



Batwa in Rwanda: Submission of Information to the Human Rights Committee

April 2025

Submitting Organisations

Unrepresented Nations and Peoples Organization (UNPO)

The Unrepresented Nations and Peoples Organization (UNPO) is an international membership-based organisation established to empower the voices of unrepresented and marginalised peoples worldwide and to protect their fundamental human rights. The peoples represented within the UNPO membership are all united by one shared condition: they are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realise their rights to civil and political participation and to control their economic, social, and cultural development. In many cases, they are subject to the worst forms of violence and repression. The Batwa are represented by the African Initiative for Mankind Progress Organisation (AIMPO), who have been a member of the UNPO since 1993.

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African Initiative for Mankind Progress Organization (AIMPO)

AIMPO is a local organisation in Rwanda with head office in Kigali, Rwanda. It works on human rights, livelihood and socio-economic wellbeing for the Historically Marginalised People (Batwa) in Rwanda. In its operations, AIMPO covers the sectors of Musanze, Kinigi, Nyange and Shingiro in Musanze District; Bigogwe, Kabatwa, Mukamira, Muringa and Shyira in Nyabihu District; Manyagi, Byumba and Miyove in Gicumbi District; and Kigali City.

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1. Introduction

This report has been prepared by the African Initiative for Mankind Progress Organization (AIMPO) and Unrepresented Nations and Peoples Organisation (UNPO), and submitted to the Human Rights Committee for its 144th Session, scheduled for 23 Jun 2025 - 25 Jul 2025. The report critically examines the ongoing human rights violations in Rwanda, focusing on historically marginalised peoples (particularly the Batwa) and the implementation of the International Covenant on Civil and Political Rights (ICCPR).

Rwanda signed and ratified the ICCPR in 1975, thereby undertaking legal obligations to uphold civil and political rights such as the right to life, freedom of expression, freedom of assembly, and the right to a fair trial, among others. As a State Party to the Covenant, Rwanda is required to submit periodic reports every four years to the United Nations Human Rights Committee detailing the measures taken to give effect to the rights recognised in the Covenant.

While progress has been recognised in several areas, ongoing concerns have been raised regarding issues such as freedom of expression, political participation, self-determination and the freedom of assembly and religion of Historically Marginalised People (HMPs), including the Batwa. As such, Rwanda's compliance with the ICCPR remains a dynamic and evolving process, subject to continued scrutiny and engagement.

The purpose of this submission is:

- To assess the current political and policy framework under which Batwa operate at national level human rights implementation;
- To review basic human rights, focusing on civil and political rights as set out in the Rwandan Constitution and international and regional conventions, and how they apply to Rwandan context;
- To conduct a comprehensive analysis of all the policies, laws and practices affecting HMPs vis-à-vis their right to freedom of expression, right to religion and other related rights;
- To assess the extent to which HMPs participate in public affairs through decision-making processes on civil and political sphere in Rwanda; and
- To provide recommendations on how each of the identified issues can best be addressed by the government.

This analysis focuses on selected civil and political rights under the ICCPR as they apply to HMPs in Rwanda. These rights are vital for assessing the extent to which HMPs are included in civic life and political participation within the national legal and institutional framework. Based on Rwandan legislation preventing ethnic identification, the Rwandan Government has described the Batwa, and other vulnerable groups, as 'historically marginalised people' (HMPs). This has resulted in Batwa people being classified in the same group as other marginalised groups (including women, disabled people, and youth), which risks overlooking specific measures required to uphold Batwa people's rights, given the relatively more severe exclusion and economic, political, and social vulnerabilities faced by their communities.¹ This

¹ Jean Baptiste Ndikubwimana, Kathleen Ayako Anangwe, Charles Mulinda Kabwete et al., 'Debating the identity and indigeneity of the Batwa in post-genocide Rwanda: a review of the challenges and prospects from a human rights perspective' (2023). <https://doi-org.ezproxy2.lib.gla.ac.uk/10.1177/117718012311644>

approach has also rendered it more difficult to collect granular data to measure advancements in the implementation of civil and political rights, specifically in relation to the Batwa.

The rights examined include Self-Determination (Article 1), Freedom of Religion (Article 18), which safeguards the right to practice one's beliefs free from coercion, particularly relevant for HMPs facing cultural or systemic barriers. Freedom of Expression (Article 19) is also key, enabling HMPs to share their views and advocate for their needs. Freedom of Peaceful Assembly and Association (Articles 21 and 22) supports community organisation and collective advocacy, while the Right to Participate in Public Affairs (Article 25) highlights the importance of political inclusion through elections and public decision-making.

Lastly, the analysis considers the Right to Non-Discrimination (Article 26), a foundational principle for ensuring HMPs have equal rights and opportunities in practice not just in law. Together, these rights provide a comprehensive framework for evaluating the civic and political inclusion of HMPs in Rwanda.

2. The Batwa People

The Batwa people, often referred to as the “keepers of the forest,” are indigenous hunter-gatherers who historically inhabited the rainforests of Central Africa, including regions of Uganda, Rwanda, Burundi, and the Democratic Republic of Congo. Their culture and identity are deeply intertwined with the forest ecosystem, where they have lived in harmony with nature for centuries. The Batwa have a rich oral tradition, passing down stories, myths, and cultural practices from generation to generation. One of the defining features of Batwa culture is their intimate knowledge of the forest and its resources. Traditionally, they have relied on hunting, gathering, and foraging for sustenance, utilising intricate knowledge of plants and animals to survive in their environment. Their spiritual beliefs often revolve around the forest and its inhabitants, with rituals and ceremonies conducted to honour ancestral spirits and seek protection from the natural world. The Batwa are sometimes referred to as Pygmies (often seen as a pejorative term) and sometimes refer to themselves as ‘Impunyu’.

The arrival of Bantu-speaking agriculturalists in Central Africa around 2,000 years ago marked a turning point for the Batwa. Pushed deeper into the forests by the expanding agricultural societies, the Batwa faced increasing marginalisation and discrimination. European colonisation further exacerbated this process of marginalisation, as colonial powers exploited the natural resources of the region and imposed restrictive policies on Indigenous Peoples. Despite these challenges, the Batwa have persevered, maintaining their cultural traditions and resilience in the face of adversity.

Originally inhabiting the mountainous forests surrounding Lake Kivu and Lake Edward, the Batwa have been forcibly displaced due to the creation of national parks and economic development initiatives since the 1970s. This displacement has left many Batwa communities homeless, with limited access to education, healthcare, and basic services. Although attempts to integrate into mainstream society have been made, the Batwa continue to face discrimination and social exclusion, with their population comprising less than 0.4% of Rwanda’s total population. The estimated number of Batwa living in Rwanda lies between 33,000 and 35,000 people, although it is difficult to obtain exact numbers, as no

classification of ethnic groups is permitted. Land displacement remains a critical issue for the Batwa, who continue to be deprived of their ancestral lands and resources.

While international recognition of their plight has increased, efforts to secure legal recognition and restitution have been met with resistance from the Rwandan government, citing concerns over societal harmony and national unity. This lack of recognition hampers Batwa efforts to organise and advocate for their rights, perpetuating cycles of poverty and marginalisation.

The Batwa live dispersed over Rwanda in small groups, often at the periphery of mixed communes. Discrimination, extreme poverty, and lack of access to health services led to a sharp and quick decrease in the Batwa population. Figures from 1978 and 1991 indicate a 40% drop in the Batwa population, as opposed to a 50% rise in the population of other Rwandans. Furthermore, the Batwa were severely affected by the 1994 genocide, with rough estimates indicating that up to 10,000 Batwa died and that another 8,000 to 10,000 fled, eventually decreasing the Batwa population in Rwanda by at least another 30%.²

3. Self-determination (Article 1)

The right to self-determination is conferred to all peoples enabling them to determine their political status and develop their economic, social, and cultural development. The concept captured by Article 1 underpins many of the issues experienced by the Batwa and the protections afforded by the other articles of the ICCPR, as it relates to their freedom and ability to thrive as a community. According to the Committee on the Elimination of Racial Discrimination (CERD), the right to self-determination also encompasses a right to belong to an ethnic group, which is relevant to the preservation of culture and leading a dignified life.³ Therefore, the Rwandan government's approach to facilitating self-determination for the Batwa has direct implications for the realisation of other human rights (i.e. both civil and political and socioeconomic).

Batwa people continue to have limited representation in governance structures and decision-making processes in Rwanda, and reportedly only have one senator representing them in the national senate.⁴ This insufficient access to policy discussions reinforces the muted successes in economic initiatives to address poverty in Batwa communities, illustrated by the rate of illiteracy (51% versus the national level of 14%) and their overrepresentation in the proportion of Rwandans who live in abject poverty (95% versus the national level of 39.1%).⁵ There has also been evidence that funds earmarked for Batwa communities have been appropriated and redirected, with the dual effect of limited representation and lack of education and awareness of rights failing to address these systemic failures to provide sufficient support to the

² UNPO, Alternative Report to the CEDAW (2017). <https://unpo.org/downloads/2041.pdf>

³ Paul M. Taylor, 'Article 1: Self-determination' (2020).

https://www.cambridge.org/core/books/commentary-on-the-international-covenant-on-civil-and-political-rights/article-1-selfdetermination/23CB69D39E7C0896FE6D721B20306100?utm_campaign=shareaholic&utm_medium=copy_link&utm_source=bookmark

⁴ IWGIA, 'Indigenous peoples in Rwanda'. <https://iwgia.org/en/rwanda.html>

⁵ Jean Baptiste Ndikubwimana, Kathleen Ayako Anangwe, Charles Mulinda Kabwete et al., 'Debating the identity and indigeneity of the Batwa in post-genocide Rwanda: a review of the challenges and prospects from a human rights perspective' (2023). <https://doi-org.ezproxy2.lib.gla.ac.uk/10.1177/117718012311644>

Batwa.⁶ One recent example that illustrates this difficulty was the COVID-19 pandemic, as representatives reported they did not have sufficient washing facilities, soap, or disinfectant, making it challenging to implement health and safety measures.⁷ This reinforces the notion that human rights are indivisible and that minority groups in Rwanda – who are routinely denied a platform to advocate for themselves and their right to self-determination – cannot effectively address systemic and endemic issues like poverty, marginalisation and inequality.

Another way in which the Batwa's right to self-determination is limited is evident in their inability to govern and have a say over their traditional lands. In 2005, the government of Rwanda established the Organic Land Law, authorising the government to have final authority over land use. This gave rise to the government confiscating allegedly 'unused' or 'abandoned' land, including forests and wetlands that the Batwa depend on. Neighbouring communities also began extending their fields to incorporate Batwa land over extended periods, accompanied by threats and intimidation, pushing them into landlessness, with 43% of Batwa families having no access to land, compared to the national average of 12%.⁸

The Organic Land Law Act remains in force today, further exacerbating the landlessness experienced by the Batwa. In a country where 90% of the population relies on agriculture for their livelihood across just 26,338 square kilometres, the Batwa are increasingly pushed off their ancestral lands to make way for expanding agricultural demands.

Furthermore, many Batwa people are relocated from their ancestral lands due to policies and strategies implemented to mitigate climate change, although reports suggest these were poorly coordinated and gave Batwa people insufficient time to collect their belongings before their homes were destroyed. It is further reported that the displaced Batwa received no compensation or alternative accommodation as required by law, forcing many to sleep outside in bad weather.⁹ Land dispossession and displacement has significantly restricted Batwa people's livelihood sources.¹⁰ Article 1.2 of the ICCPR encompasses the right to freely dispose of natural wealth and resources, and critically prohibits the deprivation of people's means of subsistence. Evidence has suggested that inadequate access to basic needs, including food, health, and shelter are significant contributing factors to the high dropout rates from schools among HMPs in Rwanda.¹¹

4. Freedom of Religion (Article 18)

⁶ UNPO, 'Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the Universal Periodic Review of the Republic of Rwanda during the 23rd Session'. https://upr-info.org/sites/default/files/documents/2015-10/unpo_upr23_rwa_e_main.pdf

⁷ Minority Rights Group, 'Twa in Rwanda' (2020). <https://minorityrights.org/communities/twa-2/>

⁸ UNPO, 'Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the Universal Periodic Review of the Republic of Rwanda during the 23rd Session'. https://upr-info.org/sites/default/files/documents/2015-10/unpo_upr23_rwa_e_main.pdf

⁹ IWGIA, 'Indigenous peoples in Rwanda' (2020). <https://iwgia.org/en/rwanda/3592-iw-2020-rwanda.html>

¹⁰ Neil M. Dawson, 'Leaving no-one behind? Social inequalities and contrasting development impacts in rural Rwanda (2017). <https://doi.org/10.1080/21665095.2018.1441039>

¹¹ Jean Baptiste Ndikubwimana, Kathleen A. Anangwe, Oriare Nyarwath Oriare et al. (2023) 'Identity Boundaries Construction and its Effects on Vulnerability in the case of a Historically Marginalized People (HMP) in Rwanda: An examination of their Access to Human Rights'. <https://digitalcommons.usf.edu/jacaps/vol5/iss1/1>

Freedom of religion is recognised and protected under Article 37 of the Constitution of Rwanda, which guarantees the freedom of thought, conscience, religion, worship, and public manifestation thereof. This constitutional provision ensures that individuals and communities are free to practice their religion without interference or coercion. Further reinforcement of this right is found in the Law Determining Offences and Penalties in General (2018), which criminalises acts of defamation and attacks against religious denominations, thereby offering legal protection to religious institutions and their followers.

Despite these legal protections, the Batwa face challenges in exercising their right to freedom of religion, particularly when relocated from ancestral lands considered as sacred.

Displacement not only disrupts their traditional way of life as hunter-gatherers but also deeply impacts their spiritual and religious beliefs, which are closely tied to the forest and its inhabitants. Rituals and ceremonies honoring ancestral spirits and seeking protection from the natural world are integral to Batwa culture, yet these practices become impossible without access to their ancestral forests. Often carried out without proper consultation or compensation, the displacement of the Batwa undermines both their cultural and spiritual practices, potentially violating national and international legal protections. As a result, their forced removal has left the Batwa among the poorest and most marginalised communities in Rwandan society.

5. Freedom of Expression (Article 19), Peaceful Assembly (Article 21), and Association (Article 22)

The Government has put in place several measures to protect the Right to Freedom of Expression. Article 38 of the Constitution of Rwanda guarantees the right to freedom of opinion and expression, including the freedom to seek, receive, and impart information and ideas through any media and regardless of frontiers. The right is further reinforced by various national laws and policy frameworks that promote open communication, public participation, and access to information as essential components of democratic governance. Rwanda has further domesticated the rights to freedom of peaceful assembly and association through key constitutional and legal provisions. Article 39 of the Constitution guarantees the right to freedom of association, enabling citizens to register community-based organisations to advocate for their rights. In addition, legislation such as Law No. 058/2024 governing NGOs, Law No. 30/2018 on public gatherings, and Law No. 27/2021 on political organisations regulates how individuals can organise, associate, and participate in public and political life in Rwanda.

However, these rights are often hindered by the criminalisation of ‘divisionist’ speech or action, which has quashed dissent towards the government.¹² Penalties under the law can be severe, and fear of repression has induced self-censorship among journalists and activists.¹³ Although this affects the Rwandan population more broadly, the lack of representation, as well as socioeconomic and political exclusion from society due to low access to education and other key services, means that Batwa people

¹² IWGIA, ‘Indigenous peoples in Rwanda’. <https://iwgia.org/en/rwanda.html>

¹³ GV Sub-Saharan Africa, ‘How does Rwanda’s genocide ideology law regulate speech online?’ (2020). <https://advox.globalvoices.org/2020/07/20/how-does-rwandas-genocide-ideology-law-regulate-speech-online/>

face an acute and protracted risk of being silenced. Moreover, the Batwa's vulnerability is closely related to 'socio-cultural living arrangements and low economic status'.¹⁴

Despite the strong legal framework, the Batwa face significant obstacles in exercising these rights, primarily due to their limited recognition. The Rwandan government refuses to acknowledge the Batwa as a distinct ethnic group, and since 1994, all ethnic identification has been banned in the name of defeating tribalism, ethnic strife and advancing state unity. As of 2003, Article 8 the Rwandan Constitution outlawed discrimination on ethnic grounds, reflecting the government's emphasis on national unity. By removing ethnic labels, the Batwa are not only unable to identify themselves as members of their own community, limiting their right to self-determination, but the denial of their legal status further undermines their ability to hold and express opinions. Similarly, a lack of indigenous recognition of the Batwa prevents them from benefiting from the rights and protections afforded to Indigenous Peoples.

Article 54 of the Rwandan Constitution further provides that 'political organisations are prohibited from basing themselves on race, ethnic group, tribe, clan, region, sex, religion or any other division which may give rise to discrimination' and that 'political organisations must constantly reflect the unity of the people of Rwanda'. This constitutional provision prevents organisations from promoting the interests of one ethnic group to the exclusion of others. Consequently, NGOs are unable to address the specific challenges the Batwa face due to their lack of recognition as a distinct group. In 2004, the Rwandan Justice Ministry refused to grant legal status to the NGO Communauté des Autochtones Rwandais (CAURWA) unless it removed references to the Batwa as Rwanda's first inhabitants. In 2007, the government threatened not to renew CAURWA's charity license unless the term "indigenous" was removed from its name. Furthermore, the government has previously threatened to cut off all assistance to Batwa organisations if they continued to self-identify as a distinct group.¹⁵

This limitation on organisations representing the Batwa has only exacerbated the difficulty the Batwa face in being recognised and in self-identifying as a distinct group, thereby further limiting their rights under the ICCPR, among other legal frameworks.

As a result of these challenges, HMPs, particularly the Batwa, continue to face significant barriers in exercising their rights. While Article 39 of the Rwandan Constitution and related laws provide for the registration of community-based organisations, the Batwa often struggle to establish associations that reflect their cultural identity or advocate for their distinct needs, due to the prohibition of ethnic identifications. Despite the existence of legal protections, the Batwa face ongoing obstacles in asserting their right to identity. Rwanda's national unity policy, which discourages ethnic distinctions, not only impacts the right to self-determination but further restricts their ability to express their cultural heritage, seek recognition for their unique experiences, and address historical marginalisation.

6. Equality before the law (Article 26)

¹⁴Jean Baptiste Ndikubwimana, Kathleen A. Anangwe, Oriare Nyarwath Oriare et al. (2023) 'Identity Boundaries Construction and its Effects on Vulnerability in the case of a Historically Marginalized People (HMP) in Rwanda: An examination of their Access to Human Rights'. <https://digitalcommons.usf.edu/jacaps/vol5/iss1/1>

¹⁵ UNPO, 'Submission to the UN Office of the High Commissioner for Human Rights for the consideration of the Universal Periodic Review of the Republic of Rwanda during the 23rd Session'. https://upr-info.org/sites/default/files/documents/2015-10/unpo_upr23_rwa_e_main.pdf

The Government of Rwanda has established strong legal measures to eliminate and prohibit all forms of discrimination, in line with Article 26 of the ICCPR. Article 16 of the Constitution affirms that all Rwandans are born and remain equal in rights and freedoms. It explicitly prohibits any form of discrimination or propaganda for discrimination based on ethnicity, family or descent, clan, skin color, sex, region, social status, religion or belief, opinion, wealth, cultural differences, language, economic status, physical or mental disability, or any other status. Such acts are not only forbidden but are also punishable by law.

In addition to constitutional guarantees, Rwanda has enacted specific legislation to reinforce anti-discrimination protections. These include Law No 68/2018 determining offenses and penalties, which criminalises discrimination and sectarianism; Law No 59/2008 on the prevention and punishment of gender-based violence, which addresses discrimination on the basis of gender; and Law No. 71/2018 relating to the protection of persons with disabilities, which mandates equal access to education, employment, and public services. Together, these laws provide a comprehensive framework for protecting individuals from discrimination and promoting equality across all sectors of society.

Despite the existence of a strong legal framework, HMPs in Rwanda continue to face systemic discrimination, particularly in relation to their origins, connection to ancestral land, religious beliefs, and property rights. These challenges are closely tied to the principle of non-discrimination enshrined in Article 26 of the ICCPR, which guarantees that all individuals are equal before the law and entitled to equal protection without discrimination.

Among these HMPs, the Batwa face particularly acute forms of exclusion. They are often perceived as backward, unintelligent, or lazy, deeply rooted stereotypes that contribute to their widespread social exclusion. This stigma affects their access to employment and perpetuates a cycle of disadvantage, resulting in higher levels of poverty and worse social indicators compared to the general population (with 95% versus the national level of 39.1%).¹⁶ Batwa women are especially affected, facing limited access to healthcare due to a lack of insurance, barriers to education because they cannot afford materials, and exclusion from the job market as a result of persistent prejudice and discrimination. Batwa children also struggle to access education, hindered by socioeconomic obstacles, weak community support networks, and systemic discrimination. Between 2009 and 2020, it was reported that only 40 Batwa students graduated across Rwanda.¹⁷

Data shows that the Batwa experience higher rates of malnutrition and health issues, particularly among infants, children, and pregnant women. They face the highest levels of extreme poverty and the lowest access to healthcare services in Rwanda. Few Batwa can afford care, and many lack essential documents like birth certificates, health insurance, and national IDs needed to access healthcare.¹⁸

¹⁶ UNPO, Alternative Report to the CEDAW (2017). <https://unpo.org/downloads/2041.pdf>

¹⁷ MRG, 2021.

<http://minorityrights.org/app/uploads/2024/01/mrg-aimpo-fpdo-and-wopus-submission-upr-of-rwanda-2020.pdf>

¹⁸ Ibid.

Furthermore, Rwanda's refusal to officially recognise the existence of minority and Indigenous communities has negatively undermined official efforts to address these inequalities. Rwanda's land use policies, as discussed above, disproportionately affect the Batwa, particularly as much of the reclaimed land consists of marshes – critical sources of clay for Batwa potters and essential to their traditional economy.¹⁹ These policies not only restrict the Batwa's right to access and use traditional lands and resources, but also hinder their ability to sustain their cultural and economic practices.

7. Recommendations

- Ensure the spiritual practices and beliefs of the Batwa are respected and preserved, particularly in the context of land relocation and resettlement programmes;
- Allow Batwa to safely and freely identify as Batwa, in line with Article 19 of the ICCPR, to promote inclusion and uphold human rights;
- Ensure unity policies do not suppress cultural expression or further marginalise vulnerable groups;
- Ensure the effective implementation of anti-discrimination laws by strengthening oversight, improving access to justice for HMPs, and holding accountable those who violate their rights related to land, religion, and property; and
- Develop policies that recognise and protect the cultural identity, land attachment, and traditional practices of HMPs, ensuring their equal participation in public life and access to resources without fear of discrimination.

¹⁹ MRG, Batwa Land Rights in Rwanda.
<https://minorityrights.org/app/uploads/2024/01/download-93-batwa-land-rights-in-rwanda.pdf>