



Communities will receive 1.5% of the farm gate price, equivalent to US\$799,000 in 2019.

INDIGENOUS COMMUNITIES WIN HISTORIC RIGHT TO ROOIBOS TEA PROFITS

Industry agrees to pay but contests research that San and Khoi used rooibos before European settlers.

By Linda Nordling

More than a century after commercial farming began on their traditional lands, the San and Khoi peoples of southern Africa will share in the profits of the lucrative rooibos tea industry, the South African government announced on 1 November.

The announcement is the culmination of a decade-long negotiation between industry representatives and San and Khoi community groups. A review of the historical and ethnobotanical research literature published by the South African government in 2015 concluded that there is a “strong probability” that the first users of rooibos were the San people and that they – and the Khoi – should be compensated by industry (see go.nature.com/2jkviye).

Industry representatives have agreed to the payments, but say that they do not accept the government’s interpretation of the research. They conducted their own literature review, which comes to a different conclusion.

By contrast, representatives of the communities and the government have welcomed the agreement – the largest of its kind between

Indigenous peoples and industry.

“Rooibos is part and parcel of my upbringing,” says Collin Louw, chairman of the San Council of South Africa. He says his ancestors used it to soothe skin rashes, among other things.

The agreement is also significant because it’s the first such arrangement since the 2010

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ratification of the Nagoya Protocol of the United Nations Convention on Biological Diversity. This is an international law that sets the rules for compensating communities if their knowledge of biodiversity is used by businesses or scientists.

Tim Hodges, a Canadian diplomat who co-chaired the Nagoya process, calls the rooibos agreement a historic achievement and a model for other countries and industries.

In particular, the announcement will be

closely read by researchers and funders involved in the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), an effort to provide scientific advice on the world’s epic loss of biodiversity.

According to the IPBES, traditional knowledge – defined by the World Intellectual Property Organization as knowledge that is handed down from generation to generation – of biodiversity is key to discovering as-yet undescribed species. South Africa’s decision suggests that brokering agreements to access this knowledge will take time.

“These are sensitive issues,” says IPBES member Unai Pascual, an environmental economist at the Basque Centre for Climate Change in Bilbao, Spain. “The concerns of centuries cannot just be resolved in a few years.”

Counting the cost

Under the rooibos agreement, the San and Khoi communities will receive 1.5% of the ‘farm gate price’ – the price that agribusinesses pay for unprocessed rooibos (*Aspalathus linearis*), which is endemic to the Cederberg region north of Cape Town.

For 2019, the government considers that the compensation will amount to 12 million rand. (US\$799,000). The communities will split the proceeds fifty-fifty. A third group – small-scale non-white rooibos farmers in the region who were disadvantaged under apartheid – will share in the Khoi portion.

The San communities are among the world’s oldest, and are understood to have been in Southern Africa for some 100,000 years. The Khoi arrived more recently, about 2,000 years ago. European settlers attacked these communities and occupied their lands starting in the mid-1600s, and today both San and Khoi peoples are scattered throughout southern Africa.

Commercial rooibos farming, which is now worth an estimated 500 million rand a year, began on these lands in the early 1900s, industry representatives say. In 2010, the San Council of South Africa approached the government with a claim under South Africa’s biodiversity law, asking for compensation for its peoples’ traditional knowledge of the plant and for the use of San imagery in rooibos packaging and marketing.

A question of origins

In spite of the agreement, the precise origins of rooibos tea remain contentious. Representatives of the San and Khoi say that their ancestors shared knowledge of the plant with colonial settlers. The literature also points to its early uses as a health tea and as a diuretic.

Overall, there is a lack of research literature in this field, but what there is suggests that rooibos as a beverage did originate with the groups’ ancestors, according to the 2015

News in focus

study commissioned by the South African government.

However, a separate 2017 report commissioned by the industry-led South African Rooibos Council (SARC) says that there is no conclusive recorded evidence that the original inhabitants of the Cederberg region used rooibos to brew tea, or that they taught colonial-era settlers about it (see go.nature.com/2ndv2zq).

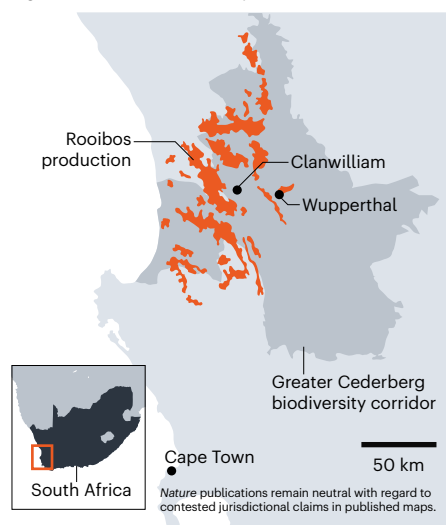
Alternative interpretations

This disagreement caused deadlock as each side stuck to its interpretation of the research. SARC chairman Martin Bergh, who is also managing director of one of the largest rooibos agribusinesses, Rooibos Ltd, based in Clanwilliam, South Africa, says the industry still does not accept that Indigenous communities used rooibos as tea. But he does agree that the San probably knew about the rooibos plant before anybody else.

However, the government accepted that the communities deserve to be compensated because rooibos is endemic to where it is now grown (see 'The rooibos belt'), and the San and Khoi lived there for centuries before the settlers. The 2015 study also found no evidence casting doubt on the communities' argument that their ancestors used rooibos as a beverage.

THE ROOIBOS BELT

Rooibos is endemic to Cederberg, one of South Africa's most biodiverse regions, which is north of Cape Town.



All sides have pledged to revisit the agreement in a year's time, because other questions also remain. For example, Rachel Wynberg, who researches the commercialization of biodiversity at the University of Cape Town, questions how the funds will reach San and Khoi individuals, many of whom are not well-connected with Indigenous leadership structures such as the San Council. She also says that

establishing which community contributed how much to the plant's uses is "fraught with difficulties", and is likely to lead to arguments – especially where communities have been oppressed and marginalized.

And Barend Salomo, who manages a cooperative of small-scale farmers in Wupperthal who will also benefit, says that the money for his community will not stretch far. He hopes that the agreement can be tweaked to provide greater dividends in future years. "We don't want to kill the industry, but this is not fair," he says.

But Willie Nel, a large-scale rooibos farmer based outside Clanwilliam, says that if farmers are unable to recoup the cost of the levy by charging higher prices, they will lay off farm labourers, who, he says, are mostly members of the third group that the agreement is supposed to help. Nel also worries that mounting demands for restitution might lead to the industry pricing itself out of the market. "We think rooibos is special but there are so many teas from all over the world. And we have to compete with all of them."

But as more than 80% of rooibos tea is sold in Europe, Japan and North America, environmental economist Pascual doesn't think these sales are likely to be affected by a small increase in price. "That's not how economics works," he says.

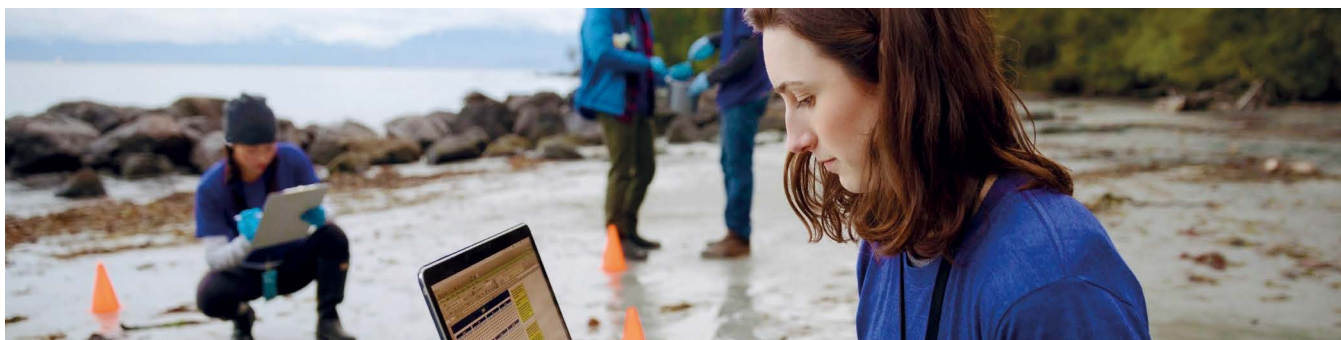
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