

NATIONAL SUBMISSION BY THE KEI KORANA NATION ON THE PROTECTION, PROMOTION, DEVELOPMENT AND MANAGEMENT OF INDIGENOUS KNOWLEDGE SYSTEMS BILL (IKS)

It is our Position as the Kei Korana Nation as follows:

It is clearly evident that South Africa and its people will benefit greatly from investment allowing research into its indigenous medicines. Our country contains, within its borders, the most diverse of all the plant kingdoms on the planet, the scope and potential for the development, manufacture and export of our invaluable plant based medicines is vast. One only need look at the example of China who's Government recognized the potential of its national resource, being Chinese Herbal Medicine, in the 1970's and 1980's. The established herbal companies were supported and adequately financed enabling investment into research and development, leading to today's multi billion-dollar industry despite the modern age of pharmaceutical hegemony.

South Africa only need provide suitable monographs, backed by reputable ongoing research with the support of relevant Government Agencies to realize a comparable indigenous medicine industry of its own within its borders.

Should the government have the foresight to support small scale farmers in a cooperative agricultural model, the home grown herbal medicine industry could provide hundreds of thousands of South Africans with a healthy income and lifestyle, thereby providing the promised services to the rural population and effectively eradicating a portion of the issues South Africa currently faces.

As custodians of our land and all that exists within it, the Kei Korana have viewed the proposed Indigenous Knowledge Systems Bill and reject the Bill as presented, in its entirety, due to the following issues raised herein.

1. The Bill defines 'Indigenous Community' as "any recognisable community of people developing from, or historically settled in, a geographical area or areas located within the borders of the Republic characterised by social, cultural and economic conditions which distinguishes them from other sections of the national community, and who identify themselves and are recognized by other groups as a distinct collective." Several groups would rightly feel left out of this definition. As to date, indigenous communities of people such as our own are still fighting for constitutional recognition despite our rich cultural heritage and knowledge.
2. The Bill intends to sell off our heritage of natural resources contained within our land to multinational corporations before our land issue has been fully addressed. If the Bill is enacted, by the time the land is returned to us, we will be forced to pay 'license fees' to the multinationals in order to utilize our own resources that define our way of life.
3. The Bill, as it stands, is an insult to our People and in turn, our Ancestors from whom we draw knowledge. The Bill intends to commercialize and place financial value on the Ancient Wisdom that our Ancestors freely dispense to us.

4. Although the Bill is to sell our ancestral wisdom to the highest bidder and in turn impact on all our people's way of life, there has to date, been no consultation with our leadership.
5. Since before 2004, our indigenous Healers have been integral in ensuring that The Traditional Health Practitioners Act; Act 22 of 2007 came to be. Subsequent to its enactment they have worked tirelessly to ensure its success. The IKS Bill as proposed would erase everything that has been achieved so far.
6. Science and Technology is the antithesis of the understanding that underpins our indigenous culture and healing arts. For this department to have been chosen to govern the intellectual property that is our indigenous culture and all its nuances causes suspicion as to its true intent.
7. The IKS Bill as drafted, if enacted, will empower the Department of Science and Technology to sell our indigenous rights to the highest bidder. Once sold our ancestral wisdom will no longer be ours to use. The knowledge would be withdrawn and our people face a jail sentence for utilizing their own heritage. The heritage handed down to them from generation to generation. Our priceless heritage should be celebrated not sold, leaving us culturally bankrupt.
8. The question that begs to be asked is 'Who truly owns the resources the Bill intends to sell?' As stated above if the commercialization of our indigenous knowledge is allowed to proceed it will cause a breakdown in social cohesion. Previous treaties entered into between all tribal kingdoms will be broken as each seek to capitalize through proving their ancestors were the original knowledge bearers. Should this Bill be enacted Tribes will be in conflict.

This is our Land.

This is our Culture.

This is our Heritage

It is priceless.

It is not for Sale.

It is not to be sold to the highest bidder by this Bill.

The Bill is rejected by us the Kei Korana Nation.

Submitted by:

!Xnuseb Melvin Arendse

Kei ! Korana Western Cape Provincial Leader.

On behalf of

KHOEBAHA (KING JASTA TAAIBOS DAVIDS)