



**COPORWA (NGO)**

***Community of Potters of Rwanda (COPORWA) endowed with Legal Personality : M.O.  
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**Training Workshop for exchange of experience regarding the impact of  
participation in the sessions of the Expert Mechanism on the Rights of  
Indigenous Peoples 2012-2013**



### **Presentation Outline**

1. Introduction and context
2. Session objective
3. Content of my statements at the sessions of the EMRIP 2012-2013
4. Long-term strategies

#### **1. Introduction and context**

My name is Ildephonse NIYOMUGABO, of Rwandan nationality, member of the Batwa Indigenous community of Rwanda, fellowship 2010, participant in the Expert Mechanism of the Rights of Indigenous Peoples (EMRIP) of 2012-2013.

I am here representing my organization COPORWA, which works with the pottery communities of the Batwa, one of the most vulnerable, poorest, most marginalized and discriminated against [groups] in the society. This community identifies itself and is known under different designations, notably Indigenous People, Batwa, potters, pygmies, former hunter-gatherers, historically marginalized population. It constitutes a social minority of 35,000 within the country representing 0.3% of the national population of more than 10,500,000 inhabitants.

## **2. Session objectives**

To share experiences regarding the impact of participation in the sessions of EMRIP 2012-2013.

### **2.1. EMRIP, the indigenous people's place within the Human Rights Council**

The Expert Mechanism on the Rights of Indigenous Peoples constitutes one of the most important mechanisms whereby the Indigenous Peoples of the world contribute to the thematic studies and opinions of the experts on the relevant provisions of international human rights law and, significantly, of the United Nations Declaration on the Rights of Indigenous Peoples and its policies, and make recommendations to the Human Rights Council.

### **2.2. United Nations Declaration on the Rights of Indigenous Peoples**

The United Nations Declaration on the Rights of Indigenous Peoples constitutes international recognition of the rights of the indigenous peoples of the world. It is an instrument by which nations may guarantee the right to self-determination, development, and respect for the rights of indigenous peoples which have been violated deliberately by our nations for many years. Its recognition, its adoption, and its use by our countries are a long-term solution to grant indigenous peoples their rights and to [let them] enjoy them with no discrimination whatsoever. The major problem arises in countries which do not wish to recognize Indigenous Peoples in their identity [as such] including in our country, Rwanda, where the government recognizes the socio-economic problem of the indigenous Batwa people and identifies them as a Historically Marginalized Group instead of calling them by their indigenous cultural designation, stating that this can evoke an ideology of ethnic division and genocide as happened in 1994.

### **3. Content of my statements at the sessions of the EMRIP 2012-2013**

My statements focused on two principal themes: Study of the role of languages and of culture in the promotion and protection of the rights and identity of indigenous peoples, Study of the access to justice in the promotion and protection of the rights of indigenous peoples as well as in the extent of the application of the United Nations Declaration on the indigenous peoples in our lands.

In my statements during the **EMRIP sessions of 2012-2013**, I described the difficulties confronted by the indigenous Batwa people of Rwanda in accessing, enjoying, and being granted their rights. These difficulties are linked to their very low level of awareness of their rights and lack of information on the judicial system and lack of means to pay fees for legal services and access legal aid. They are extremely poor, uneducated, disrespected, neglected and looked down upon by the rest of Rwandan society as a result of their historical attachments, their lifestyle, their environment and their culture. They have very often been victims of numerous forms of injustice, notably marginalization, discrimination, stigmatization, socio-economic and cultural exclusion, the confiscation of their lands, injuries and sexual violence etc. All of these originate in the forced eviction of these peoples from their motherland the "forest" without free prior informed consent with full knowledge of the facts. For example in our country of Rwanda, recently, no policy or law or decree [or] appropriate measures that the government set up to promote, protect, and restore the violated rights of the indigenous Batwa people [has been applied]. Following a bloody incident during the Tutsi Genocide of 1994, the Batwa have been the victims of the

existing policy of assimilation and globalism in Rwanda under which we are all Rwandan without any ethnic distinction, [a] policy which contradicts itself. For example if we speak [of] the Tutsi genocide, it is to say that the ethnic group targeted at the moment of this bloody event was the Tutsi; we cannot speak of the genocide of the Rwandans because the Rwandans were not targeted at that moment.

Thanks to my active participation in the sessions of the Expert Mechanism and in the side events:

- ❖ my perspective was broadened and my knowledge of rights was increased in such a way as to make it possible for me to begin to defend the rights of the Batwa of Rwanda.
- ❖ The acquired knowledge allows me to make in-depth analysis of international and national mechanisms offering opportunities to our community. For this, it is necessary to know the international instruments that have been ratified, such as : Conventions, Treaties, Charters and protocols signed and ratified by our respective countries and the functioning of the United Nations agencies and other organs in place like the Special Rapporteurs, etc. It is necessary to know the national rights and laws that guarantee the respect of the rights of the indigenous peoples.
- ❖ We are doing reports that are an alternative to the reports of our countries, which must contain a clear and explicit message indicating what we want in terms of rights and must ask for in diplomatic language. This is due to the experience acquired during the participation in the international mechanisms for indigenous peoples, including the EMRIP.
- ❖ Upon returning to my organization, I reconstructed the results of the EMRIP sessions and we adopted strategies to continue the plea to the highest levels of decision-making where we currently have a space for discussion and collaboration between my organization, COPORWA, and the Ministry of the local administration for social affaires where we work together to look for solutions to the community's social problems.

#### **4. Long-term strategies**

In spite of the different challenges that our communities face such as for example a lack of community leaders with training in law, an absence of lawyers, a lack of financial means etc, we, the community representatives who have the opportunity to participate in the Expert Mechanism on the rights of indigenous peoples, have the duty and obligation to share with the members of our communities the knowledge gained during the session of the Expert Mechanism in order to defend our rights and we recommend the Human Rights Council, the Expert Mechanism on the rights of the indigenous peoples and its partners to continue their commitment to supporting and reinforcing the capacity of the indigenous people's representatives with respect to their rights.

First, we would like to thank the Human Rights Council which adopted the Expert Mechanism on the Rights of the Peoples, we sincerely thank the United Nations Voluntary Fund for indigenous peoples [for] its financial support allowing the indigenous peoples to participate in the Expert Mechanism and we thank the Docip for its technical support to the indigenous people's representatives during the session and the other state-affiliated and non-state affiliated donors, and our development partners as well as the research institutions for their input and contribution to the success of the Expert Mechanism.

**Thank you for your kind attention.**