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TO

**THE REPORT OF THE UNITED NATIONS SPECIAL RAPPORTEUR ON THE
RIGHTS OF INDIGENOUS PEOPLE**

**TO THE 60TH SESSION OF THE HUMAN RIGHTS COUNCIL ON THE
RECOGNITION OF INDIGENOUS PEOPLES**

Background

The Ismail Mahomed Centre for Human and Peoples' Rights (IMCHPR) is a university-based research and advocacy Centre that was established in the School of Law, University of Venda (UNIVEN) in 2001, now under the Faculty of Management, Commerce and Law. It aims to promote social justice and foster a human rights culture. As an independent institution, the IMCHPR aims to address poverty, discrimination, and environmental injustice. The research thrusts/niche areas of the IMCHPR in the context of social justice and human rights are people living in vulnerable conditions, climate change, biodiversity loss, extractives, and sustainability. The IMCHPR achieves its goal through collaborative research, advocacy, training, and lobbying in response to global, regional, and national issues affecting Africa in general and South Africa in particular. (check <https://imchpr.univen.ac.za/> for more information)

The IMCHPR welcomes the opportunity to contribute to the report on the rights of Indigenous Peoples, as called for by the Special Rapporteur. The IMCHPR hereby submits on the questionnaire, with reference to Africa, as follows:

1. Distinguishing characteristics of those recognised as Indigenous Peoples

Across Africa, Indigenous Peoples have distinguishing features. In South Africa, for instance, Indigenous Peoples are primarily represented by the San and Khoikhoi communities. These groups have distinct cultural identities and historical ties to ancestral lands. The San are known for their hunter-gatherer traditions and unique linguistic features, while the Khoikhoi are pastoralists with a rich cultural heritage.¹ Both were previously classified as 'Coloured' under apartheid but are now exercising their right to self-identification as Indigenous Peoples. This shift in identity is crucial for their recognition and rights, as it allows them to assert their distinctiveness and claim their place within the broader Indigenous Peoples' movement.² Despite legislative efforts like the Traditional and Khoi-San Leadership Act (TKLA), they face significant land rights and cultural preservation challenges.³ The Act was itself declared unconstitutional due to a deficit of public participation in the process leading to its passage.⁴ Also, the Act does not recognise the Khoi and San as First Nations nor designate their languages as official languages, leading to ongoing struggles to recognise and protect their rights.

Indigenous Peoples face similar challenges related to land rights, cultural preservation, and recognition in different parts of Africa.⁵ In East Africa, the Maasai in Kenya and Tanzania are pastoralists dependent on livestock herding and seasonal migration for survival. However, they face significant challenges related to land rights, as conservation projects and commercial agriculture often displace them.⁶ The Ogiek in Kenya have struggled with legal recognition gaps despite a landmark African Court ruling affirming their land rights.¹ In Botswana, the Basarwa are reclaiming their identity through legislative efforts but continue to struggle with land dispossession and restricted access to ancestral territories. The Nama in Namibia face challenges related to their pastoralist heritage, with traditional livelihoods disrupted by mining and land privatisation. These examples highlight the need for policies that protect Indigenous lands and languages, ensuring their cultural survival and rights are fully recognised and protected.²

2. Constitutional and legal provisions regulating the recognition of Indigenous Peoples

¹South African History Online 'The Dutch and the Khoisan' 31 March 2011 <https://www.sahistory.org.za/article/dutch-and-khoisan> (accessed 16 March 2025).

² S Nilsson 'Coloured by Race: A study about the Making of Coloured Identities in South Africa' (2016) 66 *Department of Cultural Anthropology and Ethnology* 12.

³ Traditional and Khoi-San Leadership Act 3 of 2019.

⁴ *Mogale and Others v the Speaker of the National Assembly and Others* (CCT 73/22) [2023] ZACC 14. ⁵ AO Jegede The climate change regulatory framework and Indigenous Peoples' lands in Africa: Human rights implications (Pretoria University Law Press, 2016); Barume, AK (2010) *Land rights of indigenous peoples in Africa: With special focus on central, eastern, and southern Africa* IWGIA: Copenhagen

¹ African Commission on Human and Peoples' Rights v Kenya (Application No. 006/2012) [2017] AFCHPR 2 (26 May 2017).

² B Maaitseo 'San cross-boarder cultural heritage and identity in Botswana, Namibia and South Africa' 2014 (35) *African Study Monographs* 43.

⁶ A Strouboulis 'Land of Rights of African Indigenous Groups: International Instruments and Main Issues' 2018 Independent Study Projects 2809.

In South Africa, the recognition of Indigenous Peoples is governed by a comprehensive framework of constitutional provisions, legislative frameworks, and judicial precedents. The South African Constitution plays a pivotal role in this regard, enshrining the rights of all people, including Indigenous Peoples, and affirming democratic values such as equality and dignity. Section 39(2) mandates that courts consider international law,⁹ which arguably include the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),¹⁰ when interpreting the Bill of Rights. Section 30 and Section 31 provide for the recognition and protection of cultural, religious, and linguistic communities, which includes Indigenous Peoples.¹¹ Additionally, the Protection, Promotion, Development and Management of Indigenous Knowledge Act focuses on protecting Indigenous knowledge systems, which are integral to the cultural identities of Indigenous Peoples.¹²

While the Namibian Constitution does not specifically address indigenous Peoples' rights, there are efforts to recognize and protect their cultural and linguistic identities through legislation and community engagement.¹³ For instance, the Communal Land Reform Act plays a role in regulating communal land, which is vital for indigenous communities, although it vests communal land in the state.¹⁴ Additionally, policies like the Government Policy on Tourism Wildlife Concessions on State Land aim to benefit communities living near or in protected areas by facilitating their access to natural resources. These legislative and policy initiatives contribute to a broader framework of recognizing and supporting indigenous Peoples' rights in Namibia.¹⁵ Tanzania has a significant indigenous population, including the Hadzabe and Maasai. The country's constitution does not explicitly recognize Indigenous Peoples' rights. The Maasai communities in the Ngorongoro Conservation Area (NCA) are specifically protected by Tanzanian laws, including the Land Acquisition Act,¹⁶ the Land Act of 1999, and the Village Land Act of 1999, that recognize their legal status within the NCA, rights to customary land, consultation, and compensation.¹⁷

3. Practices and processes for identifying Indigenous Peoples

In South Africa, identifying Indigenous Peoples involves a combination of self-identification, cultural continuity, and state recognition processes. While self-identification is not a challenge, state processes are often slow or lacking in many instances. Historically, Indigenous groups such as the San and Khoikhoi were classified as 'Coloured' under apartheid, but they are now exercising their right to self-identification as Indigenous Peoples.³ The San and Khoikhoi communities exhibit cultural continuity through the continued use of Khoe and San languages, maintenance of traditional economies, and adherence to traditional customs. Despite

⁹ Constitution of the Republic of South Africa 108 of 1996.

¹⁰ UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, A/RES/61/295, 2 October 2007.

¹¹ Constitution of the Republic of South Africa 108 of 1996.

³ International Labour Office 'Indigenous Peoples of South Africa: Current Trends' 1999 https://ipacc.org.za/wpcontent/uploads/2020/02/ILO_Report_on_South_Africa.pdf (accessed 18 March 2025).

¹² Protection, Promotion, Development and Management of Indigenous Knowledge Act 6 of 2019.

¹³ R Hitchcock & B Bebgie Clench 'The Indigenous World 2023: Namibia' 24 March 2023 <https://iwgja.org/en/namibia/5059-iw-2023-namibia.html> (accessed 25 March 2025). ¹⁴ Communal Land Reform Act 5 of 2002.

¹⁵ Policy on Tourism Wildlife Concessions on State Land 2007.

¹⁶ Land Acquisition Act 47 of 1967. ¹⁷ The Land Act 4 of 1999.

efforts to promote them, the San and Khoikhoi languages do not have legislative recognition.¹⁹

In other African countries, similar challenges and efforts are evident. In the Democratic of Congo (DRC), Indigenous Peoples are primarily identified as members of ethnic groups known as 'pygmies', who have a distinct cultural identity and connection to the forest.²⁰ In 2022, the DRC enacted a significant piece of legislation to address this issue.

The Protection and Promotion of the Rights of Indigenous Pygmy Peoples was signed into law in 2022 and began taking effect in February 2023. This law is the first of its kind in the DRC and marks a major breakthrough in recognizing and protecting the rights of Indigenous Peoples, particularly their rights to land and natural resources.⁴ In Kenya, the constitution recognizes historically marginalized groups, including Indigenous Peoples like the Maasai and Ogiek. The Maasai face significant land rights challenges due to conservation projects, while the Ogiek have struggled with legal recognition gaps despite a landmark African Court ruling affirming their land rights.⁵

4. Are there Indigenous Peoples in your country that are negatively viewed as culturally backwards and whose way of life is considered by the majority society as inappropriate in current times?

In South Africa, the San and Khoikhoi have historically faced negative perceptions and marginalisation. They were often viewed as culturally 'backward' due to their traditional hunter-gatherer and pastoralist lifestyles, which are seen as incompatible with modern development.⁶ This perception is rooted in historical narratives that portrayed their ways of life as 'primitive' compared to the dominant Westernized culture. According to Jansen and Jegede, these peoples have struggled with legal protection of their sacred sites, land dispossession and cultural erosion, and exclusion of traditional practices from mainstream society.⁷

Similar challenges are faced by Indigenous Peoples in other African countries. In Mali, the Tuareg people, a nomadic pastoralist group, have faced historical marginalization and negative perceptions. They are often viewed as outsiders due to their Berber origin and nomadic lifestyle, which is seen as incompatible with modern state structures. The

⁴ The Protection and Promotion of the Rights of Indigenous Pygmy Peoples Law no.22/030.

⁵ *African Commission on Human and Peoples' Rights v Kenya* (Application No. 006/2012) [2017] AFCHPR 2 (26 May 2017).

⁶ L Jansen 'The Indigenous World 2020' 11 May 2020 <https://iwgja.org/en/south-africa/3593-iw-2020-southafrica.html> (accessed 18 March 2025).

⁷ L Jansen & AO Jegede 'Human rights law and the protection of sacred sites and territories: The case study of the Bethany Griqua community in South Africa' in J Liljeblad and B Verschuuren (eds) *The protection of sacred sites and territories under international human rights law* (Routledge, 2019) 90-105

Tuareg have struggled for self-determination and recognition, leading to conflicts with the Malian state. Their traditional way of life is frequently disrupted by instability and violence in the region, exacerbating negative perceptions and further

¹⁹ L Jansen 'The Indigenous World 2020' 11 May 2020 <https://iwgia.org/en/south-africa/3593-iw-2020-southafrica.html> (accessed 18 March 2025).

²⁰ D Mochire 'The Indigenous World 2024: Democratic Republic of the Congo (DRC)' 15 March 2024 <https://iwgia.org/en/democratic-republic-of-congo/5350-iw-2024-drc.html> (accessed 25 March 2025).

marginalising them.⁸ In Nigeria, Indigenous communities such as the Ogoni people have faced challenges related to environmental degradation and displacement due to oil extraction activities. The Ogoni have been vocal about their rights to their ancestral lands and the need for environmental justice, highlighting the impact of oil spills on their livelihoods and cultural practices.⁹

5. Main challenges in achieving recognition from state authorities

In South Africa, one of the primary issues is the legacy of colonial and apartheid-era policies that stripped them of their Indigenous identity by classifying them as 'Coloured' and their lands which are most now in the hands of commercial farmers.¹⁰ The struggle for recognition is compounded by the need for land restitution and the preservation of Indigenous languages, which are often not recognised as official languages or taught in schools.¹¹

Across Africa, there is evidence of the above trend. In Cameroon, for example, Indigenous communities like the Ba'Aka and Bagyeli face significant marginalisation. They are often stereotyped as 'backward' due to their hunter-gatherer lifestyle, which is seen as incompatible with modern conservation efforts.¹² In Tanzania, groups like the Hadzabe and Maasai have faced historical marginalisation and exclusion from national policies. The Hadzabe, a hunter-gatherer community, experience tenure insecurity and marginalisation, while the Maasai pastoralists face displacement due to conservation projects and commercial agriculture. The lack of specific national policies recognising them as Indigenous Peoples exacerbates these challenges.¹³

6. Does the term 'Indigenous Peoples' cause any fears or concerns by State authorities in your country? If yes, please provide examples.

⁸ Minority Rights Group 'Taureg in Mali' <https://minorityrights.org/communities/tuareg/> (accessed 25 March 2025).

⁹ E Nnadozie 'The Curse of Oil in Ogoniland' https://websites.umich.edu/~snre492/cases_0304/Ogoni/Ogoni_case_study.htm (accessed 25 March 2025).

¹⁰ Cultural Survival 'Cultural Survival Advocates for Indigenous Rights in South Africa via the UN's Universal Periodic Review' 27 April 2022 <https://www.culturalsurvival.org/news/cultural-survival-advocates-indigenousrights-south-africa-uns-universal-periodic-review> (accessed 21 March 2025).

¹¹ Cultural Survival 'Cultural Survival Advocates for Indigenous Rights in South Africa via the UN's Universal Periodic Review' 27 April 2022 <https://www.culturalsurvival.org/news/cultural-survival-advocates-indigenousrights-south-africa-uns-universal-periodic-review> (accessed 21 March 2025).

¹² Minority Rights Group 'Minority and indigenous cultures in Africa facing serious threat – new global report' 12 July 2016 <https://minorityrights.org/minority-and-indigenous-cultures-in-africa-facing-serious-threat-new-globalreport/> (accessed 21 March 2025).

¹³ DK Sunuwar 'Maasai Fight for Survival: Land Grabs, Evictions, and the Struggle for Cultural Identity in Tanzania' 06 March 2025 <https://www.culturalsurvival.org/news/maasai-fight-survival-land-grabs-evictions-andstruggle-cultural-identity-tanzania> (accessed 25 March 2025).

In South Africa, the term 'Indigenous Peoples' can evoke concerns among state authorities due to its implications for land rights, cultural recognition, and historical redress. The classification of Indigenous Peoples as 'Coloured' under apartheid has led to ongoing debates about their identity and land rights.¹⁴ Also, the idea that Indigenous Peoples are first nation remains problematic in a nation that is attempting to build cohesion post-apartheid.¹⁵ State authorities may fear that recognizing Indigenous Peoples could lead to increased demands for land restitution and cultural autonomy, which could challenge existing power structures and resource distribution.

This highlights the tension between state efforts to recognize Indigenous Peoples and the concerns about the implications of such recognition.¹⁶ In the DRC, the recognition of Indigenous Peoples like the Bambuti, Baka, and Batwa raises concerns about land rights and resource extraction. The government is wary of recognising Indigenous Peoples due to fears about territorial integrity and the potential for secessionist movements, despite international assurances that Indigenous rights do not imply secession.¹⁷ In Kenya, recognising Indigenous Peoples such as the Maasai and Ogiek has led to debates about land rights and cultural preservation, with state authorities sometimes viewing their traditional practices as incompatible with modern development.¹⁸

7. Positive and negative results and practices associated with Indigenous Peoples

In South Africa, the current framework for recognising Indigenous Peoples involves a mix of positive and negative outcomes. Positively, the TKLA marks a significant step towards recognizing the rights of Indigenous Peoples, particularly the Khoikhoi and San communities. This legislation establishes structures for their leadership and governance, which can help address historical injustices and promote cultural preservation.¹⁹ However, the law has been declared unconstitutional. There are also several negative aspects to this framework. One major criticism is that the Act does not adequately address land rights, a critical issue for Indigenous communities who have been historically dispossessed of their ancestral lands.²⁰ The Land Restitution Act does not offer much help to Indigenous Peoples due to its cut-off date of 1913. The Indigenous Peoples have always maintained that their dispossession happened way before 1913. Furthermore, while South Africa has voted in favour of the UN

¹⁴ L Jansen 'The Indigenous World 2020' 11 May 2020 <https://iwgia.org/en/south-africa/3593-iw-2020-southafrica.html> (accessed 18 March 2025).

¹⁵ Khoisan communities in Southern Africa" https://pmg.org.za/files/160203KHOISAN_RESEARCH.doc

¹⁶ Cultural Survival 'Indigenous Peoples Continue to Face Challenges Globally Despite Having Secured their Rights Comprehensively: A Lecture by José Francisco Calí Tzay from Nepal' 18 October 2023 <https://www.culturalsurvival.org/news/indigenous-peoples-continue-face-challenges-globally-despite-havingsecured-their-rights> (accessed 18 March 2025).

¹⁷ African Commission on Human and Peoples' Rights 'Working Group on Indigenous Populations/Communities and Minorities in Africa' <https://achpr.au.int/en/mechanisms/working-group-indigenous-populationscommunitiesand-minorities-africa> (accessed 25 March 2025).

¹⁸ GM Wachira 'Vindicating Indigenous Peoples' Land Rights in Kenya' Unpublished thesis 2008 University of Pretoria 70.

¹⁹ Traditional and Khoi-San Leadership Act 3 of 2019.

²⁰ Cultural Survival 'Cultural Survival Advocates for Indigenous Rights in South Africa via the UN's Universal Periodic Review' 27 April 2022 <https://www.culturalsurvival.org/news/cultural-survival-advocates-indigenousrights-south-africa-uns-universal-periodic-review> (accessed 21 March 2025).

Declaration on the Rights of Indigenous Peoples, it has yet to ratify ILO Convention No. 169, a key international instrument for protecting Indigenous rights. This lack of ratification leaves a gap in the legal framework for Indigenous Peoples, potentially undermining their rights to self-determination and ancestral lands.²¹

In Uganda, the Batwa people, an Indigenous group, have faced significant displacement and marginalisation. Historically, they were forced out of their ancestral forests to establish national parks and conservation areas, leading to severe poverty and cultural disruption. The Batwa have struggled to adapt to a sedentary lifestyle and face challenges in accessing education and healthcare due to their historical marginalisation.²² In Mali, the Tuareg people, a nomadic pastoralist group, have faced historical marginalisation and exclusion from national governance. Conflicts and

environmental pressures often affect their traditional lands, complicating their access to resources and rights.⁴⁰ The Tuareg have struggled for self-determination and recognition, leading to conflicts with the Malian state.⁴¹

8. Initiatives to Raise Awareness about the Recognition of Indigenous Peoples

Several initiatives have been undertaken in South Africa to raise awareness about recognising Indigenous Peoples. Additionally, recognising the Khoekhoe language as an official language in 2019 has helped promote cultural preservation and awareness.⁴² The Western Cape First Nations Collective (WCFNC), an Indigenous umbrella body, has been instrumental in promoting the cultural heritage of the Khoikhoi and San communities. They have supported the development of a heritage centre, which serves as a place for Indigenous Peoples to reclaim their history and traditions.⁴³ Furthermore, initiatives like the IKS Policy aim to integrate Indigenous knowledge into national systems, ensuring that communities receive recognition and compensation for their traditional knowledge.⁴⁴

In Botswana, civil society organisations primarily drive initiatives to raise awareness about Indigenous Peoples' rights. The Botswana Khwedom Council, which advocates for the rights of the Khwe (San) people, has actively demanded constitutional recognition and participation in decision-making processes. Workshops and advocacy programs are used to educate both Indigenous communities and government officials about the importance of recognizing Indigenous rights and involving them in development projects that affect their lands and livelihoods.⁴⁵ In Kenya, the Maasai and Ogiek communities have used legal avenues to assert their rights. The Ogiek community achieved a significant victory with the African Court's landmark ruling in *African Commission on Human and Peoples' Rights v the Republic of Kenya*. This judgment recognized the Ogiek people's rights to their ancestral lands in the Mau Forest, ruling that Kenya had violated their rights by evicting them without adequate consultation or compensation.⁴⁶

²¹ L Jansen 'The Indigenous World 2021: South Africa' 18 March 2021 <https://iwgja.org/en/south-africa/4249-iw2021-south-africa.html> (accessed 21 March 2025).

²² Minority Rights Group 'Uganda's missing minorities' 9 May 2025 <https://minorityrights.org/ugandan-census/> (accessed 25 March 2025).

9. Initiatives and mechanisms needed for Indigenous Peoples to promote adequate recognition

The recognition of Khoekhoe as an official language in 2019 is another positive development, though more work is needed to ensure that Indigenous languages are fully integrated into national systems.²³ In Ethiopia, the government does not officially recognize Indigenous Peoples through specific legislation, despite acknowledging the rights of various ethnic groups. However, pastoralist and hunter-gatherer communities, such as the Afar, Oromo, Somali, and the forest-dwelling Chabu and

⁴⁰ Jegede (n 5) above

⁴¹ Minority Rights Group 'Taureg in Mali' <https://minorityrights.org/communities/tuareg/> (accessed 25 March 2025).

⁴² Jansen (n 38 above).

⁴³ L Jansen & G Potgieter 'The Indigenous World 2023: South Africa' 24 March 2023 <https://iwgia.org/en/south-africa/5062-iw-2023-south-africa.html> (accessed 21 March 2025).

⁴⁴ HO Kaya & YN Seleti 'African indigenous knowledge systems and relevance of higher education in South Africa' 2013 (12) *The International Education Journal* 39.

⁴⁵ Maaitseo (n 5 above).

⁴⁶ *African Commission on Human and Peoples' Rights v Kenya* (Application No. 006/2012) [2017] AFCHPR 2 (26 May 2017).

Majang communities, face significant challenges related to land rights and access to resources. Organisations are working to ensure that these communities are involved in decision-making processes related to their lands and resources.²⁴ In Ghana, there are efforts to recognise and protect the rights of Indigenous Peoples, particularly in the context of mining and environmental conservation. Advocacy groups such as Settle Ghana and Cultural Survival push for greater inclusion of Indigenous communities in national policies and decision-making processes.²⁵

10. Examples of conflation of Indigenous Peoples and other groups

In South Africa, the conflation of Indigenous Peoples with other groups, such as local communities or minorities, is a significant issue. This conflation can lead to confusion and diminish the unique rights and contributions of Indigenous Peoples.²⁶ Historically, Indigenous groups like the San and Khoikhoi were classified as 'Coloured' under apartheid, which obscured their distinct Indigenous identity.²⁷ This classification has persisted in some contexts, leading to a lack of specific recognition and protection of their rights as Indigenous Peoples. The conflation of terms can convolute distinct recognition and prevent accountability and transparency in resource allocation and policy implementation, as it may lead to Indigenous Peoples being represented by others in decision-making processes. For instance, when Indigenous Peoples are grouped with local communities, states might claim to have consulted local communities when, in fact, they have not obtained the free, prior, and informed consent

²³ L Jansen 'The Indigenous World 2020' 11 May 2020 <https://iwgia.org/en/south-africa/3593-iw-2020-southafrica.html> (accessed 21 March 2025).

²⁴ ST Tessema 'The Indigenous World 2024: Ethiopia' 15 March 2024 <https://iwgia.org/en/ethiopia/5352-iw-2024ethiopia.html> (accessed 25 March 2025).

²⁵ EM Aboagye 'Assessing inclusiveness for indigenous communities in mineral rights allocation in Ghana' 2024 (10) *Heliyon* 2.

²⁶ Jegede (n 5)

²⁷ South African History Online 'The Dutch and the Khoisan' 31 March 2011 <https://www.sahistory.org.za/article/dutch-and-khoisan> (accessed 21 March 2025).

of Indigenous Peoples, as required by the UNDRIP. Lessons learned from this conflation include the importance of maintaining distinct categories for Indigenous Peoples to ensure their rights are recognised and protected.

In other African countries, similar challenges exist. For example, in Cameroon, Indigenous communities like the Ba'Aka are often referred to as local communities, undermining their unique rights and cultural identities.²⁸ In Kenya, the Maasai and Ogiek communities have faced land rights and cultural preservation challenges, with their distinct Indigenous status sometimes being obscured by broader categorisations.⁵³

11. Examples of alliances between Indigenous Peoples and other groups

In South Africa, alliances between Indigenous Peoples and other groups are complex and often contentious. The Khoisan community has received support from unexpected allies like AfriForum, a civil rights group for the Afrikaner community, though most Khoisan activists have declined this support due to concerns about AfriForum's

perceived white nationalist agenda.²⁹ The Pan-African Living Cultures Alliance (PALCA) includes South African Indigenous groups like the San. It works to protect and celebrate living cultures across Africa, using tools like Biocultural Community Protocols (BCPs) and Territories of Life to address pressing issues such as climate emergencies and human rights abuses.³⁰ Other organisations include the African Communities Resource Rights Alliance (ACCRA).⁵⁶

In other African countries, similar alliances are forming. In Tanzania, the Maasai community has been at the forefront of alliances focused on conservation and land rights. The Alliance for Indigenous Peoples and Local Communities for Conservation in Africa (AICA) has expressed solidarity with the Maasai of Ngorongoro, who face significant threats to their ancestral lands and cultural heritage. This alliance highlights the importance of unity among Indigenous communities and local conservation efforts.³¹ In Cameroon, Indigenous communities like the Baka are part of PALCA, which aims to strengthen Indigenous structures and support community-led conservation initiatives. These alliances demonstrate the growing recognition of

²⁸ Survival International 'The Baka belong to the forest: It is our home' <https://www.survivalinternational.org/campaigns/green-genocide> (accessed 21 March 2025). ⁵³ D western & DL Nightingale 'Environmental Change and the Vulnerability of Pastoralists to Drought: A Case Study of the Maasai in Amboseli, Kenya' 2003 <https://www.icimod.org/resources/565> (accessed 21 March 2025).

²⁹ L Secorum 'South Africa's First Nations Have Been Forgotten' 19 October 2018 <https://foreignpolicy.com/2018/10/19/south-africas-first-nations-have-been-forgotten-apartheid-khoisanindigenous-rights-land-reform/> (accessed 21 March 2025).

³⁰ N Lunch 'Pan-African Alliance Seeks to Protect Territories of Life With a Revolutionary Tool' 11 October 2019 <https://www.iccaconsortium.org/2019/11/10/pan-african-alliance-seeks-to-protect-territories-of-life-with-a-revolutionary-tool/> (accessed 21 March 2025). ⁵⁶ <https://www.acra.africa/>

³¹ J Narimatsu 'Environmental Justice Case Study: Maasai Land Rights in Kenya and Tanzania' <https://websites.umich.edu/~snre492/Jones/maasai.htm> (accessed 21 March 2025)..

Indigenous Peoples' rights and their role in sustainable conservation practices across Africa.³²

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³² N Lunch 'Pan-African Alliance Seeks to Protect Territories of Life With a Revolutionary Tool' 11 October 2019 <https://www.iccaconsortium.org/2019/11/10/pan-african-alliance-seeks-to-protect-territories-of-life-with-a-revolutionary-tool/> (accessed 21 March 2025).