

# ANTI-CORRUPTION HELPDESK

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## OVERVIEW OF CORRUPTION AND ANTI-CORRUPTION IN BOTSWANA

### QUERY

Please compile a country profile of corruption and anti-corruption in Botswana, with a focus on tertiary education.

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### SUMMARY

The government of Botswana is internationally credited for its management of corruption. Keeping control of and reducing corruption is clearly paramount to maintain its good and clean reputation.

Following corruption scandals during the 1990s, involving misuse of public money or abuse of privileged power by several high-ranking government officials, Botswana has proactively sought to reinforce its legal and institutional frameworks. Resources have been made available in order to better equip the country against the corruption challenges it faces.

Despite Botswana's good reputation abroad, the country is still faced with some challenges with regard to corruption. A lack of transparency, deeply entrenched patronage networks, conflicts of interest and nepotism, together with concerns over judicial independence, continue to blight the progress made.

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## 1. OVERVIEW OF CORRUPTION IN BOTSWANA

### Background

In 1966, Botswana gained independence from the United Kingdom. At the time of its independence, it was one of the poorest countries in the world. Since then, the country has seen tremendous growth, mainly through the discovery of diamonds. Botswana has since become the largest producer of diamonds by volume in the world (Revenue Watch 2013). The government, under the control of the Botswana Democratic Party (BDP), has made efforts to escape the “resource curse”, using the money gained from diamond extraction to reduce poverty from 50 per cent at independence to just 19 per cent in 2014 (The World Bank 2014). Botswana’s spends 8 per cent of its GDP on education, which is among the highest expenditures in the world, and has resulted in nearly universal and free primary education (The World Bank 2014). Literacy rates stand at 85 per cent in 2014, a distinct improvement from 1991 when they were 69 per cent (Bertelsmann Stiftung 2014).

Botswana is a multiparty, parliamentary, democratic, republican state, with a president who is selected by parliament, both working within the confines of a constitutional framework. While Botswana has successfully undertaken free elections since independence in 1966, some observers have criticised their fairness, in part due to party funding and biased media coverage (Bertelsmann Stiftung 2014; Freedom House 2014).

When faced with corruption scandals, the government has been very reactionary. Repeated corruption scandals were seen throughout the 1980s and 90s. A presidential commission in 1991 exposed graft in a contract to supply primary school textbooks amounting to 27 million pula (approximately US\$15 million) (Gbadamosi 2006). The same year, a second commission revealed that the vice president and two ministers had abused their power to acquire land that had been originally designated for community purposes (Kuris 2013). The government created an anti-corruption agency as a result of these scandals (Heilbrunn 2004). The

Direktorate of Corruption and Economic Crime (DCEC) was established in 1994 and has taken a leading role in investigating, preventing and educating on corruption. Botswana has built a strong structural system since independence that has been successful at investigating and prosecuting those suspected of corruption, contributing to the country’s good performances in terms of corruption control (KPMG 2012).

### General corruption trends

#### *Extent of corruption*

Botswana is perceived to be one of the least corrupt countries in Africa, according to Transparency International’s Corruption Perception Index (CPI). In 2013, Botswana scored 64, which places it 30th of 175 countries (Transparency International 2013). The Worldwide Governance Indicators (WGI) also show good performances in terms of control of corruption, with a score of 79.43 per cent on a 0 to 100 scale. It should, however, be noted that this falls somewhere short of Botswana’s highest score of 85.85 per cent in 2003 (The World Bank 2013).

According to the Global Competitiveness Report 2011-2012, corruption is the 7th most problematic factor when doing business in Botswana (World Economic Forum 2011-2012), after poor work ethics, access to finance, inadequately educated work force, inefficient government bureaucracy, inadequate supply of infrastructure and restrictive labour regulations.

While Botswana scores well both regionally and internationally, it still faces corruption challenges. The slides in performance in the WGI scoring in recent years suggest that the effectiveness of corruption management may have lessened in recent years.

### Forms of corruption

Despite the fact that Botswana has seen tremendous growth since independence, with free and fair elections and the lowering of poverty rates, some researchers argue that the regime has created a state that benefits a small minority, with deeply entrenched patronage networks and a blurred line between public and private interests (Johnston 2005; Good 2010). There is a perception

within Botswana that corruption is condoned for a small elite (Sebububudu 2014). Having access to power, this elite has opportunities to significantly influence the state's decision-making processes to their own advantage. They also have the ability to stifle anyone that attempts to emulate them, by using the laws put in place to neutralise them (Sebububudu 2014). This section will show how nepotism and patronage, "tenderpreneurship", and conflict of interests have crept into Batswana society. While there is a perception that corruption is only for the few in Botswana (Sebububudu 2014), petty and bureaucratic corruption still exists in the country to some extent.

Corruption in Botswana has evolved in recent years, to more serious white-collar crime that involves senior private business leaders, those in government and senior public servants (Sebububudu 2014). Abuse of public office for private gain has been exposed through many scandals and typically involves failing to disclose a vested interest, as well as nepotism.

### *Nepotism and patronage*

The use of patronage in Botswana is high at central government level. According to some reports, many of the appointments made by President Khama are either family or close friends (Dilthase 2012). The patronage network sees relatives and friends of politicians visible as leaders of other institutions such as the army, local government and key private sector business (Sebububudu 2014). This has had the effect of concentrating the power among a few. Patronage has been key in maintaining the powerbase that has governed Botswana since independence.

There are indications of nepotism in Botswana, with many key positions held by friends and relatives of powerful individuals and allegations of favouritism in the award of contracts. For example, Dikgakgamtso Seretse, the minister of defence, security and justice has been alleged – and was later acquitted – to award public tenders to his family's own company, highlighting trends of nepotism within Botswana's government (Freedom House 2014). Seretse is not only the cousin of the president; both he and President Khama are related to Rose Seretse, the Director of the Directorate of Corruption and Economic Crime (DCEC). Other

recent examples of senior officials being accused and later acquitted of nepotism include the cases of Mr Mathambo, Minister Minister of Finance and Development Planning, Mr Lionjanga, former executive chairperson of the Public Procurement and Asset Disposal Board and Ms Matome, Director at the Directorate of Public Service Management. (Sebububudu 2014).

### *Conflict of interest*

In Botswana, there is a blurred line between private and public interests. Members of the BDP government are often the owners or directors of commercial businesses and farming enterprises (Norad 2011). This situation is exacerbated by the high levels of nepotism and patronage permeating Botswana's elite. Family members and friends often own the companies for which government ministers would tender with. As a result, conflicts of interest are frequent, and not often disclosed (Sebububudu 2014).

In spite of a number of scandals that have implicated high-level government officials regarding vested interests, the BDP has repeatedly refused to pass legislation that would require MPs and ministers from declaring their assets and economic interests (Norad 2011).

The secretary general of the BDP was recently quoted as saying, "I always hear people complaining of how the BDP members win tenders, but they seem to forget that we are in the ruling party. How do you expect us to rule when we don't have money? You should just live and accept we are ruling", this comment was not condemned by the party or the government (Sebububudu 2014).

### *"Tenderpreneurship"*

The concentrated nature of Botswana's economy, of which diamond mining makes up 70 per cent of Botswana's total export earnings, has created "a rich state and a poor society" (Revenue Watch 2013; Sebububudu 2014). This has led to a high dependence on the state to redistribute this wealth for the benefit of society, which is done through awarding government tenders to create state infrastructure. This reliance on government money, has led to "tenderpreneurship", where business can only survive by winning government contracts

(Sebububudu 2014). This makes the awarding and winning of tenders highly important and has given rise to corruption that has been enhanced by nepotism, patronage and conflict of interest.

### *Petty and bureaucratic corruption*

Petty and bureaucratic levels of corruption are generally perceived to be low in Botswana. Consistent with CPI data, the Afrobarometer survey suggests that bribery events are rare. Only 3 per cent of respondents from urban areas (the highest occurrence) admitted having paid a bribe, given a gift, or performed a favour for government officials in order to get a document or a permit (AfroBarometer 2012).

DCEC figures suggest that corruption is mostly perceived by the public to be prevalent in the government sector. The DCEC data of actual investigations gathered between 1995-2005 shows that the majority of acts of corruption stem from junior employees such as accounts clerks, teachers, security guards and civil-servants (Gbadamosi 2006). The average amount of money involved in a corruption case dealt with by the DCEC is 600 pula or US\$150 (Gbadamosi, 2006). Junior level employees get caught most often due to the petty nature of their corruption, which involves trying to extort bribes from the public, who are well educated about how to report corruption (Kuris 2013). “The issuance of driver’s licence, work permits, residence permit extensions, etc. will rarely involve officers even at the middle level of an organisation” (Gbadamosi 2006).

## 2. CORRUPTION IN HIGHER EDUCATION

Having inherited a largely illiterate population at independence, Botswana has invested heavily in education and training with the view to address the country’s need for skilled human resources. Since independence, education and training have received over 25 per cent of the annual national budget, making it one of the highest education budgets relative to the overall budget by international comparison (Molutsi 2009). At independence, the country only had 251 primary schools, 9 secondary schools, 2 teacher training colleges, 1 trade school and no universities (Monyaku & Mmereki 2011). The country now

counts 805 primary schools, 276 secondary schools and a broad range of tertiary education including 1 public university and 9 private colleges (Monyaku & Mmereki 2011).

As part of this agenda, while tertiary education has received less attention than primary and secondary education, reforms conducted in the last two decades have primarily focused on increasing access to higher education improving the quality of tertiary education services, and ensuring the relevance of training programmes to the needs of society (Molutsi 2009). Until 1982, Botswana had no university of its own apart from a regional university collectively owned by Botswana, Lesotho and Swaziland. The Tertiary Education Council (TEC) was established in 1999 to oversee the development and long-term planning of the higher education sector, which contributed to progress made towards the development and implementation of a clear and distinct policy on tertiary education. Tertiary education is both provided by the state and private institutions. All public and private training institutions are required to register to the TEC and meet clear criteria and regulations.

There is little publicly available information on the extent to which corruption affects tertiary education in Botswana. Transparency International’s 2013 Global Corruption Report on education highlights a number of corruption challenges in higher education from which African – including Batswana – universities are not immune to, ranging from corrupt recruitment and admission procedures, illegal procurement of goods and services, financial fraud, professional misconduct (such as nepotism and plagiarism), academic fraud (such as soft marking, graduation, biased grading, falsifying academic records and paying for grades). In Africa, universities are also often plagued by deeply entrenched cultures of patronage in recruitment and promotion, contributing to many of the continent’s most promising scholars seeking employment abroad (Transparency International 2013). More research would be needed to assess the extent to which tertiary education in Botswana is affected by such practices.

With regard to promoting access to higher education, most students are funded by the government through loans, grants or partial grants, which are determined by the perceived priority of the field of study (Monyaku & Mmereki 2011). The

Department of Student Placement and Welfare is in the Ministry of Education and oversees the process of granting and administering loans and scholarships to students. While there is little publicly available information on the extent to which corruption affects the admission and access to education services and loans, the department is perceived to be dysfunctional, inefficient and heavily bureaucratic, which may increase discretion in the award of students loans, grants and scholarship, and may create opportunities for bribery and extortion (Mmegi 2007).

Sexual forms of corruption are also an area of concern in the country's education sector, with practices such as sexual harassment or paying for grades with sexual favours. While there is no specific data on higher education, a 2010 survey highlighted a high level of sexual harassment within Botswana's education system. Of the 560 students questioned 67 per cent reported being sexually harassed by teachers, 20 per cent of girls reported being asked for sex of which 42 per cent accepted out of fear (Transparency International 2013).

There is also anecdotal evidence of other forms of corruption affecting the higher education system. For example, there have been a few examples of mid-level public servants creating bogus students in order to raise fraudulent cheques that were later cashed (Pitse 2009; DCEC 2012).

Another area of concern is that academics are typically treated with mistrust by the Batswana government, as they tend to hold critical views. This has led the government to associate academics with opposition parties (Bertelsmann Stiftung 2014). For example, a Guardian article from 2005 alleged that Australian academic Kenneth Good, was expelled from Botswana for being critical of the government. However, while native-born academics may be mistrusted, they are generally free to express their own views.

Despite the heavy investment in education the skill level of the population remains unsatisfactory (The World Bank 2014). With regard to higher education and training and technological readiness, which are pillars of the World Economic Forum's 2012/13 Global Competitiveness Index (GCI), Botswana scores worse than on the general index. In terms of innovation, it ranks only slightly higher than the

average score (Bertelsmann Stiftung 2014). This contrasts, however, with responses from those working within the industry, including adult education officers. In response, they argue that the government investment in "education subsidies and teacher training is paying dividends in terms of quality and commitment of educators" (Fakir 2009). Secondly "the country has also been improving in its training and academic credentials as the number of tertiary education graduates in the economy has increased" (Sebudubudu 2014).

On the positive side, anti-corruption education within mainstream education is part of the DCEC's mandate (DCEC no date c) and educating children about corruption is seen as a key part of its mission (Goredema 2011). Corruption education is now incorporated within Botswana's national curriculum, as part of the campaign against corruption targeting the youth (Kuris 2013). Anti-corruption clubs run both in junior and senior secondary schools.

### 3. LEGAL AND INSTITUTIONAL ANTI-CORRUPTION FRAMEWORK

#### Overview of anti-corruption efforts

President Seretse Khama, Botswana's first president, was known for taking a tough stance against corruption, which helped to gain Botswana a reputation for "clean management of public resources" (Norad 2011). A strong rule of law and prudent economic management allowed Botswana to avoid endemic corruption often seen in resource rich states (Kuris 2013). Despite this, Botswana is not immune to corruption. Corruption scandals, most notably during the 1980s and 1990s involving senior government officials led to a second wave of anti-corruption legislation. The Corruption and Economic Crime Act 1994 (CECA) and the Ombudsman (1995) were introduced under the presidency of President Masire. CECA led to the existence of Botswana's anti-corruption agency, the Directorate on Corruption and Economic Crime (DCEC), which is now tasked with investigating and preventing corruption.

President Ian Khama has been criticised recently for his oversight and management of corruption while in office. The criticism has stemmed from the collapse of cases involving high-profile suspects and a questioning of the judicial independence.

These accusations, however unfounded, have proven damaging to the president's image. Despite this tainting in reputation, Botswana has good anti-corruption institutions. Khama has, however, continued to evolve Botswana's anti-corruption strategy when, in 2009, under his presidency the Financial Intelligence Agency was created, and tasked with monitoring suspicious financial activity, and passing information on to the relevant law enforcement body (KPMG 2012).

Public perception would point to government managing corruption well according to an Afrobarometer survey question from 2012. When asked on how effectively government was performing in relation to fighting corruption, the Batswana public perception was 62 per cent of respondents feeling that the government was doing very well/fairly well and 29 per cent very badly/fairly badly (AfroBarometer 2012).

## Legal framework

The Corruption and Economic Crime Act 1994 is Botswana's most recognised anti-corruption law, developing previous anti-corruption legislations. With it came the creation of the DCEC. Today, Botswana has a well-developed set of anti-corruption laws that work in harmony with one another and create a good framework (KPMG, 2012). Botswana does, however, lack freedom of information laws, as well as transparency laws that, if created, would make this framework stronger.

The Corruption and Economic Crime Act, gives the DCEC its powers. The act covers several provisions in relation to corruption offences. The act outlaws the soliciting, receiving or agreement of a payment to cause a public servant to deviate from expected behaviour or influence their decision. The act also makes it illegal for any public servant not to declare private interests when procuring a government contract. Making false claims on expenses for themselves or another is also outlawed under the act, along with abusing the power vested to the public servant. The act incriminates any person involved in a government contract that pays secret commission payments (Corruption and Economic Crime Act 1994).

Article 45 of CECA contains whistleblowing protections, in which it ensures that the anonymity

of the informant is guaranteed. The article states that the informer will not be required to disclose their name or address or state any matter, which could lead to their identification, and evidence presented in court will be presented in such a way as to not identify the informer (Corruption and Economic Crime Act 1994).

The Proceeds of Serious Crime Act 2000 extended DCEC's mandate to include money laundering (KPMG 2012). The act also contains a confiscation order that the Director of Public Prosecution can use in order to recover some of the proceeds of crime that a person found guilty of corruption benefitted from (Proceeds of Serious Crime Act 2000).

The Financial Intelligence Act 2009, created the Financial Intelligence Agency (FIA). The act also set out a framework which financial institutions must follow. For example, by keeping good records on customers and reporting of any suspicious behaviour to the FIA (Financial Intelligence Act 2009). In effect, what the Financial Intelligence Act does is create a framework in which will greatly enhance the detection of money laundering and other suspicious activity.

Botswana lacks transparency laws (Revenue Watch 2013), allowing for grey areas within the political institutions that are unreachable for public scrutiny. This led to Botswana receiving a "weak" score by Revenue Watch (Revenue Watch 2013). Secondly, Botswana contains no law that requires the declaration of assets by public office holders, this in turn has led to accusations that there is a lack of political will to combat corruption or abuse of office (Bertelsmann Stiftung 2014). Political parties in Botswana are privately funded, and no laws exist which require them to make public any donations which they have received (Bertelsmann Stiftung 2014).

Botswana has ratified the United Nations Convention against Corruption (UNCAC). The key emphasis of UNCAC is to create an international standard in preventing and criminalising corruption in compliance with the convention. The convention encourages international cooperation and asset recovery, which is especially important for developing countries where the proceeds of corruption often end up overseas (UNODC).

Botswana has not however become a signatory of the African Union Convention on Preventing and Combating Corruption, which seeks to achieve similar outcomes to that of UNCAC but at a continental level (African Union).

## Institutional framework

### *Directorate on Corruption and Economic Crime (DCEC)*

The DCEC was established in 1994, using a model similar to the Hong Kong's Independent Commission Against Corruption, with the mandate to combat corruption and economic crime. The DCEC takes the lead in investigations, corruption prevention and public education (DCEC no date a). The unit can investigate all areas of corruption. However, the decision whether to prosecute rests with the attorney general. The director of the DCEC is selected by the president, and since 2012 the unit has been based within the office of the president. The president also has the power to ban the directorate from accessing documents or premises on grounds of national security (Kuris 2013). This has led to questions about the independence of the DCEC, as well as questions on what impact the DCEC can therefore have.

The DCEC now boasts three offices across the country. These are in Gaborone, Francistown and Maun. The expansion of the DCEC out of Gaborone to the rest of the country was in response to criticism that the DCEC was too centralised in Gaborone and needed an increased presence across the country. As of 2013 the DCEC had 270 staff (Kuris 2013). The unit is well funded and, as a result, is well equipped to fulfil its mandate. However, the unit's closeness to the president has led to criticism that the DCEC will only investigate petty corruption (Bertelsmann Stiftung 2014).

The DCEC offers a wide range of contact methods for citizens to report corruption; the unit is contactable via mail, toll free phone, fax and email (DCEC no date a). Since the creation of the DCEC in 1994 and up until 2012, the unit typically receives 1,500 to 2,000 reports annually. Of these reports approximately 500 cases are started by the DCEC, with most of the rest being passed on to other bodies. Most cases led to a successful conviction during this time (Kuris 2013).

The directorate still faces criticism for the units' lack of success investigating high-profile people (Kuris 2013). However the DCEC has investigated high-profile cases, and taken them to court, such as in 2011 case of Ramadeluka Seretse, Minister of Defence, Justice and Security. The case involved accusations that the minister failed to disclose a possible conflict of interest when awarding equipment tenders worth 1.1 million pula (US\$130,000) to companies directed by himself and his close family, of which he was acquitted by the courts (Kuris 2013).

### *Judiciary*

The judicial system of Botswana is made up of three courts each in ascending order of importance, the first court is the Magistrates Court, followed by the High Court, and finally the most senior court is the Court of Appeals. The courts are generally considered to be free and fair, however some concerns have been raised over the independence of the judiciary, most notably in relation to appointments of certain judges, and the outcomes of cases involving high-ranking officials in corruption trials (Bertelsmann Stiftung 2014; Freedom House 2014).

There have been instances where individuals have been moved from the office of the attorney general to the bench of the High Court. This has the effect of blurring the separation of powers between the judiciary and executive (Fakir 2009). It has occurred in the past that the former attorney general is moved to the bench of the high court and ends up presiding over cases that were initiated during their term as attorney general (Fakir 2009).

The DCEC in recent years has targeted high-level corruption cases. Between 2011 and 2012 the DCEC recommended the prosecution of several high-profile suspects, which included three ministers (Kuris 2013). However, all of the high-profile suspects were acquitted, most often on appeal due to legal technicalities that some critics saw as trivial (Kuris 2013). This in turn has led to allegations of political interference within the judicial system (Kuris 2013). In response to the criticism, judicial reforms began in 2012, and a specialised court was established to deal exclusively with corruption cases. It is still too early to assess whether this court is effective in

restoring trust in the courts and in speeding up the legal process (Kuris 2013).

At present, cases that involve constitutional matters have to be passed up from the magistrates to the high court; with the creation of this new specialist court this will no longer be necessary (Morula 2013).

### *Financial Intelligence Agency*

The Financial Intelligence Agency (FIA) became operational in 2011 with the passing of the Financial Intelligence Act (US Department of State 2013). The role of the FIA is to request, receive, analyse, and disseminate information on suspicious transactions and financial disclosures to law enforcement agencies, supervisory authority and comparable bodies (Financial Intelligence Agency). The FIA has been handcuffed to a certain extent in effectiveness by a lack of regulations that would allow the agency to receive and review reports from banks and certain other financial institutions (US Department of State 2013).

### *Office of the Auditor General*

The Office of the Auditor General (OAG) is tasked with conducting financial audits, performance audits, local government audits and information technology audits. The OAG is tasked with making sure that money is not being misappropriated and that the money given to the departments/regions is being spent in an efficient and effective manner (Transparency International 2007). The OAG is accountable to the Ministry of Finance and Development Planning, for whom it is required to present a report to within 12 months of conducting an audit, which is something it has consistently met, with the exception of an occasional delay when conducting local audits (Transparency International 2007). The OAG cannot directly report instances where it detects fraud within part of the government structure to the police or DCEC, the only powers of reporting it directly has is to the minister who heads the concern being audited (Transparency International 2007).

### *The Director of Public Prosecution*

The Director of Public Prosecution (DPP) is housed within the office of the attorney general. It is the body that ultimately decides whether to prosecute a

corruption investigation undertaken by the DCEC (Khan 2011). The DPP has faced talent drains and staff shortages, created by more attractive conditions in the magistrates, parastatals and private sector (Morewagae 2010), that have both lead to case delays. Rehman Khan, Assistant Director of Public Prosecution of the DPP, says that the department has a “lack of specialisation” and an “absence of specialised training to deal with corruption related issues has a negative impact on capacity building for prosecutors” (Khan 2011).

### *The Ombudsman*

The Office of the Ombudsman, was established in 1995 by an Act of Parliament and became operational in late 1997 (Office of the Ombudsman). The duty of the Ombudsman is to investigate complaints from citizens regarding issues of the misuse of power by officials to include the area of corruption (Olowu 1999). The independence of the Ombudsman has been put into question as the Ombudsman is selected by the president. The Office of the Ombudsman has itself called for greater independence to give it the credibility and freedom to investigate complaints against the government effectively (Electoral Institute for Sustainable Democracy in Africa 2009).

### **Other stakeholders**

#### *Media*

The Botswana constitution clearly “protects freedom of expression and as such no one shall be hindered in holding an opinion or communicating ideas and information” (Bertelsmann Stiftung 2014). However, in practice, there have been various attempts by the government to restrict media operations in the country.

The government has in the past attempted to stop public bodies and private companies in which the state is the majority shareholder from advertising in two newspapers. These newspapers were seen to be too critical of the government. The high court found this to be unconstitutional (Article 19). This clearly shows the distrust and ill feeling the government has towards the private press. “The president continues to denounce the private media for its ‘unprofessionalism’” (Bertelsmann Stiftung

2014).

“Journalists are also increasingly facing civil defamation suits from public officials and others” (Freedom House 2014). President Khama announced on December 2013, that government officials could use state funds against the media in defamation suits, arguing that there was a “growing slander now being directed against members of the executive, including senior government officials, who are subjected to personal attacks for carrying out their public duties” (Freedom House 2014). Using state money against the media is a troubling development and certainly questions the freedom of the press in Botswana.

As such this has led Freedom House to rate Botswana press freedom as partly free, it criticises the dominance of state-owned media due to its inadequate coverage and access to opposition and government critics (Freedom House 2014).

### Civil society

The government has a strong track record of respecting the constitutional rights of assembly and association. NGOs, including human rights groups “operate openly without harassment” (Freedom House 2014).

Despite the positive track record of civil rights in Botswana, indigenous peoples continue to come under, and be faced with, harassment by government officials. A press statement by Ditshwanelo, a human rights civil society organisation based within Botswana, shows that despite a High Court ruling, government officials are still attempting to relocate residents of the Ranyane settlement (Ditshwanelo 2013).

In spite of having the space to operate, civil society is generally seen as being weak in Botswana. Reasons behind this weakness have been attributed to the political and social stability the country has witnessed since independence (Shale 2009). A second major challenge in the creation of strong civil society organisations (CSO) is the “country’s political culture, which encourages submission before authority, also contributes to passive participation in matters of governance” (Bertelsmann Stiftung 2014).

The CSOs that do exist within Botswana are focused on human rights, especially rights of prisoners, the gay community, workers and immigrants. None would appear to focus specifically on corruption.

### 4. REFERENCES

African Union. No date. *Core Value and Added Value*. Retrieved 10 October 2014 from African Union Advisory Board on Corruption:

<http://www.auanticorruption.org/auac/about/category/core-value-added-value>

AfroBarometer. 2012. *Summary of Results: AfroBarometer Round 5 Survey in Botswana*. Retrieved 30 September 2014 from Afrobarometer:

<http://www.afrobarometer.org/results/results-by-country-a-m/botswana>

AfroBarometer. October 5 2012. *Batswana Applaud Government Performance in Several Areas; Hold a Mixed Opinion on Economic Management*. Retrieved 26 September 2014 from Afrobarometer:

<http://afrobarometer.org/results/results-by-country-a-m/botswana>

Article 19. No date. *Advertising*. Retrieved 23 September 2014 from Article 19:

<http://www.article19.org/pages/en/advertising.html>

Bertelsmann Stiftung. (2014). *BTI 2014: Botswana Country Report*. Retrieved 23 September 2014 from Bertelsmann Stiftung:

<http://www.bti-project.org/reports/country-reports/esa/bwa>

*Corruption and Economic Crime Act*. No date. Retrieved 30 September 2014 from Botswana e-Law:

<http://www.elaws.gov.bw/default.php?UID=602>

DCEC. 2012. *DCEC Investigations*. Retrieved 26 September 2014 from Botswana Government:

DCEC(a). No date. *Directorate on Corruption and Economic Crime (DCEC): About DCEC*. Retrieved 29 September 2014 from Botswana Government:

DCEC(c). No date. *Directorate on Corruption and Economic Crime (DCEC): Education*. Retrieved 29 September 2014 from Botswana Government:

Dilthase, Y. 2012. *Khama Inc: All the President's Family, Friends and Close Colleagues*. Retrieved 30 September 2014 from Mail & Guardian:  
<http://mg.co.za/article/2012-11-02-00-khama-inc-all-the-presidents-family-friends-and-close-colleagues>

Ditshwanelo. 2013. *Press Releases 1998-Present* . Retrieved 30 September 2014 from Ditshwanelo:  
<http://www.ditshwanelo.org.bw/press.html>

Electoral Institute for Sustainable Democracy in Africa. 2009. *Botswana: Office of the Ombudsman*. Retrieved 30 September 2014 from Electoral Institute for Sustainable Democracy in Africa:  
<http://www.content.eisa.org.za/old-page/botswana-office-ombudsman>

Fakir, E. (2009, September). *The Impact of Democracy in Botswana: Assessing Political, Social and Economic Developments Since the Dawn of Democracy*. Retrieved 2 October 2014 from Centre for Policy Studies:  
[cps.org.za/cps%20pdf/RR119.pdf](http://cps.org.za/cps%20pdf/RR119.pdf)

Financial Intelligence Act. 2009. *Financial Intelligence Agency*. Retrieved 30 September 2014 from Ministry of Finance and Development Planning:  
[http://www.finance.gov.bw/index.php?option=com\\_content&view=article&id=39&catid=20&Itemid=159](http://www.finance.gov.bw/index.php?option=com_content&view=article&id=39&catid=20&Itemid=159)

Financial Intelligence Agency. No date. *Role of FIA*. Retrieved 30 September 2014 from Ministry of Finance and Development and Development Planning:  
[http://www.finance.gov.bw/index.php?option=com\\_content&view=article&id=39&catid=20&Itemid=159](http://www.finance.gov.bw/index.php?option=com_content&view=article&id=39&catid=20&Itemid=159)

Freedom House. 2014. *Botswana Freedom in the World 2014 Scores*. Retrieved 23 September 2014 from Freedom House:  
<http://www.freedomhouse.org/report/freedom-world/2014/botswana-0#.VCgttee7n94>

Freedom House. 2014. *Botswana Freedom of the Press 2014*. Retrieved 23 September 2014 from Freedom House:  
<http://freedomhouse.org/report/freedom-press/2014/botswana#.VCgrp-e7n94>

Gbadamosi, G. 2006. Corruption Perception and Sustainable Development Sharing Botswana's Anti-Graft Agency Experiences. *South Africa Journal of Economics and Management Studies*, 9 (2), 262-276.

Good, K. 2010. Autocracy, Insecurity and Pre-modernity in Botswana. *Commonwealth & Comparative Politics* , 48 (3), 348-372.

Goredema, C. 2011. *Combating Illicit Financial Flows and Related Corruption in Africa: Towards a More Integrated and Effective Approach*. Retrieved 24 September 2014 from U4 Anti-Corruption Resource Centre.

Heilbrunn, J. R. 2004. *Anti-Corruption Commissions Panacea or Real Medicine to Fight Corruption?* Retrieved 24 September 2014 from World Bank Institute:  
<http://wbi.worldbank.org/wbi/document/anti-corruption-commissions-panacea-or-real-medicine-fight-corruption>

International Budget Partnership . 2012. *Botswana Open Budget Survey 2012*. Retrieved 23 September 2014 from International Budget Partnership:  
<http://internationalbudget.org/what-we-do/open-budget-survey/country-info/?country=bw>

Johnston, M. 2005. *Syndromes of Corruption: Wealth, Power and Democracy*. Cambridge: Cambridge University Press.

Khan, R. 2011. *Effective Legal and Practical Measures For Combating Corruption*. Retrieved 24 September 2014 from UNAFEI:  
<http://www.unafei.or.jp/english/pages/RMS/No83.htm>

KPMG. 2012. *Botswana Country Profile*. Retrieved 24 September 2014 from KPMG Botswana:  
<http://www.kpmg.com/africa/en/kpmg-in-africa/botswana/pages/default.aspx>

Kuris, G. 2013. *Managing Corruption Risks: Botswana Builds an Anti-Graft Agency, 1994-2012*. Retrieved 23 September 2014 from Innovations For Successful Societies: Princeton University:  
<http://www.princeton.edu/SuccessfulSocieties/content/superfocusareas/traps/RT/policynotes/view.xml?id=233>

Mmegi. 2007. *The Long Stressful Wait for a Student Loan*:  
<http://www.mmegi.bw/2007/January/Monday15/489798145944.html>.

Molutsi P. 2009. *Tertiary Education Reforms in Botswana*: <http://www.cedol.org/wp-content/uploads/2012/02/136-138-2009.pdf>

Monyaku, B., & Mmereki , O. A. 2011. *The SACMEQ III Project in Botswana: A Study of the Conditions of Schooling and Quality of Education* . Retrieved 20 October 2014 from The Southern and Eastern Africa Consortium for Monitoring Educational Quality:  
<http://www.sacmeq.org/sacmeq-members/botswana/sacmeq-reports>

Morewagae, I. 2010. *Lawyer's resignations at AG's at all time high*. Retrieved 5 October 2014 from Mmegi Online:

<http://www.mmegi.bw/index.php?sid=1=418=2010/February/Thursday25&aid=5684&dir=2010/October/Friday15>

Morula, M. 2013. *Judge to Preside over Corruption Court Decided*. Retrieved 30 September 2014 from Sunday Standard:

<http://www.sundaystandard.info/article.php?NewsID=15947&GroupID=1>

Nkhoma, W. G. 2012. *Rethinking Indigenous Education*. Retrieved 25 September 2014 from Open Society Initiative for Southern Africa:

<http://www.osisa.org/indigenous-peoples/blog/rethinking-indigenous-education>

Norad. 2011. *Contextual Choices in Fighting Corruption: Lessons Learned*. Retrieved 30 September 2014 from Norad:

<http://www.norad.no/en/tools-and-publications/publications/publication?key=383808>

Nudelman, C. 2011. *Increasing Access to Education for San Children in Settlements of Ghanzi District in Botswana*. Retrieved 25 September 2014 from Open Society Initiative for Southern Africa:

<http://www.osisa.org/education/botswana/increasing-access-education-san-children-settlements-ghanzi-district-botswana>

Office of the Ombudsman. No date. *Office of the Ombudsman (OMB)*. Retrieved 30 September 2014 from Botswana Government:

<http://www.gov.bw/en/Ministries--Authorities/Ministries/Office-of-the-Ombudsman-of-Botswana/>

Olowu, B. 1999. Combatting Corruption and Economic Crime in Africa: An Evaluation of the Botswana Directorate of Corruption and Economic Crime. *The International Journal of Public Sector Management*, 12 (7), 604-614.

Pitse, R. 2009. *Ministry of Education Fraudsters Appear in Court*. Retrieved 26 September 2014 from Sunday Standard:

<http://www.sundaystandard.info/article.php?NewsID=6192&GroupID=1>

Proceeds of Serious Crime Act. 2000. *Coutering Financial Crime*. Retrieved 30 September 2014 from Bank of Botswana:

<http://www.bankofbotswana.bw/content/2009103012014-countering-financial-crime>

Revenue Watch. 2013. *Botswana: The 2013 Resource Governance Index*. Retrieved 23 September 2014 from Revenue Watch:

<http://www.resourcegovernance.org/countries/africa/botswana/overview>

Sebubudu, D. 2014. *The Evolving State of Corruption and Anti-Corruption Debates in Botswana: Issues in Good Governance*. Retrieved 20 October 2014 from ANTICORP:

[http://anticorruption.eu/wp-content/uploads/2014/03/Botswana-Background-Report\\_final.pdf](http://anticorruption.eu/wp-content/uploads/2014/03/Botswana-Background-Report_final.pdf)

Shale, V. 2009. Chapter 3: Botswana. In D. Kadima, & S. Booyens, *Compendium of Elections in Southern Africa 1989-2009: 20 Years of Multiparty Democracy* (pp. 57-90). Johannesburg: Electoral Institute of Southern Africa.

The World Bank. 2014. *Botswana Overview*. Retrieved 23 September 2014 from The World Bank:

<http://www.worldbank.org/en/country/botswana/overview>

The World Bank. 2013. *Worldwide Governance Indicators*. Retrieved 28 September 2014 from The World Bank:

<http://info.worldbank.org/governance/wgi/index.aspx#home>

Transparency International. 2007. *National Integrity Systems Country Study: Botswana 2006/7*. Retrieved 8 October 2014 from Transparency International:

[http://archive.transparency.org/policy\\_research/nis/nis\\_reports\\_by\\_country](http://archive.transparency.org/policy_research/nis/nis_reports_by_country)

Transparency International. 2013. *Corruption Perceptions Index 2013*. Retrieved 28 September 2014 from Transparency International:

<http://cpi.transparency.org/cpi2013/results/>

Transparency International. 2013. *Global Corruption Report: Education*. New York: Routledge .

U.S. Department of State. 2013. *2013 Investment Climate Statement - Botswana*. Retrieved 10 October 2014 from US Department of State:

<http://www.state.gov/e/eb/rls/othr/ics/2013/204607.htm>

UNODC. No date. *United Nations Convention against Corruption*. Retrieved 10 October 2014 from United Nations Offices on Drugs and Crime:

<https://www.unodc.org/unodc/en/treaties/CAC/>

World Economic Forum. 2011-2012. *Botswana The Global Competitiveness Report 2011-2012*. Retrieved 23 September 2014 from World Economic Forum:

[www3.weforum.org/docs/GCR2011-12/CountryProfiles/Botswana.pdf](http://www3.weforum.org/docs/GCR2011-12/CountryProfiles/Botswana.pdf)

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