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| الاتحاد الأفريقي African Commission on Human & Peoples' Rights | | UNIÃO AFRICANA Commission Africaine des Droits de l'Homme & des Peuples |
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Final Communiqué of the Regional Sensitization Seminar on the Rights of Indigenous Populations/Communities in Central and East Africa, 22 to 25 August 2011, Brazzaville, Republic of Congo

1. The Regional Sensitization Seminar on the Rights of Indigenous Populations/Communities in Central and East Africa, was organized by the African Commission's Working Group on Indigenous Populations/Communities (the Working Group) in collaboration with the International Work Group on Indigenous Affairs (IWGIA), in Brazzaville, Republic of Congo, from 22 to 25 August 2011.
2. The opening Ceremony was attended by His Excellency, Mr. Moubangat Mouronzi, Chief Cabinet of the Minister of Justice and Human Rights, Ambassador Birkounon Roland, Secretary General of the Department of African Affairs at the Ministry of Foreign Affairs and Mr. Valentin Mavoungou, Director General for Human Rights and Fundamental Freedoms at the Ministry of Justice. The opening ceremony was also attended by Honourable Commissioner Mumba Malila, Vice-Chairperson of the African Commission on Human and Peoples' Rights (the African Commission) and Mr. Lamin Manneh, the United Nations Resident Coordinator to the Republic of Congo. Other members of the Government of the Republic of Congo, State delegates from Central and East Africa regions, members of the African Commission, representatives of UN agencies, representatives of National Human Rights Institutions from Central and East Africa, international and local NGOs, journalists, and other institutions interested in indigenous issues in Africa were also present at the opening ceremony.
3. A total of sixty-five (65) delegates representing six (6) States Parties, four (4) National Human Rights Institutions, seven (7) specialized UN agencies and other inter-governmental organizations, and twenty-eight (28) non-governmental organizations participated at the Seminar.

4. Various issues related to the human rights of indigenous populations in Central and East Africa were discussed by participants. The issues discussed include inter alia:
 - ❖ The role and jurisprudence of the African Commission's Working Group on Indigenous Populations/Communities in the promotion and protection of the rights of indigenous populations/communities in Africa;
 - ❖ Positive developments and challenges in the recognition and protection of the rights of indigenous populations in Central and East Africa;
 - ❖ The impact of climate change on the lives and wellbeing of indigenous populations;
 - ❖ The contribution of pastoralism to national economy in Africa; and
 - ❖ The role of the different stakeholders in the promotion and protection of the rights of indigenous populations.
5. On the second day, 23 August 2011, participants visited the indigenous community of N'go District, a small town 250 kms north of Brazzaville.
6. After a rich dialogue among all the participants and stakeholders represented, the following recommendations were adopted:
 - a. **To the Government of the Republic of Congo**
 - ❖ Take the necessary measures for the implementation of the law on indigenous people, including the allocation of adequate budget;
 - ❖ Involve and ensure the full participation of indigenous peoples in the process of implementation of the law; and
 - ❖ Sensitize all communities and stakeholders on the law and the rights of indigenous peoples.
 - b. **To Governments of Central and East African Regions**
 - ❖ Expressly recognize indigenous peoples and their rights in their countries. This should be by way of ratifying ILO Convention 169, ensuring compliance with United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as well as adopting constitutional, legislative and

administrative measures at the domestic level for the promotion and protection of the rights of indigenous peoples. The term 'Indigenous Peoples' should not be avoided or substituted by terms such as marginalized groups;

- ❖ Put in place organ(s) responsible for the implementation of the commitments taken by the countries;
- ❖ Recognize the collective rights of indigenous peoples and communities such as the right to land, the rights to culture, the right to education, and the right to be represented in decision making bodies;
- ❖ Take note of the link between human rights and climate change. They should take note of the vulnerability of indigenous peoples and ensure that mitigation measures are compliant with indigenous peoples' rights as per the UNDRIP;
- ❖ Ensure that indigenous peoples have secure land and natural resource rights in accordance with the provisions of the UNDRIP. Any evictions must be preceded by the principle of Free, Prior and Informed Consent (FPIC) by indigenous peoples pursuant to the provisions of the UNDRIP. Where indigenous peoples have been evicted, they should be restituted and if the situation does not allow, they should be compensated;
- ❖ Facilitate the establishment of networks among indigenous peoples and community organizations, and build the capacities of these networks to work primarily on indigenous issues;

c. To the African Commission on Human and Peoples' Rights

- ❖ Urge Governments of Central and East African countries to respect the institutions that they have created such as the African Commission and the African Court by enforcing their rulings. The African Commission should device an alternative action with a view to make sure that its rulings and communications are responded to by governments;

- ❖ Initiate a dialogue with African Governments with a view to create a common understanding on the concept of indigenous peoples;
- ❖ Monitor and evaluate the implementation of the law in Congo.
- ❖ Request Central and East African countries to adopt laws on indigenous peoples' rights and render support for the implementation of such laws;
- ❖ Invite and consult with parliamentarians and the media while organizing seminars and conferences on the rights of indigenous people.

d. To Civil Society Organizations and development partners

- ❖ Strengthen technical and financial support to the programmes and activities in favor of indigenous peoples in all areas;
- ❖ Prepare a concerted plan of support to the programmes for the promotion and protection of the rights of indigenous populations/communities;
- ❖ Define the role of each actor in the implementation of this concerted plan of support;
- ❖ Lobby governments to recognize, promote and protect the rights of indigenous peoples.

e. To Indigenous peoples

- ❖ To work in synergy through networking among indigenous peoples and communities.

Done in Brazzaville, Republic of Congo, 25 August 2011