

The Bushbuckridge BCP: traditional health practitioners organise for ABS in South Africa



by **RODNEY SIBUYE, MARIE-TINKA UYS, GINO COCCHIARO and JOHAN LORENZEN**

Introduction

National and international laws and policies are gradually recognising the importance of empowering communities to ensure conservation. But the implementation of these ideals has proved slow and uneven. With community-led conservation also sustaining livelihoods and protecting cultures, it is important for both conservation and communities that this pace is quickened.

With a history of uncompensated bio-prospecting, the Kukula traditional health practitioners of Bushbuckridge, South Africa are faced with both marginalisation and an emerging ecological crisis from the overharvesting of medicinal plants.¹ But they have staked their claim to rights directly through the development of a biocultural community protocol (BCP).² Their BCP is a community document or

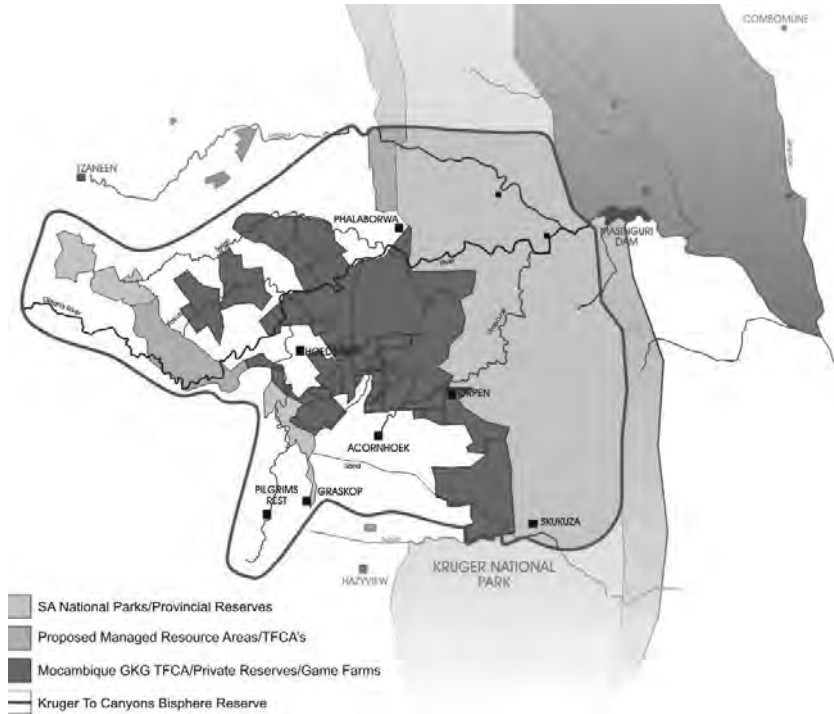
charter that asserts their traditional and continuing customary roles within their communities, and their roles in conserving the natural resources and knowledge on which they rely. The BCP identifies and makes clear the challenges of health practitioners to external agents – such as businesses and government – and calls for them to respect their rights over their land, resources and knowledge.

The BCP was developed through the participation of members of the Kukula Traditional Health Practitioners Association of Bushbuckridge (KTHPA). It was supported in this process by the Kruger to Canyons Biosphere management committee (K2C) and Natural Justice: Lawyers for Communities and the Environment (NJ), an international NGO working with communities to affirm rights over their resources and knowledge.³

¹ Bio-prospecting is the use and commercialisation of a resource and its associated knowledge.

² The Kukula healers are supported by Open AIR www.openair.org.za/ and are a part of the Africa BCP Initiative, supported by the ABS Initiative (funded by GIZ), the Open Society for Southern Africa and the Heinrich Böll Foundation.

³ The Kruger to Canyons Biosphere management committee is a group of six individual stakeholders supporting communities living in the biosphere and the continued conservation of the region.



Map of the Kruger to Canyons Biosphere Reserve.

This article briefly outlines the context in which the members of Kukula practice their healing, and the challenges they are facing. It then discusses the meetings in which the traditional healers of Bushbuckridge decided to develop a BCP – and the inclusive process by which they prepared it, with the full participation of all members. It concludes with a summary of the BCP process and looks at some of the impacts the BCP is already having.

Background

Spanning more than four million hectares, Kruger to Canyons (K2C) UNESCO Biosphere Reserve, is one of the largest Biospheres in the world.⁴ Its area encompasses key biodiversity hotspots, including the Kruger National Park (KNP) and Blyde River Canyon Nature Reserve. The area is rich in both biodiversity and culture.

Biosphere Reserves participate in

UNESCO's Man and the Biosphere Programme and seek to find and demonstrate innovative solutions in reconciling biodiversity conservation and sustainable development. The process to achieve recognition by UNESCO is government-led but must include community engagement. K2C is a non-profit company and its vision is to achieve a better life for all through partnerships.

The Bushbuckridge communities live in the southern portion of the K2C Biosphere in Mpumalanga Province. Bushbuckridge municipality is bounded by the Orpen road to Kruger National Park in the north, the Sabie River in the south, the Drakensberg escarpment in the west and the westernmost boundaries of KNP and Sabie-Sand Game Reserve in the east. While much of this area is government-managed, the majority is communal grazing land.

With 150 people per square kilometre

⁴ UNESCO is the United Nations Educational, Scientific and Cultural Organisation. See www.kruger2canyons.org for more on K2C.

Credit: Johan Lorenzen



Medicinal plant nursery maintained by Kukula members.

in the east and 300 per square kilometre in the wetter west, the population density is already one of the highest in southern Africa, and the population growth rate is 2.4%. Unemployment in the Bushbuckridge area is estimated at 63%. There is a heavy reliance on the cash economy and on State grants, mainly in the form of pensions and child grants. Approximately 50% of the adult male population and 14% of women engage in migrant labour. The average household income is R850 (about US\$110) per month.

The area is extremely biodiverse. It is also culturally and linguistically one of the most diverse in South Africa, with people from different ethnic backgrounds and language groups. For example, people living in the same geographical areas speak Pedi, Pulana (which is a mixture of Pedi, Swazi and Tsonga), Tsonga and Swazi. Many also speak English, Afrikaans or Portuguese, given the close proximity to the Mozambican border (Thornton, 2002).

Traditional health practitioners tend to their communities' physical, cultural and spiritual well-being through traditional

medicine and cultural ceremonies. The healers also hold various forms of traditional knowledge in relation to the uses of their local medicinal plants. Through their traditional practices of sustainable harvesting, the healers support the conservation and sustainable use of these plants. Unfortunately, commercial-level harvesting of medicinal plants for use in South Africa's cities threatens many of these plant species. Access in government-managed protected areas has been severely restricted due to this overharvesting and local traditional healers struggle to harvest the plants they need. The healers also have concerns about the use of their traditional knowledge (TK) without their prior informed consent based on a long history of bio-prospecting with no benefits to the community.

Methods and processes

In 2009, Natural Justice was invited by the K2C management committee and its partners to present and discuss community-based approaches to access and benefit-sharing (ABS) mechanisms, including biocultural community protocols

(BCPs). Interested in the possibility of using such approaches, researchers working with the K2C management committee conducted data collection surveys in each of the core, buffer and transition zones of the UNESCO-registered biosphere. They looked at how Marula trees, firewood, broom grass and medicinal plants are collected, with a view to developing a biocultural protocol linking traditional methods of gathering to conservation.⁵

In May 2009, a preliminary meeting was held between a small group of healers who were connected to a medicinal plants nursery in the region, Vukuzenzele, and representatives of K2C management committee. They investigated the potential for initiating a BCP process with the traditional healers. The process then began with a meeting of 26 traditional healers, members of the K2C management committee and Natural Justice to discuss the healers' concerns regarding the illegal harvesting of medicinal plants from the K2C, and potential cases of biopiracy. Presentations were made on the People and Parks Programme as well as the work of Natural Justice and the use of biocultural protocols.⁶

Following this initial gathering, the traditional healers held regular meetings to share their views, discuss ways to address their concerns and learn more about the laws relating to the conservation of medicinal plants and the protection of TK. This also provided the traditional healers with an opportunity to learn about access and benefit-sharing (ABS) laws under the Convention on Biological Diversity (CBD) and the South African Biodiversity Act.⁷ This process fostered a sense of identity as traditional healers that had not previously existed among them, given the large geographical distances between them and their two separate

cultures and language groups. Over the period of these initial meetings the traditional healers also began to plan how they could form an organisation of healers to meet the challenges identified and become registered as traditional healers with the Ministry of Health.

The process of BCP development led to the formation of the Traditional Health Practitioners of Bushbuckridge, now known as the Kukula Traditional Health Practitioners Association. The group began with 80 members and now has swelled to almost 300 healers, primarily women. The association consists of a management committee of 26 people, six of whom are part of the executive committee, elected on an annual basis by all members of the association. The executive committee assists the association in engaging with other stakeholders in K2C, including business and government, to co-ordinate the development and utilisation of the BCP.

During a two-day workshop in mid-2009 involving Kukula's executive committee, the K2C management committee and Natural Justice, the executive committee members volunteered to participate in a facilitation group (along with Natural Justice and K2C) to collect information from all members of the association involved in the BCP. At this workshop the facilitation group selected six goals for facilitating the BCP development process:

- Build credibility, trust and mutual respect among traditional healers.
- Identify the healers' concerns and values and ensure they are fully understood by asking probing questions and reflections.
- Facilitate consensus among the healers by ensuring that all opinions are heard and considered.
- Make sure all participants are part of the process and ensure they feel part of a

⁵ Marulas are South African trees found in much of Kruger Park. Many parts of the tree have been used since ancient times, including the bark, the leaves, fruit, nut and kernels.

⁶ A South African programme that engages local communities in preserving protected areas.

See: www.peopleandparks.com/about/learn

⁷ Biodiversity Act no. 10 of 2004, South Africa.

Photo: Johan Lorenzen



The facilitation group draws up a code of ethics to supplement the BCP.

shared vision for the BCP.

- Capture and reflect to the group decisions that are owned by the healers.
- Ensure participatory and fair practices throughout the process. Encourage all members of the association to express their views and be involved.

The facilitation process was supported by sharing clear information about the environmental legal frameworks in which the traditional healers operate. Furthermore, it was ensured that by the end of each facilitated meeting during the process, decisions and processes to date were adequately summarised, tasks for the period between meetings were clearly articulated, and feedback opportunities for such tasks were included at the beginning of the follow-up meeting.

Based on the information collected, members of the facilitation group drew up the BCP with the assistance of Natural Justice. The BCP was then presented to, commented on and accepted by the wider membership of the association. The BCP sets out:

- their biocultural values;

- how they connect their communities through their culture to biodiversity;
- some detail of their traditional knowledge;
- the threats to their livelihood posed by biodiversity loss and the taking of their TK without the sharing of benefits;
- how the community plans to improve conservation and sustainable use of medicinal plants;
- information for people wanting to access their TK and medicinal plants; and
- the links between their values and concerns and the rights the healers have under national and international laws.

The BCP is considered a living document by the traditional healers and they periodically review the aims and challenges outlined in their original document. Through the process of developing the BCP, the traditional healers have formally organised themselves as Kukula Traditional Health Practitioners Association and developed their own constitution. The association achieved registration under South African law as a not-for-profit organisation in 2011.



Photo: Johan Lorenzen

Members of the Kukula Traditional Health Practitioners Association.

Through extensive internal discussion, the members of Kukula decided to pool some of their traditional knowledge collectively and shared this knowledge with a small local cosmetic company so that any benefits from the use of their knowledge would flow back to the group as a whole.

In 2011 the association signed a Non-Disclosure Agreement with the cosmetic company to research the use of some of their genetic resources and associated traditional knowledge. They are hoping to negotiate an access and benefit-sharing agreement if the research leads to the

development of cosmetic products.

With increased awareness from government that local healers are not responsible for extensive overharvesting, members have also negotiated for limited access to protected areas that were once completely sealed off to them. They also feel that their access to medicinal plants in their communally-held lands has improved as overharvesting has diminished, primarily due to greater awareness among members of the importance of using traditional practices for harvesting plants. They also now coordinate with farmers in their area to harvest medicinal plants before fields are ploughed.

The association has also extended its BCP by drafting a code of ethics for its members. They hope this will improve the consistency of service to clients and help members in the process of registering with the South Africa Department of Health as officially recognised traditional health practitioners.

Throughout this process, members have contributed to and supported the democratic nature of the association, in which regionally representative executive and management committees are elected to drive the process, whilst being required to seek majority support of all members for major decisions. In an interview with the executive committee in August 2011, it became clear that the impetus afforded by the BCP to drive a collective effort towards better integration and recognition is valued. Rodney Sibuye, one of the authors of this article, was elected as Chairperson to the executive committee.

While the executive committee is able to meet regularly, the cost of bringing together the 26 member management committees and wider membership of 300 traditional healers, given the geographical distances between the group, impacts on how often they are able to meet. This in turn has an impact on the democratic processes within the association that they have sought to foster.

Conclusion

The BCP of the Kukula Traditional Healers of Bushbuckridge has been an important tool to assist the healers in defining themselves as a community with shared values in an attempt to deal with their concerns together. Their BCP clearly sets out their combined views on conservation and the sustainable use of medicinal plants, including the use of their traditional knowledge. What began as a small group of people now involves approximately 300 members. The association is now engaging with traditional authorities regarding land allocations for their livelihood and conservation projects. In addition, through the development of their BCP, the healers were able to develop greater capacity in asserting their rights over their resources and associated knowledge.

Through a process of in-depth discussion and consultation the healers agreed to pool their traditional knowledge. This is now widely seen as a leading example of a traditional knowledge commons in which benefits from the use of traditional knowledge return to the group as a whole.

Throughout the BCP process the desired outcomes have been inextricably linked to the integrity of the process and tools of community engagement and representation. The process has ensured that all the healers have full ownership over their BCP and collectively embrace their aims of conserved biodiversity, protected culture and increased recognition of their values and practices in the future. The healers understand that their BCP is not the end but one step in the process towards their aim of sustainable livelihoods and healthier communities. The revising and expansion of their BCP will continue to be at the heart of this process.

CONTACT DETAILS



Rodney Sibuye
PO Box 1270
Thulumahashe
1365
South Africa



Marie-Tinka Uys
PO Box 408
Hoedspruit
1380
South Africa



Gino Cocchiaro and Johan Lorenzen
Natural Justice: Lawyers for Communities and
the Environment
63 Hout Street
Cape Town
8000
South Africa
Email: Gino@naturaljustice.org.za



Email: Johan@naturaljustice.org.za

REFERENCES

Thornton, R. (2002). *Environment and land in Bushbuckridge, South Africa*. Department of Anthropology, University of Witwatersrand, Johannesburg: South Africa.

Biocultural community protocols: tools for securing the assets of livestock keepers

9

by ILSE KÖHLER-ROLLEFSON, ABDUL RAZIQ KAKAR, EVELYN MATHIAS, HANWANT SINGH RATHORE and JACOB WANYAMA

Introduction

International recognition of the vital role communities play in conserving and managing livestock biodiversity is growing. The Food and Agriculture Organization (FAO) now refers to livestock keepers as ‘guardians of biological diversity’ (FAO, 2009). Their 2007 Global Plan of Action on Animal Genetic Resources (FAO, 2007) supports:

...indigenous and local production systems and associated knowledge systems of importance to the maintenance and sustainable use of animal genetic resources [and] the establishment and strengthening of in situ conservation programmes, including support to community-based conservation organizations.¹

Despite these gains on paper, many scien-

tists and bureaucrats tasked with conserving animal genetic resources remain unaware of the linkage between specific livestock breeds (i.e. animal genetic resources) and communities. They continue to ignore the rich local knowledge and expertise of livestock-owning communities whose way of life – and animals – are threatened by the loss of access to grazing, lack of services and low economic returns from traditional breeds. They give preference to conserving livestock breeds on government farms and through cryoconservation instead of supporting conservation by local communities, as is mandated by the United Nations Convention on Biological Diversity (UNCBD).^{2,3}

At LIFE Network, we have come to recognise that international agreements are not necessarily implemented at the local level.⁴ Communities need help to

¹ Strategic priorities 6 and 8 (FAO, 2007).

² See Article 8j.

³ Cryoconservation is conservation by deep-freezing genetic material.

⁴ LIFE is an international group of organisations that work with livestock keepers at the grassroots level. LIFE supports community-based conservation and development of local breeds and animal genetic resources. It highlights especially the role of pastoralists in conserving livestock biodiversity, and has developed a method for documenting indigenous knowledge about animal breeds and breeding.