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BAKINGWE AND BAGABO:

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When asked to imagine life without a nationality, most wouldn't know where to start. Yet, for an estimated ten million¹, statelessness is a daily reality: a pervasive barrier to most aspects of life. These include the Bakingwe and Bagabo of Uganda: two indigenous groups living in Kasese, ashore Lakes George and Edward and the Kazinga Channel².

In short, nationality is a human right. It is a right so fundamental that you would be forgiven for assuming that it is universally guaranteed. Indeed, so it should be. The current legal system in Uganda, however, is causing minority groups such as the Bakingwe and Bagabo to fall through the gaps. De jure, they do not exist.

A stateless person is denied not only citizenship. They are consequently denied healthcare, schooling, freedom of movement, the right to vote and much more.³ Hence, nationality – taken for granted by many – is a right that unlocks access to many other basic liberties. Without it, socioeconomic development is restricted and social cohesion threatened.⁴

Statelessness inflames the problems faced by these already marginalised groups. Historically, the main income stream for the Bakingwe and Bagabo people has been fishing, but restrictions have since been placed on their access to fishing sites.⁵ This happened through no choice of their own; they had no say in it, nor any compensation for the effects of it. They have protested against these restrictions, but so far without success. As stateless persons, it is hard to make themselves heard.

Regrettably, their exclusion from the list of indigenous groups in the Third Schedule of the Constitution⁶ renders the Bakingwe and Bagabo politically voiceless. Like some other marginalised groups, they have zero political representation, even at LC1 level (village level). As a result, it is harder to protect and advocate for them, and the cycle continues.

And yet it is only through politics that statelessness can be conquered, according to activist Maha Mamo. Formerly stateless, she describes this humanitarian crisis as one that “[can] be solved simply by the goodwill of political people”.⁷ As they hold the power to propel the desperately needed reforms, they have the capacity to change the lives of these communities.

This all brings to light the interplay between recognition and cultural preservation. Uganda is host to great ethnic diversity and therefore cultural diversity.⁸ Naturally, engaging in the distinct customs, traditions and languages of the particular culture is central to a sense of belonging. Statelessness compromises this. The Bakingwe and Bagabo, unrecognised and left behind by the State, are increasingly faced with absorption by the larger groups. This forced assimilation of minority groups gives rise to the endangerment of their individual languages and to the erosion of their culture.⁹ Eventually, their whole identity is in jeopardy.

This cycle deprives the stateless person of feelings of acceptance and belonging within their own country; the country in which they were born and raised. This is why the UNHCR are spearheading #IBelong: a campaign that sees States striving to end statelessness by 2024, ready to achieve the UN's Sustainable Development Goal of providing legal identity for all by 2030.¹⁰

The colossal burden of statelessness may be invisible, but its impacts are all too real. As some of the most vulnerable members of society,¹¹ stateless persons spend their lives in the shadows, their sheer existence unacknowledged. Not only is this identity-crushing; it is also economically harmful, not to mention a flagrant abuse on human rights. It's time to give everyone a seat at the table and to meet the pledge made to put an end to the discriminatory denial of nationality.¹²

"Statelessness is one of the most pressing yet easily resolvable human rights violations of our time." - Gillian Triggs, UNHCR

1 Piguat, E., 2019. 'Climatic statelessness: Risk assessment and policy options.' *Population and Development Review*, 865-883.
2 Petition to Parliament, Hon. Kafuda Boaz <https://www.parliament.go.ug/cmisis/browser?id=8f0e46d5-a0b6-4a3e-8a46-4ec74cb9b934%3B1.0>
3 Goris, I., Harrington, J. & Köhn, S., 2009. 'Statelessness: What it is and why it matters.' *Forced Migration Review*, (32), 4.
4 National Action Plan on Eradication of Statelessness in Uganda by 2024 (2019-2024), 2019.
5 CCFU <https://crossculturalfoundation.or.ug/docs/SUPPORT-TO-CULTURAL-RIGHTS-OF-THE-IMG-IN-THE-RUWENZORI-SUB-REGION-POLICY-BRIEF-final.pdf>
6 1995 Constitution of Uganda, p. 144-147 <https://antislaverylaw.ac.uk/wp-content/uploads/2019/08/Uganda-Constitution.pdf>

7 High-Level Segment on Statelessness, 2019, UNHCR. <https://www.unhcr.org/ibelong/high-level-segment-on-statelessness-results-and-highlights/>
8 Minority Rights Group International, 2023. Statement. <https://minorityrights.org/2023/03/23/ugandan-constitution/>
9 Kabanankye, K. I. & Kwagala, D., 2007. 'Culture, minorities and linguistic rights in Uganda.' Chapter III. HURIPPEC Working Paper, 11, 5.
10 UNHCR: #IBelong, Global Action Plan to End Statelessness 2014-2024 <https://www.unhcr.org/ibelong/>
11 UNHCR Press Release, 2012. 'Unequal treatment of women risks creating statelessness in at least 25 countries.' *Comms. and Public Information Service*.
12 ICGLR Outcome Document, 2019, p.4. <https://www.unhcr.org/ibelong/wp-content/uploads/Great-Lakes-Region-Outcome-Document-of-the-Ministerial-Conference-on-the-Eradication-of-Statelessness-April-2019.docx>