ROLE OF INDIGENOUS AND LOCAL COMMUNITIES IN THE NOMINATION PROCESS – EXPERIENCES FROM THE NOMINATION OF THE OKAVANGO DELTA
The Okavango Delta is more than the habitation of animals.

It is home to Indigenous and Local communities like: The Bugakhwe, The Qanikhwe, The Xeriku, Hambukususu, Wayeyi and Batawana.

Measures should therefore be put in place to recognize this aspect
Legislation in Botswana recognizing and protecting communities

- Constitution of Botswana
  - Gives every citizen rights
  - Protection from discrimination on the basis of race, ethnicity, gender etc
  - However no recognition and protection as a tribe, indigenous peoples or minorities.
  - Only 8 tribes recognized
Legislation CONT’

- Tribal Territories Act
  ◆ Recognizes 8 tribes
  ◆ Designate tribal territories to them
  ◆ Territories named after them
  ◆ Kgosi from these tribes supreme tribal leader of the area
House of Chiefs and Cultural representation

- Only 8 Tswana speaking tribes have automatic access to House of Chiefs
- Represent and custodian of culture of their tribes
No recognition of the way of life of indigenous peoples: hunting and gathering
INTERNATIONAL INSTRUMENTS RECOGNIZING INDIGENOUS PEOPLES

- IP recognition by UNDRIP
  - Article 1 (enjoyment of their human rights, including as a collective), Article 2 (free from any discrimination) Article 3 (free to determine development)
  - Article 8 (the right not to be subjected to forced assimilation)

- UN EMRIP recognition of Indigenous Peoples
  - Called upon World Heritage committee to review and revise its working methods to ensure that Indigenous peoples are adequately consulted.
INTERNATIONAL RECOGNITION CONTINUED

- IP recognition by UNESCO
  - Unesco Policy on engagement with Indigenous Peoples

- Agenda 2030 commitment ‘to leave no one behind’

- IP recognition by IUCN
  - In 2016 at WCC decision by IUCN Members’ Assembly to create a new category of membership for Indigenous Peoples’ Organizations (IPOs)
  - This decision opened the opportunity to strengthen the presence and role of IPOs in IUCN.
  - Environmental, Economic and Social Policy
INTERNATIONAL RECOGNITION

- IP recognition by World Bank
  - The Environment and Social Safeguards Framework ESSF), esp, ESS7
- IP recognition by IFAD
  - IFAD engagement with Indigenous Peoples policy
INTERNATIONAL RECOGNITION cont

• IP recognition by CBD and the Nagoya Protocol
  ✓ CBD art 8(j), Nagoya Protocol art 7

• IP recognition by the Paris agreement
  ✓ A human rights approach and involvement of indigenous peoples
Consultations of Indigenous Peoples and Local Communities

- Community mobilization
- Community consultation: Consultation from Government perspective
- Participation
- Decision Making Process
- Prior and Informed Consent
Involvement of Indigenous and Local Communities

- Meaningful consultation of indigenous and local communities through FPIC (Nagoya, Art 7)

- Internationally recognized principle
- Free: Free from coercion or enticements
- Prior: before decision was taken
- Informed: Giving the people information about the project to make an informed decision
- Consent: to have the opportunity to say yes or No
Respect the traditional land utilization of indigenous peoples and Local Communities

Protect the land rights of indigenous peoples and local communities against land grabbers i.e. concessions

- CBNRM
- Land Bank
- Mining
- Tourism
CULTURAL RECOGNITION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES
Cultural recognition

- Recognize that culture is the custodian of Indigenous Knowledge
- Recognize that Language is the driving force for indigenous knowledge
- Relocation disturbs the flow of Traditional knowledge
CONCLUSIONS AND RECOMMENDATIONS

- Opportunities are available through World Heritage Listing
- Involve indigenous peoples and local communities as partners in conservation.
- Capacity building
- Involvement of indigenous peoples in research as co-researchers and research assistants
- Communities should derive benefits from the Okavago.
- Promotes and preserve the customs and traditions of Indigenous Peoples and local communities regarding IKS.
Conclusions and Recommendations

- Development of Biocultural Protocols for Indigenous Peoples and Local communities
- Mutually Agreed Terms
- Development of sustainable projects for the benefit of indigenous Peoples and local Communities.
LITERATURE CONTACTED

- IFAD Policy on Engagement with Indigenous Peoples
- Okavango Delta Management Plan (2008)
- Okavango Delta World Heritage Workshop, (March 2016): Khwai, Botswana

Shrumman Holly and (Eds), Biocultural Community Protocols: A tool for community facilitators


Unesco Policy on engaging with Indigenous People,


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World Indigenous Peoples Celebration by Khwe people in Botswana
09 August 2019
Lethakane: Buuhe Ward
Theme: We are Indigenous