TALKING ABOUT ROOIBOS AND INDIGENOUS PLANTS

Towards a Community of Practice on Access and Benefit Sharing
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DAY 1: 17 APRIL 2018

The workshop, held at Michael’s on Park in Clanwilliam, kicked off with a word of welcome and a round of introductions. Associate Professor Rachel Wynberg from the University of Cape Town (UCT) introduced the objectives of the meeting – stressing that the 2-day meeting was planned to be a conversation around Access and Benefit Sharing (ABS), and not aimed at discussing the ongoing rooibos-related negotiations. The aim of the workshop was to provide a platform to share research and ongoing developments on ABS in the Western Cape, with the intention to learn lessons across communities, industries and researchers and to gradually develop a Community of Practice (CoP) on these complex questions.

Setting the scene: Emerging trends in bioprospecting and biotrade

Rachel Wynberg, University of Cape Town

Most biodiversity is located in developing countries, while most of the financial wealth is concentrated in the developed global north. The Convention on Biological Diversity (CBD) came into being in 1993, recognising the potential of using biodiversity conservation as a lever for equity. This has been described as the ‘Grand Bargain’ - access (subject to prior informed consent, and based on mutually agreeable terms) in return for fair benefits (ABS). The CBD also recognises access to traditional knowledge (TK) as grounds for benefit sharing. Ongoing negotiations led to adoption of the Nagoya Protocol on ABS in 2010. It came into force in 2014.

South Africa developed its Biodiversity Act in 2004; it requires anyone carrying out bioprospecting involving indigenous biological resources or associated TK to apply for a permit. Anyone exporting indigenous biological resources for the purposes of bioprospecting or other research also requires a permit. There is a requirement for benefit sharing agreements, and permits are only issued if prior informed consent has been obtained. The legislation has changed over the years, but it remains very difficult to get a permit. At present the regulations require multiple permits along the value chain. Around 30 have been issued to date. Science and technology are developing rapidly, and regulation is moving very slowly. So far most focus has been on regulation with very little attention paid to conservation and value adding. Are there perhaps other ways of commercialising natural products?

What is benefit sharing?

The division and distribution of monetary and non-monetary benefits in a way that has equitable outcomes and is procedurally fair.
Sarah Ives, Stanford University

Sarah Ives brought an anthropologist’s perspective to the discussion. She worked for almost 10 years in the region, including spending a year living in Clanwilliam.

Even though rooibos is largely cultivated, it is a part of the ecosystem and of natural history. Rooibos is not an ordinary crop – it is the fabric of our society. It is exported to more than 30 countries and is very well known. Sarah showed some images of rooibos being marketed overseas – many telling a story about the tea, such as stimulating weight loss, ensuring longevity, promising weight gain, making skin more beautiful, improving vision, cleansing the liver, assisting with fertility, or promoting sleep. Some advertisements use dramatic language, for example calling it ‘the national drink’.

Sarah wants to understand belonging and rooibos, thereby hoping to contribute to the CoP. She hopes to bring the voices of coloured people in, also those who may not farm rooibos, but still have a connection to it.

Sarah held in-depth interviews with a large variety of people, rooibos farmers large and small, workers, labour brokers, processors, marketing agents, product developers, as well as with hundreds of people indirectly involved, such as school principals, government officials, conservationists, tourism industry employees. These respondents highlighted various perspectives, raising questions about whose voices are included in discussions regarding ABS.

Rooibos comprises 10% of the herbal tea market, and is likely to continue to grow. Many coloured people think that the industry has been built on the knowledge of coloured people. In the past they did not farm the tea, it grew wild, and they would prepare the tea the traditional way.

Some quotes emerging from Sarah’s work

‘My heart is rooibos’, ‘my blood is in the soil’, ‘rooibos farming is who you are’, ‘rooibos husbandry is about living in harmony with nature’, ‘I was born a rooibos tea farmer’, ‘if rooibos is indigenous, then I am also indigenous (to the region)’, ‘we are slowly starting to regain our dignity as we are working with our heritage’.

As cycles were changing due to climate change, anxiety was spreading, and so were rumours which made people nervous. ‘Exports are going up, but the climate is not cooperating’ said one coloured farmer – climate change was undermining his hope for independence. Coloured farmers are often further from processing centres (due to apartheid spatial planning), whilst white farmers were generally more diversified. Larger farmers were less worried about climate change than small farmers as they could afford to adapt through use of fertilisers and irrigation.
Understanding the past to contribute to the future

John Parkington, University of Cape Town

John Parkington, a retired professor of Archaeology at UCT, is interested in the Stone Age – a time when people used stone rather than metal for tools. The Stone Age did not occur very long in the past – around 300 years ago people lived in the area. If you want to understand the present you need to understand long-term structures such as place, ecology, and seasonal climate variations; these are long-term determinants of what is going to happen. Longer-term issues are also implicated in ABS, such as the rooibos case.

John introduced the Clanwilliam Living Landscape Project (CLLP) – which he co-founded. The CLLP uses the landscape as a framework for developing historical understanding among local communities, and works through developing school curricula (across the full range of subjects, not just history) and creating jobs through tourism (through training rock art guides).

The ‘Time Machine’ at the Clanwilliam Living Landscape in Clanwilliam (Photo: John Parkington)

John introduced the Clanwilliam Living Landscape Project (CLLP) – which he co-founded. The CLLP uses the landscape as a framework for developing historical understanding among local communities, and works through developing school curricula (across the full range of subjects, not just history) and creating jobs through tourism (through training rock art guides).

Key threads are: Who are we? How did we become us?

Questions of identity: What is indigenous, what does it mean?

The CLLP raises funds to take learners into the landscape and asks them to look at what is there and how it is connected to the present. Learners are also taken back to the past (finding food, cooking it in the ancient way and eating it) and then asked to bring what they learned into the present.
At the start of his talk, Neil made it clear that he was not speaking on behalf of the Department of Environmental Affairs (DEA), but rather in his own capacity as a botanist based at the South African National Biodiversity Institute (SANBI). Neil said that ABS in South Africa had been developing over more than 20 years, with the complexity of ABS noted in SANBI’s operations. Neil looked around the room and observed that many different skills and insights were represented, and that such a diverse group would have widely differing opinions about how successful ABS implementation in South Africa has been.

Neil and his colleagues were seeing a need for government departments to come together and collaborate to make ABS work for South Africa as a nation. The Bio Products Advancement Network South Africa (BioPANZA) needs to develop more, but could possibly provide such a space. Regarding legislation, there is a need to further support decision-makers in South Africa in seeing the potential value of biodiversity, and to respect the needs of biodiversity, and what should be its rights.

What has been achieved thus far with ABS implementation has been a slowing of the outflow of illegal movement of genetic resources. Currently, attention is focused on how benefits can be provided to different stakeholder groups, as well as adding value in-country, as this provides the potential to create jobs and lead to increased GDP generation.

Going forward, ratifying the Nagoya Protocol is informing how our own legislation evolves. We should see draft legislation gazetted within a few months. He encouraged everyone to reflect on how regulations have affected us over the past ten years, and to provide input through the available public participation process.

Some questions to consider when commenting on the draft legislation

- Does it try to be everything for everyone, thereby complicating things?
- Is it constitutionally sound?
- Will the bioprospecting/biotrade sub-sector be facilitated and encouraged to grow?
- Does it align with biodiversity strategies, both national and provincial?
- Will it be easier to comply with than existing ABS legislation?
- Are definitions clear?
- Is there legal certainty?
Industry perspectives

THE ROOIBOS COUNCIL

Marthané Swart, South African Rooibos Council

The South African Rooibos Council (SARC) is an independent organisation, responsibly promoting rooibos and its attributes to the consumer and protecting the interests of the rooibos consumer and relevant stakeholders, supported by research and communication.

As with other dryland crops, rooibos production has over the past year been influenced by the drought but has through the implementation of good practises managed to keep volumes relatively stable. The demand for rooibos continues to grow as SARC shares more information and research results with different consumers and stakeholders. It also needs to be noted that it is part of the mission of SARC to respond to threats and crises in the rooibos industry and protect the interest of consumers.

As with all negotiations, the rooibos TK negotiations were challenging in the beginning. The process is facilitated by the DEA in terms of the Biodiversity Act, and they have played a key role in assisting participating parties to continue to move forward. Ms Swart said that she is not able to share details of the negotiations since the negotiating parties entered into a Code of Conduct which states that details will only be shared with the approval of all, but she could share lessons learned.

Initial meetings on TK were held in 2012, but the process only gained momentum in 2016; since then 11 meetings have been held. A big step was taken in 2017 when SARC, on behalf of the Rooibos Industry, acknowledged TK on the plant. It was mutually agreed that TK is not exclusive and that there are other parties who also may have TK, including rooibos farmers – both large and small-scale. These negotiations may provide lessons learned and possibly even a template of how TK negotiations may be approached for other natural product sectors.
Lessons learnt

- Develop a Code of Conduct delineating roles and responsibilities, terms for conduct and negotiation, confidentiality and arbitration.
- Move slowly and make sure that there is clarity for all parties on issues discussed and decided upon.
- There is a need for workable and inclusive measures to effectively consult constituencies.
- Agree on scope and boundaries of the negotiation, i.e. what is the focus and what is included in negotiations?
- An impartial facilitator present from the outset could be valuable.

PARCEVAL PHARMACEUTICALS

Avril Harvey, Parceval Pharmaceuticals

Parceval Pharmaceutical operates an organic farm and a manufacturing facility. It also does consulting – assisting companies to set up ethical supply chains and source indigenous plants. Parceval has secured seven of the bioprospecting permits issued thus far, and it is not generally an easy process to secure these.

Avril highlighted 3 cases that indicate some of the challenges faced. For instance, Parceval was approached by a German university doing purely academic research (in other words, no commercial endpoint). The DEA insisted that they conclude benefit-sharing agreements, even though there is no commercial outcome expected from the project because Parceval is a company. If two academic institutions were involved, no permit would be needed.

Avril gave another example – in the case of the resurrection bush proposal, the project was only funded for 12 months, and hence there was a sense of urgency to identify TK holders. The DEA was immediately contacted but they were sent from pillar to post as no-one could identify TK holders. Eventually Parceval received a list of eight TK holders but no contact emails or numbers. As it turned out they ended up sourcing material from Zimbabwe, as the funding required a partner from a SADC country. Zimbabwe has the same resource, but their ABS process is not fully in place yet and they are using the project as a precedent to establish ABS in that country.

In yet another case, a client wanted to use the seed of a certain plant to synthesize a precursor for a drug; there was urgency, and yet it took a few months to negotiate benefit sharing with communities. It was felt that communities are still not fully aware of the bioprospecting environment and regulations, however, Parceval was impressed to notice that communities are doing more due diligence, requesting more information on projects and requesting more non-monetary benefits such as asking to put up nurseries and thus create more sustainable jobs. The challenge is that these discussions and negotiations can take a long time – especially when a company is working according to a commercial client’s timescale.
NEGOTIATING BENEFIT-SHARING AGREEMENTS

Roger Chennells, Chennells Albertyn Attorneys

Roger, whose nickname was ‘Rotman’ among the San, has played the role of a lawyer in the rooibos negotiations. His opening question was: who are the San today? In the past, when he did land claims with the San, they used to pick up the sand and say they did not own the land, but they belonged to it. For him it was interesting that Sarah Ives talked about rooibos being linked to belonging. Your heritage and land are closely linked to each other; when people say ‘we belong to the land’ you actually have the grounds for a land claim for the whole Cederberg region – as you were here first and have knowledge of the uses of plants such as rooibos.

Roger started working with the San in 1992, mostly around land claims. Heritage was already part of the conversation then. TK and indigenous knowledge systems (IKS) – individuals change it, but no individual can say ‘I own this’; you cannot own it, you can only hold it and pass it on. Some traditional healers say they are the TK holder, but actually they are the ones holding it on behalf of their community. The Hoodia case came up in 2001, and Rachel Wynberg played an active role in blowing the whistle on the CSIR (Council for Science and Industrial Research) which at the time claimed that the San had died out. Thereafter the negotiations began, and the San Council was elected. The case became very well known, getting widespread recognition from the academic world. They negotiated for 2 years, at a time when they did not have any knowledge about TK, patents or other related issues. They learned a lot throughout the process. Hoodia had great promise, but it did not turn out to be successful, even though the benefit-sharing agreement was in place.

Subsequently, other benefit-sharing agreements have been concluded. With the Sceletium agreement the San agreed to share benefits with two Nama communities. In the rooibos case, the San declared they were the original people and therefore the original TK holders. It was mentioned that other groupings such as the various Khoi tribes were also TK holders, so the San agreed to share 50% of benefits with the Khoi. They thus use this negotiation forum not only for Rooibos, but also for Honeybush, Hoodia and Buchu.

The Khoi are represented in the negotiations by the National Khoi-San Council (NKSC), who were approved by cabinet in 1998 as the official representatives of the Khoi of South Africa. They include San, Griqua, Nama, Korana, Cape Khoi and other groupings. In the negotiation a 50% split was agreed – the NKSC would take care of the Khoi and the San Council would take care of the San. With the negotiation with Nestlé around a rooibos capsule, the supply of rooibos had to be legal. Rooibos Ltd was their supplier, but a year later Rooibos Ltd realised they had a problem, as they were not ‘legal’ meaning they needed a benefit sharing agreement. Three years of unpleasant meetings ensued. Initially industry said the San did not have TK and they commissioned their own report. The commissioned DEA Report concluded that the San and Khoi are the TK holders of rooibos.
Roger listed some helpful points related to negotiating benefits

1. Negotiating for TK is difficult, as there are not really any clear guidelines.
2. TK is a kind of ‘moral intellectual property’.
3. When negotiating a benefit-sharing agreement, there needs to be representation and governance, you have to have committees, and people have to work together.
4. Parties to the negotiation can benefit from help and guidance from NGOs.
5. An aggressive stance gets you nowhere, you need to find each other.
6. The partnership model is the only way to go.

Questions and Comments

Q: Organising into a grouping – where can one get support to be recognised?
A: If someone wants to get involved they need to organise and contact the leadership of the NKSC.

Q: We are from Wupperthal where organic tea is cultivated, can our people also be part of benefits being shared? We kept the rooibos traditions alive, what about us?
A: You must benefit and you will benefit.

Q: The Khoisan – they have left the Cederberg, how do they identify themselves as Khoisan?
A: Peoples’ identity changes, the Khoi did not leave the Cederberg, but people stopped saying ‘we are Khoi’.

Comment: The problem in Wupperthal is that people did not take the negotiations seriously at first, but now they are interested - now that there is money on the table.

Comment: The grouping of ‘coloured people’ – they were not born, they were created – white folks grouped all brown-skinned people together and labelled them ‘coloureds’. Now it is up to us to decide who or what we are.

Comment: The inherent knowledge you have is there, maybe identity is not the central issue. What about the farmworkers? They have inherent knowledge too, how can they be included?

Comment from Roger: No Khoi voice from the Cederberg came forward in the rooibos case. You don’t have to say you are Khoi, you should be able to self-identify however you want.
GROUP WORK I

At this point the group was divided into smaller groupings and asked to answer the following questions (for each grouping there was both an Afrikaans and English station where discussions could be held).

GROUP 1: Value adding to natural products
GROUP 2: Recognising TK holders
GROUP 3: Developing models for benefit sharing

Questions to be discussed by each group

What are we doing well?
What aren’t we doing well? / What prevents more equitable benefit sharing?
What needs further work and attention?
Whose voices need to be stronger?
What further research is needed?

For the responses to these questions, see Annex 3.

Learning from Fair Trade

Lena Kotze, Heiveld Co-operative

The Heiveld Co-operative is a grouping of small-scale rooibos farmers in the Suid Bokkeveld, Northern Cape. The Co-operative was founded in 2001 so that members could process their tea and get access to markets. They are organic and Fairtrade certified. The first Fairtrade certified rooibos producer organisation in the world, the Heiveld Co-op is a values-based organisation dedicated to improving the lives of their members. They are inspired by a vision of an improved future.

Heiveld decided to become Fairtrade certified since the fair trade system is also based on values, and the values are well aligned. As a result the Heiveld is able to promote social justice, solidarity and partnership together with their trading partners.

The Heiveld Co-op’s core values are

- Equality of all people
- Transparency
- Equal rights for all people
- Empowerment of women
- Fair prices and wages
- Sustainable development

Working together as a Co-op has improved the lives of members, for example, their living standards have improved, including getting a better income from tea, which means that they can now invest more in the land, plant more, and maintain the land better. They have improved their housing, and equipped their houses with solar electricity systems, and bought household conveniences like fridges and TVs. The Fairtrade premium they received has been invested in several ways, such as, repairing borehole pumps, providing dentures for older people, bursaries
for young people, provision of seed to members, investment in schools, sponsorship of the touch rugby team, and organic training.

What can we learn from Fairtrade for ABS?

- The importance of transparency in building trust
- Collective decision making related to how money will be spent for the benefit of the community
- The value of investing in our own business enterprise to enhance its sustainability
- The importance of developing our own community

Creating new rooibos futures

Noel Oettlé, Three Fountains Trust

Colonial settlement in the Bokkeveld dates back to the mid eighteenth century. Following the war of 1739, settlers took ‘legal’ possession of those parts of the landscape that had:

- Perennial water supplies
- Access to good grazing in all seasons
- Fertile soils for producing grains, fruits and vegetables

Some areas were not settled and remained as ‘Crown Lands’ because they lacked these advantages. In the enfranchised years of the Cape Colony of the late nineteenth century (when all men had voting rights) ‘Coloured’ settlers made their home on these Crown Lands and started farming there, paying the Colonial Government ‘quitrent’. Typically, these areas are dry and infertile.
The conditions of ‘virtual slavery’ of people of Khoi-San descent evolved over time. The 20th Century was not a good one for people of colour in the Bokkeveld - successive legislative changes stripped people of their voting and other rights and undermined their independence. At that time, the rooibos industry excluded people of colour and women.

When the Tricameral Parliament was introduced around 1984, the community found itself entirely ‘off the map’ and deprived of all agricultural support (Land Bank, Department of Agriculture, Agricultural Credit, etc.). Come liberation in 1994, ‘Coloured’ farmers had the skills to enter the rooibos industry but lacked sufficient land and other resources - and did not have market access.

The Heiveld Co-operative: A vehicle for development
The Co-operative was formed to promote the economic and social development of the community. From 2001 it gave farmers access to processing facilities and to Fairtrade markets. The Heiveld constructed a tea court on land on Blomfontein farm secured under a 99-year lease.

In the boom years they could not sell most of their tea; in the drought years they could not meet the demand of their markets. To meet the aspirations of the members, they had to gain access to more land to produce and market more rooibos, so the Heiveld formed the Three Fountains Trust.

‘The main object of the trust is to facilitate access to land by members of the co-operative, particularly by those members who are disadvantaged relative to the other members because they do not own or have the use of agricultural land sufficient for their needs, and having particular regard for the need of women members to obtain access to the land.’
They wanted to acquire and hold suitable agricultural land so that it could be used for
- Cultivation by the members
- Cultivation by the Trust or co-operative
- Potential new members of the co-operative
- Conservation and eco-tourism

They planned to
- Establish facilities to service members of the co-operative
- Establish education and training facilities for community and co-op members
- Promote the sustainable use of the land
- Establish an eco-tourism enterprise
- Increase the participation of the community in the co-operative, by making land available to new members of the co-operative
- Promote economic development and self-employment in the community

Acquiring Blomfontein farm
The 2,497 ha property was the first private nature reserve in the Northern Cape. In 2015 it was offered for sale to conservation bodies, but there was no interest, although there was interest from other buyers in the 120 ha of land suitable for rooibos cultivation.

In February 2016 the Heiveld and its trading partners in Germany and France launched a campaign to buy the land. By the end of the year 2/3 of the money needed had been raised by ‘crowd funding’, the ‘missing 1/3’ was lent by the Heiveld Co-op. Transfer took place in May 2017.

What the Heiveld Co-op is doing
The first priority is to re-establish rooibos and get the farm back into production. In 2017 we invested most available liquidity in clearing old lands and establishing tea fields. We are providing secure water supplies to the Heiveld from the farm’s borehole via a solar powered water transfer system. The drought has been a serious hindrance. We have hosted visitors from trading partners of the Heiveld.

Doing research differently: The Co-Create Project

Loubie Rusch, Jaci van Niekerk, Tracy Du Plessis, Jerome Jantjes and Quinton Hein

Accompanied by a rich visual presentation, Loubie Rusch introduced the Co-creating Wild Foods Livelihoods in the Cederberg Mountains Project. This three-year National Research Foundation-funded community engagement project involves two Cederberg communities (based respectively at Vleiplaas and Heuningvlei), conservationists, and film makers. It has also brought together the Departments of Environmental and Geographical Science as well as Archaeology at UCT. The overarching aim of the project is to jointly explore possible livelihood development based on local wild foods. Along with this research question, the project raises issues around ABS, landscapes, and connections to identity.

Jaci van Niekerk from the University of Cape Town introduced the research components of the project: Vuyiswa Lupuwana is doing a documentary-based PhD looking at identity; Elzanne Singles is completing her PhD on botanical specimens found in archaeological sites, Nick
Zachariou is looking at historical references to foodways in the area for his Post-Doc, and Jaci herself is looking at contemporary foodways in the area for her PhD.

Tracy du Plessis, Jerome Jantjies and Quinton Hein commented on their impressions of the project thus far, expressing their excitement at the prospect of co-creating a book based on local peoples’ heritage and related wild edible plant knowledge.
DAY 2: 18 APRIL 2018

Day 2’s theme was: Conservation and ABS; it was chaired by Roger Chennells.

Biodiversity impacts of natural product cultivation

Rupert Koopman, Cape Nature

Fynbos is part of an important biome as the Cape Floral Region is the only ‘floral kingdom’ that fits into one country. This is an area that is under 90 000 km² and is home to 20% of African plant species with close to 10 000 species, just under 70% of which are endemic to the area and about 25% of which are endangered.

The uniqueness of this area is characterised by numerous and subtle variations in geology, relief and rainfall, which makes it difficult to plan conservation as ideally all of these variations would be protected. More than 120 threatened Western Cape plant species on SANBI’s Red List are there due to the cultivation of rooibos.

Leipoldtville Sand Fynbos is found in the Sandveld area in and is one of the regions where rooibos is grown. Thousands of hectares have been lost in recent years due to rooibos cultivation. In areas where cultivation is difficult, such as rocky areas (which is a separate vegetation type – Graafwater Sandstone Fynbos - more habitat remains.

Leucospermum arenarium, critically endangered Redelinghuys pincushion

Cederberg sandstone fynbos grows all over the Cederberg region and the easily accessible sandy areas around Wupperthal and Eselbank are threatened because of this. These also carry a unique plant community, different to the rocky areas immediately adjacent.
Similarly, Bokkeveld sandstone fynbos is also threatened due to land use change (much of it rooibos cultivation). *Leucospermum arenarium* and *Serruria flava* are two types of protea that are impacted by rooibos cultivation as both species favour the same habitat as rooibos. Healthy fynbos would have a burn cycle of about 10-20 years but due to fires not being congruent to rooibos cultivation this period is extended.

In Piketberg, Porterville, and the rest of the Swartland, the soil is extremely fertile and field work and assessments have shown that almost no renosterveld still grows there as the landscape has changed dramatically because of the cultivation of cereals and vineyards.

In the Eselbank area there are still many ways of benefitting from the land and rooibos benefits hugely from its natural fynbos counterparts as well as insects and the biodiversity of bacteria in the soils. The local farmers would like data to prove these facts before beginning to cultivate differently.

CapeNature Conservation Planner Genevieve Pence collects spatial information about various terrestrial and aquatic habitats and uses conservation planning software to consolidate multiple inputs in order to identify critical biodiversity areas (CBAs), where connectivity is also a key selection criterion. This helps in identifying the most efficient area of land required to ensure resilience efficiently. Each block of biodiversity plays multiple roles with levels of importance and if one block is lost then much more area is required to reintroduce and conserve certain species, habitats and ecosystem processes. Some of these blocks overlay ploughed land as they are transition zones between mountain and valley soils. The aim is to capture as much diversity as possible in order to protect as many species as possible.

Conservation corridors, such as the Greater Cederberg Biodiversity Corridors, are precursors of the CBAs and important landscape scale initiatives.

Questions and Comments

**Q:** Are the local farmers aware of the critical biodiversity areas?
**A:** The information is freely available online and there are attempts to get the information out there, but the information has not extended to all locals as of yet.

**Q:** Is Cape Nature also looking at useful plants?
**A:** There is a focus on threatened and endangered species.

**Q:** Is there a move to propagate the vegetation and keep a bank of all the species out there?
**A:** This responsibility lies with the National Botanical Gardens. There is such a huge variety of species that it is difficult to keep a live population of all the species (one needs at least 1 500 plants in order to have enough genetic diversity). CapeNature does keep a seed bank.
Conservation and ABS. The missing link?

Neil Crouch, SANBI

Conservation is not currently much in view in discussions around ABS, even though international interest in ABS stems from the CBD. As South Africa is a megadiverse country this disconnect is particularly concerning, as opportunities to promote conservation through ABS are not fully grasped. Although such high biodiversity comes with a responsibility to protect and conserve it, such actions are often deemed to conflict with socio-economic development. In line with this the national budget for environmental protection is very low in relation to other sectors of national interest. There are many challenges in terms of biodiversity conservation in South Africa, with biodiversity having no intrinsic rights under our Constitution. As such, it is seen as having little conservation-worthiness unless it is shown to be of value to people. As the tenet of if it pays it stays’ holds true, actual or potential value needs to be linked to our biodiversity wherever this is reasonable. The people who have the greatest power in conservation decision-making processes include those at grass-roots level and land-owners who directly look after the land, and purse-holders and politicians who determine the related policies. These groups should be targeted by conservationists. What is clear is that the attitudes of those who conserve and their reasons for doing so needs to adapt to current environmental realities, and likely future trends.

The CBD aims for equitable sharing of benefits from the utilisation of genetic resources and associated traditional knowledge. As part of an agreement (the Grand Bargain) reached in negotiating the CBD, biodiversity-rich countries would provide access to their genetic resources if benefits derived were shared with them. The notion was that for some countries the funding could be used to incentivise conservation efforts, through the promise of ‘green gold’. This is likely what in part incentivised South Africa to engage in negotiations and ratify the Convention, even though the returns anticipated were arguably unrealistic. In the past ten years there has been an increase in the utilisation of South African bioresources and policy-makers see the importance of this activity area.

No exact figure has been placed on the value of South Africa’s biodiversity – it is difficult to quantify as biodiversity has multiple values – not only to humankind, but to other organisms too. The SANBI National Biodiversity Assessment (NBA) aims to quantify the benefits of biodiversity, but has struggled to source all current figures and solid facts, particularly in relation to ABS and the biodiversity economy.
The NBA looks at changes to the state of our environment over time, and should ideally include an evaluation of the benefits flowing from ABS to conservation. However, no audit has yet been undertaken to determine whether ABS regulation has led to positive conservation outcomes. In this regard the country does have success stories and is managing to deliver on many of the national and international targets that have been set. One questions how the benefit to conservation of ABS could be quantified to determine whether it is actually beneficial overall. This will be challenging as conservation of biodiversity concerns the system as a whole, and aims to maintain the integrity and diversity within and between species and ecosystems.

The Nagoya Protocol came about due to the CBD and it clearly links biodiversity access to the sustainable use of bioresources, and conservation. It creates public awareness of the economic value of biodiversity as well as the possible non-monetary benefits. As South Africa moves forward with ABS regulation it should be cognisant of the variety of beneficiation options promoted by the Nagoya Protocol, including direct support of biodiversity conservation.

We can promote sustainable use through ABS, but in South Africa the link between ABS and conservation will only be developed if there is a high level commitment to reinforcing it. Whilst considering ideal conservation outcomes we nonetheless need to be realistic about returns achievable from ABS. This is where the proposed CoP, reflecting different viewpoints on ABS, will be useful in identifying the balance required.

**Questions and Comments**

**Q:** Why is conservation not part of current negotiations for ABS?

**A:** Processes take long. It took 3 years of negotiations to get people to acknowledge that TK exists (around rooibos). The options now are to either keep going and nail down an ABS agreement and pursue conservation later or raise funds and start over with a bunch of new negotiations including conservation, fair trade, BEE, etc. Time and cost are issues and it is about being practical.
Q: In Scandinavian countries, where foraging in the wild is allowed, there is a different mind-set. Why not here?
A: South Africa has such high biodiversity, that system wouldn’t work here. Due to budget cuts in conservation, money needs to come from wherever possible and green areas need to be protected.

Comment: There is a hidden economy of microorganisms that is worth billions but that is not captured and the value is not understood. SANBI is attempting to understand the alternative benefits of biodiversity.

Comment: Are benefits only measured by influence on GDP and job creation? There is a whole informal sector that policy-makers ignore.

Comment: Preventative health care is more effective than medical healthcare. The use of natural medicines and self-medication for treating illness is not captured in formal or informal trade. This form of harvesting and medication cannot be quantified. Medicinal plants supplement the cost of medicine in South Africa but no hard figures are available.

Comment: It is so difficult to quantify - monoculture has wiped out biodiversity and resulted in famine and desertification. How do you quantify death? This could be why conservation is an important link in ABS and policy-making. Conservation should be broader in policy making as an unhealthy environment means unhealthy people.

Comment: There needs to be a shift in approach from thinking of biodiversity as a commodity in order for us to give it value. There are other values such as spiritual value, but these values are not considered by decision- and policy-makers.

Comment: ABS as a vehicle can only be empowered through a collective, it should be developed and implemented through beneficiaries.

‘Ons eet vanaand uintjies uit die vlei’: Reflections on kitchen conversation and biocultural conservation

Rhoda Malgas, Department of Conservation Ecology and Entomology, Stellenbosch University

Growing up in Cape Town, Rhoda’s mother kept alive her family history through stories and expressions that she shared with her daughter at their kitchen table. One expression: ‘Vanaand eet ons uintjies uit die vlei’ was commonly used when referring to the meal of the evening. Rhoda would later realise the tangible nature of her mother’s expressions, and how they relate to the functional use of plants at Genadendal, the rural village that is the seat of her matriarchal lineage.

For her PhD research Rhoda focused on local ecological knowledge (LEK) of honeybush (Cyclopia maculate) at Genadendal in the Overberg. She aimed to find what we can learn from local residents about these plants, how that knowledge may be used for the conservation and sustainable agricultural production of honeybush, and what the value and source of the knowledge is. Looking at the literature, there are many different forms of knowledge under the now popular umbrella term of IKS (indigenous knowledge systems). These include, but are not
limited to IEK (indigenous ecological knowledge), TEK (traditional ecological knowledge), LEK, rural people’s knowledge, farmer’s knowledge, folk knowledge, etc.

Two harvesters at Bereaville, Genadendal, demonstrating the harvesting of honeybush at a planting trial. (Photo: Rhoda Malgas)

The Cape Floristic Kingdom is internationally lauded for its rich biodiversity, but the region includes rural communities of people whose knowledge of that biodiversity is equally significant. Together with the biodiversity, there is also cultural richness and diversity in the way that people identify themselves and the knowledge that they have of the landscape.

Honeybush (*Cyclopia maculata*) is called *vleitee* in the Overberg region and is endemic to the Overberg. It grows to about 2 m tall and is harvested with a sickle. The rooibos industry, established in the 1950s, is far older than the honeybush industry, but the informal trading of honeybush is as old as, if not older than the rooibos industry. Her research was not only focused within Genadendal but also on the outlying regions of the production area, as the people there (who are outside the formal sector) felt they were often being excluded from research and project initiatives.

From interviews conducted with local knowledge holders, the research shows that there are two types of honeybush that occur naturally at Genadendal. They are called *bergtee* and *vleitee* by the locals. The names are telling of the specific habitat where the plant occurs. The leaves are morphologically distinct and one type is a re-seeder while the other a re-sprouter. The local knowledge pertains to the harvesting and production of the different types of honeybush. Although *C. maculata* (*vleitee*) is known in from the literature to occur there, the reference to ‘*bergtee*’ is novel to science.
Local people have noticed a decline in populations, and ascribe it to fires and exploitation, historically and currently. While over-harvesting may well be a main driver of population decline, it is characteristic of pioneer species to concede to other plants as part of the natural process of Fynbos succession. In the old days they didn’t harvest as much as currently. Individuals picked the honeybush opportunistically for individual household use. Men were the harvesters (by virtue of their work as shepherds and labourers in the mountainous areas) and women were the processors, using it to make tea in the evenings. If people didn’t have money for coffee or cooldrink they made honeybush tea, a phenomenon also reported amongst harvesters of wild rooibos in the Northern Cape communities of the Suid Bokkeveld.

At Genadendal LEK on honeybush comes mostly from parents and grandparents but also from community elders and people in the broader family. This knowledge is transferred across several (between 2 and 5) generations and is accumulated over many years. There are church records which show that families have lived in the region for generations. The inhabitants of the outlying areas who are furthest from the village live closest to the source from nature and the knowledge has been around longer. These are also the communities furthest away from decision-making centres.

Apathy towards the biocultural value of the area amongst the community, but especially amongst the youth, was a recurring theme. The responsibility, however, also lies with local residents to find the knowledge, to pass it on, and to use it responsibly. Although the research was focused on honeybush, it should be remembered that residents have local knowledge about a host of different species, not just honeybush. There is a loss of knowledge as older people pass away, or lose their knowledge with age. Elders claim that the younger generations do not cherish it, although there is evidence of younger people passing on the knowledge. It is important for them to claim the inheritance of knowledge. Interestingly, research institutions like the Agricultural Research Centre and Stellenbosch University who have been working on honeybush in the region, were also cited as sources of knowledge, especially amongst one or two younger people in the main town. This raises questions of the roles and responsibilities research institutions have as repositories of LEK towards the original holders of those knowledges.

**The Shenzhen Declaration on Plant Sciences:** To value, document and protect indigenous, traditional, and local knowledge about plants and nature. This is important throughout the world.

**Points for discussion on ABS**

- Need to protect the species alone but also in relation to all other species and how they fit into the ecosystem. ABS for rooibos is one thing, but what about co-occurring species, the ones we cannot see, like micro-organisms in the soil?
- What can we do to encourage the passing on of knowledge and conservation of LEK and the biocultural resources that underpin them?
- What are the rights and responsibilities of knowledge holders?
- It is not desirable to advance LEK without the in situ conservation of biodiversity. How do we lever ABS to conserve them together?
- A local conservation ethic is still extant amongst agrarian communities in the Cape Floristic Region, what can we do to revive it?
• Restoration and conservation of LEK requires restoration of the channels of transmission, or creation of new ones. How do we do that?
• If academic institutions are becoming sources and holders of LEK, what are our rights and responsibilities with regards to ABS?
• How do we as researchers do justice to the people whose ABS is at stake through our research processes? As researchers, how do we do research and engage with knowledge holders on precious biocultural resource for the common good?

Comments
Comment: There is new information that honeybush occurs in different areas. Community members own and share knowledge, although this information seems new, locals have known forever where these plants occur.

Comment: Another form of knowledge should be FK – ‘family knowledge’. Who we are and where we come from. Older people think the knowledge isn’t important for the young ones. But in Rhoda’s personal experience with the youngsters is that they do hold the knowledge dear. The young people play a role and attention should be paid to them. The knowledge is something to be proud of and to be passed along generations.

Comment: A lot of elders don’t want to talk about the past and subtlety and sensitivity is necessary when engaging with the past with the community and within the household. There is tension within communities due to things such as drugs, and the search for ABS can be a way of creating a better space.

Alternative approaches to agriculture: A conversation

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
Liza Petersen, Department of Environmental Affairs and Development Planning

Liza outlined the challenge of competing land use between agriculture and conservation – for the Department of Environmental Affairs and Development Planning (DEADP) this involves reducing regulation for farmers whilst at the same time having to protect natural resources. She questioned whether the EIA process (in the absence of a strategic context) was the best route to follow when trying to meet national biodiversity targets given concerns regarding the efficiency and effectiveness EIA process raised by both the agricultural and conservation sectors.

Through the implementation of the Sandveld Environmental Management Framework, DEADP is trying to be pro-active, considering at a strategic level what areas can be farmed and what areas should be conserved. The Framework is too coarse for implementation at farm level, therefore there is a need for groundtruthing of the Framework and catering for farm-level complexities.

Liza stated that the way forward would include the adoption of the Sandveld Framework, the consideration of long-term implementation of farm-level planning, and the planning of similar initiatives in other parts of the Western Cape.
Questions and Comments

Q: Why can DEADP not reach its biodiversity targets?
A: The EIA process is too complex, long and expensive. The EIA process does not address conservation, one needs to do a Strategic Assessment in order to do so.

Q: Look at alternative crops other than potatoes and rooibos, and approaches that can be used in this area – how big is the scope?

Q: Is there an assumption that there is unlawful expansion in the area?

Comment: The key priority for DEA at this point is to ensure that they are giving advice to farmers on how to farm with considerations of both agriculture and ecological perspectives.

MAKING KOS
Loubie Rusch

The context
Resource-hungry large scale monoculture farming is destroying biodiversity, and we are part of a food system which claims to be able to feed the growing masses, but wastes too much. There is a need to solve poverty and malnutrition, unemployment and food insecurity, but the growth economy is actually making things worse. Those who were historically deprived of land access still don’t have land access and so cannot practice food sovereignty. Even the farming of indigenous plants which is being encouraged and which should be a part of the solution, mostly continues the destruction of biodiversity landscapes.

A CoP needs to enable better solutions
For people, their cultures, their local economies, for the environment, for the planet.

Loubie described her work towards a CoP as follows
• Collaborate on (participatory) research for less resource hungry traditional local foods that show they might do well in cultivation.
• Aim to facilitate pilot restoration biodiversity farming alternatives to monoculture.
• Promote the wide spread acceptance and adoption of local wild foods.
• Assist in developing localised markets for and the distribution of locally adapted indigenous wild foods that benefit small scale local and community producers and growers.
• ‘If we eat our biodiversity we will preserve our biodiversity’ Francesco Sotille, Slow Food.
How to be effective against the ‘big boys’ with vested interests

- Don’t make isolated interventions and expect them to convert into a real challenge or alternative to the existing food system with its many vested interests.
- Find ways to link and network a complexity of smaller scale initiatives and businesses.
- Be responsive to local social, economic and ecological conditions in ways that are restorative and regenerative rather than destructive.
- Just start from where you are and get networked with others like you.
- We need to question everything, including how we farm and how we eat.
- How can we ensure that the long-value chain food systems from Europe have limited access to our kitchens?
- Land access - how does that limit the ability to achieve food sovereignty?
- Let’s start eating our own landscapes and introducing our own flavours.
- Rooibos landscapes: challenge rooibos farming to a new approach, explore what other plants grow there and explore the aromatic and food flavours that those plants offer.

Loubie said that the Khayelitsha case study shows us that poor soils or neglected lands can be made productive by growing plants that naturally grow in the area. When she arrived there, soils were of poor quality, but there were things that naturally grow there, so they started farming them from 2016. There was a significant vegetation growth continuing into 2018 – which shows the potential of poor soil in terms of growing foods or plants that naturally grow there.
Loubie wants to approach farming in a completely different way - exploring ways in which conservation lands can be cultivation lands as well, for example, studying what the pioneer edibles are that grow after fires. She wants to form communities of production, who care about similar things and allow them to engage in the deliberate indigenous knowledge economy from their own angle.

We need a clear set of principles for an emerging indigenous industry

- To protect biodiversity, as it becomes valorised, against self-serving large-scale and export growth economy business models.
- To engender responsible behaviours towards each other as well as towards nature on a finite planet that needs to have its rights acknowledged.
- That supports restorative cultivation solutions of local indigenous foods.

Making Kos is expanding through a non-profit organisation, Local WILD

- By facilitating a program of locally responsive ‘Community Kitchen’ projects to catalyse the opening up of local indigenous food markets along ethical, equitable and ecologically sound principles.
- A Cape Town Community Kitchen project is engaging influential chefs and local growers in an initiative that includes:
  - Urban farmer and community grower training to build capacity in the cultivation of local indigenous foods and aromatics.
  - Chef’s masterclasses to introduce local indigenous food plants and veld flavours and to facilitate commitments to regular ordering.
  - Working towards facilitating an equitable distribution network.

Lessons learnt from developing a Honeybush COP

Albert Ackhurst, DEADP

How do we increase the supply (to drive the Bio-economy)? The BioPANZA suggests:

- Promote a mass cultivation drive of 25 plant species of strategic importance.
- Define guidelines to ensure sustainable wild harvesting of 7 high value plant species to safeguard long-term supply.

How do we increase demand and local value addition?

- Establish a coordinating and facilitating BioPANZA to harness existing initiatives and to address the innovation chasm.
- Promote applied research, local processing, innovation and product development; and to promote the use and awareness of products with indigenous biological resources.
Albert introduced the transition from a national strategy on the bio-economy to a provincial strategy. When this happened, there was alignment, and the National Bio-economy Strategy (NBES) was considered in the development of the Provincial Biodiversity Economy Strategy (PBES) in the Western Cape. The first core objective of the PBES is to expand and strengthen the biodiversity economy, and make it inclusive. This objective is realised through the promotion of products based on natural resources, ecological infrastructure value chains, and ecotourism. The second core objective of the PBES is to recognise and value the economic contribution of ecological services. This is achieved via the PBES biodiversity economy business case and the biodiversity economy five-year programme.

Albert started a CoP for honeybush and shared some lessons learned (see below). The main difference between rooibos and honeybush is that honeybush is mostly wild-harvested.

**Lessons learned – Roadmap to a CoP**

1. Identify relevant role players.
2. Cooperation between Western Cape and Eastern Cape governmental sectors.
3. Get buy-in from the private sector.
4. Align with DEA’s Biodiversity Economy Strategy and the Biodiversity LAB.
5. Identify pressing issues.
6. Identify research and knowledge needs.
7. Make sure everyone has a vested interest.
8. Develop the CoP.
9. Have a geographic perspective (distribution of peoples and products).

**Drafting terms of reference/a constitution for a honeybush tea working group/CoP**

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<td>Knowledge sharing and research.</td>
<td>Local value addition and geographical indicators.</td>
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<td>Add accountability and confidentiality.</td>
<td>Funding.</td>
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**Next steps**

- Launch CoP at a national public event.
- Host 5th honeybush CoP Workshop on 8 May 2018 (Tsitsikamma).
- Support DEA/SANBI with the Biodiversity Management Plans for two species of Cyclopia.
- Interact with GEF 6 in terms of funding and projects.
- Develop a research proposal for dealing with the Keurbooms moth.
- Support the CoP on ABS.
Questions and Comments

Q: Are any wild-harvesters or communities part of the CoP?
A: They are involved, for instance the Griqua communities. They are invited to meetings and sometimes we fund their attendance, but we cannot afford to fund all of them to attend (15 communities). We try to involve them in the development of materials, and take it back to them.

Comment: The SARC has a different mandate, it is industry-driven. Prior to 2012 it was all-inclusive, but a consultation process revealed that no-one wanted to pay a levy. It is now a voluntary organisation, they do preserve a seat for small-scale producers, but so far no-one has come forward.

Comment: The honeybush CoP is a very positive space to engage with; they don’t want to become a bureaucratic space - therefore no parties are excluded from joining it.

GROUP WORK II

Small groups by sector [GROUP 1: Government, GROUP 2: Farmers, GROUP 3: Researchers and CBOs, GROUP 4: Industry] discussed the following points related to conservation and the natural products industry.

What actions are working well?
What concerns do we have?
What needs further work and attention?
What further research is needed?
What steps need to be taken to strengthen conservation in the industry?

For the responses, see Annex 4.
Steps towards forming a Community of Practice

Rachel Wynberg, University of Cape Town

Rachel opened the discussion on steps towards establishing the CoP. She said that it was good to have platforms for shared learning, understanding, and shared ownership of this body of knowledge - in a way in which everyone contributes and no one dominates. In a CoP, people come together to learn from each other. The past two days were the start of the co-learning process.

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Do we want something like this at all?
Do we need something beyond what we already have?
Do we focus on ABS conservation in the Cederberg landscape?

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We could also say we are looking at ABS in the context of the Cape Floristic Region, in other words not political boundaries, but ecological boundaries. It is important to remember if we want to focus on ABS that we don’t forget it is not only about plants, but there are new technologies now and therefore there will be a need for different learning spaces around these new areas as well.

We need to consider, how does the DEA get involved if this ABS CoP continues? There is a lot of work happening already that can feed into the CoP and we have heard a lot about it from veldkos to rooibos over the last two days. Finally, how do we take this forward, and around which issues does the energy lie?

Questions and Comments

Q: What do we expect from this community in the future, where are going, why would we want to get together again and communicate?
A: A CoP can help to support and inform national and provincial government around the development of ABS laws and their implementation. It can also help to facilitate conversations among communities grappling with ABS and TK questions.

Q: Regarding steps forward on the strict regulatory frameworks. What do we mean about these terms, for example free and informed prior informed consent?

Comment: A Cederberg focus will be better, look at what is happening here for now, get everybody on board here and advance the bigger vision here.

Comment: Nervous about the biome approach because it will exclude other plants if some folks are outside a particular biome. Maybe look into a region, not a biome.

Comment: There is wisdom in thinking small, if you make it Cederberg-based, you have a face for it and you link it to the people who are there.
**Comment:** The Indigenous Knowledge System Documentation Centres (IKSDC) work and the Department of Science and Technology (DST) is missing and they should be involved.

**Comment:** From the Western Cape the two departments that should be involved are the Department on Economic Affairs and Tourism (DEDAT), and Heritage Western Cape.

**Comment:** With the honeybush CoP the government offered to fund it, currently this ‘ABS CoP’ does not have that kind of backing.

**Comment:** Who coordinates the next meeting and who funds the continuation of this CoP? The Darwin Voices for BioJustice project can help to facilitate the next CoP.

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**Responses and reflections from the floor**

‘The conversation needs to continue’

‘The regional focus will give a ‘face’ to the ABS community’

‘It was good to get information and context, a CoP might be able to break down the ‘silos’’

‘The CoP can help government departments to integrate ABS issues into their planning processes’

‘This kind of event is informative and motivating, it is really good to bring all these different role players together’
## Towards a Community of Practice on ABS

**Day 1: 17 April 2018 - Clanwilliam**

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Towards a Community of Practice on ABS

Day 2: 18 April 2018 - Clanwilliam

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# TALKING ABOUT ROOIBOS AND INDIGENOUS PLANTS - TOWARDS A COMMUNITY OF PRACTICE ON ACCESS AND BENEFIT SHARING

17-18 April, 2018
Michael’s on Park, 30 Park Street, Clanwilliam

## DAY 1, 17 APRIL

### SETTING THE SCENE

**Chair: Noel Oettlé**

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<td>Welcome and introductions, purpose of meeting, agreeing on agenda</td>
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<td>10:30</td>
<td>Setting the scene: Emerging trends in bioprospecting and biotrade – Rachel Wynberg, University of Cape Town</td>
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<tr>
<td>10:45</td>
<td>Keynote: Ecology and belonging. Cultural heritage and rooibos tea – Sarah Ives, Stanford University</td>
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<td>11:15</td>
<td>Understanding the past to contribute to the future - John Parkington, University of Cape Town</td>
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### LESSONS LEARNED FROM NEGOTIATING, REGULATING AND IMPLEMENTING ABS

**Chair: Noel Oettlé**

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<td>Industry perspectives</td>
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<td>Marthane Swart – Rooibos Council</td>
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<td>Avril Harvey – Parceval Pharmaceuticals</td>
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<td>12:30</td>
<td>Roger Chennells – lessons learnt from negotiating benefit-sharing agreements</td>
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LESSONS LEARNED FROM NEGOTIATING, REGULATING AND IMPLEMENTING ABS

Chair: Noel Oetlé

14:00  World Café:

Value Adding in Natural Products
Recognising Traditional Knowledge Holders
Developing Models for Benefit Sharing

- What are we doing well?
- What aren’t we doing well? / What prevents more equitable benefit sharing?
- What needs further work and attention?
- What voices / actors need to be stronger?
- What further research is needed?

15:30  TEA

INSPIRING APPROACHES

Chair: Rachel Wynberg

16:00  Learning from Fair Trade – Lena Kotze, Heiveld Cooperative

16:30  Creating new rooibos futures – Noel Oetlé, Three Fountains Trust

17:00  Doing research differently: An introduction to the wild foods project - Loubie Rusch, Jaci van Niekerk, Tracy Du Plessis and Vleiplaas team

17:30  Closure

19:00  Optional dinner at Boskloof Swemgat
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<td>Conservation and ABS. The missing link?</td>
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<td>South African National Biodiversity Institute</td>
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<td>9:30</td>
<td>“Ons eet vanaand uintjies uit die vlei”: reflections on kitchen conservation and biocultural conservation</td>
<td>Rhoda Malgas</td>
<td>University of Stellenbosch</td>
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<td>10:00</td>
<td>Discussion</td>
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<td>10:30</td>
<td>TEA</td>
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<td>11:00</td>
<td>Small groups by sector [government, farmers, CBOs, researchers, industry]</td>
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<td>11:00</td>
<td>Conservation and the Natural Products Industry</td>
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<td>What actions are working well?</td>
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<td>What concerns do we have?**************************************************************************</td>
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<td>What needs further work and attention?</td>
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<td>What further research is needed?</td>
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<td>What steps need to be taken to strengthen conservation in the industry?</td>
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<td>12:00</td>
<td>Alternative approaches to agriculture: a conversation – John Wilson, Department of Environmental Affairs and Development Planning; and Loubie Rusch, Making Kos</td>
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<td>12:30</td>
<td>LUNCH</td>
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<td>13:30</td>
<td>Steps towards a Community of Practice: What is it, do we want it and how do we go about establishing it?</td>
<td>Rachel Wynberg</td>
<td>University of Cape Town</td>
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<td>14:00</td>
<td>Lessons learnt from developing a Honeybush COP – Albert Ackhurst, Department of Environmental Affairs and Development Planning</td>
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<td>14:30</td>
<td>Small group work</td>
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<td>Identifying other actors</td>
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<td>Identifying key research themes</td>
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<td>Identifying key actions and next steps</td>
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<td>15:30</td>
<td>Plenary wrap up and departure by 4pm</td>
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APPENDIX 4: GROUP WORK I

Group 1: Value adding

What works?
- Asset-based community development
- Local research
- International collaboration for innovation
- Technology transfer and mentorship
- The ‘pull’ economy

What does not work?
- Lack of communication
- Lack of supply chain knowledge and integration
- Volumes are too low to do value-adding
- Using a middleman doesn’t work (e.g. the rooibos industry)

What needs change or attention?
- Interdepartmental collaboration
- Roles of departments in different aspects of the bio-economy
- Technological pull from buyers
- Land! Discussions need to be held with government and in some cases, the church
- Integrated Development Plan for the area, including the role of service providers
- Training on marketing and other aspects such as packaging
- Short-term credit facility
- Establishment of a Trust with strict rules – for training opportunities, entrepreneurship (e.g. Fair Trade premium)

Research needed
- Extracts (high value)
- Shared services centre (explore what could work)

Group 2: Traditional Knowledge

What is working well?
- Identifying that there is TK around rooibos so benefit sharing can be triggered
- An attempt to start looking for a community/communities
- Attempt to find voices and organise voices
- Moving away from top-down representation

What needs change or attention?
- Is it a ‘bad thing’ if coloured communities, with different family histories and traditions, identify as Khoisan?
- No visible benefits to ‘actual’ communities
- Still denialism in the industry about TK
- Not well communicated to local farming communities
• Non-financial benefits such as education for wealth creation
• Benefits not filtering down
• Recording stories of the people
• Local small-scale farmers are not being heard
• Better communication needed: ABS vs TK – they are not same, for example - Who holds knowledge? versus Who benefits?
• Who controls benefits?
• How are monetary benefits spent?

Group 3: Benefit sharing

What works well?
• TK being recognised by industry - sets a precedent
• Benefit sharing agreements can be renegotiated
• South Africa is doing comparatively well globally
• Benefit sharing leaves no room for retrospective compensation

What does not work?
• We don’t talk enough!
• Information reaches us too late or not at all
• It is difficult to organise the community
• It is hard to provide inputs in a professional way
• Not clear: Are we promoting TK so that we can make money? Or are we promoting TK because we truly value the culture associated with it?

What needs attention?
• We would like to add value ourselves, then we can keep more of the profit
• How can we make sure TK is protected by benefit sharing
• Should the producers’ or TK-holders’ voices be stronger than those of community members?
• Ideas need to be evaluated in terms of where impacts make the most difference
• We should develop brand names which reflect the value of our tea ourselves
• We want to be in charge of naming our own price
• Suggestion: local knowledge is shared so that we can learn from each other and overcome problems collectively
• How can we promote ABS agreements and implementation?
• Suggestion: education about our identity and our relationship with our heritage, together with people from our own communities
• Value-addition: permits and onus on product development is both a help and a hindrance
• How does the source (nature, e.g. fynbos) benefit from ABS?
• How do we use ABS to leverage conservation benefits?
• Given the inextricable connection between natural resources, e.g. rooibos and land - you cannot have ABS without land redistribution
• Some examples of ABS benefits we would like to see:
  o Bursaries for studies that are relevant to that community
  o Start-up funds
  o Capacity development around farming practices
  o Capacity development around costing for your business
Further research?

- Distributing funds – models
- Belonging to an organisation - is that obligatory in order to benefit?
- Quantifying benefits – e.g. conservation
- Cost – benefit balance e.g. clearing land for cultivation – who is losing out?
- Who should benefit?
APPENDIX 4: GROUP WORK II

GROUP 1: Government

What works well?
- Organisational/institutional structures are in place
- Level of available information
- Organised collectives
- Protected areas
- Community-based implementation of guidelines – co-development/co-ownership
  - e.g. sustainable harvesting of honeybush
- Legislative context
- Eco-labelling e.g. Biodiversity Wine Initiative (partial), Marine Stewardship Council

What’s not working?
- Lack of capacity for conservation
- Consumer education
  - Industry incentive to change
- Compliance and monitoring

What requires additional work and attention?
- Financial capacity – conservation authorities
- Ability to establish credentials for ABS with DEA
- Integrated Development Plans
- Making it easier to be compliant
- Connection between national departments and municipalities

Research needed?
- Standing stock assessments
- Sustainability resilience

Steps to undertake to strengthen conservation in the natural products industry
- Monitoring and evaluation
- Need to use enforcement
  - “Big stick”
  - Prosecute – make an example
- Mainstreaming
  - Government officials
  - Communities
- Stop cutting budgets
  - Shows disregard
  - Devalue
GROUP 2: Farmers

What works well?
- Establishing our own nursery for seedlings
- Using organic compost to enrich our soils
- Using cover crops to retain moisture
- Rotating crops

What’s not working well?
- Concerns remain
- Destruction of the natural habitat
- People should not be greedy – wanting to make money at the expense of nature
- Veld fires which get out of control
- Access to arable lands for agriculture

What requires additional work and attention?
- Training and capacity building
- Alternative agricultural practices
- Conservation actions
- Equipment/tools
- Partnerships with government officials

Research needed?
- How to cultivate seedlings
- Development of products and value-adding
- Organic farming practices
- Transparency around tea prices
- Marketing strategies

Steps to undertake to strengthen conservation in the natural products industry
- Keep promises
- Open and transparent communication within the industry
- Hold a workshop on ABS and our traditional knowledge

GROUP 3: Researchers and Community Based Organisations

What works well?
- Collaboration within and between government departments has improved.
- Approaches that cross disciplines facilitates research and conservation action
- Some interesting government initiated pilot projects, tools and programmes have been developed
- Examples of LEK/IKS being recorded
- There seems to be general interest in ABS and conservation in the region
- Research is being proactive about informing practice

What’s not working?
- Some responses are too reactive, not proactive
- Funding and resource constraints limit action
- Small-scale producers are excluded from Rooibos Council research
• Biological experiments (e.g. companion planting with rooibos), in situ trials, demonstration plots
• Recording and co-creating knowledge about old/past farming practices
• Plants and concomitant species (e.g. microbiology, insects, pests)

Steps to undertake to strengthen conservation in the natural products industry
• Need for collation of relevant research
• Make use of immediate and imminent funding calls
• Make research repositories available to LEK holders/LEK holder communities; how do we regulate this? Mitigate the potential consequences
• Formation of CoPs practice across industries (e.g. bioregional view, biome, etc.)
• Land redistribution and transformation has to be topical
• Mapping of accessible land, across landowner institutions
• Research on mechanisms for benefits from ABS to accrue for conservation action/regulation
• IKS and ethics around research in IKS spaces
• Find creative ways that allow (ABS) resources to flow towards conservation action
• Capacity development for students and academics to work in IKS/ABS spaces

GROUP 4: Industry

What works well?
• Locked into ABS
• Fairtrade/sustainably certified. Stringent environmental impact
• Consumer demand drives conservation (food related but not all)

What’s not working?
• Restoration
• Volume driven
• Fire management (natural vs controlled)
• Not completely representative forum for conservation – ‘not inclusive’
• Communication

What requires further research, work and attention?
• Co-occurring rooibos companion plants
• Creating a business case for cultivation/conservation for farmers
• Proactively managing ‘boom and bust’ scenarios – communication, regulatory/law enforcement/CoP

Steps to undertake to strengthen conservation in the natural products industry
• Have ‘producers’ voices
• Separate ‘discovery’ from ‘trade’ to benefit small businesses ‘cottage’
• Structure for parties involved in chain of wider supporting environment to engage.
• Position correctly and transparently