https://www.crimejusticejournal.com/ Volume **13** (1) 2024

International Journal for Crime, Justice and Social Democracy https://doi.org/10.5204/ijcjsd.3317

Voices from the Frontlines in the Okavango River Basin: Towards a Cooperative Model of Environmental Activism in the Global South

Annette Hübschle University of Cape Town, South Africa Kakuna Kerina Nambia; United States Emmanuel Mogende University of Botswana, Botswana Kekgaoditse Suping University of Botswana, Botswana

Abstract

This article examines the interplay between local activism and external and elite actors in response to ReconAfrica's oil and gas exploration activities in Namibia's Kavango and Botswana's Okavango Delta regions. The research demonstrates local communities' challenges with confronting environmental degradation, unfulfilled promises, and legal transgressions while striving to protect their ancestral lands and rights. The study, grounded in Southern green criminology, highlights the power imbalances between Northern corporations and Southern territories, underscoring the exploitation and marginalisation of Indigenous Peoples and local communities. It advocates for genuine collaboration and prioritising local perspectives in environmental activism, calling for a shift in power dynamics to ensure equitable and sustainable outcomes. This cooperative model integrates local knowledge systems, amplifies Indigenous voices, and aligns environmental campaigns with broader social justice concerns. The traditional externally driven approaches are challenged, while ethical and inclusive environmental activism is also promoted.

Keywords: Environmental activism; Southern green criminology; oil exploration; free, prior, and informed consent; Indigenous Peoples and local communities; elite capture; co-design.

Introduction

The increased visibility of local and Indigenous environmental groups and defenders has marked a pivotal shift in the landscape of environmental activism, particularly in the context of natural resource extraction in the Global South. This paper explores this phenomenon using the onshore oil and gas explorations in western Botswana and northern Namibia as a case study. The voices of local environmental defenders resonate with a call for genuine engagement in local activism and a warning against elite and external capture of their campaigns.

Historically, environmental campaigns have often been steered by Western or Northern non-governmental organisations (NGOs) and individuals. This has led to claims and concerns about co-option, capture, or disproportionate influence by elite actors wielding significant financial, social, and political clout (Green and Lund 2015; Persha and Andersson 2013). As we delve into the case study of oil and gas exploration activities by Reconnaissance Energy Africa Limited (hereafter,



Except where otherwise noted, content in this journal is licensed under a <u>Creative Commons Attribution 4.0 International</u> <u>Licence</u>. As an open access journal, articles are free to use with proper attribution. ISSN: 2202-8005 (Online) ReconAfrica), we uncover a dynamic interplay of forces. Indigenous Peoples and local communities (IPLCs), often marginalised in the global environmental movements, are fighting to reclaim their narratives and environmental sovereignty. This paper aims to amplify these local voices. We argue for a co-designed approach to environmental activism that integrates broad-based community upliftment, respects Indigenous knowledge systems, and counters the prevailing trends of foreign NGOs and individuals protecting African "Wild Edens", "poverty porn" (Bandyopadhyay 2019), and white saviour complexes (Maguire, Ball and Lefait 2021).

Both Indigenous Peoples and local communities are impacted by the oil and gas explorations. The affected San First Nations Peoples¹ in southern Africa are considered the first, original, Indigenous inhabitants of southern Africa. The San were nomadic hunter-gatherers populating the region for millennia before the arrival of the Bantu-speaking nations and European colonists. The vast expanse of the Kalahari Desert and immense terrain throughout southern Africa were their ancestral lands for at least the last 20,000 years (Ouzman 2001). The extensive and rich heritage of rock art in the sub-region is attributed to ancestral San. The San's historical presence in Botswana is particularly evident in the northern Tsodilo Hills region,² which was declared a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site in 2001. We will return to the importance of Tsodilo Hills in later sections.

Traditionally, the San lived in mobile hunting and gathering communities until the early 17th century at the beginning of the colonial era. Most southern African Peoples have experienced cultural change, war, dispossession, and ethnocide. The plight of the San was, however, compounded because they were seen as social outcasts not only by European settlers but also by their fellow African neighbours. They were virtually extinct by the late 19th century and survived by settling in the Kalahari Desert and surrounding regions, where the majority currently reside in Botswana and Namibia (Lee, Hitchcock and Biesele 2010). The apartheid era and liberation struggles brought more oppression, racism, and extreme poverty. Difficult questions were also asked about the role of the San in southern African militaries as collaborators with, or victims of, colonial and apartheid systems (Battistoni and Taylor 2009). Approximately 130,000 San were remaining in seven southern African countries by the late 2010s, with Botswana and Namibia being home to more than 100,000 San Peoples (Hitchcock 2019). To date, the San continue to fight for self-determination through judicial systems and the legislature in several jurisdictions. Their controversial eviction from traditional lands in the Central Kalahari Game Reserve remains in effect. This is despite efforts to reverse the Botswana government's successful efforts to forcibly displace San communities and settle them in abysmal conditions and socioeconomic peril (Sapignoli 2016). The San, specifically the !Kung, live in Kavango and along the eastern border of Namibia with Botswana, which includes the Kalahari Desert.

Local communities affected by ReconAfrica's exploratory drilling are the Kavango people in Namibia and the Baherero and Hambakusha Peoples in Botswana. The Kavango people reside in the Kavango East and Kavango West regions of Namibia, south of the Kavango River. They originated from the Great Lakes region of East Africa. The Kavango River not only provides a source of water but also supports their agricultural practices and fishing, which are fundamental to their subsistence economy (McKittrick 2008). They are led by traditional leaders, headwomen, and headmen and are subject to traditional law, which is protected in the Namibian constitution. There were about 140,000 Kavango people in Namibia in 2023, falling into five groups: the Hambakusha (also found in Botswana), Sambiyu, Kwangari, Mbunza and Geiriku. The communities of Kavango, including the San, are considered amongst the poorest in Namibia. They have few livelihood opportunities other than community-based natural resource management (CBNRM) and the aforementioned subsistence economies.

The Baherero people who live in ReconAfrica's exploration area in Botswana are pastoralists from Namibia who operate cattle posts, with boreholes providing water for their livestock (Wilk and Kgathi 2007). Like their Namibian counterparts, the Hambakusha in Botswana are engaged in CBNRM, fishing, farming, and affiliated subsistence economies. The San are involved in hunting and harvesting of wild fruit and plants. It is important to note that big game hunting was banned under the Khama regime in Botswana from 2014 to 2019 but has been reinstated by President Masisi. The hunting ban led to decreased income and livelihood opportunities for local and Indigenous communities in the Okavango Panhandle (Mbaiwa and Hambira 2023). Beyond the San and various local communities in Namibia and Botswana, there are civil society groups, NGOs, scientists, and individuals in the two countries, sub-region, and worldwide involved in environmental activism to oppose ReconAfrica's oil and gas project.

Drawing from green criminological perspectives and southern theory (Agozino 2018; Goyes 2019; van Zyl-Hermann and Boerseman 2017), our article shows how Northern corporations prey on Southern territories for mineral resources; how inadequate legislative frameworks and enforcement systems in Southern jurisdictions are bypassed; how colonised populations are further victimised; how extractive industries, together with government partners, use the development discourse to legitimise their presence on ancestral community land; and the roles, perceptions, and impacts of different actors in environmental activism within the Global South.

Within the field of criminology, green criminology is a new subdiscipline departing from standard law and order analysis (Lynch and Long 2022), which remains a dominant approach in African scholarship (Dixon 2012). Although the field is dominated by Western and Northern scholars (Goyes et al. 2021), Southern scholars (Berg and Shearing 2018; Goyes 2019; Goyes et al. 2021) have made important empirical and theoretical contributions. The study of environmental crimes and harms has assisted scholars to move beyond traditional reactive policing models and justice systems, suggesting alternative whole-of-society responses and restorative justice (Dore, Hübschle and Batley 2022; Hübschle, Dore and Davies-Mostert 2021). In the field of wildlife trafficking, scholars have pointed to the importance of working with affected communities in designing solutions and principles that encourage community well-being while also promoting positive conservation outcomes (Hübschle and Shearing 2018, 2024). The notion of "co-designing" research and practical interventions, sometimes referred to as "participatory research", has gathered momentum in the spirit of "nothing about us without us" (Nogueira et al. 2021; Watson and Kaldor 2015). It refers to a participatory approach to designing solutions to so-called "wicked problems" (complex multidimensional issues that require innovative solutions). Community members are treated as equal collaborators in the design and implementation processes. Several design principles are key to achieving the desired impact and outcomes, including but not limited to, mobilisation of local knowledge; future focus; sustainable, accountable, and inclusive local governance institutions; and committed and qualified facilitation (Hübschle and Shearing 2024).

By focusing on what Berg and Shearing (2018) have called "harmscapes" (harm landscapes), scholarship on environmental issues does not only focus on human victims but also on non-human animals (wildlife), plants, and ecosystems. Political, structural, and economic factors—particularly neoliberal capitalism—play a crucial role in driving environmental degradation and green crimes (Lynch and Long 2022; Ruggiero and South 2010). Interdisciplinary approaches help us understand and address complex environmental harms. These include the role of corporations and elite groups in the perpetration of ecocide (Walters 2023; White 2018), green corruption (Lu and Li 2023), white-collar crimes (Ruggiero and South 2010), and green-collar crimes (Iordăchescu et al. 2022).

Southern perspectives in the study of environmental harms shine a light on the importance of environmental and social justice. Without acknowledging the intersectionality of environmental and social justice, the struggle against extractivism and other forms of environmental crimes and harms loses important grassroots perspectives and insights from Indigenous and local knowledge systems. While Northern environmental movements are often animal rights or single-issue focused (e.g., Save the Rhino), environmental activism in the Global South is seldom only an ecological struggle but also a social one (Dwivedi 2001). It not only addresses the sins of the past and present, such as systematic exclusion, discrimination and rising inequality, but also calls for alternative livelihoods and socioeconomic upliftment.

Nixon (2011) introduced the concept of "slow violence". This form of violence occurs gradually and out of sight—a violence of delayed destruction that is dispersed across time and space. This concept is critical to understanding the long-term impacts of oil and natural resource extraction, which often do not manifest immediately but have profound effects over time. He also argued that the most significant environmental activism often comes from those most affected by environmental degradation— the poor and the marginalised. This aligns with southern theory as it highlights the experiences and struggles of Indigenous and local peoples in the Global South, where most of the world's resource extraction takes place (Connell 2007; Goyes 2019).

By focusing on the oil and gas explorations in Botswana and Namibia, this article aims to show the growing visibility and influence of local and Indigenous environmental groups and defenders. The critical role of IPLCs in shaping environmental narratives helps to curb the dominance of Western or Northern NGOs. These NGOs, traditionally at the helm of environmental campaigns, are often criticised for imposing their agendas and overshadowing local voices (Berny and Rootes 2018; Goyes 2018). Our case study on ReconAfrica's activities and the response to such reveals the complex interplay of forces impacting marginalised groups like the San First Nations Peoples and the Kavango, Baherero, and Hambakusha communities. This underscores the urgent need for an inclusive and co-designed approach to environmental activism. This approach should respect Indigenous knowledge systems, involve community upliftment, and challenge the prevalent trends of external intervention. It is important to understand environmental harm from a Southern perspective that recognises the interconnectedness of environmental and social justice, prioritising the experiences of those directly affected by environmental degradation. We argue in favour of a cooperative model that empowers local and Indigenous voices while ensuring the protection of their lives and livelihoods. The aim is to address both the immediate and long-term impacts of resource extraction, emphasising the concept of slow violence and the necessity of grassroots movements in driving effective environmental advocacy.

In our empirical sections, we juxtapose the approaches of elite- and externally led campaigns with emerging grassroots movements that challenge the status quo of environmental advocacy. Through a blend of empirical evidence and oral history accounts of the Namibian campaign, this paper seeks to redefine the future of environmental groups and defenders. It advocates

for a cooperative model that positions local communities and Indigenous voices at the forefront of environmental activism, with the proviso that their lives and livelihoods are not threatened in doing so.

The article continues with a note on methods and access, an overview of ReconAfrica's exploratory activities in Botswana and Namibia to date, the civil society response, observations and analysis by frontline defenders, and how external actors assisted and impacted the effectiveness of local efforts. We conclude with a roadmap for inclusive and ethical environmental campaigns.

Methods and Access

This paper began as a collaborative piece between the current authors, practitioners, and local and Indigenous activists in Botswana and Namibia. However, due to personal safety and security threats made against the activists, it was decided to protect their identities. It is in this spirit, and by request, that we have anonymised inputs by environmental and Indigenous activists, farmers, and youth representatives without whose input this paper would not have been possible. Their names have been anonymised and any identifying features have been removed.

All four authors work with Indigenous and local communities in their daily jobs. We employ Southern and decolonial approaches to our research and writing (Keikelame and Swartz 2019; Thambinathan and Kinsella 2021). We do, however, acknowledge our own positionality and privilege in writing this contribution, with three of us being located at prominent universities in southern Africa. Two of us are Namibians currently living in South Africa and the USA. Work and family connections frequently take us back to our motherland where we were involved in the establishment of a local environmental NGO called Frack Free Namibia in 2020. The mission of Frack Free Namibia is to oppose oil and gas exploration in Namibia's Kavango regions and extractive activities nationwide, and to collaborate on local solutions that bring about environmental and socioeconomic justice for affected IPLCs. The other two are Batswana scholars whose programmes of research include, amongst others, critical scholarship on political ecology, natural resource politics, and the political economy of natural resources.

Guided by the *San Code of Research Ethics* (South African San Institute 2017) and guidelines on conducting research with local communities (Hübschle 2021; Tapela et al. 2009), we applied principles of peer methodology (Goyes 2024) and co-design (Hübschle and Shearing 2024) to the research, data gathering, and writing of this paper. This included workshops and debates with affected community members. They discussed their impressions, perspectives, and insights into the activist response to ReconAfrica, how the oil and gas explorations had impacted them and their families, and what an inclusive community-led campaign might look like. Community members also pointed to specific shortcomings of the campaign, which we may not have picked up otherwise because of possible blind spots linked to privilege and positionality. A case in point is the severe economic restrictions that local and Indigenous activists and defenders operate within, compared to the well-resourced partners and externally based NGOs. One community member was expected to represent their community at public participation processes and report on what had transpired, and the impact and outcomes. However, they were given no transport money or Internet data from external donors to do so.

Data collection commenced in 2020 with the arrival of ReconAfrica on Namibian shores. We interviewed or spoke to 75 individuals in Namibia, Botswana, and abroad. Included in the sample were 15 semi-structured in-depth interviews with affected Indigenous and local community members. Purposive sampling methods were employed, targeting Indigenous and local community members and individuals involved in various aspects of the oil exploration and the response thereto. We also collected oral histories from Namibian conservation practitioners, environmental defenders, and scientists. We paid special attention to power differentials and made sure that the process was collaborative and respectful of local knowledge and perspectives (Goyes 2024). In addition, we relied on technical literature, media reporting, and archival materials to supplement interview data. We transcribed interviews and conducted both textual and narrative analyses to identify key thematic areas, concerns, and principles for inclusive and ethical environmental activism.

Ethical considerations are cornerstones of our engagements with IPLCs and other research participants. As such, the research does not form part of our programme of research at our universities or work portfolios but is part of our social responsibility work. The Namibian researchers abide by ethical guidelines and a code of conduct contained in the constitution of Frack Free Namibia.

Overview of Oil and Gas Explorations in Namibia and Botswana

Onshore oil exploration was launched in Namibia's Nama Basin in the late 1920s. A succession of operators and corporate entities drilled wells; conducted seismic, aeromagnetic, geological, geochemical, and stratigraphic surveys; and drilled boreholes. None of these activities were successful at identifying onshore oil or gas reserves. Offshore oil deals that were announced during the COVID-19 pandemic have led to the discovery of an estimated 11 billion barrels in oil reserves off Namibia's coast. The finding could put Namibia on a par with neighbouring Angola, whose reserves are estimated at around 13 billion barrels and whose production rivals Africa's top oil producer, Nigeria.

Botswana granted concessions to drill for natural gas over large tracts of land in the Central and Kgalagadi regions in 2013. The prospecting licences were subsequently revoked inside the Central Kalahari Game Reserve after a pair of documentary filmmakers uncovered procedural inconsistencies. International Indigenous rights group, Survival International, accused the government of forcibly removing San communities to pave the way for mining in the protected area (Davis 2015). Botswana has no known oil or gas reserves and most of its oil and fuel needs are fulfilled by imports from, or through, South Africa.

In September 2020, a series of local and international newspaper articles alerted many Namibians and global citizens about oil and gas explorations in the biodiverse Kavango East and Kavango West regions of Namibia. Namibia had just emerged from its first COVID-19 wave. Many key stakeholders were unaware of an environmental impact assessment (EIA) process for the drilling of stratigraphic holes, completed and signed off in 2019. These included environmental activists, local communities, NGOs, and even members of the Namibian cabinet, administration, and parliament.

When people learnt the news, the small and relatively unknown Canadian oil and gas company, ReconAfrica, was already courting investors. They promised fantastic returns on investment from a supposed conventional and "unconventional" (an industry term for hydraulic fracturing, also known as fracking) oil and gas development in Namibia and Botswana. ReconAfrica is publicly traded on the TSX Venture and Frankfurt stock exchanges. Its exploration licence—of which it originally owned 90%, with the remaining 10% held by Namibian state-owned National Petroleum Corporation of Namibia (NAMCOR)—allows them to drill wells to locate possible oil and gas reserves.

The company was also preparing to ship an oil rig to Namibia's port of Walvis Bay and into the unique biodiverse ecosystem that forms part of the Okavango River Basin and Namibia's Kavango East and Kavango West regions. Not only are the Kavango regions home to approximately 200,000 people out of a total population of approximately 2.6 million in Namibia (Worldometer 2024), but they also host diverse endemic and endangered plant and animal species. The company's entry into this ecologically sensitive area, which forms part of the watershed feeding Botswana's Okavango Delta, quickly drew concerns from environmentalists, scientists, and Indigenous and faith-based communities (Frack Free Namibia 2022). They feared the potential impacts on the Okavango Delta, which is not only a UNESCO World Heritage Site but also a Ramsar Site and a Key Biodiversity Area. The exploration area also stretches across parts of the San Living Cultural Landscape on UNESCO's Tentative Lists of State Parties, with the ancestral lands of the San First Nations Indigenous groups directly affected (United Nations Educational, Scientific and Cultural Organization [UNESCO] n.d.).

ReconAfrica had not only secured exploration rights in Namibia but also in neighbouring Botswana, a contiguous exploration area of close to 35,000 km². The Botswana portion initially included the previously mentioned Tsodilo Hills, another UNESCO World Heritage Site adjacent to the Okavango Delta. The concession area to be explored is situated in the north-western part of Botswana around the Okavango Delta (see Figure 1) and covers about 10 km². This area is rich in biodiversity and protected by Botswana's wildlife conservation laws and policies. It is also contested nationally and transnationally due to diverse vested interests (Suping 2021). Despite concerns raised about the sensitivity of the Okavango Delta ecosystem, the Government of Botswana has, on several occasions, argued that the exploration licence pertains to land located outside the buffer and core zones of the Okavango Delta and Tsodilo Hills World Heritage Sites.

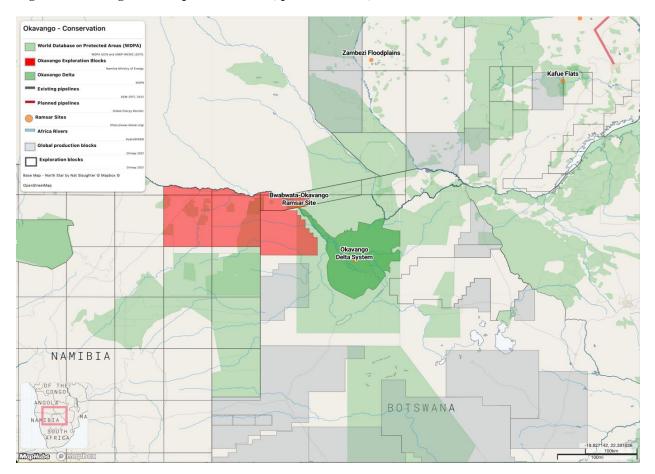


Figure 1: Okavango Basin exploration blocks, protected areas, and Ramsar sites

Source: Banktrack 2023

In Namibia, a 1996 amendment to the *Nature Conservation Ordinance, 1975* devolved rights to communities over natural resources, including wildlife, and enabled them to set up and operate tourism and hunting enterprises through communal conservancies. Communal conservancies are self-governing, democratic entities, run by their members with fixed boundaries that have been agreed upon with adjacent conservancies, communities, or landowners. They are integrated into tourism and hunting industries, and local communities benefit to varying degrees (Hübschle and Shearing 2018). At the time of writing in early 2024, there were 86 community conservancies, covering almost 20% of Namibia's territory. Community forests are the forest equivalent of conservancies, and they often overlap because they control grazing and natural resource extraction rights in forest areas. There are currently 43 registered and emerging community forests in Namibia, covering about 8% of the country (NACSO 2023). ReconAfrica's exploration area directly impacts and intersects with the ancestral lands of San First Nations Indigenous groups, the Kavango Zambezi Transfrontier Conservation Area (KAZA TFCA), six community conservancies, and 13 community forests. These are home to wildlife corridors and sanctuaries where elephants and other wildlife species migrate, flourish, and reproduce (Hübschle and Rathnell 2021). Botswana is home to the world's largest cross-border population of approximately 131,900 savanna elephants, in addition to Namibia's national herd of 21,000 individuals (Kavango Zambezi Transfrontier Conservations is national herd of 21,000 individuals (Kavango Zambezi Transfrontier Conservation Area [KAZA TFCA] 2023).

Unconventional or Conventional Explorations?

It quickly became apparent that ReconAfrica had obtained petroleum exploration licences covering vast tracts of land in Botswana and Namibia in 2015. In promotional materials, the company touted the region's potential for significant oil reserves, estimating 120 billion barrels of oil. ReconAfrica compared the potential of what it called the "Kavango Basin" in Namibia and Botswana to the Eagle Ford Shale oil and gas field in Texas, USA in a 2019 presentation to investors (Reconnaissance Energy Africa Limited [ReconAfrica] 2019). The term "Kavango Basin" was created by the company to suggest the presence of a previously unknown and "one of the most significant undeveloped basins of such depth globally" (ReconAfrica 2019). The discovery of a basin east of the Owambo Basin has not been proven and currently "remains a figment of their imagination"

(Frack Free Namibia 2023). In investor presentations and promotional materials, company principals referenced plans for "modern frac simulations" (ReconAfrica 2019). The Texas Eagle Ford Shale field is known for extensive fracking operations. This comparison should have raised concern as this case has been linked to detrimental environmental impacts, including air pollution, social and health impacts for local communities, and a marked increase in seismic activities (Schultz, Beroza and Ellsworth 2021). ReconAfrica commissioned Sproule, a reputable Canadian resource evaluation consulting company, to estimate prospective oil and gas resources in Namibia and Botswana in 2018. Previously extensively cited by ReconAfrica, the so-called Sproule report of 2018 was removed from the company's website for reasons that will become evident in the subsection on legal challenges. Suffice to say, the report emphasised the fact that the assessment for oil and gas was based on unconventional resources (in other words, hydraulic fracturing) and did not include any conventional consideration (Frack Free Namibia 2023; Kovaltchouk, Suryanarayana and Cameron 2020).

ReconAfrica had sailed through the EIA process for exploratory borehole drilling on communal and conservation lands with minimal community engagement. There was also no list of Interested and Affected Parties in contravention of Namibia's *Environmental Management Act 7 of 2007*. In Namibia, a high-impact industrial development that would affect a rural area would normally include the voices of local and Indigenous communities, experts, and scientists in its EIA. Additionally, local, regional, and international organisations working in the region would usually be included. In this case, there was so little engagement that no objections nor concerns were raised or published in the final EIA that led to the Environmental Clearance Certificate for drilling (Hübschle and Rathnell 2021). However, once the news of planned onshore oil and gas explorations and possible fracking broke, the Ministry of Mines and Energy released a statement that the company was not allowed to use fracking technologies. The fact that Namibian authorities had not allowed unconventional hydrocarbon exploration methods and would potentially never allow any fracking in the country (Viceroy Research 2021) are the subject of several class action suits brought against the company by investors.

Exploratory Drilling, Seismic Surveying, and Legal Responses in Namibia

While Namibians, Batswana civil society actors, and global allies were scrambling to obtain details and information about what was being planned, ReconAfrica and its Namibian subcontractors were preparing drill sites in the country. The oil rig and other equipment arrived in early December 2020. Drilling started on the first stratigraphic borehole near the village of Kawe in the mahangu (pearl millet) field of a local farmer on 21 December 2020. Residents reported increasing noise levels and found heavy traffic of large industrial vehicles distressing (Frack Free Namibia 2022).

Meanwhile, the company rolled out a second EIA process to undertake 2D seismic surveys—a complementary method to map out how big a prospective oil and gas reserve could be. This time, interested and affected parties registered in large numbers. Most of the registered feedback published with the Seismic EIA outlined serious concerns with the environmental and social impacts of the seismic surveys and drilling. Water safety and impacts on water wells were also areas of concern. In this arid region, water (not oil) is gold as the inhabitants are reliant on groundwater for their livelihoods. People living in the area pointed out that the noise pollution from the drill site was relentless and continued day and night. Despite the objections, the Environmental Commissioner granted environmental clearance on 2 July 2021. There followed in-person awareness raising and objection to ReconAfrica's operations by affected and interested parties. These people were simultaneously bearing the severe consequences of subsequent waves of COVID-19 and associated lockdown regulations, specifically relating to the size and length of social gatherings. Seismic surveying commenced shortly after environmental clearance was granted (Frack Free Namibia, Womin and Coalition against the Mining Pandemic 2022).

Reports from international and local journalists and NGOs indicated the company broke several Namibian environmental regulations and failed to comply with industrial standard operating procedures from the onset. For example, ReconAfrica failed to protect its hazardous wastewater reserve pits with a synthetic pit liner as per international best practice standards (Barbee and Neme 2021). The company was also operating without the required water use permits for six months and Namibian government officials attempting to assess one of ReconAfrica's drill sites were denied access (The Water Diplomat 2022). The first test well was drilled on the mahangu field of the farmer near Kawe. The second was situated on a family's farm in Mbambi village who had neither been approached nor agreed to the use of their land. The family lodged a complaint before the Namibian High Court. ReconAfrica had not obtained land use rights as required by the *Communal Land Reform Act 2002*.

The Communal Land Board, which ratifies all land allocation decisions in communal areas, attempted to remove members of conservancies and community forests from the Board. They aimed to silence opposing voices against ReconAfrica's operations. The company received its land rights applications without objection after drilling had commenced (Frack Free Namibia, Womin and Coalition against the Mining Pandemic 2022). However, the Kavango East Communal Land Board said it had not been consulted before the Minister of Mines and Energy issued an exploration permit to ReconAfrica in 2019. It had also not been

included in the obligatory public participation process when the company was drawing up its initial EIA for exploratory drilling (Sole and Shihepo 2022). The third test well was drilled inside the boundaries of the Kapinga Kamwalye Conservancy (Barbee and Neme 2022).

The Namibian Legal Assistance Centre also lodged a complaint on behalf of six families. ReconAfrica representatives had entered their properties without permission, conducted seismic survey activities, and compelled them to sign documents without explaining their contents. This was despite being fully cognisant that the families possessed limited literacy skills. During seismic surveying, the company bulldozed through virgin forests, conservation land, and crop farms; cut new roads and firebreaks; and widened existing roads (Frack Free Namibia 2021). After drilling three exploratory wells, ReconAfrica reported positive results in terms of hydrocarbon shows, claiming the presence of oil and gas resources. However, independent geologists (Frack Free Namibia 2023; Kosters 2021) and, more importantly, some ReconAfrica investors scrutinised and questioned the results from both the exploratory wells and seismic surveying.

Local Coalition and Civil Society Mobilisation

Several local NGOs, organisations, and individuals have become vocal and impactful opponents of ReconAfrica. They have organised themselves into a loose coalition that collaborates on issues of common interest. In June 2022, Namibia's Environmental Commissioner, Timoteus Mufeti, extended ReconAfrica's permission to drill for another three years. In response, Namibian economic rights organisation, the Economic and Social Justice Trust (ESJT), and four community conservancy and forestry associations from Kavango East and Kavango West raised objections with Pohamba Shifeta, the Minister of Environment, Forestry and Tourism. The community organisations argued that their right to be consulted had been violated. They further claimed that the company had circumvented public participation processes. The objections were not successful. The Women's Leadership Centre, together with 121 local groups and organisations, published an open letter in *The Namibian* newspaper. They urged a full and transparent public inquiry into ReconAfrica while also calling for a moratorium on drilling. ReconAfrica's operations are located in Kavango East and Kavango West. These are the nation's most economically deprived and marginalised regions, where subsistence farming is the only activity that can stave off the severe food insecurity. Residents who are experiencing loss of, or restricted access to, farmland due to ReconAfrica's drilling identified sustainable livelihoods support as an urgent need. Frack Free Namibia's work with women's farming cooperatives in these communities provides needed tools and training to help upscale their entrepreneurial efforts. This improves economic stability, while fighting malnutrition and ensuring better health and education outcomes.

Further Legal Challenges

ReconAfrica shares started tumbling in the wake of media articles, including several in internationally renowned publications like *National Geographic*, *The Globe and Mail*, *Rolling Stone*, and *Mongabay*. Explosive reports were also published by short-sellers, Viceroy Research. These reports documented the lack of public participation processes, the Namibian government's denial of fracking approval, and whether ReconAfrica was overselling the viability of the project (Sole and Shihepo 2022).

In May 2021, a whistleblower filed a complaint with the US Securities and Exchange Commission, alleging that the company misled investors by misrepresenting its work on the project to drive up its stock price. The complaint listed more than 150 instances of misleading statements by ReconAfrica. It also suggested that the company was violating United States (US) security laws by promoting revenue projections to investors based on fracking for which ReconAfrica had not secured permission or permits (Banktrack 2023). Several civil society groups then submitted a request to the TSX Venture Exchange to investigate potential misrepresentations in the disclosures and public communications of ReconAfrica. The request documented changes in the company's statements about its operations, suggesting that investors were given a different representation than local stakeholders (Centre for International Environmental Law 2021). By then, the earlier mentioned Sproule report of 2018 had been taken off ReconAfrica's website. ReconAfrica is, of course, no stranger to controversy. In 2015, a United Nations monitoring group raised concerns about founder Jay Park's conflicts of interest in Somalia and Chad that led to a bribery investigation by Canada's national police force.

Investors launched three class action suits against the company in the wake of disappointing test results from the exploratory wells, mounting civil society and community opposition, and allegations by media and environmentalists (Sole and Shihepo 2022). It was alleged that ReconAfrica was an elaborate "pump and dump" scheme, possibly even a securities fraud case. In response to petitions by civil society, Namibia's Parliamentary Standing Committee on Natural Resources conducted a parliamentary investigation into the company's operations. The resulting report and feedback to civil society representatives were "paternalistic" and "disappointing" (CSO representative, personal communication, 21 September 2023) but agreed with critics that the company had no land-use approvals and no permits for using or disposing of potentially polluted water. The Committee considered the violations of environmental regulations and land use permits "minor offences" which might lead to

"penalties" (Angula 2023). In the aftermath of legal action, community opposition, civil society, and media exposés, ReconAfrica stocks crashed to US\$1 per share and were hovering around US\$1 in January 2024. A far cry from the highs of US\$10 and more per share in mid-2021, which might explain why NAMCOR announced its intention to sell half its 10% (effectively 5%) share back to ReconAfrica in February 2022 (Sole and Shihepo 2022).

In November 2022, ReconAfrica announced that it planned to drill 12 more wells in Namibia. At the time of writing this article in early 2024, the company had, however, paused operations in Namibia. Foreign staffers had been moved to Zimbabwe, ostensibly to interpret new aerial and seismic survey data (Barbee and Neme 2023) and seek further investment capital.

ReconAfrica focused on Namibian explorations first. Information on the issuance of exploration licences in Botswana was limited once the news stories of drilling near the Okavango Delta broke. Botswana citizens, together with local conservation NGOs and research institutions, became aware of the existence and activities of ReconAfrica in the first quarter of 2021. Information emerged through petitions emanating from citizens in the Global North on various social media platforms, including Facebook and X (formerly Twitter). This information vacuum persists despite the company being issued a four-year exploration licence (EL 001/2020) in June 2020.

ReconAfrica conducted stakeholder mapping and regulatory review in anticipation of an EIA process for exploratory drilling in 2024. Part of the stakeholder mapping included Indigenous communities residing near the Okavango Delta. One San representative, interviewed in June 2023, stated:

Oil exploration in the Okavango River Basin adopted the traditional method used by the state in making agreements with companies, that is, issuing licences without due consultation with the community, and where communities are only informed what is going to happen.

Like their modus operandi in Namibia, ReconAfrica emphasised the socioeconomic benefits of oil and gas production during stakeholder meetings. However, the same San representative argued that "the exploration has nothing to do with local community socio-economic development but rather the well-being and profitability of foreign corporations". In August 2022, ReconAfrica appointed a high-ranking member of Botswana's ruling party as Government and Stakeholder Relations Director and to act as intermediary between the government and the company.

Examined through a Southern green criminological lens, ReconAfrica's oil and gas explorations are symptomatic of a broader pattern. Northern corporations prey on Southern territories for mineral and natural resources with limited tangible benefits to locals. This dynamic is illustrated in the exploitation of San ancestral lands, communal farms, and conservation areas. The operations of ReconAfrica highlight how Northern companies exploit inadequate legislative and regulatory frameworks, enforcement systems, and extra-ordinary circumstances (in this case COVID-19) in Southern jurisdictions. This allows Northern corporations to pursue resource extraction with minimal regulatory interference and enforcement. The case of ReconAfrica's drilling activities in communal and conservation lands, coupled with minimal community engagement and disregard for the rights of IPLCs, underscores this point. It shows a clear pattern of further victimisation of already marginalised and colonised populations, whose lands and resources are exploited without adequate compensation or consideration for their well-being. Additionally, the violation of water regulations embodies the concept of slow violence. The gradual and often invisible harm unfolds over time, insidiously affecting communities long after the initial acts of exploitation have occurred. A team of water scientists (Sheldon et al. 2023) have shown the vulnerability of the Kavango River and Okavango Delta to oil and gas drilling. In these regions, the gradual contamination of essential water resources poses a long-term threat to these ecosystems and the communities that depend on them. Moreover, the development discourse used by extractive corporations like ReconAfrica serves as a strategic tool to justify their activities. This hypocritical narrative masks the true nature of their operations: the extraction of resources for profit with little regard for the environmental and social impacts on local communities. While corporations leverage the rhetoric of development and economic benefits, the real costs-environmental degradation, social disruption, and the undermining of Indigenous and local community rights—are downplayed or ignored.

Civil Society's Response

The previous section referenced the evolving civil society response in Botswana, Namibia, and beyond. In the following section, we provide an overview of the multi-layered narrative of response, encompassing issues of legal violations, environmental concerns, and the challenges faced in safeguarding Indigenous and local community rights.

Only a small number of government and industry insiders knew about ReconAfrica and its planned oil and gas explorations prior to news reports in September 2020. Although local environmental NGOs, international partners, and allies immediately

mobilised and gathered information, they faced many logistical, financial, and public health challenges. Community activations and public participation processes were hamstrung due to strict pandemic measures. These impacted the ability of civil society and community activists to travel and arrange awareness-raising campaigns and protest marches (Frack Free Namibia, Womin and Coalition against the Mining Pandemic 2022). In-person consultations and community outreach were halted by recurring waves of COVID-19 and lockdown regulations prohibiting social gatherings. Local, regional, and international activists, lawyers, journalists, and NGO representatives were grounded by travel restrictions. However, the Namibian government granted ReconAfrica essential work permits to continue exploratory activities on local farms and in community conservancies without free, prior, and informed consent (Frack Free Namibia, Womin and Coalition against the Mining Pandemic 2022). The company capitalised on the COVID-19 crisis to secure access to more tracts of land and proceeded without the required water and land use permits.

At the local level in Namibia, the development was opposed via online protest actions and in-person marches, demonstrations, and community engagements. Activists included youth networks, environmental groups and civil society organisations, individuals, and consortia. A newly formed NGO, Frack Free Namibia, and the international civil society network, Save the Okavango's Unique Life (SOUL), also participated. Many of the in-person engagements were held in Namibia's capital of Windhoek, more than 700 kilometres south of the Kavango regions. Environmental associations and civil society organisations conducted public talks, workshops, training sessions, and information exchanges. These included the Namibian Chamber of the Environment, the Namibian Scientific Association, the Indigenous Peoples of Africa Coordinating Committee, the Women's Leadership Centre, and the Legal Assistance Centre. The Anglican Bishop of Namibia and 30 archbishops from the region and beyond declared ReconAfrica's project "a sin" in a petition addressed to the Namibian and Botswana governments and ReconAfrica, stating (Mash 2021):

As faith leaders we speak up for those who have no voice and defend the rights of the needy. Drilling in the Kavango Basin will fracture its geological structure and destroy the water system that supports this unique ecosystem and wildlife sanctuary. It will also disrupt the livelihoods of the Indigenous people. It will bring vast wealth to a few but will further impoverish the people of northern Namibia, exacerbating climate change and destroying their traditional way of life. Clearly ReconAfrica is putting their financial interests before life.

The entry of ReconAfrica into Botswana's Okavango Delta presented a new set of problems and conflicts of interest. Historically, the focus of international and local environmental campaigns had been on wildlife conservation (Thomas 2003). Most local NGOs are currently members of the Botswana Council of Non-Governmental Organisations which provides a platform for collaboration and cooperation on common issues (Botswana Council of Non-Governmental Organisations 2022). Civil society remains under-developed in Botswana, to date. Botswana's democracy, as argued by Good (2008), is intolerant to opposing views, thus ensuring that civil society or citizens rarely question the state. When citizens do participate in public protests, they are immediately silenced by the Directorate of Intelligence and Security. Carbone (2005) attributed the weakness of civil society organisations in Botswana to four factors: the authoritarian political culture that discourages challenges to state policies and actions, restricted access to funds, a culture of dependency, and a refusal to recognise civil society organisations as critical to the development process.

The government has effectively securitised environmental issues (Mogende 2020; Suping 2021). As a result, allies and NGO representatives who are not citizens with a precarious residency status might oppose these policies. However, they are limited in their environmental activism due to fears of sanctions, including deportation. Against this backdrop, it is not surprising that environmental NGOs have largely remained silent about ReconAfrica. Namibian activists and international allies have filled the vacuum by including local concerns from Botswana in their campaigns.

Several activist interventions took place in Canada at ReconAfrica's headquarters and at three meetings of the (Climate) Conference of the Parties (CoPs) of the United Nations Framework Convention on Climate Change in Glasgow, Sharm el Sheik and Dubai. The CoP interventions were spearheaded by Fridays for Future-Windhoek. Protests also took place in Germany, a country strategically important to Namibia as the nation's 19th century coloniser and due to ongoing bilateral cooperation and development initiatives. Local and international activists petitioned the United Nations Special Rapporteur on the Rights of Indigenous Peoples, the Canadian and Namibian Ombudsperson, German government ministries and agencies, UNESCO, international and regional decision-makers, environmental agencies, and influencers. A San activist from South Africa organised an Indigenous march of San leaders and allies from the coastal town of Knysna in the Western Cape Province of South Africa to the Namibian High Commission in Cape Town. The group presented a petition opposing oil and gas explorations on the ancestral lands of the San First Nations Indigenous Peoples.

Once COVID-19 restrictions were lifted, local and Indigenous activists were able to travel to and from the Kavango regions and the Okavango Delta Panhandle. The opposition to ReconAfrica changed and new organisations entered the fray. As global awareness of ReconAfrica's exploration work grew, so did the opposition to it. Environmental protection of fragile ecosystems such as the Okavango Delta are a key concern of international environmental NGOs, conservation and animal rights groups, and individuals. Much of their focus is on wildlife protection while the interests and needs of IPLCs are secondary. The Okavango Delta is world famous, not just among nature lovers and environmentalists but also among tourists and celebrities. Public figures, including Prince Harry and Leonardo DiCaprio, criticised the development. A prominent Northern conservation NGO facilitated the publication of an open letter by Prince Harry and Namibian environmental activist and scientist, Reinhold Mangundu in *The Washington Post* (Prince Harry and Mangundu 2021). The letter and a viral Tweet by DiCaprio shared around the same time received widespread international attention. A local activist told us in a 2023 interview that some local activists felt the entry of Hollywood actors and British royalty into the campaign played into the emerging government's and ReconAfrica's narrative of the campaign's foreign capture. In 2023, another NGO representative said:

International and regional environmental groups and individuals were very helpful from the early days of the campaign, however, there were concerns about imbalances and power differentials as highly resourced, high-capacity international environmental groups and celebrities started engaging. While they bring needed attention to the issues and challenges faced by local communities, there is a backlash faced by local activists and organisations who are often accused of 'working on behalf of foreign actors' or worse. Community-based activists can face harassment or detention. Promises of support can be made and don't materialise.

Coalition-based global advocacy can be a highly effective approach to raise awareness of local issues and amplify marginalised voices (Dauvergne 2023). However, the power imbalance that develops when external actors and self-appointed allies engage at the local level can also have a negative impact and, ultimately, restrict or silence those same voices. Access to resources also plays a part in elevating external actors on the global stage. Local activists are often sidelined due to their inability to fund domestic or international travel to represent their communities. They are often relegated to simply providing quotes for international NGOs' press releases and video spots for social media marketing campaigns. When the media spotlight moves on to other issues and countries, local activists rarely find themselves with the increased capacity or resources needed to continue an international advocacy campaign. Additionally, they are unable to leverage any of the historical successes to achieve similar outcomes in the future.

The Community Response

The community narratives of ReconAfrica's oil and gas operations in Namibia reveal a complex story of environmental activism, Indigenous and grassroots struggles, and the involvement of international and regional elites and organisations. In the following section, we delve into major themes that were raised by 15 community activists, conservation practitioners, farmers, and youth activists operating, or residing in, the Kavango regions of Namibia. This section is structured around major themes and observations that arose during interviews and discussions with community activists, mostly in their own words.

Violation of Indigenous Rights, Local Autonomy, and Public Participation Processes

A recurring theme observed by all activists was the ongoing violation of Indigenous rights, local autonomy, and public participation processes. ReconAfrica's operations have sidestepped environmental laws, regulations, and norms that protect community rights and safeguard environmental standards. The company commenced exploratory drilling without the required water and land permits, drilled inside the Kapinga Kamwalye Community Conservancy, and bulldozed roads for seismic surveying through community forests, conservancies, and farmland (Barbee and Neme 2021; Frack Free Namibia 2021). One community member pointed to the failings of the Namibian government which did not only neglect to enforce its own environmental protections and safeguards but also did not obtain free, prior, and informed consent from affected communities when granting ReconAfrica access to their land.

Activists pointed to the discrimination faced by the San people, who were promised jobs but not employed by ReconAfrica. One 2023 interviewee stated:

The San communities have benefited the least from ReconAfrica because they were promised jobs, but they never employed a single San person. The San already face discrimination according to their ethnicity and, because of their lower rate of education, they are not vocal in opposition to this treatment which the company exploited when they used traditional authorities to discriminate further against the San.

During the pandemic, several Windhoek-based and international activists became the public faces of the campaign to oppose ReconAfrica. This might have been a good stopgap while COVID-19 restrictions were in place; however, communications technologies were being used worldwide that could have brought Indigenous and community voices to international fora. Kavango residents and Indigenous activists soon pointed to elite capture, criticising the external activists for speaking on their behalf: "nothing about us without us" (interview with an Indigenous activist 2023). Indigenous groups also declared that their rights were violated by ReconAfrica and the Namibian government in terms of free, prior, and informed consent provisions observed in the *United Nations Declaration on the Rights of Indigenous Peoples*.

As local civil society develops and becomes more adept at globally focused advocacy, there is inevitably going to be a conflict with external elites who historically have operated with a more paternalistic approach. However, activists from local and Indigenous communities also mentioned that urban elites were controlling, monopolising, and gatekeeping external funding and support. It was easier for urban elites to obtain and account for financial or material resources.

Unfulfilled Promises and Economic Disillusionment

Community activists were concerned about the unfulfilled promises and economic disillusionment, particularly concerning job creation and economic benefits. A community activist interviewed in 2023 said:

After three years of exploration, no oil has been discovered and ReconAfrica has not fulfilled the promises they made to the communities, even with the assistance of our clearly brainwashed Traditional Authorities who they bribed with furniture purchases and other payments. The few jobs that were offered to residents were temporary, unskilled, manual labour roles.

This scenario, where community activists lament unfulfilled promises and economic disillusionment, particularly in terms of job creation, reflects a classic case in Southern green criminology. The exploitation and co-option of local communities and their leaders by powerful corporations, promising benefits while delivering minimal and unsustainable economic opportunities, is exemplified by the short-term employment opportunities offered by ReconAfrica.

Manipulation and Divide-and-Rule Tactics

ReconAfrica, government authorities, and traditional leadership employed divide-and-rule tactics, causing rifts within communities. Community activists say that this approach has led to fragmented resistance and has weakened the collective voice of the community. Because traditional authorities did not possess foundational knowledge about oil extraction, they were unable to make informed decisions and accepted promises of employment and community prosperity that never materialised. A local activist interviewed in 2023 shared the following:

One significant factor in the ReconAfrica crisis is the role that regional elected officials played in ensuring that there was no objection from the communities. This is why it was so important, before ReconAfrica began drilling, for significant awareness raising and training about the future implications of extractive activities to be held at the community level.

Challenges of Local Activism and the Role of International Actors

The involvement of external actors, including international NGOs and celebrities, brings a complex layer of global influence. While this can focus attention on issues, local activists were concerned about the alignment of these efforts with the actual needs and voices of their communities. Often, elite civil society actors engage with the government to ensure that their organisations continue to operate freely. Foreign development agencies that claim to support community development are also beholden to their historical partnerships with the government. A rural farmer and activist commented in a 2023 interview:

The Namibian civil society sector is primarily led by well-connected European Namibians, externally resourced and based in the capital. These elites work closely with international organisations on national campaigns that are not driven by the needs or interests of the affected communities. Tourism businesses are also in the environmental activism space, and virtually all of them are owned by Europeans or European Namibians.

Activists who identified high fuel costs as their primary reason for being unable to assess conditions on the ground experienced challenges when working with people from outside of the region. International groups are seen as being more interested in advising local activists, who stated that there is often no direct communication because they are constrained by cellular data costs. Even when they have information to share, international colleagues do not understand the realities at the community level to enable more effective collaboration. Community activists noted that some external groups used the information they supplied, while also demanding they engage in activities supporting overseas campaigns, after which feedback or support was never provided.

For many, the greatest obstacle to engaging with residents of their own communities was the politicisation of environmental and development issues. ReconAfrica and elected officials collaborated with local traditional authorities and regional councillors to build distrust in the communities about activists' motives. This resulted in community members rejecting activists and accusing them of trying to raise money for themselves. Despite their commitment to educating community residents, activists stated that it was virtually impossible to achieve that goal. They now focus on establishing cohorts of younger, community-based defenders who are more vested in their communities' development and security.

Interviews with numerous activists, regarding recommendations for international organisations wishing to support affected communities and activists, yielded common themes. These included: funding community projects that serve as alternatives to the false promises of extractive companies; ensuring that campaigns are centred around the narratives of affected parties; pro bono legal defence services for frontline defenders; and the development of enforcement mechanisms that ensure companies comply to the same standards of operation as those in their countries of origin, with local regulatory officials authorised to conduct compliance investigations.

Disillusionment and Community Fatigue

There is a sense of fatigue and disappointment that permeates Kavango communities because many feel that their efforts against ReconAfrica have not yielded the expected support or results. According to community activists, local residents are scared to speak out as any departures from government policy will impact land use and employment opportunities in the future. According to one activist, interviewed in 2023:

The environmental impact began with the drilling and when the community complained, it was too late. ReconAfrica had not obtained permission to occupy farmland, so they offered payments after the fact. Residents did not understand that water can be contaminated and when ReconAfrica drilled boreholes for some communities, even their own staff would not drink that water. The community had no choice but to go along with what the Traditional Authorities and regional councillors were promoting. Traditional Authorities also rely on the government for support, and they are expected to promote schemes like ReconAfrica.

Youth activists are often alone when publicly criticising those responsible for regulating the oil industry for not doing their job. One activist interviewed in 2023 highlighted the challenges faced during campaigns and their demoralising impact, saying: It's tough to fight corporations and moguls who use our government's weaknesses of corruption, lack of political will and inadequate capacity to advance their extractive industry agenda. Activism is one thousand times harder and emotionally draining.

The struggle to stop ReconAfrica's extractive activities in Namibia is emblematic of a broader narrative of Indigenous communities and local activists fighting against corporate exploitation and environmental degradation while also dealing with demands from external actors. These actors are often well-meaning but removed from the realities on the ground, which exposes frontline defenders to dangers and allegations of co-option. There are narratives of resilience amongst unfulfilled promises, legal violations, and environmental concerns, all while navigating the complex dynamics of external influence and governmental inaction. This local resistance not only calls for more robust and respectful engagement from external actors but also emphasises the need for genuine listening to, and amplification of, local voices and concerns. The fight against ReconAfrica is more than an environmental campaign; it is a call for the protection of human rights, respect, and the future of these communities.

Conclusion: Towards Inclusive and Ethical Environmental Activism

Drawing on the principles of Southern green criminology, the paper highlights the asymmetrical power dynamics between Northern corporations and Southern nations, particularly regarding environmental governance issues. The ReconAfrica case exemplifies how these dynamics can lead to environmental exploitation and social injustices, necessitating an alternative approach that not only challenges these power structures but also actively works to dismantle them.

Moreover, Southern perspectives highlight the importance of integrating Indigenous and local narratives into the discourse of environmental activism. The voices of those most affected by extractive activities, like the IPLCs of Namibia and Botswana, are not just ancillary to the conversation. They are central to understanding the full spectrum of the slow violence associated with extractive harmscapes and their socio-ecological impacts. Their lived experiences, often marred by intergenerational trauma, historical injustices, and ongoing marginalisation, bring invaluable insights against environmental degradation and exploitation.

The narratives underpinning ReconAfrica's oil and gas exploration in Namibia and Botswana serve as a powerful illustration of the evolving landscape of environmental activism in the Global South. This article has shed light on the challenges and opportunities faced by IPLCs and civil society organisations as they engage in the struggle to protect their lands, biodiversity, and cultural heritage against encroachment and dispossession by extractive industries.

One of the key takeaways is the need for a paradigm shift in the way environmental activism is approached. Traditional models, often driven by external actors with substantial financial resources, have overlooked or marginalised the voices and concerns of IPLCs. The case of ReconAfrica underscores the importance of recognising and respecting the sovereignty of these communities in shaping environmental campaigns and discourses that directly impact their lives and livelihoods.

The following principles should guide our environmental advocacy efforts:

- 1. **Genuine engagement:** Environmental activism should prioritise genuine engagement with IPLCs. Their traditional knowledge systems, cultural practises, and deep connections to their ancestral land hold valuable insights into sustainable resource management, socioeconomic opportunities, and conservation.
- 2. **Co-designed approaches:** The era of top-down, externally driven campaigns should give way to co-designed approaches. Campaigns and initiatives should be collaboratively developed with the active participation of local stakeholders to ensure that their needs and concerns are considered.
- 3. **Ethical allyship:** External actors and NGOs should exercise ethical allyship by acknowledging their privilege and positionality. Instead of imposing solutions, they should amplify the voices of local activists and provide support that aligns with the priorities of affected communities.
- 4. **Environmental and social justice:** Environmental activism must not exist in isolation from broader social justice concerns. The protection of the environment should not supersede the promotion of socioeconomic justice for marginalised communities.
- 5. **Transparency and accountability:** All stakeholders, including governments, corporations, and NGOs, must operate with transparency and be held accountable for their actions.

The experiences of Namibian and Batswana communities in the face of ReconAfrica's oil and gas exploration serve as a rallying cry for a more inclusive and ethical approach to environmental activism. It is a call to action to reorient our efforts towards a future where the protection of the environment is linked with the well-being and self-determination of the people who call these ecologically sensitive areas home. Moving forward, it is imperative that both Namibia and Botswana prioritise the rights and well-being of their communities while balancing economic development with environmental sustainability. Civil society organisations must be empowered to advocate for transparent, accountable, and equitable governance in the extractive sector. International actors can play a supportive role by respecting local agency, providing resources, and advocating for responsible corporate practises.

Correspondence: Annette Hübschle, PhD, Chief Research Officer, Global Risk Governance Programme, Department of Public Law, Faculty of Law, University of Cape Town, South Africa. <u>a.hubschle@uct.ac.za</u>

¹ The name San or San Peoples is commonly used to refer to diverse groups of Indigenous Peoples after development workers and Western researchers introduced the term to move away from the derogatory label of "bushmen" (Lewis-Williams 2015). However, many San Peoples prefer to go by their individual group names which depict their ancient culture and traditions (Hübschle 2016: 131). These include the !Kung, Ju|'hoansi, Hai||om, Khwe, and others. Nowadays, both the imposed names and chosen names are accepted. As we deal with several Indigenous groups in this paper, the collective denotation of San was chosen.

² Tsodilo Hills consists of ancient rock art, shelters, and cases, carrying significant religious and spiritual significance to Indigenous Peoples as well as its unique record of human settlement over many millennia (Lee at al. 2010).

References

- Agozino B (2018) The withering away of the law: An indigenous perspective on the decolonisation of the criminal justice system and criminology. *Journal of Global Indigeneity* 3(1): 1–22. <u>https://ro.uow.edu.au/jgi/vol3/iss1/2</u>
- Angula V (2023) Canada's ReconAfrica violated Namibia's laws. VOA, 30 September. <u>https://www.voanews.com/a/canada-s-reconafrica-violated-namibia-s-laws/7291482.html</u>.
- Bandyopadhyay R (2019) Volunteer tourism and 'The White Man's Burden': Globalization of suffering, white savior complex, religion and modernity. *Journal of Sustainable Tourism* 27(3): 327–343. https://doi.org/10.1080/09669582.2019.1578361.

Banktrack (2023) Okavango oil and gas drilling. 10 January.

https://www.banktrack.org/project/okavango_delta_oil_and_gas_drilling_in_namibia_and_botswana.

- Barbee J and Neme L (2021) Test drilling for oil in Namibia's Okavango region poses toxic risk. *National Geographic*, 12 March. <u>https://www.nationalgeographic.com/animals/article/test-drilling-oil-namibia-poses-water-risk</u>.
- Barbee J and Neme L (2022) Canadian oil company illegally bulldozes protected land in Africa. *National Geographic*, 23 February. <u>https://www.nationalgeographic.com/environment/article/canadian-oil-company-illegally-bulldozes-protected-land-in-africa</u>.
- Barbee J and Neme L (2023) Canadian oil company ReconAfrica pauses controversial drilling in Namibian wilderness. *National Geographic*, 28 June. <u>https://www.nationalgeographic.com/animals/article/canadian-oil-company-reconafrica-pause-drilling-namibia</u>.
- Battistoni A and Taylor JJ (2009) Indigenous identities and military frontiers: Preliminary reflections on San and the military in Namibia and Angola, 1960–2000. *Lustopie* 16(1): 111–131. <u>https://doi.org/10.1163/17683084-01601008</u>.
- Berg J and Shearing C (2018) Governing-through-harm and public goods policing. The ANNALS of the American Academy of Political and Social Science 679(1): 72–85. <u>https://doi.org/10.1177/0002716218778540</u>.
- Berny N and Rootes C (2018) Environmental NGOs at a crossroads? *Environmental Politics* 27(6): 947–972. https://doi.org/10.1080/09644016.2018.1536293.
- Botswana Council of Non-Governmental Organisations (BOCONGO) (2024) *Civil society coordination:* 12 February. https://bocongo.org/.
- Carbone M (2005) Weak civil society in a hard state: Lessons from Africa. *Journal of Civil Society* 1(2): 167–179. https://doi.org/10.1080/17448680500337574.
- Center for International Environmental Law (CIEL) (2021) Civil society groups ask TSX Venture Exchange to set record straight on oil and gas drilling in the Okavango region. *CIEL*, 16 September. <u>https://www.ciel.org/news/investigate-reconafrica/</u>.
- Connell R (2007) Southern theory: The global dynamics of knowledge in social science. Cambridge: Polity Press.
- Dauvergne P (2023) Governing plastics: The power and importance of activism in the global South. *Environmental Science* & *Policy* 147: 147–153. https://doi.org/10.1016/j.envsci.2023.06.011.
- Davis R (2015) Is Botswana quietly getting fracked? *Rhodes University, Perspective*,10 January. <u>https://www.ru.ac.za/perspective/2013archive/isbotswanaquietlygettingfracked.html</u>.
- Dixon B (2012) Understanding 'Pointy face': What is criminology for? SA Crime Quarterly 41: 3–10. https://journals.co.za/doi/abs/10.10520/EJC126505.
- Dwivedi R (2001) Environmental movements in the Global South: Issues of livelihood and beyond. *International Sociology* 16(1): 11–31. https://doi.org/10.1177/0268580901016001003.
- Dore A, Hübschle A and Batley M (2022) Towards environmental restorative justice in South Africa: How to understand and address wildlife offences. In Pali B, Forsyth M and Tepper F (eds) *The Palgrave handbook of environmental restorative justice*: 333–359 London: Palgrave Macmillan.
- Frack Free Namibia (2021) ReconAfrica's seismic 'thumper' survey levels wilderness and damages homes in Kavango East. *Press Release*. Windhoek: Frack Free Namibia. <u>https://n-c-e.org/resource/frack-free-namibia-press-release.</u>
- Frack Free Namibia, Womin and Coalition against the Mining Pandemic (2022) Dispossession and violations in ReconAfrica Kavango oil and gas exploration. *People in Lockdown, Extractives in Business. Case Study: Namibia.* https://miningpandemic.org/wp-content/uploads/2022/06/Case-Study-Namibia-Fracking-English.pdf.
- Frack Free Namibia (2022) Frack Free Namibia: Advocating for the most marginalized as government welcomes Canadian oil and gas exploration in the Kavango regions. *Science and Environmental Health Network*, 28 October. <u>https://www.sehn.org/sehn/2022/10/25/frack-free-namibia-advocating-for-the-most-marginalized-as-government-welcomes-canadian-oil-and-gas-exploration-in-the-kavango-regions-1.</u>
- Frack Free Namibia (2023) Facebook update, 10 April, 10 January. https://www.facebook.com/FrackFreeNamibiaAndBotswana/posts/pfbid026fZzaTagp34CaayqfewdksYfPiW9QMow7XF 5zXbAFvKZ1xuARjJWTYJoJVpc1X7ul.
- Good K (2008) Diamonds, dispossession and democracy in Botswana. Oxford: James Currey.

- Goyes DR (2018) 'Tactics rebounding' in the Colombian defence of seed freedom. *International Journal for Crime, Justice* and Social Democracy 7(1): 91–107. <u>http://dx.doi.org/10.5204/ijcjsd.v7i1.425</u>.
- Goyes DR (2019) Southern green criminology. A science to end ecological discrimination. Bingley: Emerald.
- Goyes DR (2024) Empathy without borders: Decolonial criminology, Western scholars, and peer methodology. In Di Ronco, A and Carribine E (eds) *Criminological connections, directions, horizons: Essays in Honour of Nigel South*. London: Routledge.
- Goyes DR, Abaibira MA, Baicué P, Cuchimba A, Ramos Ñeñetofe DT, Sollund R, South N and Wyatt T (2021) Southern green cultural criminology and environmental crime prevention: Representations of nature within four Colombian Indigenous communities. *Critical Criminology* 29: 469–485. <u>https://doi.org/10.1007/s10612-021-09582-0</u>.
- Green KE and Lund JF (2015) The politics of expertise in participatory forestry: a case from Tanzania. *Forest Policy and Economics* 60: 27-34. <u>https://doi.org/10.1016/j.forpol.2014.11.012</u>.
- Hübschle A (2021) Guidelines for research in communities: A methodology for understanding community attitudes, perspectives and perceptions of protected areas and community safety in the context of illegal wildlife trade. White River: WWF Khetha and USAID. <u>https://doi.org/10.13140/RG.2.2.33898.85444</u>.
- Hübschle A, Dore A and Davies-Mostert H (2021) Focus on victims and the community: applying restorative justice principles to wildlife crime offences in South Africa. *The International Journal of Restorative Justice* 4(1): 141–150. http://dx.doi.org/10.5553/TIJRJ.000068.
- Hübschle A and Rathmell S (2021) Canadian firm ReconAfrica's quest for oil and gas poses seismic risk to elephant behaviour. *Daily Maverick*, 3 July. <u>https://www.dailymaverick.co.za/article/2021-06-03-canadian-firm-reconafricas-quest-for-namibian-oil-and-gas-poses-seismic-risk-to-elephant-behaviour/</u>.
- Hübschle A and Shearing C (2018) Ending wildlife trafficking: Local communities as change agents. *Technical report*. Geneva: Global Initiative against Transnational Organised Crime. <u>http://dx.doi.org/10.13140/RG.2.2.11973.81123</u>.
- Hübschle A and Shearing C (2024) Governing wildlife security: Towards pragmatic conservation. London: Routledge. Iordächescu G, Lappe-Osthege T, Dickinson H, Duffy R and Burns C (2022) Political ecologies of green-collar crime: Understanding illegal trades in European wildlife. Environmental Politics 32(5): 923–930. https://doi.org/10.1080/09644016.2022.2156173.
- Kavango Zambezi Transfrontier Conservation Area (KAZA TFCA) (2023) KAZA launches its 2022 KAZA Elephant Survey results. KAZA TFCA, 31 August. <u>https://www.kavangozambezi.org/2023/08/31/kaza-launches-its-2022-kaza-elephant-</u> survey-results/.
- Keikelame MJ and Swartz L (2019) Decolonising research methodologies: lessons from a qualitative research project, Cape Town, South Africa. *Global Health Action* 12(1): 1561175. <u>https://doi.org/10.1080%2F16549716.2018.1561175</u>.
- Kosters E (2021) Canadian company @Recon_Africa drills for oil in the Okavango delta watershed. *Earth Science Society*, 5 August. <u>https://earthsciencesociety.com/2021/08/05/canadian-company-recon_africa-drills-for-oil-in-the-okavango-delta/</u>.
- Kovaltchouk A, Suryanarayana K and Cameron P (2020) *Estimation of the prospective resources of Reconnaissance Energy Ltd. in Botswana and Namibia (as of June 30, 2020).* Sproule. <u>https://reconafrica.com/wp-content/uploads/Sproule-</u> <u>Report-ReconAfrica-July-2020.pdf</u>.
- Lee, RB, Hitchcock, R and Biesele, M (2010) Foragers to First Peoples: The Kalahari San today. Cultural Survival,10 January. <u>https://www.culturalsurvival.org/publications/cultural-survival-quarterly/foragers-first-peoples-kalahari-san-today</u>.
- Lewis-Williams D (2015) Myth and meaning: San-bushman folklore in global context. Cape Town: UCT Press.
- Lu J and Li H (2023) The impact of environmental corruption on green consumption: A quantitative analysis based on China's Judicial Document Network and Baidu Index. *Socio-Economic Planning Sciences* 86: 101451. https://doi.org/10.1016/j.seps.2022.101451.
- Lynch, M and Long, M (2022) Green criminology: Capitalism, green crime and justice, and environmental destruction. Annual Review of Criminology 5: 255-276 http://dx.doi.org/10.1146/annurev-criminol-030920-114647.
- Maguire L, Ball S and Lefait S (2021) From Tarzan to Black Panther: The evolving image of Africa. In Maguire L, Ball S and Lefait S (eds) Modern representations of Sub-Saharan Africa: 1–18. London: Routledge.
- Mash R (2021) Anglican bishops call for a halt to drilling in the Kavango, Namibia. Green Anglicans, 8 March.

https://www.greenanglicans.org/anglican-bishops-call-for-a-halt-to-drilling-in-the-kavango-namibia/.

- Mbaiwa JE and Hambira WL (2023) Can the subaltern speak? Contradictions in trophy hunting and wildlife conservation trajectory in Botswana. *Journal of Sustainable Tourism* 31(5): 1107–1125. http://dx.doi.org/10.1080/09669582.2021.1973483.
- McKittrick M (2008) Landscapes of power: Ownership and identity on the Middle Kavango River, Namibia. *Journal of Southern African Studies* 34(4): 785–802. https://doi.org/10.1080/03057070802456755.
- Mogende E (2020) Africa's miracle state? Intersection of political leaders and non-state actors in the greening of Botswana through wildlife. PhD thesis, University of Cape Town, South Africa.

- Namibian Association of CBNRM Support Organisations (NACSO) (2023) *Conservation and conservancies Overview*, 10 January. <u>https://www.nacso.org.na/conservation-and-conservancies</u>.
- Nixon R (2011) Slow violence and the environmentalism of the poor. Cambridge, Massuchusetts: Havard University Press. Nogueira LA, Bjørkan M and Dale B (2021) Conducting research in a post-normal paradigm: Practical guidance for applying
- co-production of knowledge. *Frontiers in Environmental Science* 9. <u>https://10.3389/fenvs.2021.699397</u>. Ouzman S (2001) Seeing is deceiving: Rock art and the non-visual. *World Archaeology* 33(2): 237–256. https://doi.org/10.1080/00438240120079271.
- Persha L and Andersson K (2013) Elite capture risk and mitigation in decentralized forest governance regimes. *Global Environmental Change* 24: 265-276. https:// 10.1016/j.gloenvcha.2013.12.005.
- Prince Harry and Mangundu R (2021) Protect the Okavango River Basin from corporate drilling. *The Washington Post*, 14 October. <u>https://www.washingtonpost.com/opinions/2021/10/14/prince-harry-africa-okavango-basin-drilling-moratorium/</u>.
- ReconAfrica (2019) Newly discovered Kavango Basin Namibia.
- https://s3.documentcloud.org/documents/20395045/reconafrica-investor-presentation-092019.pdf. Ruggiero V and South N (2010) Green criminology and dirty collar crime. *Critical Criminology* 18(4): 251–262. http://dx.doi.org/10.1007/s10612-010-9122-8.
- South African San Institute (2017) *San code of research ethics*. <u>https://www.globalcodeofconduct.org/wp-</u>content/uploads/2018/04/San-Code-of-RESEARCH-Ethics-Booklet_English.pdf.
- Sapignoli M (2016) Indigenous mobilization and activism: The San, the Botswana state and the international community. In Short D and Lennox C (eds) *Handbook of indigenous peoples' rights*: 268–281. London: Routledge.
- Schultz R, Beroza GC and Ellsworth WL (2021) A risk-based approach for managing hydraulic fracturing–induced seismicity. *Science* 372(6541): 504. https://doi.org/10.1126/science.abg5451.
- Sheldon R, Esterhuyse S, Lukas A and Greenwood S (2023) Potential groundwater contamination from oil drilling in the Okavango. *Physics and Chemistry of the Earth, Parts A/B/C*. 131: 103430. https://doi.org/10.1016/j.pce.2023.103430.
- Sole S and Shihepo T (2022) Canadian company exploring for oil in Namibia in battle for credibility. *amaBhungane*, 15 December. https://amabhungane.org/stories/canadian-company-exploring-for-oil-in-namibia-in-battle-for-credibility/.
- Suping K (2021) Neoliberal governmentality, discursive power and wildlife conservation in southern Africa. In Amutabi MN and Bore MN (eds) *Giant steps in the development of Africa*: 80–93. Nairobi: CEDRED Publications.
- Tapela B, Büscher B, Maluleke L, Twine W and Steenkamp C (2009) Guidelines for negotiating social research in communities living adjacent to transboundary protected areas: Kruger National Park. 10 January. ISS Staff Group 4: Rural Development, Environment and Population. <u>http://hdl.handle.net/1765/18303</u>.
- Thambinathan V and Kinsella EA (2021) Decolonizing methodologies in qualitative research: Creating spaces for transformative praxis. *International Journal of Qualitative Methods* 20. <u>https://doi.org/10.1177/16094069211014766</u>.
- The Water Diplomat (2022) Communal Land Board halts illegal water drilling, ReconAfrica 'unaware' of additional requirements. *The Water Diplomat*, 8 January. <u>https://www.waterdiplomat.org/story/2022/01/communal-land-board-halts-illegal-water-drilling</u>.
- Thomas A (2003) NGOs' role in limiting national sovereignty over environmental resources of global significance: The 1990 campaign against the Southern Okavango integrated water development project. *Journal of International Development* 15(2): 215–229. https://doi.org/10.1002/jid.987.
- United Nations Educational, Scientific and Cultural Organization (UNESCO) (n.d.) Sān Living Cultural Landscape.10 January. <u>https://whc.unesco.org/en/tentativelists/6096/.</u>
- van Zyl-Hermann D and Boersema J (2017) Introduction: The politics of whiteness in Africa. Africa, 87(4): 651-661. <u>http://dx.doi.org/10.1017/S0001972017000298</u>.
- Viceroy Research (2021) ReconAfrica No oil? Pump stock. <u>https://viceroyresearch.org/wp-content/uploads/2021/06/24-Jun-2021-RECO-Viceroy-Research.pdf.</u>
- Walters R (2023) Ecocide, climate criminals and the politics of bushfires. *The British Journal of Criminology* 63(2): 283–303. <u>https://doi.org/10.1093/bjc/azac018</u>.
- Watson R and Kaldor L (2015) Designing with crime prevention creating community wellbeing through design. *International conference on engineering design*. Milan, Italy, 27-30 July 2015.
- White R (2018) Ecocide and the carbon crimes of the powerful. University of Tasmania Law Review 37(2): 95–115.
- Wilk J and Kgathi D (2007) Risk in the Okavango Delta in the face of social and environmental change. *GeoJournal* 70(2): 121–132. <u>http://dx.doi.org/10.1007/s10708-008-9119-y</u>.
- Worldometer (2024) Namibia population (live). 10 January. <u>https://www.worldometers.info/world-population/namibia-population/.</u>

Legislation cited

Communal Land Reform Act 2002 (Namibia) Environmental Management Act 2007 (Namibia) Nature Conservation Ordinance 1975 (Namibia)

Conventions cited

United Nations Declaration on the Rights of Indigenous Peoples 61/295