

PROJECT EVALUATION REPORT FINAL



SECURING RECOGNITION OF MINORITIES AND MAGINALIZED PEOPLE AND THEIR RIGHTS IN BOTSWANA

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Evaluation: Securing Recognition of Minorities and Marginalized People and their Rights in Botswana

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ACRONYMS

EU	European Union
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
MRGI	Minority Rights Group International
NDP	National Development Plan
SADC	Southern African Development Community
UN	United Nations
VDC	Village Development Committee

EXECUTIVE SUMMARY

The project, namely “Securing Recognition of Minorities and Marginalized People and their Rights in Botswana” commenced in 2015 and completed implementation in 2018. The project was funded by the European Union and MFA Norway. The project implementing partner organisations; Minority Rights Group International (MRGI), RETENG: The Multicultural coalition of Botswana and DITSHWANELO – The Botswana Centre for Human Rights strategically offer complimentary skills and capacity for the project.

The main objectives of the project were to strengthen the capacity of members of non -Tswana tribes, their representatives and civil society partners on minority rights in Botswana. In particular for them to understand, protect and advocate effectively for the full recognition of their rights particularly to non-discrimination in respect of land issues in the communities of operation in Botswana: Wayeyi (Okavango, Ngamiland & Boteti Districts); Basubiya (Chobe, Boteti & Ngamiland Districts), Babirwa (Central District); Batswapong (Central District); Bakgalahari. (Southern Kgalagadi, Kweneng & Gantsi Districts).

The project aimed to increase and deepen the engagement of CSOs in human rights in Botswana, particularly minority rights, with the overall objective of reducing discrimination against and lack of recognition of members of minority tribes in Botswana.

The project’s importance is based on challenges which impact the minorities and marginalized peoples in Botswana. Specifically, there is not enough legal recognition of minority tribes, marginalized peoples and their chiefs, discrimination against minority and marginalized peoples both as enshrined in the Constitution, as a result of inadequate implementation of the Bogosi Act (which is non-discriminatory in principle) and as experienced in practice, particularly in relation to land allocation. Minorities and marginalized peoples are threatened with cultural and linguistic loss with English being the official language and only Setswana, the language of the Tswana tribes, being formally recognised. This has a bearing on the minority and marginalized peoples, as these are barriers to their self-determination and actualisation.

The Securing Recognition of Minorities and Marginalized People and their Rights in Botswana partner implementers have contracted Tersara Investments (Pty) Ltd to carry out the final evaluation for the project. The evaluation findings are intended to inform funders, stakeholders, affected and interested parties and implementers on the success rate of the project, activities impact and future projects. A team of two consultants carried out the final evaluation of the project. In ensuring a transparent and comprehensive evaluation the consultants in addition to literature review of project documents and data carried out stakeholder consultations which comprised of training beneficiaries, local leaders, local service providers and implementing partners. Field visits to four districts; Central, Chobe, Kweneng and Kgalagadi provided relevant data to draw conclusions of the objectives, expected project results and project activities with beneficiaries of training sessions which encompassed capacity and knowledge of basic human rights by members of minorities and marginalized tribes.

From the evaluation it has been concluded that the project funded by EU to secure recognition of minorities and marginalized peoples and their rights in Botswana was relevant and necessary for creation of inclusion and encouragement of political participation of all people regardless of tribe, language, class, gender, age, tradition, culture, religion or ethnicity. However, project support from the Government of Botswana was inadequate to successfully recognise the minority marginalized groups who benefitted from the project. This was due to transitional government arrangements

between 2016 and 2018 including two (2) cabinet reshuffles, outgoing president's country visits and incoming presidents' welcome events across Botswana.

Participants including chiefs, local service providers (social work, police, local village development committees etc) were cooperative and instrumental in identifying if the implementer's objective for impact sustainability past the project life span was effective. About 15% of training beneficiaries were not able to conduct trainings due to natural phenomena such as flooding; migration to towns for socio-economic activities and employment opportunities.

The project implementer used a pre-assessment tool to determine beneficiaries choosing criteria to cater for all ages and a gender balance. In addition, they used questionnaires for monitoring and training evaluations to document and correct errors in training methods if any, which may have not been obvious to them including but not limited to:

- Language barriers: for non-Tswana speakers
- Inclusion of a 6th tribe
- Role of individuals in their community before training and their intended use with the training to increase recognition of basic human rights of their communities

The project has been successfully implemented to achieve long term goals past project funding. It is expected that trained beneficiaries continue to use their acquired skills and knowledge to advocate for the rights of their community members and train other members to distribute knowledge on human rights, wider advocacy and paralegal training.

The project logical framework was realistic for timely implementation. Findings suggest that the implementers seek further financial support to strengthen the findings of their projects especially the amendment of the Tribal Territories Act and the certain provisions in the Bogosi Act to recognise minority tribes to reduce their discrimination.

1 INTRODUCTION

Minorities Rights Group International a United Kingdom based Charity together with partners RETENG and DITSHWANELO, Botswana based non-governmental organisations secured funding from the European Union to secure recognition of minorities and marginalized people and their rights in Botswana. The project was implemented between 2015 to 2018, within 6 districts; Wayeyi (Okavango, Ngamiland & Boteti); Basubiya (Chobe, Boteti & Ngamiland), Babirwa (Central); Batswapong (Central); Bakgalahari (Southern Kgalagadi, Kweneng, Gantsi).

PROJECT BACKGROUND

The project aimed to increase engagement of community-based organisations in human rights in Botswana, with a focus on minority rights, reduction of discrimination against and lack of recognition of members of minority tribes in Botswana, with thematic areas on women and children's rights.

OBJECTIVES

The proposed project sought to increase and deepen the engagement of CBOs in human rights in Botswana, particularly minority rights, with the overall objective of reducing discrimination against and lack of recognition of members of minority tribes in Botswana.

The proposed project had as its specific objective the strengthening of the capacity of members of minority tribes and their representatives to advocate effectively for the full recognition of their rights, particularly to non-discrimination in respect of land issues.

ACTIVITIES

- Human rights training (Result 1)
 - Training of 25 leaders/representatives (at least 50% of whom are women) from each of the 5 identified tribal groups (125 people in total) on basic human rights and minority rights in 5 workshops.
- Training for trainers (Result 1)
 - The 125 trained members will again come together in 5 workshops to consolidate their knowledge through being trained as trainers.
- Human rights training by community members for community members
 - The trainers will then be supported primarily by RETENG (again on account of its grass roots contacts and awareness) to train a further 250 members of each of the 5 tribal groups in basic human rights and minority rights knowledge.
- Paralegal training (result 2)
 - From amongst the 25 individuals from each tribe who initially receive the human rights and training to be trainers training, MRGI and the other co-applicants will select the most able and committed 5 (as demonstrated particularly by their abilities in training others and to include at least two women) who will then go on to receive paralegal training (i.e. 25 participants in total).
- Work of Paralegals (Results 2, 3 and 4):
 - Having received the necessary training, the paralegals will go on to use their skills to assist community members in bringing complaints to the relevant authorities with the requisite evidence.
- Pro-bono assistance (Results 2):
 - In addition to the paralegals being able to refer matters to MRGI and DITSHWANELO staff, a pool of pro-bono lawyers, drawing on DITSHWANELO's existing contacts with lawyers from its previous paralegal work and involvement in legal aid provision, will be set up who will be open to providing advice on potentially more complex situations or where the only appropriate recourse would be litigation
- Legal opinion (Results 3 and 4):
 - A legal opinion will be commissioned by MRGI to identify possible avenues for legal challenge of the Government's undue delay in reaching a decision on the application for recognition by the Wayeyi under the Bogosi Act (it has been outstanding for almost 7 years).
- Advocacy campaign by Wayeyi to secure recognition under the Bogosi Act (Result 3):
 - Despite having submitted a well-documented and supported application for recognition under the Bogosi Act immediately after the law was enacted in 2008, the Wayeyi have still not received a final decision, albeit that immediately before the October 2014 elections they were informed by the then Minister of Local Government that a decision was forthcoming. MRG and co-applicants, drawing on their combined experiences of advocacy at the national, regional and international level, will work with the Wayeyi in drawing up a well-thought through and structured advocacy plan which may ultimately

include litigation if such a legal avenue has been identified as a viable option. While the ultimate goal of such an activity is to secure the Wayeyi and their chief's recognition under the Bogosi Act, engagement in the very process of drawing up an advocacy plan, identifying alternatives and contingencies, what activities to pursue simultaneously and consecutively will provide Wayeyi representatives with valuable skills which they can then carry forward into other areas.

- An initial meeting between MRG, RETENG, DITSHWANELO and relevant representatives and members of the Wayeyi to lay the foundations for the action plan which will then be developed further through on-line conversations and finalised by RETENG in conjunction with the Wayeyi (given RETENG's existing close relationship with the Wayeyi) and with support from MRGI.
 - Wayeyi leaders may write to the President requesting a meeting to discuss their application and hand deliver this letter to the President with accompanying media coverage.
 - RETENG and DITSHWANELO may reach out to parliamentarians with whom they already have contacts to get them to ask questions on the issue of the continuing delay in a decision on the application.
 - MRGI may draft correspondence to the UN Special Rapporteur on Cultural Rights urging her to follow up on this issue with the government.
- Wider advocacy work (Results 3 and 4):
 - Secure recognition under the Bogosi Act for the other 4 tribes. However, they will first need to be supported by MRG and RETENG in submitting applications under the Act (drawing on evidence gathered by paralegals from the community).
 - Advocacy will be used to secure amendments to or repeal the Tribal Territories Act.
 - Meetings with relevant local and national officials (e.g. Minister of Local Government, the President);
 - Meetings with selected members of the diplomatic mission in Botswana;
 - Obtaining media coverage of the issues;
 - Raising the matter in Parliament through Member of Parliament (MPs) questions;
 - Raising the matter before the African Commission on Human and Peoples' Rights;
 - Communication with the United Nations (UN) Special Rapporteur on Minority Issues and follow up work with the UN Special Rapporteur on Cultural Rights and the UN Special Rapporteur on Marginalized Peoples; and shadow reports to UN human rights treaty bodies

(Source: Delegation of the European Union to Botswana and SADC, 2014)

EXPECTED RESULTS

The project implementers and funders expected to achieve the following results:

Result 1: Increased capacity and knowledge amongst members of minority tribes as to their basic rights and increased ability to impart that knowledge to others in their community.

Evaluation: Securing Recognition of Minorities and Marginalized People and their Rights in Botswana

Result 2: Legal empowerment of members of minority tribes so that they are able to identify and monitor violations of their members' rights and bring such violations to the attention of the relevant authorities.

Result 3. Documented progress towards improved recognition of minority tribes under the Bogosi Act.

Result 4: Documented progress made to obtaining amendments made to the Tribal Territories Act so that it is no longer discriminatory on the basis of major tribes.

2. THE PROJECT EVALUATION

2.1 OBJECTIVES OF THE EVALUATION

The final evaluation aims to determine the relevance of the activities carried out by implementers to the objectives and expected results of the project. In addition, the evaluators aim to determine the level of achievements of the project's objectives, effectiveness, efficiency, impacts, inclusion and sustainability.

2.2 EVALUATION METHODOLOGIES

Evaluation methodologies aimed to anticipate and determine the extent to which the results of the project were met by the project proponents. Reference to the project's objectives, results, indicators, logical framework and narrative report guided the field work findings. Activities included:

- Collection, assimilation, analysis and evaluation of all existing documentation and literature on the project;
- Interviews with implementing partners;
- Stakeholder consultations (trainers, trainees, leaders, CBOs, Government of Botswana Institutes, communities, affected parties);
- Site visits (Chobe, Central, Kweneng, Kgalegadi Districts).

2.3 DATA ANALYSIS

The stakeholder's engagements during field visits were conducted using evaluation questions and semi-structured data collection methods. Interviews were conducted with the project beneficiaries while evaluators completed the questionnaires for some of the beneficiaries due to reluctance to write, the answers were read back to them before signing to verify the data. The interviews and questions were conducted in Setswana Language. Beneficiaries either participated as a collective (focus group) or individually based on their availability at the time of the evaluation process. However, their questionnaires were completed and validated for each beneficiary. Stakeholders who were not available for meetings during site visits and those in locations within which the site visits were not scheduled were interviewed telephonically.

Results from the detailed analysis are incorporated into the report to determine the implementation success of the project.

2.3.1 DATA COLLECTION CHALLENGES

Due to the timing of the evaluation (December 2018- January 2019) accessibility to some of the beneficiaries proved challenging mainly due to the following issues:

- Inaccessibility of roads that lead to communities situated in the northern parts of the Chobe District due to heavy rainfalls.
- Communication networks failure during the months resulted in lack of cell phone signals in the Central and Southern Districts after heavy storms which destroyed communication and electrical infrastructure.
- Participants who were not available or inaccessible either due to bad road networks after heavy rainfalls or due to unavailability of phone network were interviewed via phone during the evaluation period. Those participants not reached during site visits and unable to be reached via phone were not reached with no other contact options at the time of this evaluation.

3 FINDINGS OF THE EVALUATION

3.1 OVERALL PROJECT MANAGEMENT

3.1.1 Project Design and Adherence to Objectives

Overall the project implementers were able to meet the objectives of the project as set out in the project document. Consultations with stakeholders and beneficiaries suggest a thorough knowledge and recognition of the importance of the project's objectives. Local leadership in project locations recognised the role of empowering community members to advocate for inclusion of minority and marginalized tribes as equals to the 8 Tswana tribes.

The implementers made great efforts to ensure beneficiaries benefitted from the project although issues of migration resulted in a minor number of the beneficiaries' unavailability to partake in all training sessions. More than 90% of the beneficiaries were able and available for all planned training which resulted in a successful reach. This success rate was reached despite clashing availability of participants because of the persistence of the implementers to ensure participants completed their training.

Training of trainers was expected to be organised and implemented by the training beneficiaries, with the project implementers observing and guiding the processes. However, the beneficiaries of the project were not successful in committing time and procuring beneficiaries as was expected of them. From consultations with the beneficiaries it is evident that the beneficiaries did not prioritise this section of the training as they assumed they still had more time to organise the beneficiaries and were not mindful of project timelines. Other beneficiaries shared difficulties in securing the required number of participants due to the timing of the year of implementation which is the year when the former President of Botswana Lieutenant Seretse Khama Ian Khama was stepping down with his visits taking priority over all other events. Other beneficiaries were unable to conclude trainings due to unforeseen poor weather.

The implementers have been thorough in informing and involving the leadership, supporting government institutions and village committees on the objectives and activities of the project. However, there was no satisfactory support from the local government and community-based government structures for the project implementers. This lack of support has discouraged some of the training beneficiaries from pursuing human rights advocacy in their communities past the project lifespan.

The implementers have been able to document progress and appeal to media both locally and internationally for amendments to be made to Tribal Territories Act so that it is no longer discriminatory on the basis of major tribes. The recent cabinet reshuffle has however made it impossible for the implementers to successfully achieve commitment to the documentation by the Minister of Local Government and Rural Development.

The implementers were successful in ensuring that the training beneficiaries are knowledgeable of legal action they as an individual and as a community can take to identify and monitor violations of their rights and how to raise those violations with relevant authorities.

3.1.2 Sustainability of Project Indicators

The implementers provided conclusive and clear measurement of project effectiveness. The logical framework developed and used for implementation was adhered to and inclusive of an additional tribe without compromising the budget and adjusting the timelines of the project drastically. The implementers administered a questionnaire-based survey to assess the success of the Human Rights Trainings and Training of Trainers training with beneficiaries after training sessions. From the data analysed and consultations with the training beneficiaries the implementers established impact monitoring and evaluation system to ensure successful skills and knowledge transfer.

The implementers ensured that training beneficiaries included women and youth. The involvement of community-based organisations to identify beneficiaries assisted the implementers to train individuals who are passionate about the inclusion of all and some who are active and influential community members. It is noted, however, that some participants did hold offices as Village Development Committee (DVC) leaders and civil servants; however, it did not appear that conclusive that their designations had a significant bearing on the developments of the project. The beneficiaries after training were able to identify the different rights for different vulnerable community members including women, youth, children, people living with disabilities, orphans, the elderly etc. The men who participated were able to identify the vulnerability of the vulnerable community members and how it was from the training sessions that they have gained skills and know legal routes to advocate for the protection of all community members especially women, children, people living with disabilities and all other vulnerable tribes.

It is notable that the project aims to ensure sustainable legal reform at statutory level, while also ensuring broad public sensitization on the plight of minority tribes and ensuring that aggrieved members are adequately empowered to realise and defend their rights. The Legal opinion of 3 July 2018 by Dingake Law Partners highlights that having an “impactful Advocacy Plan” is an appropriate remedy to curing the legal inconsistencies that exist in relation to minority groups in Botswana [par. 33 Legal Opinion *ibid*]. The Legal Opinion explains that an impactful Advocacy Plan includes a “workshop of critical stakeholders such as Parliamentarians, Members of *Ntlo-Ya-Dikgosi*, Political Parties, Lawyers, Non-Governmental Organizations and communities on the current state of affairs and paint a vision of a better future founded on equality of all tribes” [par 35 *ibid*]. To this end, reference is made to the legal inconsistencies and gaps relating to recognition and equal treatment of minority groups that exist within the Constitution, Tribal Territories Act and Bogosi Act (as highlighted in the Legal Opinion).

In addition to the Activities and Results contemplated, a suggested step would be to work towards securing a lobby document or activism plan that would be aimed at petitioning the Legislature

towards making concrete legal reform that seeks to harmonise existing legal provisions with the Constitutional Bill of Rights and incorporate Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). CERD protects groups from “any distinction, exclusion, restriction or preference based on ... descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”. To reinforce the sustainability of the project indicators, emphasis should have also been placed on project ownership from the community and its leaders by way of sub-committees and working teams that would be tasked with strategically aligning the targeted communities with relevant government leaders and placing tribal concerns on the national agenda. Ownership in this sense would assist with ensuring a succession plan beyond the project end date.

3.2 RELEVANCE OF THE PROJECT

3.2.1 Consistency with Country Context

The project implementation period was during the transition of Botswana from the National Development Plan 9 to the National Development Plan 10 and from Vision 2016 to Vision 2036. Under the Vision 2036 *Pillar 4: Governance, Peace and Security* acknowledges the Bogosi and Kgotla System as the oldest and continuous institution in Botswana which established the Republic of Botswana (Government of Botswana, 2016). The Vision aims to give attention to the development of a meaningful role for traditional institutions in a modern, urbanised, democratic society. However, the pillar has failed this project, as the implementer’s strides to achieve recognition and reduce discrimination of the non-Tswana tribes was not achieved which were in part caused by cabinet reshuffles within the project timeline. However, it is clear that politically if the Minister of Local Government and Rural Development had allocated adequate attention to this matter it would have transitioned and carried forward during the reshuffling phases.

3.2.2 Ownership of the Project by Implementers and Partners

Partners’ strength was built on the mandates of their organisations and their civil society status ~~formed~~ formed the relationships necessary to deliver on the project’s objectives to achieve set results. Based on the strength of each organisation the roles were shared and implemented. Where partners identified the need to modify or adjust training decisions were taken as a collective.

RETENG and DITSHWANELO’s local networks and knowledge of Botswana tribes extend to isolated rural settlements, and through their role they were able to ensure identification of beneficiaries not only catered for large village members but for small and isolated village members.

Minority Rights Group International (MRGI) was complemented when designing training manuals by local partners to tailor design the training material to best cater for the needs of each tribe since they don’t have identical issues. With the diversity in expertise the partners were able to also consider cultural and traditional practices of each tribe enough to carry out training without administration issues.

3.2.3 Technical Adequacy and Complementarity of Project

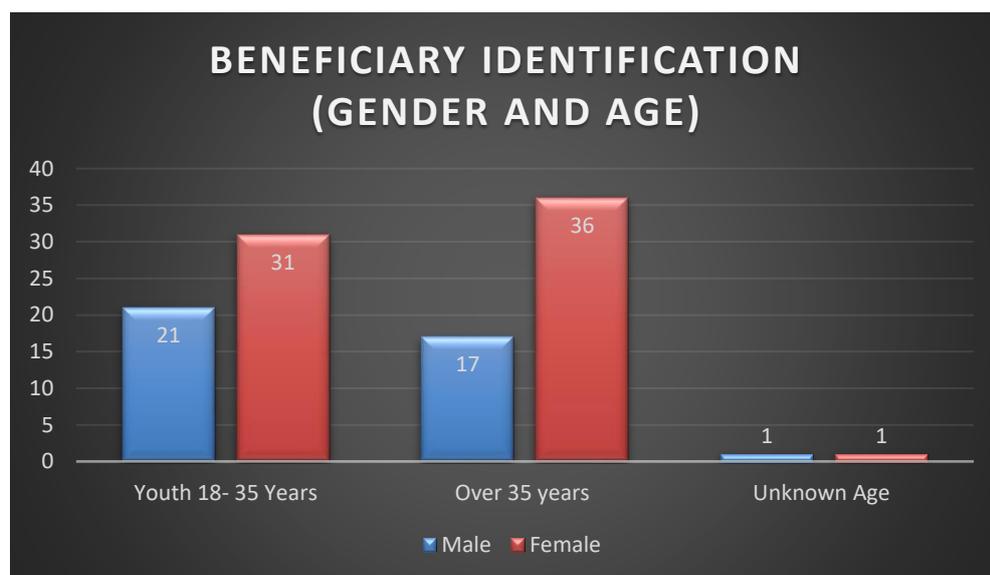
The project carried out thorough stakeholder consultations with local leaders in each district. They respected the local leadership structures. Through these consultative processes the implementers were able to identify the additional 6th tribe which stakeholders and beneficiaries advocated for its

inclusion in the training as the tribe experienced high levels of human rights violations, and was a peculiar area in which more than just one of the minority tribes targetted by the project, co-existed.

3.2.4 Identification of Beneficiaries

The project took much care to ensure that women and youth were equal beneficiaries from the project during implementation. The ages of beneficiaries varied from 19 to 73 years old to host a variety of individuals who would share history and experience of traditional and cultural practices in relation to human rights of maginalizedminority tribes while at the same time allowing all participants to learn and get informed about issues facing the youth.

Chart 3.1 Training Beneficiaries According to Gender and Age



Source: MRGI Training Participant Registration Lists 2015-2018

3.3 PROJECT OURCOMES

3.3.1 Achievement of Project Objectives

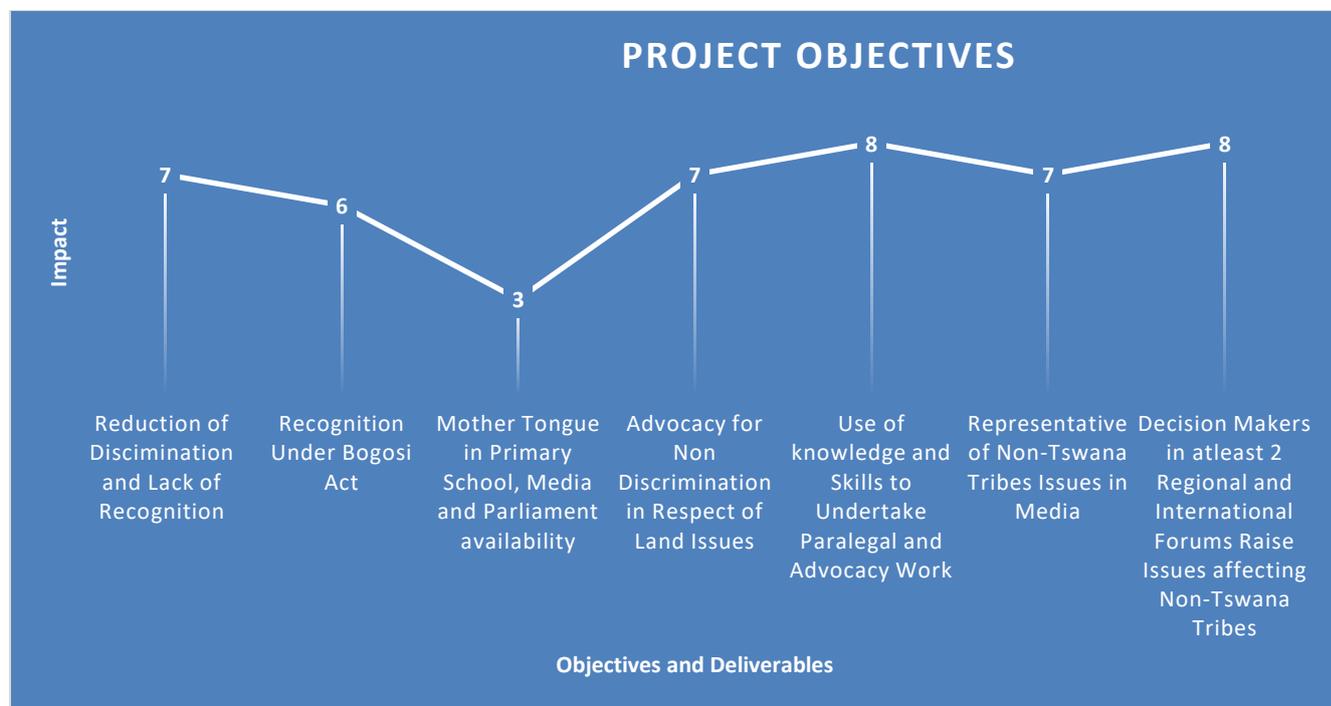
The project implementers achieved the fundamental mandate of ensuring that trainings were duly completed in all the targeted districts with over 86% participants. Additionally, it was evident from the evaluation that the project had an effect of developing their personal and community knowledge on human rights and minority rights, and in turn ensuring that they were sensitized on issues that affect them as stakeholders in the national discourse on the recognition of minority tribes. [Additionally, it was evident from the interviews conducted during the project that the project had an effect of developing the participants and their community's knowledge on human rights and minority rights. This in turn ensured that they were also sensitized on issues that affect them as stakeholders in the national discourse on the recognition of minority tribes.

The implementers had produced adequate indicators, baselines, time series data and training effectiveness monitoring and evaluation data to quantitatively assess the implementation rate of the project objectives. Chart 3.2 rates the status of the objectives.

The project has enhanced rural coordination of government institutions which offer services which cater for human rights; social work, police, military, department of wildlife, chief and member of

parliament. Beneficiaries recognise their rights to represent other members of their communities on issues of land, health, gender, wealth and village development.

Chart 3.2 Summary of Project Objectives and Deliverables



Interviews conducted however suggested that training to conduct advocacy and pro bono work may have required attracting additional relevant partners for successful implementation. The evaluators note that interviewees did not appear confident to take on advocacy roles, although they possess the necessary skills and information that would allow them to be drivers of advocacy and activism towards realising the rights of minority groups. However, they have slacked themselves as community members to share skills acquired with their community members due to employment commitments and socio-economic activities taking priority.

Additionally, despite beneficiaries' confidence and high scoring as per the above table, they are inadequately prepared to assume and continue with the role of training trainers on minority and human rights without the implementers. Whereas trained beneficiaries were mostly confident to advise on and refer social rights (specifically gender based violence and children's rights) matters for paralegal intervention, they appeared to lack the confidence to identify or refer specific tribal related or minority rights matters for further consideration.

Table 3.1 Achievement of Project Objectives

PROJECT OBJECTIVES	IMPACT	EVALUATION FINDINGS
<p>To reduce discrimination against and lack of recognition of members of minority tribes in Botswana.</p> <ul style="list-style-type: none"> Members of non-Tswana tribes report that the discrimination they face has reduced 	<p>High</p> <ul style="list-style-type: none"> Medium 	<p>The implementers achieved the objectives despite issues faced outside of their control including migration of participants, cabinet reshuffle, and extreme weather patterns in remote villages to observe training sessions.</p> <ul style="list-style-type: none"> 4 of the non-Tswana still don't have recognition in the Bogosi Act despite the implementers' efforts due to

<p>and that they are being recognised under the Bogosi Act.</p> <ul style="list-style-type: none"> Members of non-Tswana tribes report that mother tongue schooling at primary level is available and that their language is actively used in the media and in Parliament. 	<ul style="list-style-type: none"> Low 	<p>cabinet reshuffling resulting in Ministers engaged being appointed to other ministries without formal hand over of the issues raised by implementers.</p> <ul style="list-style-type: none"> The implementers were unable to advocate for this change while the tribes are not yet recognised by the Bogosi Act.
<p>To strengthen the capacity of members of minority tribes and their representatives to advocate effectively for the full recognition of their rights, particularly to non-discrimination in respect of land issues.</p> <ul style="list-style-type: none"> 80% of those engaged in paralegal training (of which at least 50% are women) go on to use the knowledge and skills from the training by undertaking paralegal work and/or advocacy. Representatives of non-Tswana tribes obtain objective coverage on issues affecting them in at least 10 media stories. Decision makers//experts in at least 2 regional/international forums raise issues facing non-Tswana tribes. 	<p>High</p> <ul style="list-style-type: none"> Very High Medium High 	<p>Training beneficiaries are confident with skills acquired during training to actively and effectively advocate for the rights of their communities and reduction of discrimination. The implementers invested extra time to the break barriers of language, to provide a learning experience mimicking real human rights violation cases</p> <ul style="list-style-type: none"> About 30% of beneficiaries have migrated for employment opportunities, 10% chose not to be active in using their acquired knowledge and skills from training out of choice, 60% use their skills to advise their chiefs in ward meetings, have attended and acted as advisors to cases of gender-based violence, resource mobilisation for their villages, children’s protection etc. The implementers did not provide enough evidence of a total of 10 media stories. However, from media records and interviews it is clear implementation was satisfactory. Implementers have appealed to experts in regional and international forums to raise issues facing non-Tswana tribes with detailed reports submitted to the Committee of the Elimination of All forms of Racial Discrimination (CERD).

Key

Combined Score (A+B+C)	0 – 2	3 – 4	5	6	7	8 – 9
Impact Rating Significance	Not significant	Very low	low	medium	High	Very high

3.3.2 Achievement of Project Results

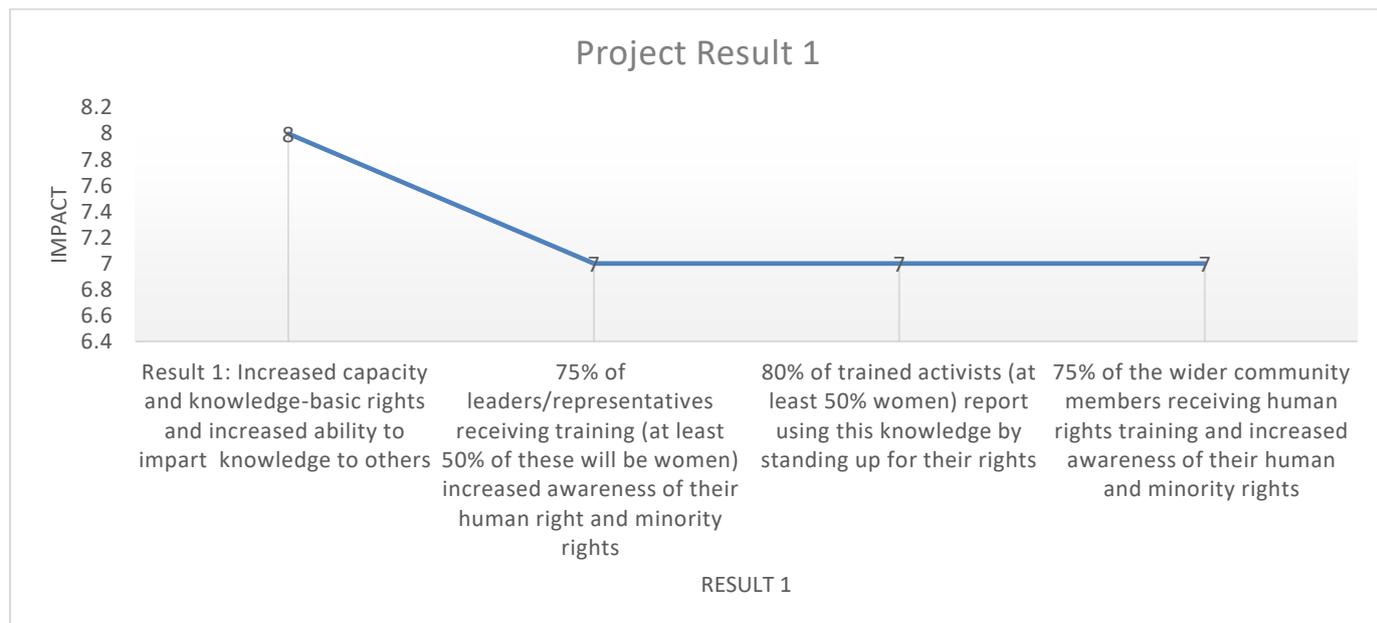
Result 1: Increased capacity and knowledge amongst members of minority tribes as to their basic rights and increased ability to impart that knowledge to others in their community.

The implementers were successful in delivering on project result 1. More than 85% of the target beneficiaries have successfully completed training and are able to apply their new skills within their communities. The evaluation documented that, according to local chiefs, there is increased capacity and knowledge of basic human rights evidenced in aid and increased participation in kgotla (ward) meetings by the individuals who received training from the project. 45% of the training beneficiaries have used their training to solve household issues ranging from gender-based violence to child

negligence. The beneficiaries have gained clearer understanding of the quality services they should expect and demand from government such as social work services, security (police, military, rangers etc), health and education. The evaluators note that the trainings were affected by coinciding government programs including two Ministry of Local Government *Ipelegeng* recruitment drives and President Competitions.

At community level the training beneficiaries wish to advocate as a collective for increased quality of basic resources from the government to receive equal aid especially health and education.

Chart 3.3 Project Result 1 Impact Rates



Result 2: Legal empowerment of members of minority tribes so that they are able to identify and monitor violations of their members' rights and bring such violations to the attention of the relevant authorities.

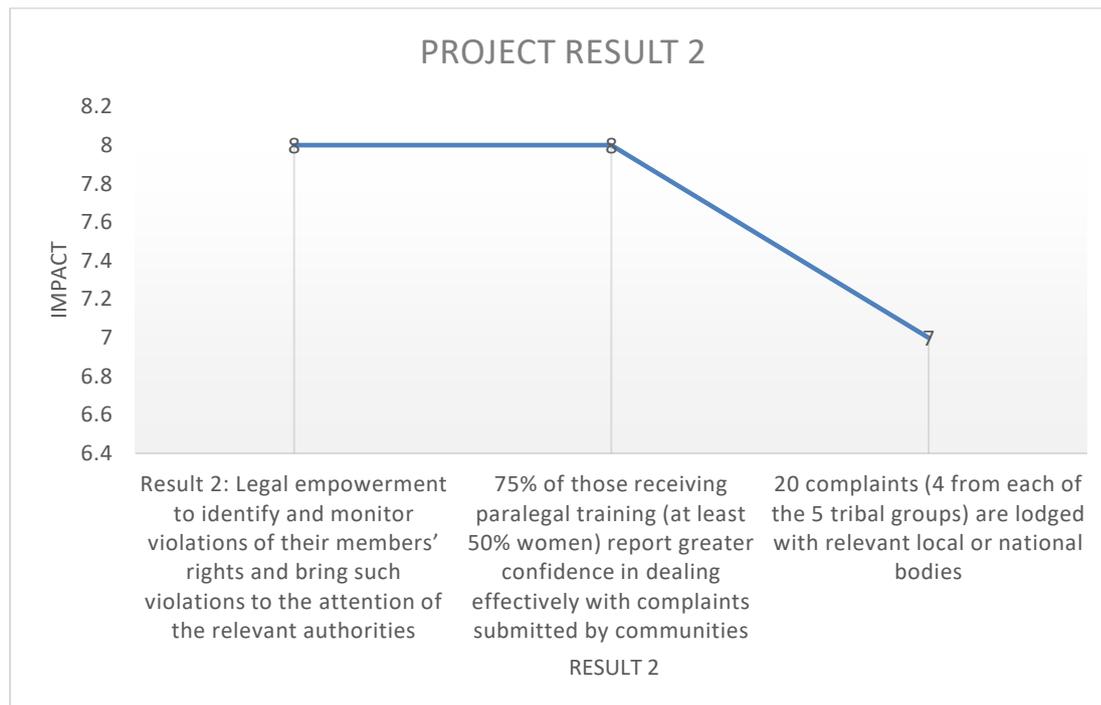
More than 90% of the training beneficiaries are confident in dealing with complaints submitted by communities. Due to available employment opportunities out of their village locations about 65% of training beneficiaries aged between 19 and 45 are not adequately available to participate in solving community issues. The elderly beneficiaries are the ones most active in attending ward (kgotla) meetings and are able to use their training to advise community members during formal gatherings as most are retirees.

After training the beneficiaries have realised that as a community they need to collectively advocate for fair and timely land allocation. However, none have actively mobilised members of the community to collectively voice their land issues.

The local Police were unable to recall cases/complaints/reports which the training beneficiaries have brought forward for processing due to the poor filing of cases for referral within the police force. Social services provided evidence of cases brought forward by project beneficiaries including gender-

based violence, inheritance disputes, child care, disabilities benefits, custody and guardianships. Beneficiaries living within high wildlife locations have gained knowledge on their rights to dispute human-wildlife conflicts and are aware of reporting structures within the Department of Wildlife on poaching, illegal animal trading, fishing and hunting. This proof that the implementers applied a bottom-up approach to train the beneficiaries.

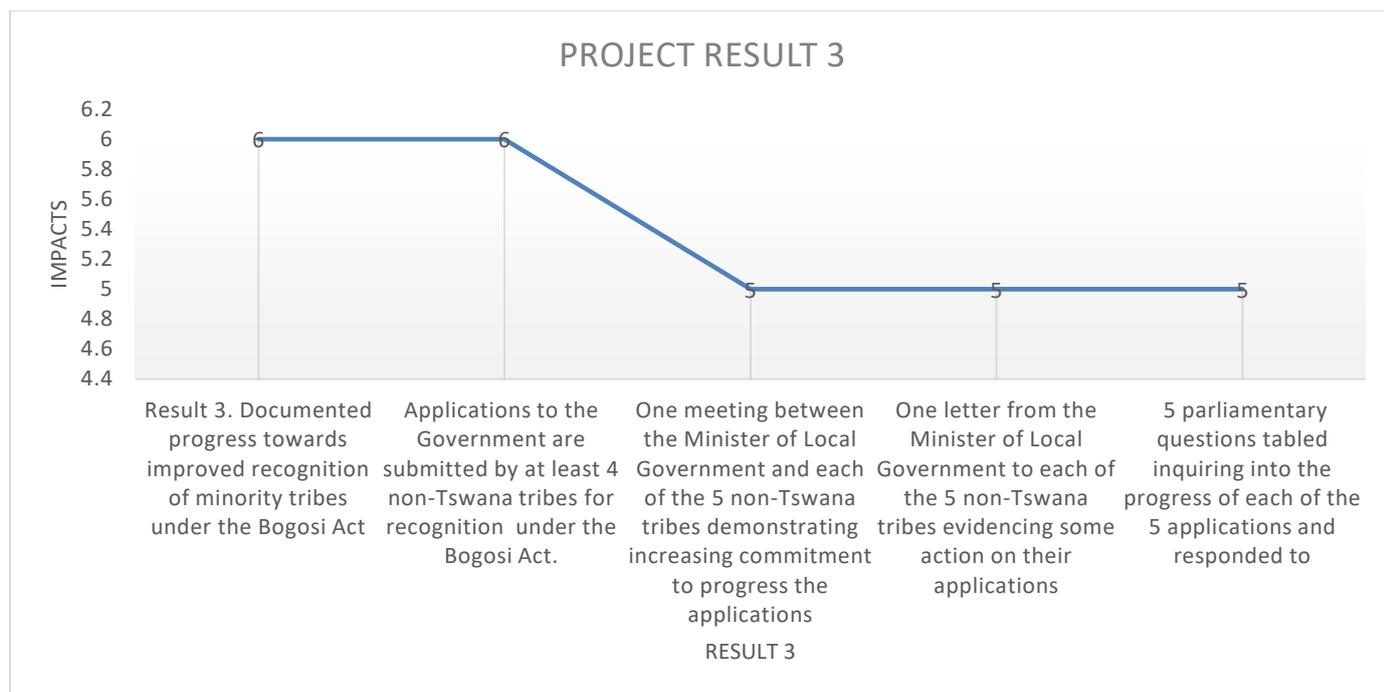
Chart 3.4 Project Result 2 Impact Rates



Result 3. Documented progress towards improved recognition of minority tribes under the Bogosi Act.

Result 3 has scored average in the achievements of results (Chart3.4) due to two cabinet reshuffles between 2016 and 2018. The implementers made great efforts to re-introduce to the incoming Ministers of Lands and Local Government the progress towards improved recognition of the minority tribes especially the Wayeyi and Basubiya under the Bogosi Act. Emphasis was made towards capacitating tribal leaders alongside community members in a bid to ensure greater impact on achieving continuity on the results aimed for was also challenging due to limited resources and geographical locations.

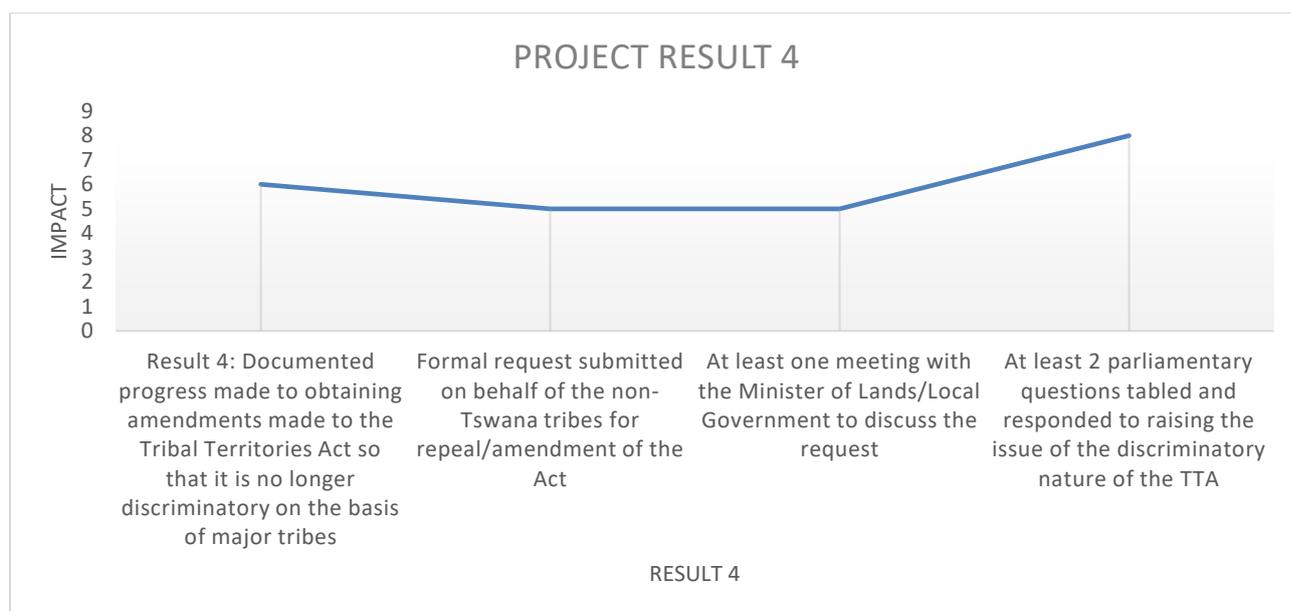
Chart 3.5 Project Result 3 Impact Rates



Result 4: Documented progress made to obtaining amendments made to the Tribal Territories Act so that it is no longer discriminatory on the basis of major tribes.

The implementers’ efforts to secure meetings with the Minister of Lands and Local Government were interrupted by country wide organised farewell events of the then outgoing President of Botswana Lieutenant Seretse Khama Ian Khama and events introducing the new President, His Excellency Mokgweetsi Masisi. During the presidential change cabinet was re-shuffled twice which made it even more challenging for the implementers to successfully implement Result 4.

Chart 3.6 Project Result 4 Impact Rates



Below are evaluation findings based on the data collection methods. There is documentation of delays in implementation of activities. However, the implementers were able to successfully deliver on the expected results of the project within the expected timelines.

It is also notable that due to the remote locations of the villages and their poor road and cell phone networks beneficiaries had challenges to contact implementers to schedule or postpone training sessions when inconveniences arose, emergencies occurred or other events took precedence. Most of the beneficiaries rely on agricultural activities for socio-economic gain, 90% of those individuals that did not successfully complete the training account for unavailability due to either poor cell phone network or ploughing and livestock slaughtering and sales seasons. They were able to validate efforts made by the implementers to re-schedule training for them but were unable to commit before the project timelines elapsed.

Table 3.2 Summary of Achievement of Project Results

EXPECTED RESULTS	IMPACT	EVALUATION FINDINGS
<p>Result 1: Increased capacity and knowledge amongst members of minority tribes as to their basic rights and increased ability to impart that knowledge to others in their community.</p> <ul style="list-style-type: none"> R1.1: 75% of leaders/representatives receiving training (at least 50% of these will be women) report increased awareness of their human and minority rights and an increased ability to impart that knowledge to others in their community. R1.2: In the 6 months following the trainings, 80% of trained activists (at least 50% women) report using this knowledge by standing up for 	<p>Very High</p> <ul style="list-style-type: none"> High High High 	<p>Although the total number of beneficiaries was not met, the implementers training were highly impactful for the available beneficiaries.</p> <ul style="list-style-type: none"> The training catered for all ages, regardless of gender, level of education and ensured inclusion of all during training sessions, investing extra time to engage beneficiaries requiring additional time. The training increased participation of women in standing up for their rights as well as for other people in their homes and communities. Majority of the beneficiaries shared their acquired skills and training results with their leaders and community members. It is evident in their participation during ward meetings as

<p>their rights.</p> <ul style="list-style-type: none"> • R1.3: 75% of the wider community members receiving human rights training report an increased awareness of their human and minority rights and greater confidence in standing up for their rights. 		<p>confirmed by local leaders (Dikgosi) during evaluation.</p>
<p>Result 2: Legal empowerment of members of minority tribes so that they are able to identify and monitor violations of their members' rights and bring such violations to the attention of the relevant authorities.</p> <ul style="list-style-type: none"> • R2.1: 75% of those receiving paralegal training (at least 50% women) report greater confidence in dealing effectively with complaints submitted to them by other members of their communities. • R2.2: At least 20 complaints (4 from each of the 5 tribal groups) are lodged with relevant local or national bodies. 	<p>Very High</p> <ul style="list-style-type: none"> • Very High • High 	<p>Beneficiaries are confident with their training enough to identify local and regional authorities to refer human rights issues.</p> <ul style="list-style-type: none"> • Beneficiaries are very confident that their increased knowledge obtained from training will positively impact the results of issues raised by their community members. Beneficiaries have also become aware of their responsibilities to protect community members from violation of their rights.
<p>Result 3. Documented progress towards improved recognition of minority tribes under the Bogosi Act.</p> <ul style="list-style-type: none"> • R3.1: Applications to the Government are submitted by at least 4 non-Tswana tribes for recognition of their tribe and their chief under the Bogosi Act. • R3.2: At least one meeting between the Minister of Local Government and each of the 5 non-Tswana tribes (i.e. 5 meetings) demonstrating increasing commitment to progress the applications. • R3.3: At least one letter from the Minister of Local Government to each of the 5 non-Tswana tribes (i.e. 5 letters) evidencing some action on 	<p>Medium</p> <ul style="list-style-type: none"> • Medium • Low • Low • Low 	<p>The implementers met challenges in documenting progress towards improved recognition of minorities under the Bogosi Act because since 2016 there have been 2 cabinet reshuffles with Ministers handling the documents changing office without handing over to the incoming Ministers to advance the matter.</p> <p>(NOTE Implementers did their part to implement activities for Result 3, but faced issues beyond their control, hence the low grading)</p> <ul style="list-style-type: none"> • Cabinet reshuffle have disadvantaged the achievement of this result despite the implementers' continuous efforts to re-introduce the matter to incoming Ministers. • The implementers were very active in securing meetings, which due to cabinet reshuffles and presidential events delayed and back benched all efforts. • Despite meeting with Ministers during the cabinet reshuffles the implementers encountered delays in action from the ministry during the project period. • The implementers tabled questions and submitted applications; however, without support from the Minister of Local Government results have not been achieved successfully.

<p>their applications.</p> <ul style="list-style-type: none"> • R3.4: At least 5 parliamentary questions tabled inquiring into the progress of each of the 5 applications and responded to. 		
<p>Result 4: Documented progress made to obtaining amendments made to the Tribal Territories Act so that it is no longer discriminatory on the basis of major tribes</p> <ul style="list-style-type: none"> • R4.1: Formal request submitted on behalf of the non-Tswana tribes for repeal/amendment of the Act. • R4.2: At least one meeting with the Minister of Lands/Local Government to discuss the request. • R4.3: At least 2 parliamentary questions tabled and responded to raising the issue of the discriminatory nature of the TTA. 	<p>Medium</p> <ul style="list-style-type: none"> • Low • Low • Very High 	<p>Lack of support from government has resulted in limited achievement of the result. The implementers carried out the activities under the log frame but due to circumstances beyond their control they were not able to achieve the expected result.</p> <p>(NOTE Implementers did their part to implement activities for Result 4, but faced issues beyond their control, hence the low grading)</p> <ul style="list-style-type: none"> • 2 tribes Wayeyi and Basubiya have documentation indicating support on behalf of the tribes for repeal/amendments of Act, however action from parliament is pending. • The implementers were persistent in pursuing the incoming and outgoing Ministers who had not actioned requests. • Implementers tabled questions but have not been successful in securing Parliament’s response.

Key

Combined Score (A+B+C)	0 – 2	3 – 4	5	6	7	8 – 9
Impact Rating Significance	Not significant	Very low	low	medium	High	Very high

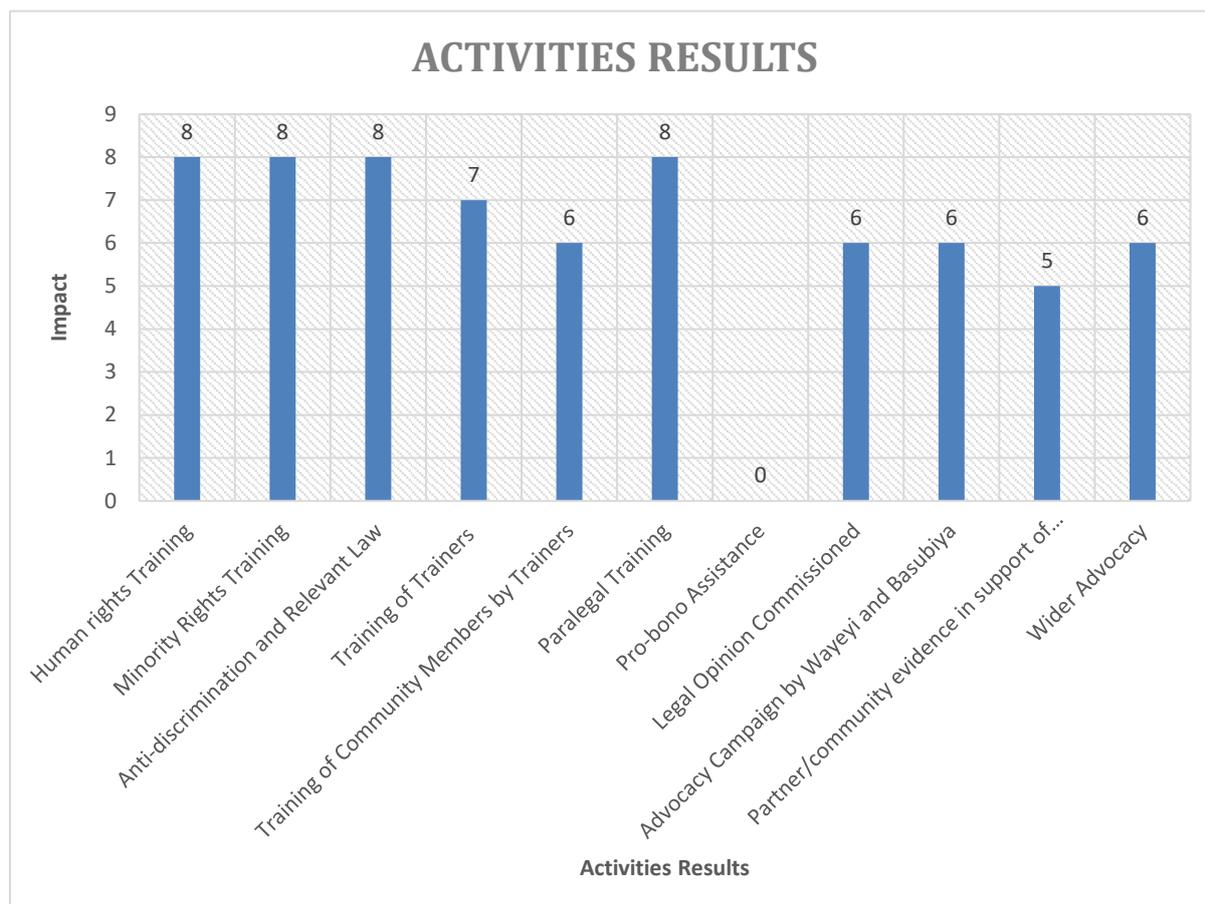
3.2.3 Achievement of Project Activities

Project activities were successfully implemented except for the pro-bono assistance (Chart 3.6). There was adequate coordination within implementing partners for successful delivery of project activities. Lack of commitment was recognised from the project training beneficiaries though and rightfully so as they at times prioritised their socio-economic activities. The implementers were able to find solutions to ensure minimal participation of available training beneficiaries. There was poor engagement from the incoming and outgoing Ministers of Land and Local Government to indicate commitment to the project.

From engagement with implementers it was their belief that the sustainability of the project would be driven by the success of the recognition of minority and marginalized tribes by the Bogosi Act

which would mobilize communities in confidence of their recognition to advocate for more developments and resource mobilization in their villages.

Chart 3.7 Summary Achievement of Project Activities



Despite the unavailability of support from the Government for the recognition of the minority tribes in the Bogosi Act the implementers have successfully extended substantial expertise to community members to influence fair, equal and quality services and resources through training. The table below shares findings of project activities.

Table 3.3 Summary of Achievement of Activities Results

ACTIVITIES RESULTS	IMPACT	EVALUATION FINDINGS
Human rights training: Organisation of 5 two-day training	Very High	The implementers achieved the activities with consideration for an additional tribe without

<p>workshops for members of the 6 identified non-Tswana tribes in human rights, minority rights, anti-discrimination and relevant law.</p> <ul style="list-style-type: none"> MRG and partner organisations staff, planning, designing workshop, trainers/experts, training material, venue, logistical arrangements. 	<ul style="list-style-type: none"> Very High 	<p>compromising the training quality. The quality of the training is commendable as the implementers dedicated resources to ensuring quality training.</p> <ul style="list-style-type: none"> Quality of facilitation for the training was credited by the participants. The implementers ensured their safety; they provided a comfortable learning environment; training material was translated to Setswana and beneficiaries have all received all their allowances for logistics.
<p><u>Training trainers</u> Organisation of 5 two-day training workshops for those previously trained in human rights to train them to train others.</p> <ul style="list-style-type: none"> MRG and partner organisation staff, planning, designing workshop, trainers, materials, venue, and logistical arrangements. 	<p>Very High</p> <ul style="list-style-type: none"> High 	<p>Training of trainers was highly successful with more than 80% of the beneficiaries successfully training others. Issues resulted in some training of trainers' sessions cancelled due to: extreme weather, migration of beneficiaries, presidential events taking priority for the beneficiaries.</p> <ul style="list-style-type: none"> Despite challenges implementers made efforts to reschedule training of trainers' sessions, but where beneficiaries were not forth-coming the implementers incurred costs of travel and logistics and unresponsive beneficiaries.
<p><u>Human rights training by community members for community members.</u> Series of trainings take place in the 5 tribal communities provided by the 125 trained participants (25 from each community) under activity 1.2.</p> <ul style="list-style-type: none"> Partner organisation staff, venue and logistical arrangements. 	<p>Medium</p> <ul style="list-style-type: none"> High 	<p>The sessions were achieved to a satisfactory level due to limitations in willingness from beneficiaries to engage due to other commitments (employment, personal matters, and socio-economic activities).</p> <ul style="list-style-type: none"> Implementers organised all necessary resources for successful implementation where trainings by community members for community members took place.
<p><u>Paralegal training</u> Organisation of three-day training for 25 participants (5 from each identified tribe) on paralegal skills.</p> <ul style="list-style-type: none"> MRG and partner organisations, planning, designing workshop, trainers/experts, training material, venue, logistical arrangements. 	<p>Very High</p> <ul style="list-style-type: none"> Very High 	<p>Implementers successfully completed task</p> <ul style="list-style-type: none"> Implementers successfully secured resources necessary for successful implementation.
<p><u>Work of Paralegals</u> Those trained undertake paralegal work, referring cases to local lawyers as and when necessary. Such evidence gathering to include evidence of discriminatory impact of the Tribal Territories Act</p> <ul style="list-style-type: none"> Paralegals, MRG and partner staff, complaints from community members, evidence, pro-bono lawyers. 	<p>Very High</p> <ul style="list-style-type: none"> Very High 	<p>The level of training achieved by the beneficiaries enabled them to refer cases to local authorities, the beneficiaries followed cases and ensured appropriate action was taken with reference to their training.</p> <ul style="list-style-type: none"> Few cases progressed to the implementers for advice; they received attention and advice for successful results. Cases ranged from gender-based violence, land compensation, children negligence.

<p><u>Pro-bono Assistance</u> Pro-bono Assistance will be provided by willing lawyers in cases raising more complex issues.</p> <ul style="list-style-type: none"> • Lawyer 	-	<p>No relevant pro-bono assistance for more Complex issues as beneficiaries were able to use their training to solve issues by engaging relevant local authorities and providing advice using their newly acquired human rights protection skills.</p>
<p><u>Legal opinion commissioned</u> Legal opinion obtained as to possible legal challenges to government’s delay to make a decision on the Wayeyi’s and Basubiya’s application for recognition under the Bogosi Act and to challenging the discriminatory nature of the Tribal Territories Act.</p> <ul style="list-style-type: none"> • Planning meetings, Wayeyi representatives, MRG/partner staff input 	<p>Medium</p> <ul style="list-style-type: none"> • Medium 	<p>The legal opinion failed to be inclusive of the community as the driving force behind the challenge of the discriminatory nature of the Tribal Territories Act. However, the implementers highly engaged the relevant minister for immediate action, but although not achieved it is recognised by the chiefs (Wayeyi and Basubiya).</p> <ul style="list-style-type: none"> • The legal advisor did not engage the community leadership to mobilize their communities to rally behind the meetings with the Minister. The implementer secured two recognitions during the project timeline. The Legal advisor’s inputs were limited to desktop review.
<p><u>Advocacy campaign by Wayeyi and Basubiya</u> Drawing up and implementing advocacy campaign for Wayeyi and Basubiya for recognition under the Bogosi Act with ultimate option of engaging in litigation.</p> <ul style="list-style-type: none"> • Partners and community representatives meeting/co-ordination; evidence in support of applications 	<p>Medium</p> <ul style="list-style-type: none"> • Low 	<p>The implementers made efforts to have the tribes to be recognised via amended legislation evidenced with engagements with the Wayeyi and Basubiya</p> <ul style="list-style-type: none"> • Level of communication and mobilization of support for the Chiefs was low.
<p><u>Wider Advocacy</u> Submissions by the other 4 tribes of formal applications for their recognition and recognition of their chiefs under the Bogosi Act and advocacy work carried out by other tribes to ensure positive outcome of their Bogosi Act applications and by all tribes to securing amendments to or repeal of the Tribal Territories Act. Such advocacy work to take place both individually and collectively as appropriate and to include meetings with the Minister for Local Government, tabling of parliamentary questions, media coverage on submission to the African Commission on Human and Peoples’ Rights, shadow reports to UN human rights bodies where the opportunity arises and communications to the UN Special Rapporteurs on Minorities/Marginalized Peoples/Cultural Rights.</p>	Medium	<p>Generation of documentation submitted to the incoming and outgoing Ministers to demonstrate great effort by the implementers. However, their efforts were overshadowed by the cabinet reshuffles and the presidential events which disadvantaged the implementers’ efforts to provide positive results within the project timelines. CERD and Special Rappateur visits did account for international advocacy.</p>

Key

Combined Score (A+B+C)	0 – 2	3 – 4	5	6	7	8 – 9
Impact Rating Significance	Not significant	Very	low	medium	High	Very high

		low				
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3.4 EFFICIENCY OF THE PROJECT

3.4.1 Timeliness of the Inputs and Outputs

The project delivery experienced some delays in implementation due to staffing changes; and the Coordinator at RETENG. The delays resulted in delays in the training sessions.

Training timelines were affected by the staffing delays, which disrupted the training of trainers'. These sessions required the capacity building beneficiaries to train 10 community members each. Majority of the beneficiaries were able to conduct their sessions with the facilitators invigilating. Chobe District rate of success for training of trainers were low due to flooding in Satau and Parakanrungu villages. During this time beneficiaries report poor communication networks but were aware of the implementers travel to Kasane to conduct training. However due to these issues the turnout for training was low. Efforts to reschedule by the implementers were not successful as community members were unavailable during the revised time slots. Despite the delays the implementers successfully achieved a satisfactory impact in another district.

3.4.2 Use of Existing Local Capacities to Achieve Outcomes

The project should have made use of activists from civil society to strengthen the efforts of community members in advocacy approaches. It is further highlighted that Legal Aid Botswana could have been enlisted as a relevant stakeholder based on their mandate to empower communities and their role in providing pro bono legal and paralegal work; in turn this would have facilitated a concrete relationship between service providers and community members.

3.5 SUSTAINABILITY OF THE PROJECT

3.6 IMPACT OF THE PROJECT

There is still a long way to go to advocate for the human rights of minorities and marginalized people in Botswana. However this project has afforded minority and marginalized tribes the recognition and necessity for further advocacy, awareness and campaigning for their rights. The a bottom-up approach to solving inequality is recognised as a mobilisation effort by those most affected by the inequality created by hierarchies in the Constitution as well as wider legal and social discrimination.

The project was effective in bringing to the forefront gender equalities, children's rights, land rights and violence issues very pertinent to Botswana. The implementers took care to craft and best address human rights of the most vulnerable to inequality; minorities and marginalized tribes.

4. CONCLUSION AND RECOMMENDATIONS

The project was designed to use capacity building and knowledge training sessions to deliver on the objectives, namely; to increase awareness of human rights of minority tribes in Botswana and to actively advocate for recognition of the minorities and marginalized people through the Government of Botswana. The implementation design adhered to the objectives of the project and their implementation was realised. However, the project design encountered some issues:

- Timing between each training session was too long.
- The rural based CBOs levels of activity was limited in procuring participants and facilitating the training for the partners.
- Communication issues persisted due to lack of connectivity in isolated rural settlements where most beneficiaries live.
- Natural events like floods were a setback in some areas where beneficiaries lived during training sessions.
- Transitional government arrangements; cabinet reshuffles which overshadowed national advocacy,
- Ipelegeng recruitments, and President's Competitions were also limiting factors in sustaining.
- The project set out realistic participant targets. However due to reasons beyond the partners' control, a total of 125 training beneficiaries were planned for, but 107 beneficiaries received training. The Interim Narrative Report was not sufficient to measure the impact which provided specific, measurable, accurate, realistic and time-bound indications of success. The beneficiaries lack confidence to handle all issues of human rights violation on their own. They are however aware of services both government and civil society organisations can avail to assist them. Through the kgotla (ward) system there is evidence that training beneficiaries apply their acquired skills and knowledge to advise community members on actions for protection of their rights.

The project is consistent with the issues facing minorities and marginalized people of Botswana. It also complemented and raised awareness on the issues affecting minority tribes at a regional and international level by use of international media and forums. The project is also relevant to the ongoing constitutional and legislative change due to the correctly identified need to recognise the minority tribes as equal with the current 'Tswana' tribes. The implementers are encouraged to seek further funding to strengthen results on which performance was average:

- Members of non-Tswana tribes report that the discrimination they face has reduced and that they are being recognised under the Bogosi Act.
- Reapplications to the Government are submitted by at least 4 non-Tswana tribes for recognition of their tribes and their chiefs under the Bogosi Act with community and local chief(s) forming a quorum.
- Securing a round table discussion of at least 5 parliamentary questions inquiring into the progress of each of the 5 applications and responded to.

The implementers required project support from local partners within the Districts of implementation. Implementers did not engage the local leadership throughout the project lifespan as key local and influential stakeholders. The leadership of the districts of training were not involved sufficiently to influence ownership and continuity of the impact of the training past the project.

The beneficiaries identified and catered for youth and women and all ages. The Districts chosen also contributed to a fair level of distribution geographically.

Project implementers translated training material and manuals to Setswana, additionally local case studies relevant to issues pertinent in each district i.e. human-wildlife conflict, resource mobilisation dissatisfaction, lack of poverty alleviation programmes availability for minority tribes etc.

Training of communities by training beneficiaries encountered a few issues which were a result of poor event organisation skills by the training beneficiaries. Most issues are associated with self-doubt and lack of confidence, which resulted in some sessions not being implemented during the project.

The partners possess expertise, quality skills and experience in their sector of human rights advocacy and recognition of minority and marginalized tribes to have successfully delivered on the objectives of the project. This project's outcomes were met with available and willing participants.

The timeliness of inputs and outputs were not favourable to the implementers. Major delays resulted from issues beyond their control especially in areas of high rainfall like Chobe District. Participants from Satau and Parakarungu were unable to commute out of their villages during heavy rainfall seasons.

Due to the large spacing of the training sessions, a few of the participants ended up migrating out of their villages seeking employment and were therefore not able to conduct training for their communities. This compromised the number of additional community-based beneficiaries from the project who would have acquired capacity skills and knowledge about their basic human rights.

The local authorities (member of parliament, directors at land board, land overseers, police, social workers etc) were not all informed on the project's objectives and targets. Their contribution and support may have encouraged monitoring and management of how the training outcomes are best applied to assist the communities in a sustainable manner past the project timelines.

ANNEX

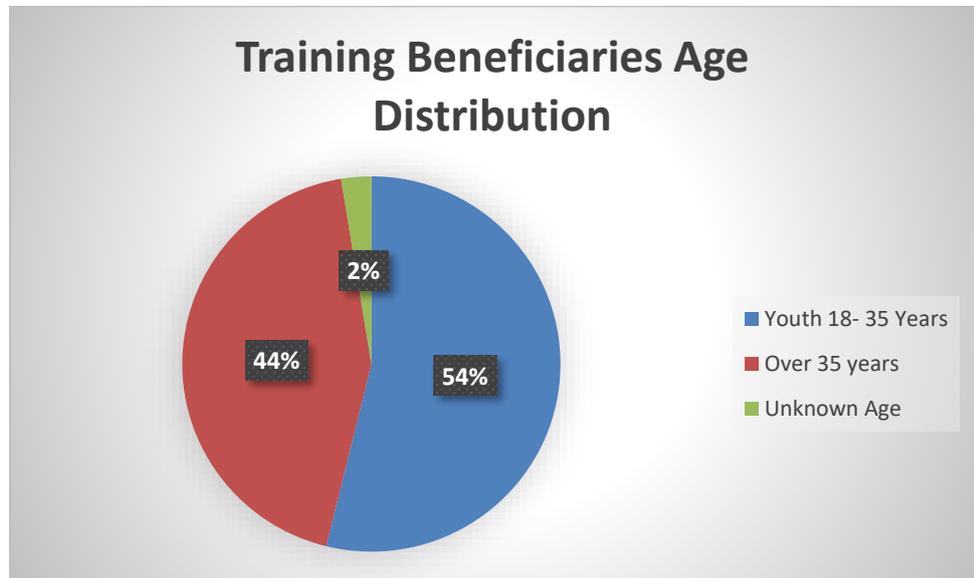
ANNEX 1 Gender and Age of Training Beneficiaries

Gender	Youth 18- 35 Years	Over 35 years	Unknown Age	
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Male	21	17	1	
Female	31	36	1	
Total Training Beneficiaries				107

Source: MRGI Training Participation Registration List 2015-2018

ANNEX 2 Training Beneficiaries Age Distribution



Source: MRGI Training Participation Registration List 2015-2018