

February 4, 2014

H.E. President Ian Khama

Office of the President

Private Bag 001

Gaborone Botswana

Your Excellency:

We are writing as human rights and social justice advocates who played a key role in ensuring formal recognition of the human right to water and sanitation at the United Nations. In July 2010, it was through our collective efforts, in collaboration with grassroots activists from around the world, that water and sanitation were recognized as human rights at the United Nations General Assembly – a resolution cited by the Botswana court of appeal, which established the rights of Bushmen to access their traditional water sources.

We are writing to express our deep concerns regarding ongoing violations of the human rights of the Kalahari Bushmen. Despite their human right to water and their constitutional right to live freely on their ancestral land being recognized through historic court rulings, there have been systematic violations of these rights by your government.

We are alarmed to hear that in the midst of this ongoing struggle to ensure the rights of the Bushmen are recognized and implemented by Botswana, Tlou Energy has begun operating inside the Central Kalahari Game Reserve (CKGR). It has been brought to our attention that the company owns concession blocks within the CKGR and is exploring for coalbed methane within these areas. It is our understanding that Tlou Energy is operating without the Free Prior and Informed Consent (FPIC) of the Bushmen, as required by the 2007 United Nations Declaration on the Rights of Indigenous Peoples.

In addition, we share concerns expressed by the Bushmen of the devastating impacts hydraulic fracturing would have within a region that is of tremendous ecological and cultural importance. Communities have been rising up around the world against the threats to water supplies posed by fracking. Catarina de Albuquerque, the UN Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation has noted concerns raised by impacts of this procedure on drinking water.

As global human rights advocates, we urge your government to immediately withdraw the concessions granted to Tlou Energy obtained without FPIC and to respect the rights of the Kalahari Bushmen to water and to live freely on their ancestral land.

Sincerely,

Maude Barlow, Chairperson of the Council of Canadians and former Senior advisor on water to the 63rd President of the United Nations General Assembly

Father Miguel D'Escoto Brockmann 63rd President of the United Nations General Assembly

Pablo Solón Romero, Executive Director of Focus on the Global South and Former Ambassador of the Plurinational State of Bolivia to the United Nations