

# **Bushmen aren't forever**

## **Botswana: diamonds in the Central Kalahari Game Reserve and the eviction of Bushmen**

Survival International

18 September 2006

### **Preamble**

- Thousands of Gana and Gwi 'Bushmen', and Bakgalagadi, have been forcibly evicted from their ancestral lands in the Central Kalahari Game Reserve (CKGR) in Botswana. This is a gross violation of their human rights and is against international law. Unless they get their lands back, these Bushman tribes are unlikely to survive as peoples.
- The government wrongly claims that these relocations are voluntary and gives several quite different reasons for them: these can be shown to be false.<sup>1</sup>
- Diamonds have been found at a Bushman community called Gope (pronounced hop-ey), where test drilling has taken place and a rig and basic installation have been mounted. Diamonds have been found in test drilling near other Bushman communities. There is, however, no mining at present in the CKGR.
- The number of diamond exploration licences given out by the government in the CKGR has increased dramatically since the Bushmen were evicted.

### **De Beers and Debswana**

- Diamond mining in Botswana is controlled by a company called Debswana (ie. De Beers Botswana), which is owned on a 50/50 basis by the government and by De Beers.
- Many of the directors of Debswana are senior political figures in Botswana. For instance, the deputy chairman of Debswana, Dr. A.R. Tombale, is the permanent secretary in the Botswana Ministry of Minerals, Energy & Water. Another director, Eric Molale, is permanent secretary to the president of Botswana. Another director, Serwalo Tumelo, is permanent secretary at the Ministry of Finance and Development Planning.
- Diamond industry sources call this 'interdependence' and a 'mutual beneficially [sic] relationship model'.<sup>2</sup>

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1 Civilisation in reverse, Stephen Corry, Mmegi, Botswana, 8-14 March 2002, reproduced in [http://www.survival-international.org/bushman\\_press\\_mmegi3.htm](http://www.survival-international.org/bushman_press_mmegi3.htm)

2 Tacy Diamond Intelligence Briefs, Chaim Even-Zohar, May 2001.

- More simply, the president of Botswana has said, ‘The partnership between De Beers and Botswana has been likened to a marriage. I sometimes wonder whether a better analogy might not be that of Siamese twins.’<sup>3</sup>
- De Beers is no longer a public company and operates with great secrecy: it is likely that only a handful of senior people know what the diamond (and precious metal) mining potential of the CKGR really is. Accurate information about this is not likely to be given to anyone else, either inside or outside Botswana. As the Financial Times says, ‘Anonymity is paramount in the diamond trade. The industry is secretive to the point of paranoia ... Contracts and written codes are virtually unheard of.’<sup>4</sup> Discussing its plans to explore for diamonds near Debswana’s Orapa mine, the mining company African Diamonds stated, ‘Ground geophysical surveys suggest that some of the kimberlites [diamond-bearing rock] may be bigger than reported by De Beers.’<sup>5</sup>
- De Beers keeps the price of gem diamonds high by severely restricting supply. As The Times has reported, ‘The company has vast diamond stockpiles, but keeps prices high with a tight control on the supply line.’<sup>6</sup> De Beers’s intention, therefore, might be not to mine in the CKGR for years, even decades, until other mines are exhausted: keeping the find in the ground, out of reach of other companies, might be eventually just as profitable for both the company and the government as actually extracting the diamonds would be. Indeed, at times, as much as 20% of Botswana’s diamonds have been stockpiled to restrict supply, so it makes economic sense not to mine the CKGR diamonds yet. Keeping them in the ground is cheaper, and safer, than stockpiling in vaults.
- Botswana’s three main diamond mines, Orapa, Jwaneng and Letlhakane have turned the country into the world’s foremost producer of the gems; all will inevitably become exhausted in the future.

### **Sequence of events**

- A diamond deposit was discovered at Gope in the early 1980s, and in 1982 De Beers entered into a joint venture with another company (Falconbridge) to evaluate the find.
- The Minister of Commerce & Industry announced the decision to relocate the Bushmen on 12 October 1986, but no action was taken.
- A formal evaluation of the mine was completed in 1996.
- Apparently coincidentally, the first enforced evictions started in May the following year. One Bushman community, Xade, inside the CKGR, which was already equipped with a school, clinic, airstrip, and borehole for water, was completely removed.

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<sup>3</sup> The disposable, Adam Welz, Noseweek, South Africa, May-June 2002.

<sup>4</sup> Hard edge to glittering rocks, Francesco Guerrera, Financial Times, 8 November 2002.

<sup>5</sup> Mmegi, 19 September 2003.

<sup>6</sup> ‘Clone stones – the flawless diamonds made to order’, The Times, p.5 T2, 27 October 2003.

- Also apparently coincidentally, in 1997 less than two months after the eviction of Xade, the mining company Anglo American (which owns part of De Beers) sub-contracted the company, Nepcal, ‘to ferry mining and drilling equipment to Xade and other destinations’ in the CKGR. When asked about this, Anglo American, ‘denied any knowledge of its activities within the reserve.’<sup>7</sup> In 2002, the company said it had indeed ‘drilled two exploratory holes in the CKGR in 1997’ – one near Xade – but said it had had no contact with Bushmen (who had, of course, already been moved away). Concerning its contract with Nepcal, the company said, rather oddly, ‘We have not been able to verify beyond doubt the existence of such a contract.’<sup>8</sup> In June 2003 the Ghanzi District Commissioner said that ‘some prospecting companies had discovered diamonds in the area [of Xade]’.<sup>9</sup> This appears to be the same deposit referred to by the Danish organization IWGIA (International Work Group for Indigenous Affairs): ‘Anglo-American has been granted a concession for exploration in 1997 near Xade, in the west of the reserve, where a promising deposit has been discovered at Xaxa.’<sup>10</sup>
- In 1999, mineral exploration camps were set up within a few miles of Molapo, a major Bushman community within the CKGR.<sup>11</sup>
- In 2002, further enforced evictions occurred, with more Bushman communities, including Molapo, removed in their entirety. Government officials destroyed another water borehole in a Bushman community, forbade all hunting and gathering, and emptied all the Bushmen’s stocks of water.
- Almost the entire CKGR is now being explored for both diamonds and precious metals, with the prospect ‘of further encroachment’ into the CKGR by mining activities said to be ‘highly likely’.<sup>12</sup>

### **Description of the finds**

- The CKGR lies in the middle of the world’s richest gem diamond fields.
- The Gope find was originally described by industry sources as being very significant. For example, Barry Bailey, in charge of prospecting for De Beers, called it ‘moderately large’ in 1997,<sup>13</sup> and Matthew Hart, editor of a diamond trade journal, described it as ‘the best new target in the Kalahari’.<sup>14</sup>
- Falconbridge, part-owner of the Gope deposit, estimates it would produce 1 million carats per year.<sup>15</sup> This is the same as Letlhakane, the third-largest diamond mine in Botswana, and one of the most productive in the world.<sup>16</sup>

7 Sunday Independent, South Africa, 31 August 1997.

8 Letter from Edward Bickham, Anglo American, to Survival, 11 December 2002.

9 ‘Animals, not diamonds, caused Basarwa to be moved’, Botswana Gazette, 18 June 2003.

10 Christian Erni, ‘Resettlement of Khwe communities continues’, IWGIA Indigenous Affairs, July-Dec 1997.

11 Seeking sustainable strategies: the politics of resource rights among the central Kalahari San, Robert Hitchcock.

12 Gope Environmental Impact Assessment, May 1999, section 4.9.

13 Forced march into oblivion, Fred Bridgland, Sunday Telegraph, November 1997.

14 ‘Diamond’, Matthew Hart, Fourth Estate, 2002, p.71.

15 Falconbridge Ltd 1999 *Annual Report*. Toronto: Falconbridge Ltd. p. 30.

- Falconbridge estimates that the Gope deposit would produce 20 carats of diamonds per 100 tonnes of ore, and contains 77.3 million tonnes of ore.<sup>17</sup> This compares with the Ellendale mine in Australia, which produces 6.2 carats per 100 tonnes and contains 90 million tonnes of ore<sup>18</sup>; the Kelsey Lake Mine in the US, which produces 3.4 to 4.6 carats per 100 tons of ore and contains 18.7 million tons of ore<sup>19</sup>; and De Beers's three Kimberly (S. Africa) mines, which together produce 18 carats per 100 tons.<sup>20</sup> It also compares favourably with De Beers's planned new mine in Ontario, Canada, which it estimates will produce 22 carats per 100 tonnes of ore from a total of 28.7 million tonnes, at a planned rate of 600,000 carats per year.<sup>21</sup>
- The Bushmen's ancestral land lies at the heart of the richest diamond-producing area in the world. Kalahari Diamonds, currently surveying the CKGR, says 'the prospect of a major new diamond discovery is extremely likely'.<sup>22</sup>
- As well as Gope, there are other known finds on Bushman lands. For example, there are 'substantial' deposits in the Kukama (also spelt Gugama) area where test drilling has been carried out.<sup>23</sup>
- De Beers has already spent a large amount of money studying the Gope site (including contracting an anthropologist, James Suzman, to study Bushman land rights in the CKGR).<sup>24</sup>
- In June 2001 De Beers's company secretary Sheila Khama said, 'The company reserved the right to review the economic viability of the project from time to time so as to decide whether or not to proceed with full scale mining.'<sup>25</sup>
- Early in 2002 De Beers said it had no plans to mine 'for the foreseeable future'<sup>26</sup>; later that year it described the find as 'sub-economic' (sic).<sup>27</sup> However, at the end of 2002, a De Beers spokesperson stated, 'We can't say we will never mine it.'<sup>28</sup> In 2005 De Beers's head of public affairs, Andrew Bone, said, 'We do hope to return and have a mine there one day, that would be great.'<sup>29</sup>
- In November 2000, De Beers took out a retention licence on Gope. These licences, valid for three years but renewable, had been created by a new mining law in that year: their purpose is to 'allow a company that has completed an

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16 <http://www.mining-technology.com/projects/debswana/> accessed 18 Mar 2005.

17 Falconbridge Ltd 2000 *Annual Report*. Toronto: Falconbridge Ltd. p. 28.

18 <http://www.kimberleydiamondco.com.au/printable/printable.cfm> accessed 10 Mar 2005.

19 <http://www.coloradomining.org/cattany121202.html> accessed 10 Mar 2005.

20 <http://www.maykuth.com/Africa/diam1008.htm> accessed 10 Mar 2005.

21 The North Bay Nugget, Canada, 16 Nov 2004, p.A4.

22 [http://www.kalaharidiamonds.com/kalahari\\_strategy.php](http://www.kalaharidiamonds.com/kalahari_strategy.php) accessed 21 Mar 2005.

23 2nd draft management plan for CKGR & Khutse Game Reserves, Dept of Wildlife & National Parks, 1998, p.29.

24 Desktop investigation into the status of Bushmen in Botswana, Suzman & Pedder, Windhoek, 1998.

25 Botswana Gazette, 14 June 2001.

26 Letter from the Chairman of De Beers, N. Oppenheimer, to Survival, 15 March 2002.

27 Letter from De Beers's public affairs consultant, F. de Villiers, to Survival, 1 July 2002.

28 De Beers spokesperson Tracey Peterson, quoted on [www.busrep.co.za](http://www.busrep.co.za), posted 20 November 2002.

29 Andrew Bone speaking during debate at Bedales school, UK, 21 January 2005.

exploration programme and confirmed the discovery of a mineral deposit, to retain rights over it in the event that prevailing market or other conditions are such that it cannot be exploited commercially *immediately*'<sup>30</sup> (our emphasis). The licence was renewed in 2003. It is the *only* retention licence issued in Botswana.<sup>31</sup>

- It therefore seems highly likely that the company does intend to mine the Gope deposit at some point in the future, and perhaps at other locations as well.

### **Increase in diamond exploration since the evictions**

- Maps from the government's own Department of Geological Survey show a dramatic increase in diamond exploration concessions since the eviction of the Bushmen.<sup>32</sup>
- Many of these new concessions were secured by BHP Billiton, the world's biggest mining company. To perform the exploration work it has established a subsidiary company, Kalahari Diamonds, which has in turn set up another subsidiary, called Godi. The only Botswana citizen on the Godi board is Archie Mogwe, Senior Political Adviser to the president of Botswana and former Minister of Mineral Resources. Kalahari Diamonds was sold to a company called Petra Diamonds in 2005, which has since announced that in Botswana it is 'focusing on the Gope area'.
- An independent report indicates that 'the prospects of a commercial diamond discovery within the Kalahari Project should be considered favourable.'<sup>33</sup>
- The International Finance Corporation, a branch of the World Bank, has invested US\$2 million in the venture.<sup>34</sup> Press reports state that 'BHP Billiton has chosen a complicated mechanism to acquire diamond concessions on the Kalahari and Khutse reserves, the traditional home of Bushmen tribes, without risking a frontal collision with defenders of the local population.'<sup>35</sup>
- Most of the other new exploration concessions have been secured by De Beers Prospecting Botswana (PTY) Ltd.

### **The Richtersveld case**

- Another indigenous people now known as the Richtersvelders won an historic court ruling in South Africa in October 2003. The Constitutional Court (that country's highest court) ruled that the Richtersvelders (who are a Nama people,

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30 'Mining Investment Opportunities in Botswana' based on the December 1999 Mining Journal supplement prepared by Mining Journal Research Services on behalf of the Ministry of Minerals, Energy and Water Affairs of the Republic of Botswana.

31 Diamonex Ltd Prospectus, January 2004; independent consulting geologist's report.

32 These maps can be viewed at [www.survival-international.org/diamonds.htm](http://www.survival-international.org/diamonds.htm)

33 Independent Consulting Geologist's Report prepared by Resource Service Group, printed in Kalahari Diamonds Ltd's Placing document, December 2002.

34 IFC project no. 20426, approved February 2003.

35 Africa Mining Intelligence, 15-28 January, 2003.

related to the Bushmen) have a legal right to the ownership of their land and its minerals, despite the fact that they have never been given title deeds and the government had always assumed that they had no rights to it.<sup>36</sup>

- Like the Gana and Gwi, the Richtersvelders live in an area that is rich in diamonds and were evicted from their land after the diamonds were discovered there.
- This judgment is bound to worry the Botswana government and De Beers, as Botswana's system of law is similar to South Africa's. As mining information website minesite.com reported in October 2003, 'The ruling that indigenous people who own land under their own, unwritten, law have the right to have this upheld in spite of other legal systems which are subsequently imposed by the state has interesting implications for Botswana... if the South African ruling is applied, then the bushmen own their ancestral land as well as the mineral rights over their territory.'<sup>37</sup>
- It is inconceivable that both De Beers and the Botswana government would not have been aware of the preparation and progress of this case (which was originally submitted in 1998) and the enormous implications for them if it succeeded.

### **Those who think diamonds are not the cause**

- Both the government and De Beers have denied the removals are to do with diamonds.
- In 2002, the Botswana human rights organisation, Ditshwanelo, said it could 'find no evidence' that diamonds were behind the evictions. (But this organisation's judgment may be open to question. For example, in 1996, less than 12 months before the total eviction of the Bushman community of Xade, Ditshwanelo declared that reports of a planned 'mass forced removal were overstated.')

### **Those who think diamonds are the cause**

- Over the many years which Survival has been studying this situation at first-hand, many Bushmen have suggested that diamonds are at the root of the efforts to evict them from their land.
- In July 2005 the Gana and Gwi Bushmen issued a statement in which they said, 'The people of CKGR believe we were moved for diamonds because that is what we were told by the Ministers. The Ministers have been telling us since 1985 that we must move because of the diamonds. In 1985, Patrick

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36 Case CCT 19/03: ALEXKOR LIMITED (First Appellant) & THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA (Second Appellant) versus THE RICHTERSVELD COMMUNITY AND OTHERS.

37 'South African Judgement On Land Rights Has Implications For Botswana And The Bushmen Of The Kalhari' [sic]. [http://www.minesite.com/archives/features\\_archive/2003/Oct-2003/botswana241003.htm](http://www.minesite.com/archives/features_archive/2003/Oct-2003/botswana241003.htm), page accessed 27 October 2003.

38 Sunday Independent, South Africa, 2 June 1996.

Balopi and Mr Nwako, the Minister of Commerce and Industry, talked with the people inside CKGR and told them they have to move because there are diamonds there. In 2002, General Merafhe [Foreign Minister] went to the CKGR, to Metsiamanong, and told us we had to be moved because of diamonds.’<sup>39</sup>

- In 1997, South African lawyers, who did not want to be named in case they were prevented from entering the country said, ‘that the forced removals by the Botswana authorities were being handled in such a way as to ensure the Bushmen had no claims to the reserve’s mineral wealth.’<sup>40</sup>
- In 1997 the Danish organization IWGIA (International Work Group for Indigenous Affairs) published a paper saying, ‘many observers cannot easily dismiss the suspicion that the unyielding determination of the government to push the resettlement programme in the CKGR through is ultimately motivated by the aim to establish a *fait accompli* before the Khwe [Bushmen] and Bakgalagadi communities have become better organized... and seek to prevent or at least demand compensations [sic] for commercial activities and resource exploitation by outsiders on their land.’<sup>41</sup>
- A human rights lawyer who ‘ask[ed] not to be named’ and who handled land disputes for the Bushmen was quoted, in 1998, saying he is ‘convinced the potential for diamond mining’ is the reason why the Botswana government has been so intractable on the removals.<sup>42</sup>
- In 1999, the Botswana newspaper, Mmegi Business Week, reported, ‘some political observers believe there is a connection between the 1997 relocation of hundreds of Basarwa [ie. Bushmen] from the reserve and the recent upsurge in mining activity. Critics allege that the Basarwa were moved out to stop them from laying claim to the diamonds.’<sup>43</sup>
- In 2000, the director of the Hotel & Tourism Association of Botswana, Modisagape Mothogae, stated ‘that the Basarwa are being moved out of the CKGR to make way for diamond mining.’<sup>44</sup>
- Also in that year, one of Botswana’s most widely-read newspapers, the Midweek Sun, said in an editorial, ‘It is morally wrong to lie. It is even worse to do so consistently... For well over 10 years now, government has been putting up a face to argue that Basarwa are being removed from CKGR to pave way for tourism development when it knew very well that this was not a key consideration... It is regrettable that people are being moved to give way to the exploitation of minerals. Botswana’s diamonds have, fortunately, all along been used for a good cause. But in the sensitive diamond market, the removal of a

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39 First People of the Kalahari press release, 14 July 2005.

40 Sunday Independent, South Africa, 31 August 1997.

41 Christian Erni, ‘Resettlement of Khwe communities continues’, IWGIA Indigenous Affairs, July-Dec 1997.

42 Out There magazine website, page accessed 23 October 2002, [www.outthere.co.za/98/0129/ecojan.html](http://www.outthere.co.za/98/0129/ecojan.html).

43 De Beers hunt for diamonds in game reserve, Caitlin Davies, Mmegi Business Week, Botswana, 19-25 February 1999.

44 Basarwa are being moved out of the CKGR because of diamonds, not animals - HATAB, Botswana Gazette, 3 May 2000.

vulnerable people simply to pave way for the exploitation of diamonds could be another thing.’<sup>45</sup>

- Discussing the reasons behind the evictions, the anthropologist James Suzman wrote in 2001 that ‘mining and tourism may have been part of the equation.’<sup>46</sup>
- In February 2002, the newspaper Mmegi reported, ‘These arguments [that the relocations are to help develop the Bushmen] are very weak as it is now clear to all that government intentions on this matter are not humanitarian. Instead, they border on secrecy and hypocrisy. The real intention behind this forcible removal is now an open secret: the CKGR is a rich area endowed with natural resources, wildlife and diamonds.’<sup>47</sup>
- During 2002 a large number of journalists, from several countries, reported on the situation following visits to the area. Some concluded that diamonds were the cause of the evictions. John Simpson, the BBC’s most senior reporter for world news, wrote, ‘[The president of Botswana] is forcing them off the land that the British colonial authorities ceded to the Bushmen forever. Diamonds, the curse of modern Africa, were discovered under their hunting grounds and, to President Mogae, they are worth a great deal more than the human treasures of a culture lasting 10 millennia or more.’<sup>48</sup> Writing in 2005, he said, ‘I used not to believe that this [the diamonds] was the real cause, but now I have changed my mind. Somehow, it is too much of a coincidence that so much wealth lies under the land of so few Bushmen’.<sup>49</sup>
- In July 2002, Bushmen informed Survival that the district commissioner had told them that they were being moved because, ‘If diamonds are found somewhere, the people have to be chased away.’<sup>50</sup>
- In August 2002 the generally pro-government Botswana Gazette stated in an editorial that ‘nobody except a few people in the higher echelons of government really know and understand what the main reasons behind the resettlement are.’<sup>51</sup>
- The Botswana magazine The Clarion said in September 2002, ‘It has therefore long been clear that while government wants to maintain the game reserve for wildlife conservation, it is pursuing a parallel ambition of realising more mineral wealth in the area.’<sup>52</sup>
- On 9 October 2002, the youth arm of the country’s principal opposition political party, the Botswana National Front Youth League said, ‘The real reason why Basarwa are forcefully removed from their ancestral lands is to pave

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45 The Midweek Sun, 12 July 2000

46 James Suzman, Letter (email) to Survival, 19 June 2001.

47 Article by Motsomi Marobela, Mmegi Reporter, Botswana, 15-21 February 2002.

48 Sunday Telegraph, 11 August 2002.

49 Bushmen fight for homeland, BBC News website, 25 May 2005, <http://news.bbc.co.uk/1/hi/world/africa/4480883.stm>

50 Survival field notes, July 2002.

51 Botswana is becoming a disease ridden international polecat, Botswana Gazette, 29 August 2002.

52 Government is wrong; Basarwa lose Kalahari, The Clarion, Sept/Oct 2002.

the way for Debswana to mine Diamonds in the area for that matter without even giving Basarwa, the owners of the lands any royalties.’<sup>53</sup>

- In an article headlined ‘Botswana's Diamond Production Could Be Categorized As Conflict Diamonds If Its Government Does Not Stop Harassing The Bushmen’ the mining information website minesite.com said in July 2003, ‘Nothing must be allowed to stand in the way of the diamond industry - certainly not some bushmen ekeing out a hunter/gatherer existence in the Central Kalahari Game Reserve. None of the present producing mines are in that region, but mining is an industry whose assets diminish constantly and need topping up by exploration. The interesting thing is that no mention is made on either the De Beers or the Debswana websites of any exploration taking place in Botswana. We know, however, that a joint venture between Superior Oil and Falconbridge and led by Dr Chris Jennings and John Gurney made the Gope discovery back in 1982 between the Jwaneng and Orapa mines and right on the edge of the Central Kalahari Game Reserve. De Beers later acquired a major interest as well as operational control and since then little has been heard of Gope. This would be in line with De Beers policy which is to sit on finds until it suits to develop them. And of course now that De Beers is privatised it can get away with giving minimal information on its activities.’<sup>54</sup>

- In October 2003 the same website reported, ‘the government of Botswana [is showing] utter contempt for opinion by the way it is treating the bushmen of the Kalahari desert. It has long been thought that the thick coat of sediment in this part of the country may cloak untold diamond wealth and that new technology such as that used in Falcon airborne surveys may uncover it... Diamonds are the lifeblood of Botswana and production by Debswana is crucial to the future of De Beers. That is what it is all about.’<sup>55</sup>

- The Kalahari Peoples Fund, a US-based organization of anthropologists who have worked with the Bushmen, said in 2004, ‘It is the opinion of the Kalahari Peoples Fund that it is largely the entrenched desire on the part of the Batswana majority to ‘mainstream’ the CKGR inhabitants, combined with economic factors like diamond and other mining, cattle interests, and tourism, that led to their eviction from the area.’<sup>56</sup>

- The US magazine Mother Jones reported in 2005 that, ‘Many observers, including a coalition of groups led by Bushmen and backed by indigenous rights organizations in Africa and Europe, believe that there was an ulterior motive to the government resettlements: vast diamond deposits under the Kalahari sand’.<sup>57</sup>

## Government statements

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53 Press statement, Botswana National Front Youth League, Gaborone, 11 October 2002.

54 [http://www.minesite.com/archives/features\\_archive/2003/July-2003/botswana030703.htm](http://www.minesite.com/archives/features_archive/2003/July-2003/botswana030703.htm). Page accessed 27 October 2003.

55 [http://www.minesite.com/archives/features\\_archive/2003/Oct-2003/botswana241003.htm](http://www.minesite.com/archives/features_archive/2003/Oct-2003/botswana241003.htm). Page accessed 27 October 2003.

56 The KPF and the CKGR 2004: Historical and Current Activities Statement, August, 2004

57 ‘Exiles of the Kalahari’, Mother Jones, Jan/Feb 2005, p.32.

- In 1997, the Botswana press reported the government saying that it ‘needs to protect mineral deposits in the reserve,’ (but denying anyone was forced to leave).<sup>58</sup>
- In July 2000, according to Botswana’s Midweek Sun, ‘the Minister of Minerals, Energy & Water Affairs, Boometswe Mokgothu, briefed Ghanzi<sup>59</sup> District Council about the proposed Gope diamond mine within the CKGR.’<sup>60</sup> The Minister confirmed ‘that the relocation of Basarwa [Bushmen] communities from CKGR is to pave way for a proposed Gope Diamond Mine.’<sup>61</sup> The paper reported that ‘(it) appears certain that the operation will go ahead’. That same month, the Minister admitted ‘that a diamond mine will be opened within the CKGR. This disclosure came on a local radio station, Gabz FM...’<sup>62</sup>
- The same newspaper reported that, ‘Government’s plan to maintain the ‘pristine environment’ of the CKGR may be shattered by the planned diamond mine in Gope... The Midweek Sun has established that the planned mine inside the game reserve will have a clinic, change house, shops, offices, accommodation units, interconnecting access and haul roads, an airstrip, security and freight area. This is over and above the mine open pit, ore processing plant and associated workshops, rock waste dumps, primary crusher and ramp, treatment plant... a thickening plant, earth moving vehicle workshops, a weather road from Lephepe and a wellfield for pit dewatering and mine water.’<sup>63</sup>
- In February 2002, Mr Mokgothu said that companies were prospecting in the CKGR and that it may become necessary to establish ‘permanent structures’ there.<sup>64</sup>
- Also in February 2002, when questioned about the evictions, the then-Minister for Local Government said that this was not the first relocation exercise. She cited, as an example, that people had been relocated in Jwaneng ‘to give way to projects of national interest.’<sup>65</sup> Jwaneng is a diamond mine.
- On 1 March 2002 the permanent secretary in the Ministry of Local Government, Mr Eric Molale, stated on oath that ‘in line with existing Statutes, e.g. (sic) Wildlife & National Parks Act and the National Settlement Policy, Government has always encouraged and persuaded its citizens to relocate where there is evidence of incompatibility of land use amongst competing users, or in

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58 We are not a threat, Caitlin Davies, The Star, Botswana, 19 August 1997.

59 Ghanzi is the nearest town. Many Bushman communities of the CKGR are under its jurisdiction.

60 The Midweek Sun, 12 July 2000.

61 *ibid.*

62 The Midweek Sun, 19 July 2000.

63 *ibid.*

64 Botswana government website, page accessed 20 February 2002,

[www.gov.bw/cgi-bin/news.cgi?d=20020220](http://www.gov.bw/cgi-bin/news.cgi?d=20020220).

65 *Ibid.*, page accessed 15 February 2002, [www.gov.bw/cgi-bin/news.cgi?d=20020215](http://www.gov.bw/cgi-bin/news.cgi?d=20020215).

straight forward cases where citizens have to give way for developments of national importance.’<sup>66</sup>

- In November 2002, the Botswana minister for local government, Michael Tshipinare, while still claiming that there were ‘no plans’ to mine diamonds at Gope, stated that ‘the country reserves the right to mine any resource wherever it deems feasible.’<sup>67</sup> (In July 2003 Mr Tshipinare called for the people of Jwaneng to be compensated for the lands they had given up, as they ‘remain poor despite a lot of wealth that is being generated by the mine’).<sup>68</sup>
- In September 2003 government lawyers admitted that one of the reasons for the relocations was ‘citizens have to give way for developments of national importance.’<sup>69</sup>

### **Survival International meeting**

- In February 2001, Survival representatives met with the group secretary of Debswana, Sheila Khama, and the government’s director of mines, Ribson Gabonowe, in order to talk about the treatment of the Bushmen in the CKGR. During this meeting, the director of mines repeatedly questioned Survival about indigenous peoples’ mineral rights in other countries – a pointless line of questioning if there were no plans to mine on Bushman land in the CKGR.

### **De Beers’s reaction to the campaign**

- De Beers has not provided recent concession maps to journalists or to Survival International, despite having been asked to do so: it did however provide such maps in past years.
- Many of the arguments presented by De Beers, for example that there were no Bushmen at the site until exploration started, that no one would need to be moved, that the mine would provide significant employment for local people etc., are flatly contradicted by the studies that the company itself has commissioned.<sup>70</sup>
- The chairman of De Beers visited Gope in 2002 – a pointless trip if the find was not worth mining.
- The company still insists, wrongly, that there were no Bushmen at Gope originally,<sup>71</sup> as does the government<sup>72</sup> – a pointless claim if Gope is not going to be mined.

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66 Affidavit in the High Court case of Roy Sesana & 242 Others vs The Government of Botswana.

67 Botswana government website, page accessed 21 November 2002, [www.gov.bw/cgi-bin/news.cgi?d=20021120](http://www.gov.bw/cgi-bin/news.cgi?d=20021120).

68 ‘No compensation for lost lands, Jwaneng residents told’, Botswana Gazette, 9 July 2003.

69 ‘Schedule of facts sought and admissions made’, Roy Sesana and others v government of Botswana, September 2003.

70 Gope Environmental Impact Assessment, 1999, sect.2.10, sect.4.2, inter alia.

71 Press release, De Beers, 12 July 2002.

- Mr Louis Nchindo, managing director of Debswana at the time of the evictions, has publicly backed the Bushmen's forced removal, saying 'The Government was justified in removing the Basarwa from the Reserve... It is sensible of Government to take such action. Otherwise who would always want to remain in the Dark Ages while others move forward?'<sup>73</sup>
- After Survival had spent more than two years asking De Beers for its policy on indigenous peoples, the company finally responded by saying that 'indigenous rights ideology is... based on the same discredited social theorising that justified apartheid.'<sup>74</sup> De Beers therefore equates promoting the rights of indigenous peoples with the denial of rights for South Africans of African and Asian descent. (One of the four anthropologists<sup>75</sup> cited by De Beers to support this controversial idea, Professor Ingold, told Survival, 'I do not recognise as my own the views attributed to me in the De Beers statement.')
- In November 2002, De Beers's lawyers sent a threatening letter to Survival (copied to the Charity Commission for England & Wales). In particular, it told Survival to call off a planned protest outside De Beers's new diamond shop. In 33 years, this was the first legal threat Survival had ever received from a company which has been exploiting resources on tribal land.<sup>76</sup> On the same day the Botswana High Commissioner in London wrote an aggressive letter about Survival to the Charity Commission.<sup>77</sup>
- In February 2003, the deputy chairman of Debswana called Survival a 'terrorist organisation' for its work in supporting the Bushmen's right to their ancestral land. He also falsely claimed that Survival had doctored the government's maps.<sup>78</sup>

### **What do the Bushmen say?**

The following are extracts from some of the hundreds of Bushmen testimonies collected by Survival:

Tobee

I think it's true that the Bushmen have been pushed out of CKGR because of the diamonds in CKGR, and that is not a good thing – it's oppressing us. It's denying us our rights. We have

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72 Letter from Dr Tombale, permanent secretary to Ministry of Minerals, Energy & Water (and a director of Debswana) to Survival, 14 August 2002.

73 Mmegi Monitor, 5–12 March 2002. 'As the managing director of Debswana, Nchindo is probably one of the most powerful individuals in the country... He sits on the board of more than 20 local companies. He is also the chairman of the Botswana Stock Exchange as well as the Anglo-American Corporation.' – Mmegi, 23 February 2004.

74 Letter from Rory More O'Ferrall, De Beers, to Survival, 15 October 2002.

75 Tim Ingold (University of Aberdeen), Adam Kuper (Brunel University), Edwin Wilmsen (University of Texas), and James Suzman (Africa Studies Centre, Cambridge). The latter has made no secret of his admiration for Botswana's 'explicitly integrationist policy... which aims to transform Bushmen such that they ultimately conform.' He has been paid to carry out studies by De Beers, see footnote 12.

76 Letter from Olswang to Survival, 18 November 2002.

77 Letter from HE Roy Blackbeard to Chief Charity Commissioner, 18 November 2002.

78 BBC World Service interview, 20 February 2003.

to be taken back so we can stay on our land. There should be no mining in CKGR while we are relocated. We have to go back first and then the mining can start. There should be no tourism in that area before we go back either...

We met with De Beers people and said we agree to the mining if you give us jobs and money and better living, and buy us new vehicles, we agree. I had a meeting with De Beers. They told us the people who will build the staff houses and fence the area off will be Bushmen. They told us there would be a road from Gope to Orapa and the people who will work on this and the poles for electricity installation would be Bushmen. Women too will work for people in the mine.

Jumanda

It is the truth – minerals are one of the things that made people be evicted from CKGR. For a long time, since the 1980s, the Gope mine has been there. In 1999 I met someone from Geoflux [the company contracted by Debswana to carry out the environmental impact assessment of the Gope mine] doing research and he promised that the mine would open in 2000. Even the councillors in New Xade didn't know that. But the mine has not been opened and the Bushmen have been pushed out, so I think that that is one of the things that cause the Bushmen to be evicted from their land.

Seotimeng

The government has done a bad thing taking people away from their homes. I don't know what the true reason is why the government has pushed us out. The government says we should just get out, but I think it's because of diamonds. The government wants to come here and use the diamonds alone. We think it's because of diamonds. They think the diamonds belong to them, the government, so that's why we are being chased away. We don't want the diamonds to be mined here – that's why we are being chased away. We want to stay here, so we should stop the diamond mining. But as I am a Mosarwa [Bushman], they will kill me if I talk, so I should just say nothing.

Gakekgolele

We think we have been evicted because of diamond mining. When we say we are being moved because of diamonds, the government says no. They say they are taking us out because of wildlife. Does that mean they have only found wild animals and not any diamonds? They can't answer that, so we think it's diamonds. The government says there's wildlife here, but does it mean the wildlife was on its own without people here? So we think it's not because of wildlife but because of diamonds because the government knows the people were there with the animals long ago. We would agree for De Beers to mine as long as we were on our land. Now we have been evicted, we don't agree with De Beers mining on our land.

Letsema

The mining is also another reason why the government is removing us, so they can benefit from the money from tourists and selling diamonds. The government wants to keep the money for itself so the Bushmen don't have a share of it. That's why they are trying to throw us out. If nobody's supposed to stay in the game reserve, why do they let mining take place? This is a place for wild animals and they make boreholes for them but they don't want the Bushmen to stay here. They have sunk boreholes for the animals but they have closed our borehole.

Mamo

We know that the government is taking us out because of something. We know that the area is very rich in diamonds and in wildlife. Wildlife is another diamond and they know that. That's why the government is moving us, so it can benefit and eat with all the money it gets with our wildlife and diamonds. We realise that. We know that our ancestors want us to stay there and it's our ancestral place and we want to stay there. So that's why we say why doesn't the government just leave us there, and leave the diamonds and wildlife alone. Whether they use them or not, they should let us live on our ancestral land.

Mongwegi

We are saying to those people who can help with campaigning not to stop campaigning, talk to the government, make a hell of a noise, and maybe it will change its policies.

Organisations like Survival have to carry on making campaigns, and making noise, and informing the whole world what is happening with the Bushmen. The government is not telling the truth, when it says that people have voluntarily relocated... Even the government officials some of them tell us that they move us only because of the diamonds. They say that the people shouldn't sit next to the diamonds... The District Commissioners and council secretaries [said this].

Dauqoo

Diamonds and game are the reasons we've been relocated.

Nare

We were asked to move out from this area because they have got diamonds here... The District Commissioner asked me to move away from this area, from this diamond area, because this area does not belong to the Bushmen.

Qoroxhgoo

This relocation has been very harassing for us. We think we were relocated because of our diamonds.<sup>79</sup>

## Conclusions

- The Bushman evictions, and the establishment of the resettlement camps, have cost millions of dollars. The government has given no plausible reason for them.
- Both De Beers and the government stand to gain from the profits of diamond mining. Although the government repeatedly claims Botswana to be a model of good governance where the diamond wealth has been shared out to everyone, in fact the country has one of the greatest disparities between the rich (mainly senior members of the government) and the poor (virtually everyone else) of anywhere in the world.<sup>80</sup> Those from Botswana who have gained most from the diamonds are the government ministers and their families.

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<sup>79</sup> All Bushmen quotes from Survival field notes, 1999 – 2002.

<sup>80</sup> Southern African Economist (Harare) Nov – Dec 2000, p.5, cited in Not forever: Botswana, conflict diamonds and the Bushmen, Ian Taylor and Gladys Mokhawa, African Affairs (2003), 102, 261-283.

- It is at least as valuable to Debswana to keep diamond deposits secure in the ground for future use as to mine them now.
  - Both De Beers and the government are likely to be concerned that indigenous peoples' rights, as secured in many other countries (and recognised in international law), might threaten some of their future profits from the CKGR.
  - The evictions have been ordered by the government, not by De Beers or Debswana (though some of the latter's directors would have been party to the decision in their capacity as senior government members).
  - Bushmen are held in very low esteem by Botswana society, which has a generally racist attitude towards them. Their rights are likely to be considered as less important than the wealth to be accrued from diamond mining.
  - Given these facts, Survival believes that diamonds are the root cause of the evictions, and that the government decided to evict the Bushmen in order to avoid any 'problems' in the future when diamond exploitation goes ahead.
  - Paradoxically, however, there seems no reason to think that future mining could not go ahead, with proper agreements and safeguards as practised in other countries, were the Bushmen allowed back onto their lands and their rights properly recognised and respected.
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