

ROLE OF INDIGENOUS AND LOCAL COMMUNITIES IN THE NOMINATION PROCESS – EXPERIENCES FROM THE NOMINATION OF THE OKAVANGO DELTA



THE OKAVANGO IS THE ANCESTRAL HOME OF THE SAN INDIGENOUS PEOPLES OF BOTSWANA

- 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, Hambukusu, 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



LEGISLATION CONTINUED

- 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



LAND TENURE AND LAND USE SYSTEM IN BOTSWANA

- Masimo
- Moraka/ Mahudiso
- Motse
- 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



LAND AND LAND UTILIZATION OF INDIGENOUS AND LOCAL COMMUNITIES

- 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 Okavango.
- 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.



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- Turpi, Jane et al (Oct, 2006: Economic Value of the Okavango Delta,Botswana and Implications of Management.
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- World Bank 's Environment and Social Safeguards Framework (2018)



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**World Indigenous Peoples Celebration by Khwe people in
Botswana**

09 August 2019

Lethakane: Buuhe Ward

Theme: We are Indigenous

