

People-to-People Declaration at Laboot of the East Africa Assemblies
Indigenous Peoples of East Africa Declaration on ‘Conservation’
(Including as addressed to IUCN’s Africa ‘Protected Areas’ Congress (APAC) Kigali, July 2022)

As shared by women and men meeting at the ‘*East Africa Assembly on Land Justice and Indigenous Peoples Co-operation*’ on 11-13th June, and 17-19th June 2022 at Chepkitale, Mount Elgon, Kenya. From the Aweer, Yaaku, Sengwer, Elgon Ogiek and Mau Ogiek of Kenya, the Batwa and the Benet/ Mosop of Uganda, and the Maasai of Ngorongoro, Loliondo and Simanjiro of Tanzania.

“We live by our environment, and our environment - our forests and animals, live by us.” (Ogiek elder)

We come with one voice

We are heart-broken by the violent land appropriation and brutal displacement of Maasai communities in Loliondo, Tanzania. How can a government that is supposed to care for its people, instead be killing its people?

We are shocked by their inhumanity. What has happened to them that they can inflict such suffering on families and children, to profit from taking their land?

We stand with our brothers and sisters because we know their struggle and pain. The same evictions for ‘conservation’, development and tourism have happened to us all. Through our different struggles, we reject such appropriation and assert our inalienable right to own and care for our lands.

We speak for ourselves. We don’t want anyone else to speak for us, whether in Kigali or elsewhere.

We take care of our lands. This is our land by birth. We have knowledge, that was gifted to us by our forefathers, that teaches us how to sustain our land and be sustained by it. How can someone that has never lived in our land know how to care for it? How can our people and our lands be managed by laws made by people that live outside the forest and away from the great plains? Living sustainably in our forests, in our great plains, is about relationship, about interdependence. This bond cannot be taught or learnt, and it definitely cannot be broken. Without the land we wouldn’t be here and without us the richness of our environment would succumb to greed and power.

We refuse the story that we are powerless. The story of our struggle has taught us that real change is not handed to you by governments or organisations, but it comes from people resisting and coming together to build a future free from exploitation. Real leadership and power lie with those who act out of courage and compassion.

We do not beg, we demand

We reject ‘protected areas’ imposed by others, they protect the interests of the powerful and destroy the only sustainable way of caring for our environment, which is through belonging.

We reject ‘benefit sharing’ if it means evicting us and then giving us handouts, but we welcome support provided directly to us, as we are the ones caring for our lands. We reject ‘technical support’ if it is part of

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women-led ‘*East Africa Assemblies on Land Justice and Indigenous Peoples Co-operation*’

an excuse for taking our lands, but we welcome direct support such as training for our community scouts dealing with armed poachers.

We appreciate those whose care for the world has led them to support the so-called ‘conservation’ organisations. We appreciate your care but not your actions. We ask you to refuse to work for or support such organisations unless they change completely in action not just in words, which means no longer pretending to include us in their projects, but returning our lands, committing to reparations for past and present harms, and supporting – not destroying – our care.

We ask you to learn to care for where you are, and to support us, including by recognising how the powerful use your care to wield power over and against us, against you, and against our shared world. Indigenous peoples protect 80% of the world’s biodiversity, yet only 6% of protected areas registered across Africa are under the governance of indigenous peoples or local communities. The vast majority are under government, and increasingly private, control.

We remind ourselves that we do not go to Kigali as beggars. We go as people whose lands have been robbed and have a story to tell about how we care for our land. We have a story to tell because our lands bear witness to who we are. When we sleep, wake, sing our songs, bury our dead - be you in Congo Forest, be you in Elgon, be you in Ngorongoro, never feel that you are alone. There are others who are also undergoing the same, and that should give us the strength to say never again. Our forefathers have been in this land since ever.

Let this be the beginning and continue until we have succeeded.

11-13th Assembly – a representation of what was said and agreed:

1. “Our lands bear witness to who we are. Our lands are the forests, the Great Plains, the herbariums, they are the ecologies that are happy and healthy because we’ve ensured they are. If we are protecting our lands, why are we being shot, being evicted, being detained? We must demand our lands back because we have proved that we are the best custodians.” (Maasai man, Tanzania)

2. “It’s the indigenous communities who have been taking care of our lands. This is why our lands are so attractive for the ‘conservationists’ to come and evict us. They say we are destroying our land. If we have done that then why is our land attracting them? We are living peacefully, and the wild animals have not decreased in number yet now we are told we have to leave our lands.” (Maasai woman, Tanzania)

3. “We have been impoverished by being evicted from our lands. We, the indigenous people, have knowledge on how to take care of our lands. We should not be evicted.” (Batwa man, Uganda)

4. “The colonial governments gazetted our lands and trampled on our traditional ways of conservation. Our independent governments inherited the colonial ways of conservation and gazetted more of our remaining lands without consulting us. They said they were evicting us so they could enable conservation, while in reality it is a way to get money from donors.” (Sengwer woman, Kenya)

5. “We’ve been in and out of the courts struggling for our land for so long. We’ve used a lot of resources for the same process. After winning in the Africa Court, five years down the line the government has not implemented. We want the government to stop playing games with our lives” (woman, Ogiek of Mau).

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17-19th Assembly – a representation of what was said and agreed:

1. “Already we are the conservationists. They need to not pretend they are the ones that conserve. We are the ones who have been conserving forever. What we are not accepting is their expelling us indigenous peoples from our lands.” (member of Governing Council at Chepkitale, Mount Elgon)
2. “Those investors should know we’re very happy with our environment as it is. If investors want to practice conservation, they should do it where they are.” (5th Women’s group)
3. “Government should not be given money by investors to use that money to oppress us. If there is any funding let it be given to indigenous peoples directly.” (4th Women’s group)
4. “Women are both the backbone of our communities and are at the forefront of our land struggle. When evictions happen, they are the ones staying behind with our families facing and challenging Kenya Forest Service and refusing to give up our land. They are ready for anything to defend our land and our community.” (Sengwer elder)
5. “Women are the ones ensuring that our culture lives through by teaching our kids traditional norms and our language. Women bring up new generations and bind our community together which helps us to have a unified and collective voice in the struggle and to mobilise the community. Without women there is no community and therefore no struggle” (1st men’s group)
6. “Our bylaws define our places for settlement, for grazing, sacred sites, medicinal sites. We don’t allow activities along riverbanks, nor felling or cutting of live trees. The laws that we have were there from the beginning. We have scouts to stop poachers. Our clans are named after different animals and birds. We interrelate with them, whereas the government allows our indigenous forest to be cleared, harming our trees, bees, and other animals. Elephants can’t feed on the exotic trees they plant.” (1st men’s group)
7. “When we in Africa got independence, we as indigenous communities did not get our independence because we didn’t get back our land. The essence of independence was to get our land, for us the opposite happened. More of our land was taken. There were the powerful Africans, including the powerful communities, who took over our land. We have handed the struggle on age set to age set but we want it to end, and end now. If the elephant was to be asked “Who do you want to take care of you?” definitely they would vote for us. All the elephants have run from the National Park where poachers kill them. They come here because they know we take care of them.” (Mount Elgon Ogiek)
8. “We’re not responsible for climate change, for deforestation or for the degradation of our environment. We didn’t cause any of this. If people with funding at Kigali want to address climate change they should use their money to help impacted communities not to pay governments, and they should stop the cause of climate change, which are in the actions of industrialised countries.” (Benet man)
9. “Conservation is a balance of nature - when you remove the indigenous person you are destroying the balance of nature, destroying the ecology.” (3rd men’s group)
10. “‘Conservation’ is a foreign idea altogether. It has no meaning to us. We live by our environment, and our environment - our forests and animals, live by us.” (Ogiek elder)

We call on IUCN to set up a commission on ‘decolonising conservation’

We call on IUCN - including its state and non-state members – to set up a commission that is sufficiently resourced, staffed, empowered, and given an urgent timeline, to tackle the legacy of the colonial approach to conservation in Africa. This approach is based on appropriating community lands rather than recognising them as the rightful owners and custodians of their lands. Such appropriation is through forceful evictions, long-term impoverishment, and constant attacks on people's basic rights, including freedom of expression and freedom of assembly. Such a commission needs to attend to both these national situations and to the international organisations and governments who legitimise such practices.

Guided by the rights and experience of the affected communities themselves, and led by them, such a commission on ‘decolonising conservation’ should have a mandate to operate at three levels:

(1) Primarily, the commission should work with state parties to decolonise their legal and policy frameworks so that they no longer continue the colonial legacy of appropriating communities’ rights and resources, often in the name of some ‘greater good’ that never materialises for the population;

(2) Secondly, the commission should work with state parties to ensure they (a) swiftly implement constitutional articles that seek to end such colonial practices, or revise constitutions to ensure they require the ending of such colonial practices, and (b) implement legal rulings made in their own or in regional courts which require the ending of such dispossession, rulings which the colonial legacy continually seeks to block. Where such practices are not ended or where such rulings are not adhered to then IUCN’s state and non-state members need to hold state parties accountable, for example through suspending their membership until there is compliance with the necessary implementation of rights-based procedures and commitments; and

(3) Thirdly, the commission should work with state and non-state parties, and above all communities themselves, to swiftly address the legacy of a conservation based on the dispossession, marginalisation and humiliation of rights-holding custodian communities. Informed by the methods and outcomes of the two Whakatane processes that have taken place in Africa, and recognising the severe limitations placed on these by the colonial legacy, the commission needs to be extensively resourced to - by the end of 2022 - begin working across Africa to address colonial conservation’s dispossession of communities.

Now is exactly the right moment to address this issue. Now we are on the verge of a huge inrush of resources to support conservation in Africa (perhaps better understood as a return of a tiny proportion of the resources continually taken from Africa) and we have also crossed the threshold in terms of scientific research making it increasingly clear that effective and just conservation can only succeed if it is based on sustaining, creating or re-creating the enabling conditions for communities to sustain and be sustained by their lands. These enabling conditions will differ in different places, but they always have to be based on recognising communities inalienable right to own, govern and manage their own lands.

The end of colonialism was meant to be the end of powerful outsiders taking control of resources and using these to expand their control yet further. The end of colonialism was meant to be the returning of the land to the people from whom the land was taken.

We call for the end of the colonial curse and the fulfilment of the de-colonial promise.

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