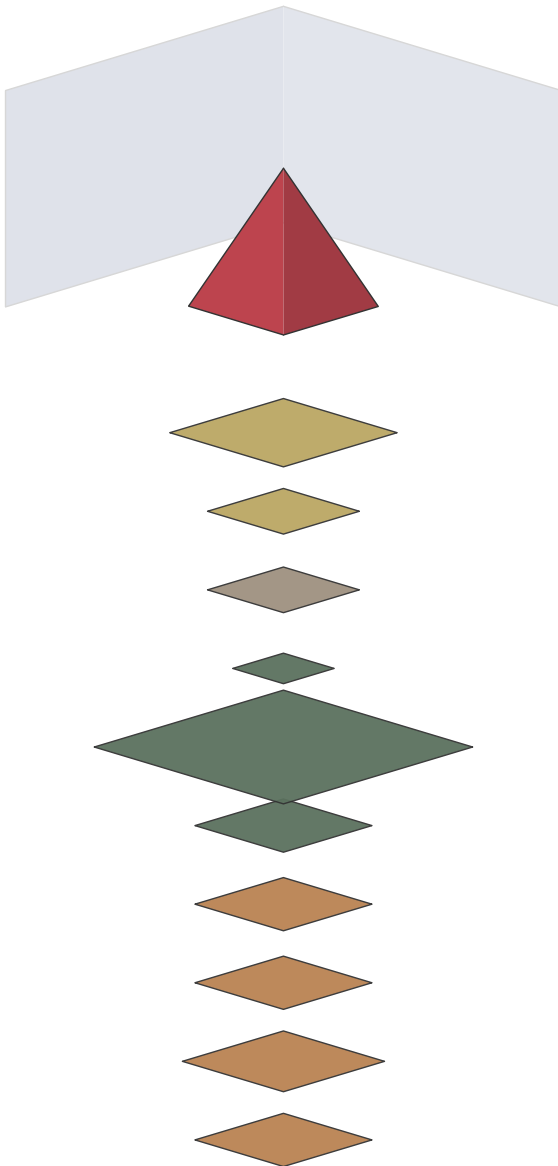


# BOTSWANA



## 3.71 CRIMINALITY SCORE

50<sup>th</sup> of 54 African countries  
11<sup>th</sup> of 13 Southern African countries



### CRIMINAL MARKETS **3.80**

HUMAN TRAFFICKING	4.50
HUMAN SMUGGLING	3.00
ARMS TRAFFICKING	3.00
FLORA CRIMES	2.00
FAUNA CRIMES	7.50
NON-RENEWABLE RESOURCE CRIMES	3.50
HEROIN TRADE	3.50
COCAINE TRADE	3.50
CANNABIS TRADE	4.00
SYNTHETIC DRUG TRADE	3.50



### CRIMINAL ACTORS **3.63**

MAFIA-STYLE GROUPS	1.00
CRIMINAL NETWORKS	5.50
STATE-EMBEDDED ACTORS	3.00
FOREIGN ACTORS	5.00

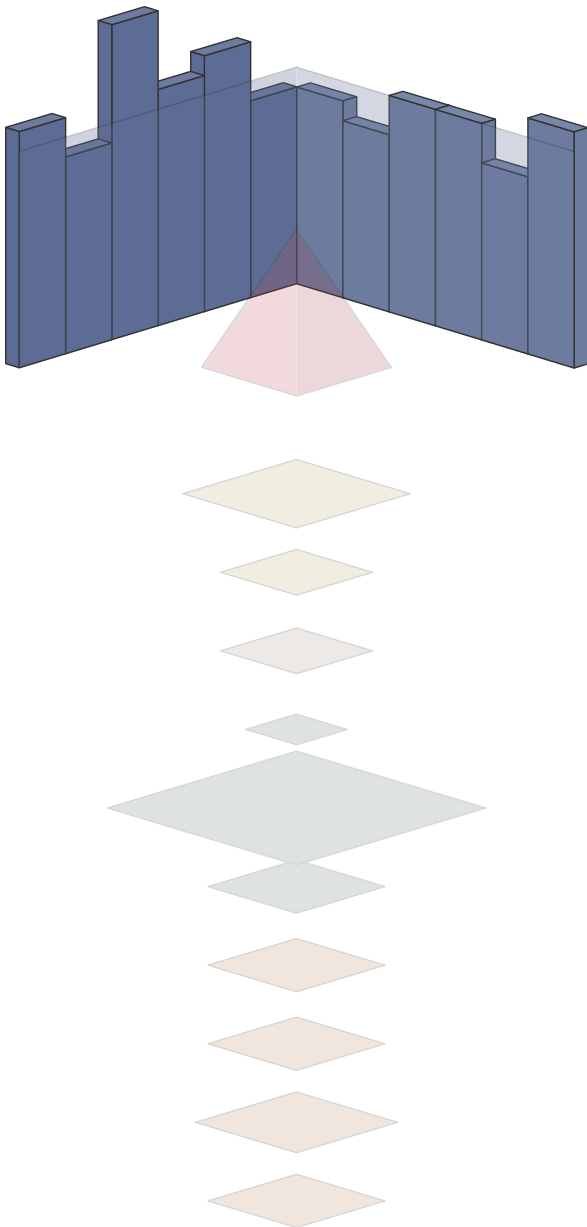


## 5.63 RESILIENCE SCORE

4<sup>th</sup> of 54 African countries  
3<sup>rd</sup> of 13 Southern African countries



 **BOTSWANA**





 **5.63  
RESILIENCE SCORE**

4<sup>th</sup> of 54 African countries  
3<sup>rd</sup> of 13 Southern African countries

<u>POLITICAL LEADERSHIP AND GOVERNANCE</u>	<b>6.00</b>
<u>GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY</u>	<b>5.00</b>
<u>INTERNATIONAL COOPERATION</u>	<b>8.00</b>
<u>NATIONAL POLICIES AND LAWS</u>	<b>6.00</b>
<u>JUDICIAL SYSTEM AND DETENTION</u>	<b>6.50</b>
<u>LAW ENFORCEMENT</u>	<b>5.00</b>
<u>TERRITORIAL INTEGRITY</u>	<b>5.00</b>
<u>ANTI-MONEY LAUNDERING</u>	<b>4.50</b>
<u>ECONOMIC REGULATORY CAPACITY</u>	<b>5.50</b>
<u>VICTIM AND WITNESS SUPPORT</u>	<b>5.50</b>
<u>PREVENTION</u>	<b>4.50</b>
<u>NON-STATE ACTORS</u>	<b>6.00</b>

 **3.71  
CRIMINALITY SCORE**

50<sup>th</sup> of 54 African countries  
11<sup>th</sup> of 13 Southern African countries

 <u>CRIMINAL MARKETS</u>	<b>3.80</b>
 <u>CRIMINAL ACTORS</u>	<b>3.63</b>



# CRIMINALITY

## Criminal Markets

### PEOPLE

Botswana is a country of origin as well as a destination point for both children and adults exploited in the sex trade and forced into labour in the mining, manufacturing and agricultural sector. Most vulnerable are those from poor, rural areas and undocumented migrant children from Zimbabwe, though it remains a limited and minor market. Migrant smuggling is also a small market in Botswana, with the country usually serving as a destination for political and economic refugees from neighbouring countries, such as Zimbabwe.

### TRADE

No major market for arms trafficking is reported within Botswana and firearm ownership is low. The activities of arms brokers, as well as the sale and purchase of weapons, are highly regulated by law. However, the use of arms in cattle stock theft and wildlife poaching remains a concern.

### ENVIRONMENT

Around 20% of the country is covered in forest, and while illegal logging exists, tree-cover loss has been minimal in recent years. Despite being located on a suspected transit route for illegal timber, the flora crimes market is small. Botswana hosts one of the largest populations of elephant in Africa and therefore attracts a rising numbers of poachers from Angola and Zambia into its northern regions. The country is also a source for donkey hide which is highly sought after in the Chinese market. Despite the reasonably robust management and regulation of wildlife trafficking, concerns have been raised that the poaching of rhinos, cheetahs and other animals has risen steeply. With regard to non-renewable resource crimes, fuel smuggling in Botswana results in as much as 20 million litres of fuel going undeclared every month as criminal groups smuggle it into the country from South Africa or out into Zimbabwe, a practice which is facilitated by weak border controls. The regulation around diamond mining is strong and has successfully stymied the consolidation of a criminal diamond market, but the illegal mining of sand and gravel has become a growing concern, especially during lockdowns.

### DRUGS

Botswana is increasingly playing a role as a transit point for heroin passing through Africa on its way to Europe. With their porous borders, the trans-frontier national parks are considered to be major routes for heroin moving across the continent. Local consumption is small but growing, as heroin cut with cannabis provides an affordable alternative to pure heroin. Botswana is also growing as a transit hub for Andean cocaine moving through the country via third-party criminal actors or arriving directly via air routes. Botswana's role in the cocaine trade is considered small, but there are concerns that it will become an attractive proposition to traffickers currently using routes, better known to law enforcement agencies, through South Africa and Mozambique. Local cocaine use is small but growing.

Cannabis remains the most widely used drug in Botswana, and most of the cannabis cultivated is consumed in the country. While it is also exported to European countries, the trade appears to be minor. Synthetic drug use is also on the rise, especially synthetic cannabinoids and opioids. While synthetic drugs are not produced in Botswana, the country is a waypoint for mandrax or methaqualone destined for South Africa.

## Criminal Actors

There is no evidence to suggest that domestic mafia-style groups operate in Botswana. However, as a transit country for illicit commodities, foreign actors and organized and coordinated criminal networks operate to manage the production, sale and border crossings of contraband. In the illegal wildlife market, networks are often well-armed and equipped with military knowledge and skill. While the drug and wildlife networks are increasing their operations, no other criminal markets appear to be as well-consolidated. Foreign wildlife poachers operate along the country's borders, while drug traffickers from South Africa and Eswatini commonly smuggle their drugs through Botswana. Chinese triads operating in the drug and particularly wildlife trafficking markets have reportedly established operations within Botswana. Although it remains one of the least corrupt and most peaceful countries in Africa, issues of nepotism and bribery remain. Aside from corrupt border officials facilitating cross-border smuggling, there is little indication of state-sponsored criminality.



# RESILIENCE

## LEADERSHIP AND GOVERNANCE

The government is stable, relatively free of corruption and has a good human rights record overall; however, COVID-19 has heightened political tensions in the country. Civil society has accused the government of human rights abuses during the pandemic, following the introduction of new regulations allowing for press censorship and sweeping powers to make arrests. Furthermore, tensions have risen over poaching, as the government lifted the ban on elephant hunting, sparking outrage among conservationists. Despite Botswana's relatively low levels of corruption and its good reputation abroad, it is important to note that the country still faces transparency issues, entrenched patronage networks, nepotism and a lack of judicial independence. There is also a concerning lack of legislation around access to information, whistle-blower protection and declaration of assets and liability laws for politicians.

On the international stage, Botswana has ratified most of the international treaties relevant to organized crime and its cooperation with international organizations such as INTERPOL, UNODC and Europol has been good. Importantly, the country also signed the Arms Trade Treaty in 2019. Botswana is party to the Southern African Development Community's protocol on extradition, and despite not having an extradition treaty with the US, the two countries maintain a good relationship. Botswana has a fairly robust legislative framework to tackle organized crime and the rule of law is strong. It is a signatory to conventions around illicit drug trafficking and has adopted a harsh stance against cannabis, which some believe has led to criminalizing users rather than combating organized crime, and sowing division between the government and civil society. Regulations brought in under the COVID-19 state of emergency have given the president considerable power, which civil society argues has been used to censor criticism. There is a lack of national legislation pertaining to government transparency, and where there are adequate laws around organized crime elsewhere, implementation is often inadequate. Laws against human trafficking have drawn criticism for being insufficiently stringent, and the disarmament of anti-poaching units and legalization of elephant hunting are also widely criticized.

## CRIMINAL JUSTICE AND SECURITY

While the rule of law remains strong in Botswana, judicial effectiveness is in decline. Judicial independence is under threat due to a lack of resources and training, resulting in slow processes where judges are often unfamiliar with specific forms of organized crime, in particular human trafficking. Prisons and detention centres meet international standards and overcrowding is being reduced. Botswana does not have any specialized law enforcement units to tackle organized crime, and its point of entry checks are seen as flawed and insubstantial. Despite this, the Botswana Police Service's (BPS) crime intelligence team has been active and has conducted regular raids targeting drug traffickers. Civilian authorities maintain effective control over law enforcement authorities and the government has mechanisms in place to investigate corruption and mete out punishment. BPS officers receive human rights training and reports of impunity within security forces are rare. However, COVID-19-related changes to the law have received criticism for allowing arbitrary arrests under the vaguely defined charge of spreading false information during the pandemic.

According to reports, electronic scanning devices available at the country's borders to prevent the transporting of illicit commodities are limited in number and functionality. Furthermore, portions of the border fence are in disrepair and border patrol is under-resourced, meaning that various footpaths and smuggling routes are accessible to criminals. The northern border is of particular concern due to the number of poaching syndicates breaching it to target elephants, while plans are in place to upgrade the border fence between South Africa and Botswana, in the south and southeast.

## ECONOMIC AND FINANCIAL ENVIRONMENT

In 2017, Botswana performed very poorly on an evaluation of its anti-money laundering processes and while improvements have been made, they do not meet international standards. As Botswana's economy is largely cash based, detecting money-laundering activities and banking fraud remains difficult. Vehicle and cigarette smuggling present the biggest risks, and law enforcement continues to focus more on predicate offences, in light of the country's cash economy and limited resources.

Doing business in Botswana is moderately easy as its regulatory efficiency remains good, but the economy



relies heavily on the extraction of minerals by large foreign companies. Despite reaching a middle-income status, many people still face poverty, inequality and unemployment, and the COVID-19 pandemic is thought to have pushed more people into the informal and illicit economy. While corruption is generally low for most businesses, it is pervasive in the public-procurement sector.

## CIVIL SOCIETY AND SOCIAL PROTECTION

Botswana offers a fairly robust support system to victims of human trafficking, by coordinating with NGOs to introduce identified trafficking victims to special care facilities that offer shelter as well as medical aid and social services. However, support offered to people who use drugs is fairly limited, with no formal needle and syringe programme or opioid-substitution treatment available. Furthermore, there is no established witness-protection scheme in Botswana, and there have been reports around witness tampering and closed-court hearings.

With support from the UNODC, Botswana created its first specific anti-trafficking legislation, however the government has recently diluted these prevention measures by allowing fines to be given for sex-trafficking crimes, instead of imprisonment. Botswana has long been considered a safe haven for wildlife due to its punitive deterrence policy towards poachers, although, in recent years the government has begun to decriminalise poaching of certain important wildlife species and to disarm anti-poaching units. This, combined with weak border security, has diminished prevention strategies and wildlife smuggling has proliferated. Concerns also exist as to whether the COVID-19 response has shifted focus away from the prevention of organized crime, and towards policing ordinary citizens contravening sometimes arbitrary regulations.

Civil society and NGOs operate freely without harassment and government officials are generally responsive to domestic NGO views, however, the government's COVID-19 response has damaged this relationship. Civil society remains sustainable but faces increasing challenges in terms of funding and an increasingly hostile legal environment. While freedom of speech and press freedom is generally respected, the state-owned media is biased towards the president. There are several independent newspapers, but accessing information is difficult for journalists and there have been reprisals from the government against those reporting critically of the president. Civil defamation suits also make it difficult for journalists to report on corruption.

