TEGA

Transforming Environmental Governance in the Anthropocene:
An Action Research in the Field of Access and Benefit-Sharing

Strengthening Equity, Benefit-Sharing and Sustainability in Namibia's Devil's Claw Sector

Scientific Workshop Report

Authored by Dr Damien Krichewsky with contributions from the TEGA team

Before being circulated to third parties, this report was sent to the workshop participants for review on content and potential issues of confidentiality. The material and ideas presented in this report can be used by workshop participants for practical problem-solving. However, to respect intellectual property of the research work involved, empirical material and analytical results cannot be used in higher education and scientific publications without prior informed consent by the authors of the report. Scientific publications informed by this report are forthcoming and will be available for citation.

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Introduction

In a context where policies and governance frameworks for sustainable development seem increasingly overrun by persisting – and partly growing – inequalities and ecological destruction, the TEGA action research project on Access and Benefit-Sharing (ABS) seeks to contribute transformative change in this particular field of international biodiversity governance.

As part of its thematic Working Group 2 on "Strengthening equity, reciprocity and ecological sustainability in biotrade value chains", and after consultations with Kyaramacan Association, the Khwe Custodian Committee, EcoSo Dynamics, and the Ministry of Environment, Forests, and Tourism (MEFT), the TEGA team decided to organise a workshop in November 2025 to address ABS-related issues and support transformative change in the Devil's Claw sector – with a geographical focus on the area of Bwabwata National Park.[1]

Building on findings from TEGA's preliminary research, which were communicated to participants in a research memo, the workshop was designed to pursue the three following objectives:

i. Create a safe space in which participants can address issues related to equity, benefit-sharing and sustainability that negatively affect their relationships.
ii. Support mutual learning to deepen our understanding of the issues at hand.
iii. Formulate a vision and identify concrete opportunities for collective change-making to address these issues both within and beyond relevant governance frameworks (e.g., the 2010 Nagoya Protocol and Namibia's related ABS law from 2017; Namibia's 2010 Policy on the Utilisation of Devil's Claw; the GACP+ standard for Devil's Claw).

The workshop was held on 19-20 November 2025 at River Crossing Lodge in Windhoek. It gathered 19 participants, including 4 representatives of KA, 1 representative of the Khwe Custodian Committee, 2 Devil's Claw harvesters, 1 Khwe community activist, 3 members of EcoSo Dynamics, 3 members of MEFT, 1 member of the NGO Integrated Rural Development and Nature Conservation (IRDNC), and 5 scholars affiliated to TEGA and/or UNAM.

The following report highlights key results from this workshop. It does not cover the results of the preliminary research that are already outlined in the aforementioned research memo.

1. Creating a safe space to address relational dynamics among stakeholders

1.1 A dense bundle of issues

The harvesting and trade of Devil's Claw growing in the area of Bwabwata National Park is raising a number of interrelated social and ecological issues that have been well known to the stakeholders involved:

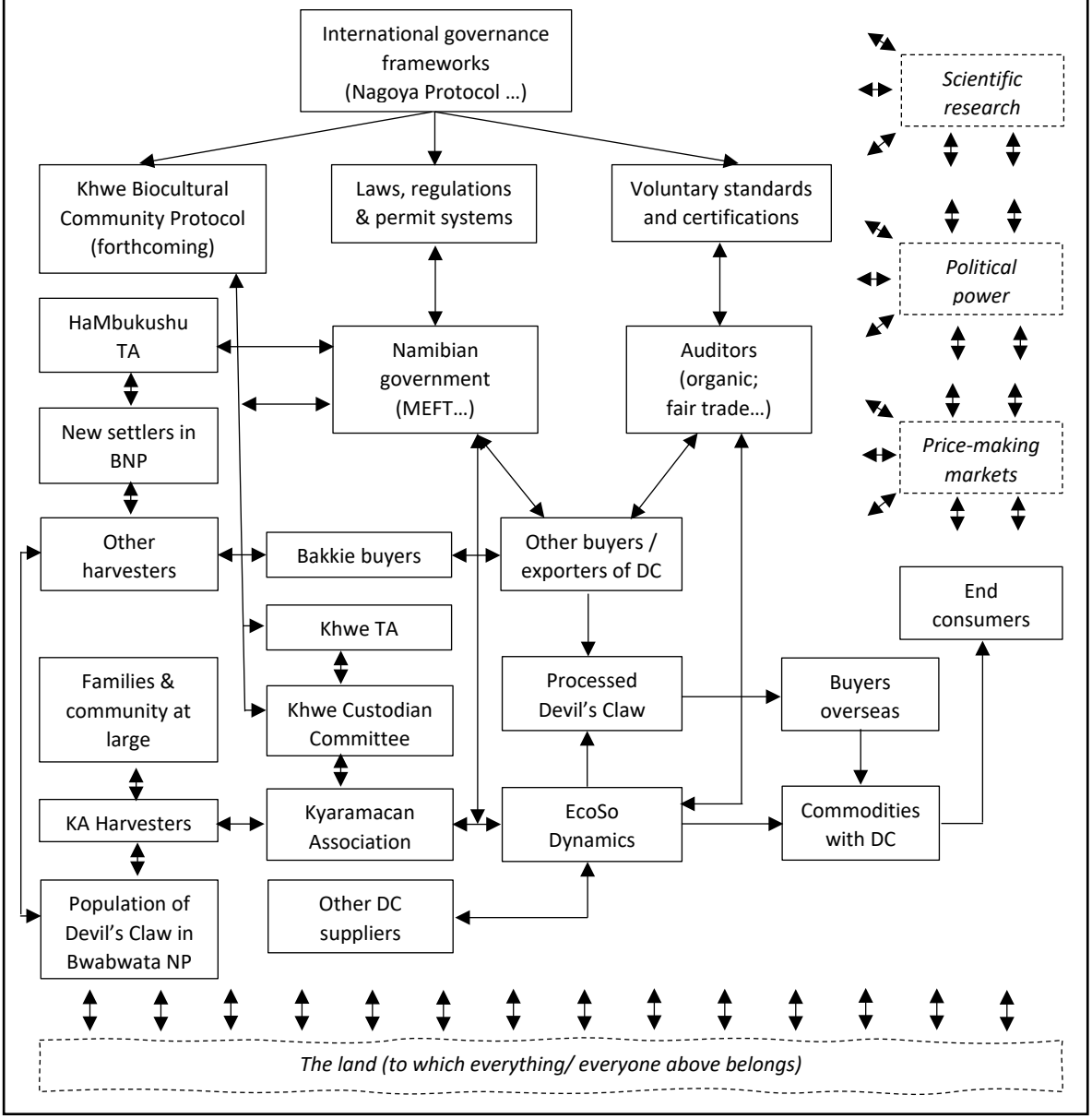
- Issues around access to Devil's Claw, which is restricted by zoning and related rules of the national park, and made increasingly difficult for harvesters due to a loss of population of Devil's Claw in harvesting areas located near their settlements.

[1] The workshop was co-organised by (in alphabetic order) Prof Ahmad Cheikhyoussef (UNAM / TEGA), Dr Damien Krichewsky (University of Bonn / TEGA), Dr Fenny Nakanyete (UNAM), Dr Michael Shirungu (UNAM / TEGA) and Dr Matthew Wingfield (UWC / TEGA). We gratefully acknowledge indirect contributions from Giovanni Aschieri (University of Turin / intern by IRDNC).

- Issues of poaching of Devil's Claw in core areas of the park, where the collection of Devil's Claw and other natural resources is prohibited for the purpose of nature conservation.
- Issues of overharvesting and of unsustainable harvesting practices, which are mostly attributed to the significant influx of new residents in the park and of outsiders coming in the park to harvest Devil's Claw without being properly registered, trained, and managed by Kyaramacan Association.
- Issues of harsh working conditions and of payments to harvesters that interviewed harvesters consider unfair. These issues include, for instance, a difficult and often costly supply of food and water for harvesters in the field; sustainable harvesting practices that are considered by many as good in principle, but also as a source of significant extra work; tensions around the risk of human-animal conflicts; and a price per kilogramme of dried slices of Devil's Claw that leaves harvesters with a low net income at the end of the season (currently about 1500 N$ to 2000 N$ per bag of 20 kg), but that harvesters accept due to limited bargaining power and a lack of alternative earning opportunities in the area.
- Issues of an insufficient or problematic enforcement of existing policies and laws that are supposed to address and solve the issues mentioned above, with negative effects both for community actors and for biotrade businesses. For example, Kyaramacan Association has raised the complaint that authorities do not effectively prevent outsiders from harvesting Devil's Claw in the park. EcoSo Dynamics raised the complaint that ABS compliance induces high implementation costs; that efforts to implement ABS in the spirit of the law are not recognised nor rewarded by the authorities; and that authorities create a bias in market competition by failing to enforce regulations with equal stringency on all businesses in the sector. And MEFT raised a complaint about cases of intrusion of park residents in core areas, as well as of a lack of reporting of illegal practices to the authorities by KA.
- Issues of lack of political voice of the Khwe, in particular due to the absence of a full recognition of their traditional authority (TA) by the state, which limits their ability to defend their interests against pressures exerted by another ethnic group whose political representative has more political power.
- Issues of a lack of timely communication, smooth coordination, and cooperative spirit in the relational triangle between community stakeholders, the main buyer of Devil's Claw, and public authorities, leading to various practical issues on the ground.
- A lack of problem-solving impact of scientific knowledge about these issues on the ground.

This dense bundle of issues results from the way the more-than-human social and material relationships (meaning the relationships among humans, social bodies such as organisations, and non-human beings and entities such as plants and land) are structured culturally and institutionally (see illustration 1). Issues are not only a result, but also an integral part of this social and material web of relationships, which they affect negatively in multiple ways. In some cases, stakeholders have described these issues as an existential threat either to the Devil's Claw industry, or to the Khwe community and the precarious livelihood of some of its members. As a result, concerned actors express dissatisfaction with the *status quo* and aspire to tangible change.

Illustration 1: The web of socio-material relationships underpinning Devil's Claw biotrade



1.2 Establishing a sound relational basis for collective change-making

Since existing governance structures (e.g., policies, laws and regulations, management plans, voluntary guidelines and standards) and previous initiatives[2] have proved useful, but also insufficient to change this *status quo* into satisfactory conditions, the workshop organised by TEGA was an attempt to contribute change by using a different method. The idea behind this approach is straightforward: if the usual means to tackle serious problems affecting a large array of stakeholders are not enough, it is worth trying to tackle these issues from a different angle, with a different set of practices. Specifically,

[2] For example, the "Assessment of the current status of the Devil's Claw resource, harvesting and selling arrangements in the Managed Resource Use Zones of the Bwabwata National Park by members of the Kyaramacan Association" commissioned by IRDNC and conducted by Dave Cole in 2023.

while issues are usually addressed technically by following a linear problem-solving logic (diagnostic → recommendations → action plan → implementation), the workshop started by addressing not the issues, but the quality of the relationships between the concerned participants.

After introductory words, a warm-up exercise was conducted in which participants walked randomly in the room, carried by atmospheric music, and stopped three times to face another participant and connect with her/him more fully. Beyond its function as an ice-breaker, this warm-up exercise provided space for participants to see and acknowledge each other as equal human beings, beyond their different nationality, ethnic background, life trajectory, wealth, power, titles, knowledge, and social roles.

Using the circle process method formalised by Christina Baldwin and Ann Linnea,[3] the workshop continued with setting-up participants in a circle of equals around a centre-piece. While participants often tend to sit among peers (an instinctive way to feel safe by being in one's group), they were asked to sit based on their age, with the elder at the left of the facilitators and the youngest at their right. Explaining why this sitting order helps loosen the grip of ascribed identities and socially constructed inequalities provided an indirect way for the facilitators to highlight the role that these identities and inequalities play in the relational dynamics and issues between the participating stakeholders. By introducing the role of the centre-piece, which is a symbol of the topics at hand, a common ground, and an anchor for the subtle – light, heavy, agitated, calm, flat, tensed… – group dynamics that unfold in such a circle process, the facilitators also brought these group dynamics to awareness, so as to help the group to better deal with them during the workshop. The formation of the circle was completed with every participant saying her/his name, sharing the main intention with which she/he was attending this event, and expressing how she/he felt in the present moment.

1.3 Creating a relational understanding of the issues to be addressed

Once a relatively safe space had been established, several circle conversations were facilitated to share views and knowledge on the various issues of concern. These circle conversations were complemented by a 'self-inquiry in groups', during which participants gathered in groups of 4-5 to speak out and listen to each other on the question "What makes me happy and what makes me sad in the Devil's Claw sector?".

Rather than having scholars or 'experts' present a diagnostic to the participants, the goal of these sessions was to co-create a joint diagnostic through dialogue. Following this approach would leave participants free to decide through their interventions not only which issues to put forward, but also how deep to dive into their layers: potentially, from relatively superficial layers, such as the terms of a purchasing agreement, to intermediate layers, such as political conditions, to deep layers, such as how the colonial past may act upon relationships in the present.

Here again, the approach was relational: issues were not put together on an abstract list, as if they are external objective things that can be reengineered one by one through technical problem-solving. Instead, participants were invited to share concrete stories about problems that affect them. Doing so would allow to surface those issues that concern participants more directly and to better grasp the complex ground realities in which these issues arise and interact. Moreover, once a story has been narrated from the point of view of the speaker, discussions in the circle would allow to bring a variety of other viewpoints and experiences to the fore, thus allowing participants learn from each other's

[3] Baldwin C., Linnear A. (2010), *The Circle Way: A Leader in Every Chair*, San Francisco, CA: Berrett-Koehler Publishers.

perspectives on problems that they experience from a different position and angle. For example, different participants might be concerned with the same issue, such as "the loss of population of Devil's Claw", or "the influx of new residents in the park". However, because each concerned participant is affected by this issue in a different way, she/he has a different perception of what needs to be addressed and how.

What the circle conversations and the self-inquiry surfaced is, foremost, that most participants feel the "other sides" of the triangle community-company-authorities are not taking sufficient action to remediate their problems. This pattern of mutual dissatisfaction is showcased in the following paragraphs in the light of two main issues: the depletion of the population of Devil's Claw, and the distribution of benefits within the sector. These two issues were selected in this report because of their great significance for all concerned actors, and because they are at the core of the workshop's topic and purpose. As indicated above, these selected issues drag other issues from the bundle of interrelated issues with them, so that other issues are more or less directly addressed as well.

Depletion of the population of Devil's Claw:

Khwe workshop participants consider the area now falling under Bwabwata National Park to be their ancestral land. As a part of the southern African San people, they also have ancestral knowledge of Devil's Claw and a long-established practice of harvesting and using it as a medicinal plant. According to a workshop participant, when the area – formally defined as a game reserve in 1966, as a game park in 1968, and as a military zone during Namibia's war of independence – was declared a national park in 2007, only a limited number of people from the Khwe were harvesting Devil's Claw. These harvesters had enough plants of Devil's Claw available in the multiple use area where they were allowed to collect natural resources. Hence, the prohibition on resource collection in the core areas of the national park was not particularly problematic. However, with the increasing influx of people in the area, either as new settlers or as groups of harvesters who stay temporarily in the park to harvest Devil's Claw, the population of Devil's Claw in the multiple use area started to get depleted. As the participant explained:

> *"We have raised the issue time and again at the Ministry. But they don't respond to our reports like we expect. They leave the decision on this issue to NamPark, and no action is taken. The result is that the resource has been depleted. Now only one harvesting area was left for the villages of Chetto, Omega 3 and Masambo. There is still some population of DC in the core area, but MEFT created the cut line, and we are not allowed to harvest in that area. We told MEFT 'Why not allowing a sustainable harvesting system with a rotational harvesting between the core area and the multi-use area, to allow DC to recover in harvesting areas that have been depleted.' But the Ministry doesn't allow it. They don't provide any explanation. They just say no."*

This depletion of the population of Devil's Claw in the multiple use area directly affects harvesters from the community and their families, because harvesting of Devil's Claw is one of the few possibilities available to generate monetary incomes to cover basic needs (e.g., food, clothing, school books). In many cases, it is their livelihood that is at stake. Moreover, as another workshop participant highlighted, many community members – especially from the older generations – have a strong material and cultural relationship to Devil's Claw: it is not just a source of income, but also a sacred medicinal plant that features prominently in their biocultural heritage. Losing Devil's Claw (both as a species and their access to it) therefore also means losing part of the community's world, against the backdrop of a long (post)colonial history of spoliation of its land and customary rights, and of disruption of its culture and identity.

After several years during which the volume of Devil's Claw that each harvester is allowed to harvest during a season has decreased, the situation is so severe that, in the harvesting season of 2025, harvesters of several villages did not collect any Devil's Claw to allow the resource to generate. This

measure creates a painful loss of income for affected families. Moreover, sacrificing income now to allow the population of Devil's Claw to regenerate can only work if illegal harvesting is effectively prevented in these areas.

Unfortunately, KA had bad experiences in the past, with instances where groups of harvesters without a permit delivered through KA were caught by KA and presented to the authorities, and where, according to KA, authorities let the harvesters go instead of punishing them. Besides, while the Khwe community attributes the depletion of Devil's Claw mainly to the influx of outsiders, it considers that the Namibian government has not acted effectively to prevent this influx – a situation that is partly attributed to the political power of the Traditional Authority of the HaMbukush community as a result of his role in the war of independence and his current influence within SWAPO:

> "*Since the people from HaMbukushu are coming, sustainable harvesting is not done properly. They come, they remove the mother root, and they don't close the holes. People are coming in the park and settling in the areas where we used to harvest Devil's Claw. And neither IRDNC nor MEFT are taking any effective action against illegal harvesters. We report to them, but they don't take action. Nothing will improve as long as this issue is not sorted.* […] *So many people are settling in the park, and as a result, all our natural resources are being lost. Illegal harvesters sell to bakkie buyers, who sell to other companies. This year, we confiscated 18 bags from illegal harvesters who were coming from Katima. BNP is one of the richest areas in terms of biodiversity, and this is why everyone comes there to take resources.*"

As a business organisation, EcoSo Dynamics has a direct interest in securing a stable and sufficient supply of raw material that is tested, sorted, partly processed on site, packaged, and exported overseas. As a member of EcoSo remarked in a circle conversation, Bwabwata National Park plays an important role for the company in this regard – important enough to take great personal risks for EcoSo Dynamics to secure an exclusive access to the Devil's Claw from that area:

> *"Before KA started to trade with EcoSo, Bwabwata National Park was the Eldorado for informal buyers, because there was a lot of good Devil's Claw to buy for a cheap price. When EcoSo got the tender to have an exclusivity contract with KA, I got phone calls from people from the sector who were threatening to take my life. The first time I got to KA, I carried a gun with me because of that."*

The economic risks that the depletion of Devil's Claw in Bwabwata National Park creates for EcoSo Dynamics and its employees are different from the economic risks that this depletion creates for the Khwe community and its harvesters. And the relationship of EcoSo Dynamics to Devil's Claw is more focused on its commercial value when compared with its biocultural significance for some of the Khwe community members. Yet, notwithstanding these differences, both EcoSo Dynamics and actors from the Khwe community clearly share an interest in the conservation of the resource for future use. EcoSo Dynamics has therefore been ready to invest in protecting the resource, for instance by working with IRDNC and KA to provide trainings for sustainable harvesting.

However, EcoSo Dynamics feels that the state of its current relationships with KA limits the possibilities of working together at addressing this shared problem of resource depletion. Specifically, at various moments during the workshop, a participant from Ecoso Dynamics mentioned his experience of wanting to collaborate closely with KA on the basis of a trustful partnership, but of encountering what he perceives as closure, distance, and reluctance.

> *"What I feel is that KA always sees everything we are doing as exploitation. I can see and feel it. Up to now, we have never been invited in any single meeting by KA where KA would have acknowledged what we do. We are not just "a company". We are also people. EcoSo is a company made of people who also feel, who are not just counting money. And this is something we would like to be appreciated. But the feedback we get is mostly negative."*

> *"We feel that KA wants to do their thing. IRDNC is the same. They get money to do things, like post-harvesting surveys. But we are not being told about problems. Since we are working in isolation, we are not coming together. In my view, this is the biggest problem."*

As for public authorities, they acknowledge the persistence of problems on the ground. However, they feel that this persistence is at least partly due to concerned actors not using the opportunities made available to them by the political system to raise these concerns and elicit interventions from the authorities. In the words of an official from MEFT:

> *"On the issue of Devil's Claw specifically, we should never undermine indigenous knowledge. Now, consultations are running for the update of the National Policy on DC. And such consultations offer a good platform for KA to voice suggestions for policy changes. If KA could send a few representatives at these meetings, it would be great.* […] *I want to emphasize that there are many platforms available to engage the political leadership. And if you request an audience at MEFT to convey a genuine concern, you will be heard. It has been done before and it can be done today."*

The distribution of benefits in the value chain:

In a capitalist market economy, in theory, prices are determined by the market itself. A total volume of production of a given commodity, which results from the sum of the decisions of producers to produce a certain amount, meets a total volume of demand for this commodity, which results from the sum of the decisions of end consumers to purchase a certain amount. Both producers and consumers orient their decisions to price fluctuations. If not enough was produced to satisfy the demand, prices go up as consumers become ready to pay more for this scarce commodity. Since higher prices mean higher profits for the producers, they get motivated to produce more, and the increase of available products ends up lowering the price… in a back-and-forth movement that stabilises around a price where the volume of production meets the volume of demand.

In practice, market forces are only one – albeit a particularly powerful – factor among other factors that influence prices. Production costs are another factor, which depend on further variables as diverse as technology, organisation, access to raw materials, or policies, laws and regulations (e.g., labour laws, environmental laws, taxes). The degree of competition between producers also plays a role, and it depends not only on market prices (higher prices attract new competitors), but also on the ability of producers to prevent new competitors from entering the market. Yet another factor is the reputation of certain brands among consumers, which allows some companies to ask higher prices for their products. Besides, complex social relations among different actors within a value chain, which are influenced by culture, access to information, and other variables, usually also impact prices by influencing the respective bargaining power of these actors.

Within this setting, Khwe community members feel powerless regarding the limited incomes that harvesters derive from their labour, because their social and economic position puts them in a situation of being price takers. As one participant said:

> *"Instead of us making a price when we offer our product at the selling point, it is the buyer who makes his own price, and we have to go with it. This is not totally fair. Harvesting tubers and managing the entire production requires a lot of energy. Harvesters need to be able to make a living out of their work. But this is not the case with the current price."*

This sentiment of powerlessness is reinforced by the social and economic position that community members inherited from the past: lack of access to education and financial capital confines them to the role of resource providers at the bottom of the value chain. The money they derive from their work is too little to allow them to invest in better chances for them and their children. Moreover, they lack

the political power to effectively protect the little resources they have from other social groups that have been increasingly settling within Bwabwata National Park, taking land and resources away from the Khwe.

During the workshop, a participant from the Khwe community expressed the wish that the government intervenes as an arbiter for fair benefit-sharing:

> *"In the scale placed in the centrepiece, one side has dollars, and the other has natural resources. One person has money, but no resources and wants medicinal plants, while the other has resources, but no money. The government should come in the middle and ensure that both sides are happy, that the exchange is equitable."*

However, members and leaders of the Khwe community feel that the existing ABS policies and laws fail to do so. In the words of a Khwe participant:

> *"What I understand is that MEFT came out with an ABS policy according to which someone who wants to acquire raw material needs a Prior Informed Consent and an ABS arrangement with the communities and the government. The reason is to ensure that pricing is equitable, that the sharing of benefits is equitable. Now ABS is not covering everything. Harvesters currently get very low benefits. Buyers in Namibia get medium benefits. And buyers overseas, who did not sweat to harvest the resource, they are not so vulnerable, but still, they make the highest amount of money. Is this compliant with ABS?!"* [4]

This being said, during the self-inquiry in groups, members from the Khwe community also expressed positive appreciation of what is already being done. For instance, while reflecting on what he/she likes or dislikes in the Devil's Claw sector, a harvester explained:

> *"I am happy about the standard operating procedures; about the support received by the community from EcoSo for logistics, material, and reflectors. There is the issue with poachers, and EcoSo bought reflectors to help identify KA harvesters. They also helped to transport water to harvesters. And EcoSo pays harvesters on time."*

While members of EcoSo Dynamics are aware of the situation on the ground, they explained in the circle conversation that they are already paying a higher price to KA and its harvesters per kg of Devil's Claw when compared with the standard market price. For dried slices of *Harpagophytum procumbens*, which is the sort of Devil's Claw sold by KA, harvesters would actually receive the highest price in all Namibia. Moreover, EcoSo Dynamics shares other benefits, such as paying a management fee to KA that is significantly above KA's actual management costs, or helping to distribute water to harvesters in the harvesting fields.

According to members of EcoSo Dynamics, the reason for the limited incomes received by the harvesters is not excessive profiteering by EcoSo Dynamics, but the fact that the number or registered harvesters has increased over the years at a much faster rate than the total volume EcoSo Dynamics can buy under the current quotas: it automatically reduces the number of bags that each harvester can be allowed to harvest, and thus her or his income. Other factors play a role as well, such as the increased harvesting costs incurred by harvesters due to the depletion of Devil's Claw in fields located close to settlements. But, apart from supporting sustainable harvesting through trainings and post-harvesting surveys, or providing punctual relief such as supporting the provision of water, EcoSo Dynamics feels it cannot do much more, knowing that most causes for the depletion of Devil's Claw

[4] The understanding expressed by the said participant is in tune with Namibia's 2017 ABS law, whose art. 5 (4) stipulates that "The State has the ultimate responsibility of ensuring fair and equitable sharing of the benefits arising from the utilisation of genetic resources and associated traditional knowledge and the State must execute this responsibility in accordance with the provisions of this Act, the Namibian Constitution and international law."

are beyond its control. Besides, the ability of EcoSo Dynamics to pay higher prices is limited by the mechanism of market competition. Other Namibian exporters get lower production costs by procuring cheaper raw material from bakkie buyers who pay significantly lower prices to harvesters and who partly buy from illegal harvesters. This allows them to sell cheaper products to buyers overseas. If the products sold by EcoSo Dynamics get too high because it pays harvesters significantly more than what it actually does, buyers overseas will stop buying its products – probably to the detriment of everyone involved, including harvesters from KA.

Against this backdrop, a member of EcoSo Dynamics stressed that the company is aware of the difficulties faced by harvesters, and happy to help within the limited scope of its possibilities. At present, the company perceives this positive attitude as being one sided. For example, while selling products that are organic certified can also benefit harvesters by increasing the market value of these products, "*it is difficult for us to get someone from KA to lead the auditor to the harvesters. It makes it difficult for us.*" The company would therefore appreciate a more open and constructive attitude from KA, as well as more steady collaboration in the field, based on an understanding that reciprocity – working closely together and helping each other out – will be beneficial for all sides.

Like with the issue of the depletion of Devil's Claw discussed above, members of public authorities emphasised the government's will to support communities, while also suggesting that communities should be proactive:

> *"Regarding the ABS act, we want to strengthen communities.* […] *Our message to the communities is clear: we want you to organise to have a strong voice. Our job is to regulate ABS across Namibia's indigenous natural resources. But we cannot influence the process between you* [the Khwe] *and EcoSo Dynamics. What we can do is to train, to administer, and to support. If KA feels there is a need of a national debate on Khwe-related issues, you should say so. I invite you to think broader, beyond KA or beyond specific research projects. Several ministries have officially recognised your TA: the President office, MEFT, the Ministry of Education, Arts and Culture… So there is a dynamic and a will to elevate the case of the Khwe. This is important: getting the TA recognised, and secure the land."*

2. Addressing the issues at hand: structural conditions, ideas, and opportunities for change

2.1 Addressing the structural causes underpinning the problematic status quo

The persistence of the issues mentioned so far is, at least partly, the result of structural conditions that cannot be changed easily. However, as we argue in the paragraphs below with reference to the economy, politics, and science, such a change can be rewarding in many respects.

Pursuing postcolonial healing by acting beyond the structures and logics of the capitalist market economy

Economically, as already suggested above, the operating logics of a capitalist market economy impose structural limits on equity, benefit-sharing, and ecological sustainability.

End consumers in countries where most of the products entailing Devil's Claw are being sold have limited connection with the conditions of production of these commodities. Typically, they are confronted with health issues such as arthritis, and after looking around for medicine, some of them might decide to buy a product based on Devil's Claw, depending on the reputation of this product and on its price. While a fraction of these consumers are ready to pay a premium for a product that is fair-

trade and/or organically certified, they will likely opt for an alternative product if the price is comparatively too high. Conversely, if they see several products with similar qualities, but different prices, most of them will opt for the cheaper option.

Companies overseas that produce and market these products know that, and they compete among each other to sell the best product for the cheapest price. Some of them will try to get a competitive advantage by selling products that are certified fair-trade and/or organic, and stick to this strategy if customers buy their products. But, beyond such certification, companies focus mainly on securing raw material that has the best quality for the cheapest price and the highest reliability of supply. Some managers of these companies might know in broad terms about social and ecological challenges on the ground. However, managers are trained, employed, and legally obliged to work in the best financial interest of their company. As a result, they might do a few gestures of good will here and there. But sharing significantly more benefits with their Namibian suppliers would be against the interest of their company, which is their livelihood. As an academic workshop participant explained:

> "*In my past research, I was able to do interviews with many players from the Devil's Claw sector, including international buyers. And there is a bottleneck at this level of international buyers that is causing frustration.* […] *If we look at the literature, there is a very strong case that Devil's Claw was identified as a medicinal plant by German settlers on the basis of the traditional knowledge of San people, like for the case of Rooibos. But almost 80% of the money made out of the collection, processing and sale of Devil's Claw is captured in Europe. When I asked the European company Givaudan about ABS, the answer I got is that they had supported a Kindergarten in Zambesi."*

Inviting international companies to sit at the table might help as a first constructive step. If it does not prove effective, since current geopolitical power relations are likely to prevent the adoption of more powerful regulatory constraints to enforce higher benefit-sharing from Europe to Namibia, exerting pressure by publishing empirically solid reports in science and mass media that threaten the reputation of these companies might be a strategy to consider. However, such a strategy requires the intervention of external actors who are not in a relation of commercial dependence to these international buyers.

In Namibia, EcoSo Dynamics is only one among several buyers & exporters of Devil's Claw. According to our information, it already tends to put in more effort than most other exporters to support sustainable harvesting and to pay its suppliers in a way that drives market prices up, rather than down. Since Devil's Claw is being harvested and supplied for cheaper prices by other commercial actors, EcoSo Dynamics probably cannot afford to share significantly more benefits than what it already does.

Given these market constraints, EcoSo Dynamics has only two possibilities to share higher benefits to its suppliers. One is to have products that will justify higher prices by having a higher certified quality. As a member of EcoSo Dynamics explained, this requires a partnership based on good relationships and collaboration on the ground:

> *"If we treat each other as enemy, we will not be able to come together in a real partnership. And I often have the feeling that we are treated as enemies. But the reality is that we want to engage, and to make a difference on issues on the ground. I am grateful for the TEGA team to have organised this workshop. This is the kind of space we need. I have brought various products that are on the table. Some are produced with Devil's Claw from Nyae-Nyae with a Fair For Life label, which means that consumers in Europe pay a bit more for these products, and the money goes directly to the community in Nyae-Nyae. This is the result of a partnership. Ask my colleagues here, they will also tell you that we want to have a positive impact in Namibia, not just make money."*

The second possibility is to reduce production costs elsewhere, and to share part of the higher benefits derived from these savings with KA and the harvesters. Here again, it requires a smooth collaboration and coordination on the ground, which would make interactions between EcoSo Dynamics and KA more efficient. It might also require regulations and permit systems that make compliance less costly

for the company. And it requires either the free will of the owners and managers of EcoSo Dynamics, or effective regulatory constraints, to ensure that a fair share of the higher benefits derived from the lower costs are actually redistributed.

Regarding the free will, *i.e.* the ethics at play in EcoSo Dynamics' behaviour regarding benefit-sharing and sustainability, making any assessment here is beside the point.[5] More interestingly, one can note a tension created by diverging (socially constructed) expectations. Based on the normal expectations of the capitalist market economy, sharing benefits instead of increasing profit margins means acting *against* one's financial interests and the basic logics of doing business. Based on expectations of humanism and good ethics, which also inform ABS principles, sharing benefits can be costly financially on the short run, but it is usually rewarding on the longer run in terms of happiness, living well together in a good society, and supporting the socio-ecological sustainability of the economy that sustains human livelihood.

Nurturing, appreciating, and participating in such ethics to let it grow in practice requires a spirit of *mutual* trust and care from all people involved, within a company such as EcoSo Dynamics, but also among those who work with such a company. The painful colonial history of relationships between white farmers of German descent and indigenous San communities in the area, described for instance by Robert J. Gordon,[6] is likely to make the unfolding of such a spirit of trust and collaboration difficult… but not impossible. Working together at building trust might therefore be an opportunity for postcolonial healing that can benefit all parties involved.

Supporting equity, benefit-sharing and ecological sustainability while navigating the administrative structures and political dynamics of Namibia's political system

Politically, the goodwill of some public officials and elected politicians to act against the depletion of Devil's Claw and improve benefit-sharing is structurally limited by the administrative capacities and power relationships that characterize Namibia's current political system. However, in a dynamic international and national context, opportunities exist to explore and co-create new political possibilities for ABS, the decolonial recognition of Indigenous Peoples, and biodiversity governance at large.

Large bureaucracies such as national states are bound to create many different ministries, departments, and offices to be able to manage the country politically. Independently from the competence and good will of individual public officials, this leads to a fragmentation of public management: each part of the public administration looks at the world and responds to it from its own particular perspective, based on its mandate, its internal programmes, its limited human resources, its limited information, and the limited time available to operate. As a workshop participant explained:

> "*One important aspect is the coordination – or lack of coordination – between different ministries and agencies when it comes to implementing policies. People settle illegally in the park, and then ask the Ministry of Water to supply utilities to their new settlement. Sometimes, the Ministry of Water will provide the utility without consulting MEFT. Recently, a decision was taken to improve coordination: other ministries will consult us before doing anything within the park. For us, it is also important that community members report quickly to us about new illegal settlements. Because we sometimes get the information too late, and people have already settled in in a way that makes it hard to remove them.*"

[5] Making such an assessment would automatically carry a moral judgment with it. The present report decidedly sticks to factual analysis and refrains from making any positive or negative moral judgment on the ethics and behaviours of others – whether they are from a company, from a community, or from public authorities.

[6] Gordon, R. J, (2025), *The Bushman Myth Revisited: Genocide, Dispossession, and the Road to Servitude*, Windhoek: UNAM Press.

Besides difficult administrative coordination, public authorities operate within a complex array of power relationships that unfold within the dominant political party SWAPO and the dynamics of electoral politics structured by Namibia's constitutional state. This political dimension was barely addressed in the workshop. However, it came out in one of the self-inquiries in groups when a participant explained how MEFT is asking KA to register any harvester who resides within the park, independently from her/his affiliation to Khwe or !Xun communities from the indigenous San people:

> *"Actually, MEFT threatened KA if KA only registers Khwe harvesters. 'You are bringing Apartheid to Namibia if you do so', they say. 'If you don't register all park residents who want to harvest, also non-Khwe, we will remove your permit.' According to the Ministry, any Namibian citizen should be allowed to register and harvest. So now, maybe 30-40% of the harvesters under KA are non-Khwe. This creates problems of overharvesting, of harvesting above the agreed quotas. In the past 4 years, we have been at about 50.000 tonnes, and 1250 to 1500 harvesters.* […] *If we stick to the old quota of 25 tonnes, with so many harvesters, it will be about half a bag per harvester."*

This statement illustrates the political complexity of the issues discussed previously in this report. Not only are overharvesting, unsustainable harvesting, and limited income generation for harvesters interlinked. These issues are also linked with a fundamental tension. On the one hand, equal citizenship among Namibians, which is a basic structure of the postcolonial nation-state, implies equal socio-economic rights. On the other hand, specific biocultural rights of Indigenous Peoples, which are necessary to protect minorities and their cultural heritage, are inscribed in international agreements that the Namibian state has signed and endorsed.

These two rights are not in contradiction *per se*: Namibia's ABS law, which recognises local communities as the right holders of their traditional knowledge, was adopted by governmental institutions that represent Namibia's citizenry as a whole. In line with the Nagoya Protocol, this law requires users of such traditional knowledge and associated genetic resources to first get a Prior Informed Consent from the right holders. As a public official explained during the workshop, this applies to Devil's Claw, whose utilisation is recognised to be associated with the traditional knowledge of the San people and its communities. Since this is the case, the Khwe community should arguably be considered to be one of the San communities holding particular rights over the access and utilisation of Devil's Claw.

The forthcoming Biocultural Community Protocol (BCP) of the Khwe community states that the Khwe Custodian Committee is "the institution responsible for granting prior, informed consent on matters pertaining our indigenous biological resources and related genetic resources as well as other intellectual property related matters." However, this BCP is currently a draft document that awaits validation by MEFT. Until now, KA is the institution that granted Prior Informed Consent and signed a benefit-sharing agreement with EcoSo Dynamics. If KA is an institution of the Khwe, this is an internal matter of the Khwe community. However, if KA is put under political pressure by MEFT to represent not the Khwe, but all the current inhabitants of Bwabwata National Park, including many inhabitants who settled illegally and encroached land used by the Khwe, a contradiction arises. How this contradiction is discussed and addressed is a matter that is not only legal, but also political and thereby subject to power relations.

In this intricate but also dynamic context, all players involved always have a certain leeway to influence the course of events. Laws and regulations are not changed easily, though government institutions can choose to amend them. Policies are comparatively more dynamic, as the current preparation of a new National Policy on the Utilisation of Devil's Claw illustrates. And the implementation of these policies and laws usually provides room for interpretation and action.

While public officials "*train, administer, and support*" (cf. quote on page 10), they can create and participate in forums where concerned stakeholders can debate and negotiate practical arrangements. Inasmuch as the structure and facilitation of such forums ensure inclusion and participation, these forums can strengthen democratic problem-solving. Public authorities, which are vested with the power of the state, can not only benefit from their active participation in these forums (*e.g.*, mutual learning, legitimacy). They can also use their power to ensure that the arrangements co-created in these forums remain in line with the policy objectives of the country, including the objectives of equitable benefit-sharing and biodiversity conservation that are inscribed in ABS governance frameworks.

Leveraging knowledge co-creation beyond the standard practices of doing research

There is a long history of scientific research *on* San communities. By influencing perceptions, which have been enmeshed in southern Africa's (post)colonial history, this research has had significant impacts on the San People.[7] This is why, like in any other domain of society, scientific research should not be considered to be a neutral and external actor: the way science produces and disseminates knowledge generally impacts the course of events.

In discussions prior to the workshop, several members of the Khwe community expressed their dislike of external researchers who come in their area to collect data, often asking community members for significant time to respond to questions in interviews; who do not acknowledge the contributions of community knowledge-holders to their work; and who do not come back in the area to share and discuss the results of their work with the community. This rather self-serving practice of data extraction, sometimes associated to scientific descriptions that San people find inaccurate and possibly hurtful, has been problematised in many instances. And a San Code of Research Ethics was established to encourage scientists to adopt more respectful, caring, and reciprocal research practices.[8]

The socially disadvantaged position of Indigenous Peoples and communities makes them particularly vulnerable to unethical research practices. But relationships with scientific research can also be problematic for actors in a socially more advantaged position. Companies, including EcoSo Dynamics, often express discontent with scientific research that frames them as egoistic exploiters of people and nature. And public authorities, including Namibia's ABS Office, often feel that critical research points an accusative finger at the state's failure to deliver on its political promises, without acknowledging the efforts deployed by many politicians and officials to serve the public good, and without giving due consideration to the many constraints and uncontrollable factors that hamper political efficacy.

Against this backdrop, the action research method followed by TEGA goes beyond asking for prior informed consent, acknowledging the contributions of informants, seeking to deliver an accurate description of realities, and sharing results back to concerned stakeholders. The TEGA initiative invites concerned stakeholders to participate actively in the co-production of knowledge. The workshop organised at River Crossing Lodge is a good example, and the present report will also be submitted for comments and suggestions to workshop participants before it is finalised. While doing so, the TEGA initiative also seeks to produce knowledge that is relevant not only for scientific disciplines, but also for concerned stakeholders who face concrete problems on the ground. By adopting a *pluriversal* approach, which recognises the multiplicity of worldviews and experienced realities that exist in society (including those that do not fit within dominant categories and discourse), TEGA also tries to

[7] On this topic, see for instance Barnard A. (2007), *Anthropology and the Bushman*, Oxford: Berd; Suzman J. (2017), *Affluence without abundance: What we can learn from the world's most successful civilisation*, London: Bloomsbury Publishing; Gordon, R. J, (2025), *The Bushman Myth Revisited: Genocide, Dispossession, and the Road to Servitude*, Windhoek: UNAM Press.

[8] https://www.globalcodeofconduct.org/wp-content/uploads/2025/08/San-Code-of-RESEARCH-Ethics-Booklet_English.pdf

do justice to all positions and perspectives – whether they are socially rather dominant or rather marginalised.

In line with this approach, to address the bundle of issues described above, we argue that the best way forward is a practice of collaborative change-making that is as inclusive of different views and positions as possible. For instance, EcoSo Dynamics has extensive know-how regarding the organisation of work, supply, and trade relations, as well as knowledge of resource management and sustainable harvesting. MEFT and IRDNC also have significant know-how regarding resource management and sustainable harvesting in a national park context such as Bwabwata. KA has long standing experience in managing the interface between external actors, such as EcoSo Dynamics, MEFT, or IRDNC, and harvesters, whose lives and reality are embedded in community dynamics that ae very different from organisations such as EcoSo Dynamics and public administrations such as MEFT. The Khwe Custodian Committee holds knowledge that is much richer and diverse than what "traditional knowledge" is usually assumed to be in policy documents and laws, such as in the Nagoya Protocol and Namibia's ABS law and regulations. Harvesters themselves have extensive knowledge of the area, of the practice of harvesting, and of the socio-ecological value of Devil's Claw. Scientists, such as members of the TEGA team, have specialised knowledge and analytical skills that might be useful as well, for instance to decipher how the different social and ecological factors involved play together, to facilitate multistakeholder dialogue, and to contribute to identifying opportunities for change-making.

Knowledge alone cannot drive change-making, which also involves other dimensions (e.g., interests, power dynamics). But it does play an important role. For instance, EcoSo Dynamics is likely to contribute ideas of solutions at the level of resource management systems. Conversely, traditional knowledge holders are likely to see other areas of change, such as supporting sustainable harvesting by reviving cultural relations of respect and reciprocity with the population of Devil's Claw, which they consider to be not only raw material, but a sacred and spirited plant that has accompanied their lives and provided medicine for centuries. It is the creative combination of such overlapping but distinct bodies of knowledge that might produce the best ideas to change this area of Devil's Claw biotrade and achieve more equity, benefit-sharing, and ecological sustainability.

2.2 Creating favourable conditions for collective change-making

Besides using circle conversations and self-inquiries to share knowledge and create new insights, the workshop used the WorldWork method developed by Arnold Mindell to prepare the ground for collective change-making.[9]

WorldWork allows groups to work at an issue they chose to address, and to sense into the respective realities of the different actors involved in this issue through a facilitated group dynamic that is based on somatic role representation. Concretely, once participants have agreed on an issue, two conflicting roles underpinning this issue are identified, and each of these roles is given a spot in the room. All participants can go to this spot, take on the role, sense into it (letting related words, images and feeling emerge), and voice what they experience. As the dynamic unfolds, additional roles are added to bring further relevant actors and dimensions into play. Doing this exercise not only helps surfacing new insights into the issue. It also allows participants to shift from their usual perspective and feel, at least partly, how it is to be in the other positions. After having named various potential issues for the WorldWork session, the group decided to focus on "Problematic relationships between buyers and sellers of Devil's Claw".[10]

[9] Mindell A. (2014 [1995]), *Sitting in the Fire: Large group transformation using conflict and diversity*, San Francisco: Deep Democracy Exchange.

[10] Other issues were „Price makers vs. price takers internationally and within Namibia; "Policies forbit access to core areas for community members to harvest medicinal plants"; "The Devil's Claw plants are suffering"; "Fear

In the last session of the workshop, participants discussed next steps based on the list of issues identified for the WorldWork session. They decided to start by tackling two issues: the problematic conditions of enforcement of the harvesting permit system, and the uncertainties around responsibilities attached to the management fee paid by EcoSo Dynamics to KA.

Regarding the permit system, participants noted various areas where they see a need for change. MEFT is managing the system of harvesting permits, and, as a matter of fact, it delivers harvesting permits to commercial users and suppliers who are not part of a San community and who are not ABS compliant. A solution could be to have place-bound harvesting permits, so that no harvester with a permit from another area can be allowed to harvest within the boundaries of Bwabwata National Park. KA would also welcome being involved more strongly by MEFT in controlling harvesting permits for Bwabwata National Park. More generally, participants suggested that MEFT, KA and EcoSo Dynamics should work at improving coordination and the sharing of information around the delivery of harvesting permits and the enforcement of this system.

Regarding the management fee, EcoSo Dynamics and KA agreed to conduct further discussions, and to use these discussions as a first step in improving their relationships for higher trust and better communication.

Other issues and ideas of change-making were mentioned in this last session:

- Khwe participants suggested that a specific arrangement could be negotiated with MEFT to allow controlled access by some community members in core areas to collect seeds of Devil's Claw that could be planted in exhausted harvesting fields from the multiple use area to revive the population of Devil's Claw in these fields.
- Participants suggested that discussions are needed to clarify the status of KA vis-à-vis the Khwe community and vis-à-vis MEFT. MEFT signed a Memorandum of Understanding with KA that grants exclusive rights to KA over natural resources within the park, including Devil's Claw. And the ministry expects KA to represent all residents of the park, of which the Khwe San are only a majority. If KA is not only representing park residents from San communities, who is the community right holder under the ABS act? Should it remain KA? Or should external users of Devil's Claw, such as EcoSo Dynamics, seek Prior Informed Consent and negotiate a benefit-sharing agreement with the Khwe Custodian Committee in the future?

Conclusion

Building on preliminary research and the literature, as well as on the knowledge contributed by all participants, the workshop *Strengthening equity, benefit-sharing and sustainability in Namibia's Devil's Claw sector* produced a rich and nuanced understanding of the social and ecological issues that affect Devil's Claw biotrade in the area of Bwabwata National Park. Thanks to the relational approach adopted during the workshop, concerned stakeholders were also able to reflect on how these multiple issues affect and sometimes strain their relationships. Overall, stakeholders from the business-community-authorities triangle, which is itself embedded in a much more complex web of interrelationships (see illustration 1, p. 4), tend to see a need for change on the other sides of the triangle (see part 1). This clearly demonstrates the need for multistakeholder dialogue and collaborative change-making, with each side ready to consider changing its own views and practices as much as it wants the other two sides to change theirs.

of outsiders by KA – lack of trust in relationships"; "Harvesting permits and bakkie buyers"; "Uncertainties around the management fee and related responsibilities"; "(Lack of) enforcement and compliance with laws and regulations"; and "The influx of population in Bwabwata National Park".

By organising and attending this workshop, the participants contributed to the three objectives that guide the TEGA action research: co-create useful knowledge on ABS and related socio-ecological issues; support socio-ecological transformation in the ABS field by initiating collective change-making; and derive theoretical and practical knowledge from this collaborative work.

The analytical and redactional work invested by the TEGA team in writing the present report is a further contribution, which is meant to serve all the stakeholders involved.

Three pathways can be envisaged from now on. One pathway is to consider the workshop as a one-time event that provided insights and relational work to the participants, as well as material for the present report and for forthcoming scientific publications. A second pathway involves concerned participants picking up change-making ideas generated during the workshop and working together at making them real. The third pathway is to consider the workshop as a stepping stone that can be used for further change-making collaboration as part of the TEGA action research, which will run until June 2027.

These three pathways are not mutually exclusive. But they imply a different degree of engagement. About a month after having shared this report with the other workshop participants, the TEGA team will get back to them to ask about their preferences and find out which of the three pathways stands out.

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