous women give birth at home, compared to 85% of women nationally who give birth in a health centre; 50% of Indigenous girls have their first sexual encounter by the age of 13, compared to 31% among the general population); and the empowerment of Indigenous women.

### **Protected areas**

The European Union (EU) has decided to suspend part of its funding to the World Wide Fund for Nature (WWF) due to human rights violations in the project to create the Messok Dja protected area in Congo-Brazzaville. This is specifically because WWF-funded park rangers have been reported for acts of violence against Baka Pygmies.<sup>9</sup> This sanction, which came into effect on 17 April 2021, did not form the object of a press release. The decision is a stark warning to the world's largest conservation organisation, however, and the first time that Indigenous

communities in the Congo Basin have won a case against being evicted by a conservation project. Asked about its monitoring of the funds it grants, the EU has said it will review all contracts that are financing protected areas in the region. More than 300 million euros have been granted under the European budget ending this year (2014 -2020).

### **COVID-19: a lack of information reaching Indigenous communities in Congo<sup>10</sup>**

Indigenous Peoples account for some 10% of the population, according to the Government of Congo-Brazzaville. Many still live in the heart of the forest, far from modern information systems. The president of the National Network of Indigenous Peoples of Congo (RENAPAC), Jean Nganga, took advantage of International Day of the World's Indigenous Peoples, celebrated on 9 August 2021, to call on the Congolese authorities to involve Pygmy leaders in the anti-COVID-19 vaccination campaign. "If those in the city don't believe it, how much worse is it in the villages! Many have never heard of this disease," said Nganga, who is calling for RENAPAC to be involved in raising awareness among the Indigenous people. "When it fails, they'll blame the Indigenous Peoples, when we should have been working together," he said angrily.

In the village of Peke, 5 km from Ouesso, in northern Congo, a community of Pygmies lives in confusion about the coronavirus. According to testimonies from members of this community, many do not understand the pandemic. The police are forcing them to wear masks without really explaining why. Some of them do understand, however. "We were informed about this disease by the police officers who were stopping people. But there are others who don't know the disease exists," says Paul Assan, a Pygmy leader from Peke.

### **Fight against statelessness<sup>11</sup>**

As of 25 August 2021, the Congolese Ministry of Justice had issued 5,000 birth certificates to the Indigenous Pygmy peoples of the departments of Sangha, Cuvette-Ouest and Plateaux.

It should be recalled that, in Congo-Brazzaville, a solid legal framework has been adopted to allow these Indigenous populations to assert their rights.

After the 2011 law –the first in Africa devoted to Indigenous Peoples– an article was introduced into the Constitution in 2015 to enact this recognition. It was not until July 2019, however, that six out of the nine implementing decrees were adopted.

On 28 and 29 December, the Office of the UN High Commissioner for Refugees (UNHCR) organised a workshop in Brazzaville to raise awareness among civil society actors of the fight against statelessness and the problem of internally displaced persons in the Republic of Congo.

This meeting came in the wake of the public services having identified more than 155,000 Congolese without birth certificates. Indigenous Peoples are also particularly affected by this issue. Jacques Essissongo, Prefect and Director General of the territory's administration said:

*We are in the midst of a major reform to modernise the civil registry system in Congo. There are people who have never been declared at the registry office... We must have zero children without a birth certificate by 2022.<sup>12</sup>*

In the same vein, a draft law on internally displaced persons is in the process of being adopted by parliament.

In addition to ministerial texts and international agreements aimed at strengthening the legal framework to combat statelessness, Congo needs to ratify the Kampala Convention. According to Godefroid Quentin Banga, UNHCR's National Protection:

*The phenomenon of statelessness is new to some. It is only natural that awareness needs to be raised among civil society organisations so that they can become familiar with the details of this issue. The various conventions already adopted by Congo provide a protective framework and the country will be able to play its role in identifying and reducing statelessness.<sup>13</sup>*

During this workshop, participants learned about the situation of internally displaced persons in Congo, the role of the Ministry of Social Affairs in the birth registration system, the civil registry system in Congo and the legal child protection system in relation to civil registration.

Several factors lie at the origin of the phenomenon of statelessness in Congo. These include socio-political crises, disasters and floods. Without nationality, stateless people live on the margins of society. Internally displaced persons are most affected by this situation because they often lose their documents during their displacement.

### **Right to food: nearly half of Indigenous Peoples are food insecure**

In July 2021, publication of a WFP study entitled *Analyse de la situation alimentaire et nutritionnelle des peuples autochtones de la République du Congo*,<sup>14</sup> in which Emmanuel Bayeni was involved, revealed that three out of four households surveyed in the departments of Kouilou, Lékoumou, La Likouala, Plateaux and Sangha have a poor food consumption score. The dietary diversity of all households surveyed was poor. The situation was even more pronounced for households surveyed in urban areas. In addition, the average Indigenous household eats 1.57 meals per day.

Individuals living in rural areas have high energy intakes of 2,005.01 Kcal compared to 1,385.53 Kcal and 1,694.94 Kcal for people living in semi-urban and urban areas respectively. Individuals living in urban areas have slightly higher intakes than those in semi-urban areas.

Food security (measured as the percentage of individuals in the population who experienced moderate to severe food insecurity during the reference period) remains a major challenge among Indigenous Peoples given that 45.9% of Indigenous households surveyed were classified as food insecure.

Only 17.8% of households are therefore food secure, meaning that they are able to meet their food and non-food needs without engaging in atypical coping strategies, while 40.3% are moderately food insecure. This means that Indigenous people in this category have significant food consumption gaps or are only marginally able to meet their minimum food requirements without engaging in irreversible coping strategies. Finally, 5.6% are severely food insecure. Indigenous people

in this latter category have extreme gaps in food consumption or have experienced a drastic loss of livelihood.

Faced with these constraints, Indigenous Peoples have shown resilience in attempting to meet their food needs, with mixed success. They have adopted the following strategies:

- Use less expensive and/or less preferred foods;
- Borrow food or ask a friend/relative for help;
- Reduce the amount of food consumed;
- Reduce the adult share of meals to allow children to have more food; and
- Reduce the number of meals eaten per day.

The factors underlying this gloomy picture lie in the field of legislation (difficulty in transposing international legal instruments). Their socio-demographic profile —predominantly young population, high school dropout rates among children/illiteracy among adults; at least one neglected or non-neglected tropical disease: malaria, leprosy, yaws, leishmaniasis, schistosomiasis, monkeypox, tapeworms, among 98.6% of those surveyed, etc.—makes it difficult for these people to enjoy their right to food and nutrition; as well as their socio-economic problem —monetary poverty rate among Indigenous families is more than twice that of the rest of the population given that nearly nine in every ten Indigenous individuals are poor; Indigenous Peoples' practice of agriculture in Congo is hindered by difficulties in accessing land, etc. In addition to this, there

is a lack of public policies, discriminatory social norms that perpetuate inequalities, difficulties for Indigenous people to carry out income-generating activities (IGAs), as well as difficulties on the part of all stakeholders to improve the food consumption and food security indicators of these peoples.

### **Right to land: implementation of a Sustainable Land Use Programme (SLUP)<sup>15</sup>**

Implementation of this programme follows the signing, on 3 September 2019, of a Letter of Intent between the President of the Republic of Congo and his counterpart in the French Republic, on behalf of the Central African Forest Initiative (CAFI). This will act as a framework in which to provide support to the Republic of Congo's economic diversification policy aimed at fighting poverty and climate change. One of the main ambitions of the Letter of Intent is to "define and implement a land-use policy for the sustainable allocation and use of land and natural resources". To this end, CAFI's Board of Directors requested, through a Decision Note of 5 October 2020, that the French Development Agency (AFD):

- (i) prepare a Sustainable Land Use Programme (SLUP) aimed at achieving 22 of the 52 milestones set out in the Letter of Intent [hereinafter SLUP Phase 1]; and
- (ii) develop a portfolio of activities for the implementation of operational investments in the agricultural and forestry sectors. These investments will support pilot projects aimed at operationalising a sustainable land-use process, including the development of climate-smart and zero-deforestation agriculture, the implementation of sustainable energy supply schemes and the sustainable management of High Carbon Stock/High Conservation Value (HCS/HCV) areas.

This portfolio of activities will focus on mobilising public and private investments and piloting innovative financing (private sector engagement (PSE) etc.) [hereafter SLUP Phase 2]. Among the activities already implemented can be mentioned the organisation, on 19 May 2021 in Brazzaville, of a feedback workshop on the SLUP's feasibility study by ONFI (in consortium with Kinomé and SalvaTerra). This was in order to present progress in the study and the first major directions of the programme. This workshop was attended by representatives of civil society organisations, including those of RENAPAC. However, RENAPAC, embroiled in an institutional crisis, was unable to communicate with its members (either before or after the workshop) to reach a consensus, given the importance of the issue.

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