

BOTSWANA

SUMMARY

Botswana is a democratic republic with a two-tier system of government: national government headed by the president and local government headed by a mayor in towns/cities and a council chairperson in rural districts. There is no constitutional provision for local government in Botswana, and the main legislation is the Local Government Act 2012. The Ministry of Local Government and Rural Development is charged with providing policy direction and guidance. Local government comprises 16 administrative districts (ten rural and six urban). Under these, there are 23 sub-districts including four administrative authorities. Governance at the local level is also based on a traditional system of villages headed by a kgosi (chief). This traditional system works cooperatively with other district institutions. Following the 2014 local elections, 18.1% of councillors were women, and in 2016/17 local government expenditure was 12.0% of total government expenditure. Although councils have legal powers to collect certain taxes, levies and fees, national government provides up to 90% of their total recurrent revenue. Statutory council functions include provision of primary infrastructure, tertiary and access roads, health and sanitation, economic and physical development, collection and management of waste, and general maintenance of law and order.

1. NATIONAL GOVERNMENT

Botswana is a democratic republic with a bicameral parliament made up of a national assembly which is advised on social issues by the House of Chiefs or Ntlo ya Dikgosi.^{7.1a} The president is the head of state and government and is indirectly elected by the members of the national assembly to hold office for a maximum aggregate period of ten years. Fifty-seven of the 61 national assembly members are directly elected by universal adult suffrage under the first-past-the-post system from single-member constituencies. Four members are appointed by the president and endorsed by parliament. Following the 2014 election 9.5% of national assembly members were women.^{7.1b} The president and the attorney general are ex-officio members of parliament. The president appoints a cabinet of ministers from among members of the national assembly. The Ntlo ya Dikgosi has an advisory role and has a total of 34 members. Each locality has a district commissioner (DC), who is the senior representative of national government in that district. The district commissioner coordinates development at district level and is the chairperson of the district/urban development committee, which is a planning body.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions

There is no constitutional provision for local government in Botswana^{7.2a}. However, the 2016-launched Botswana Vision 2036^{7.2b} asserts that decentralisation of power, decision-making, resources and service delivery will underpin the Botswana governance system.

2.2 Main legislative texts

The main legislative text is:

- Local Government Act 2012.^{7.2c}

Other relevant Acts include:

- Public Service Act 2008
- Town and Regional Planning Act 2013
- Local Authority Procurement and Assets Disposal Act 2008.

2.3 Proposed legislative changes

A process is underway to develop a decentralisation policy.

2.4 National urban policy

There is no national urban policy in Botswana.

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state

Botswana is a unitary state that operates a two-tier system of government. The national government forms the first tier, headed by the president. Councils form the second tier, headed by a mayor in urban areas and a council chairperson in rural districts.

3.2 Ministerial oversight

The Ministry of Local Government and Rural Development^{7.3c} (MLGRD) is charged with providing policy direction and guidance for socioeconomic and rural development at local level. It formulates and monitors implementation of policies related to local government. The MLGRD has certain powers over councils and is empowered by legislation to vary the number of councillors. The ministry has responsibility for:

- providing basic physical and social infrastructure
- ensuring efficient operation of all local authorities through good governance
- serving as national government's focal point for local government policies and operational matters



KEY FACTS

POPULATION (2018 estimate):

2,304,238

AREA (UN 2006):

582,000 sq km

CAPITAL:

Gaborone

CURRENCY:

pula (BWP)

HEAD OF STATE AND GOVERNMENT:

President Mokgweetsi Masisi

FORM OF GOVERNMENT:

republic

PARLIAMENTARY SYSTEM:

bicameral

STATE STRUCTURE:

unitary

LANGUAGES:

English, Setswana (official)

NATIONAL ELECTIONS:

last: Oct 2014, turnout: 83.7%; next: 2019

WOMEN IN PARLIAMENT (2014):

9.5%

LOCAL ELECTIONS:

last: Oct 2014, turnout: 84.6%; next: 2019

WOMEN COUNCILLORS (2014):

18.1%

LOCAL GOVERNMENT EXPENDITURE as a percentage of total government budget 2014/15:

12.0%

Table 7.1a Distribution of councils and population

District	Sub-districts	Population 2011 Census	Population 2018 estimate	% rural 2011 Census
Central/ National	16	585,595	616,126	na
Chobe	0	23,347	27,628	na
Francistown	0	98,961	111,706	na
Gaborone	0	231,592	269,365	na
Ghanzi	2	43,095	52,168	na
Jwaneng	0	18,008	20,259	na
Kgalagadi	3	50,4952	57,294	na
Kgatleng	2	91,660	106,717	na
Kweneng	3	304,549	367,906	na
Lobatse	0	29,007	27,608	na
North-West/ Ngamiland	3	152,284	202,446	na
North-East	2	60,264	69,137	na
Southern	5	197,767	217,736	na
Selebi Phikwe	0	49,411	47,723	na
South-East	5	85,014	106,224	na
Sowa Township	0	3,598	4,195	na
TOTAL	16	2,024,904	2,304,238	35.9

Source: MLGRD communication with CLGF, 2011 Census^{7.3a} and UNFPA population estimates^{7.3b}

- coordinating the activities of national government at district level
- mobilising social welfare and community resources to facilitate both community participation in the development process and coordination of rural development.

3.3 Council types

Local government comprises two types of local administration: ten rural and six urban districts (four town councils, two city councils), 23 sub-districts and four administrative authorities. In 2009 sub-council fora were established – namely, sub-districts and administrative authorities – which are empowered to make decisions on development issues, except on the following: raising of local revenue, engaging in international relations and formulation of by-law and guidelines. These remain the responsibility of the district headquarters. Every council with sub-districts may constitute up to two committees of any nature at all levels, whereas a council without sub-districts may constitute up to seven committees. Due to the vastness of the country, councils can establish service centres to bring services closer to the people.

3.3.1 Urban and district councils: These are composed of elected and nominated members, with the district commissioner as an ex-officio member. In the case of district councils, kgosi and land board chairpersons (see Section 3.3.3) are also ex-officio members. Councils are accountable to the electorate, and have both authority to take decisions within their localities and discretion to allocate resources within their area of jurisdiction.

3.3.2 Tribal administration: Botswana's institution of traditional village leadership has both a traditional and a development remit. It supports rural development initiatives, particularly at the community level. It comprises two units: judicial, led by the kgosi; and administrative, headed by the tribal secretary. The traditional system of village leadership works cooperatively with councils. Each village is headed by a chief, or kgosi, who is an ex-officio member of the district council in their area of jurisdiction. The tribal administration system is supported by a traditional arbitration forum now known as the Customary Court of Appeal, and by the Ntlo ya Dikgosi, which advises government on social matters.

3.3.3 Land boards: These are corporate bodies responsible for land administration and charged with holding tribal land for the purpose of promoting social and economic development. When originally established the land boards were accountable to district councils; however, this changed over time and they now report directly to the Ministry of Lands and Housing. Each of the 12 main land boards has eight members who are appointed by the minister, including the chairperson.

4. ELECTIONS

4.1 Recent local elections

The last local elections were held in October 2014^{7.4}, with a turnout of 84.6%. The next elections are scheduled for 2019.

4.2 Voting system

Most councillors are elected, with a minimal number (currently 19%) appointed by the minister at the MLGRD. Elections take place every five years by universal adult suffrage using the first-past-the-post system. The local elections take place at the same time as the national elections. The country is divided into 16 districts, six of which are urban. Villages are clustered to make wards, represented by a councillor at both the sub-district/administrative authority and district levels. Councillor representation is similar in urban areas, where the area of coverage is determined by the size of the population within a constituency. Each council is divided into wards and each ward elects a single councillor. The number of polling districts is reviewed after each population census.

4.3 Elected representatives

There are currently 490 council wards in Botswana. The smallest council has seven wards, while the largest has 140. There are currently 609 councillors in Botswana of whom 490 are elected and 119 are nominated. Chairpersons/mayors are indirectly elected from among the councillors for half the term of the council, that is, 2.5 years.

4.4 Women's representation

Following the 2014 local government elections, 18.1% (110/609) councillors were women, of which 63 were elected and 47 nominated. This is down from 23.1% (139/603) following the 2009 elections and 19.6% (116/591) following the 2004 elections. Also following the 2014 election, 18.8% (3/16) mayors/chairpersons were women, which is up from 6.3% (1/16) after the 2009 elections and back to the level of the 2004 elections: see Table 7.1b.

Table 7.1b Women councillors and mayors following the last three local elections

	2004		2009		2014	
	#	%	#	%	#	%
Councillors						
Female councillors	116	19.6	139	23.1	110	18.1
Male councillors	475	80.4	464	76.9	499	81.9
Total councillors	591	100.0	603	100.0	609	100.0
Chairpersons						
Female mayors	3	18.8	1	6.3	3	18.8
Male mayors	13	87.2	15	93.8	13	87.2
Total mayors	16	100.0	16	100.0	16	100.0

Source: MLGRD correspondence with CLGF
Note: Figures may not sum to totals due to rounding.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement

The Local Government Act establishes village/urban development committees at ward and village levels, whose role is to coordinate development at the local level in line with Botswana's principle of bottom-up planning, where developments are to be discussed with communities before implementation.

5.2 Implementation

Local government uses a bottom-up planning approach whereby communities are consulted during the drafting of district/urban development plans. These plans take a long-term view (five to six years). The consultations are done with the participation of all institutions operating at the district level, coordinated by the Office of the District Commissioner. The village/ward development committees which were established by the Local Government Act 2012 are used to reach the community. Dikgosi (traditional leaders) play a critical role in mobilising communities for consultation on all government policies and programmes at the local level.

5.3 ICT use in citizen engagement

As part of the Botswana e-Government Master Plan 2015–2021⁷⁵, there is a local government information initiative.

5.4 Local economic development (LED)

The LED framework, approved by cabinet in Oct 2016, guides people centred local economy initiatives. The MLGRD in collaboration with CLGF, UNDP and BALA (see 6.1), are assisting the districts to map their LED strategy which will assist communities in determining the future economic activities in the area.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association

The Botswana Association of Local Authorities⁷⁶ (BALA) is a voluntary organisation established in 1983 to promote unity, solidarity, cohesion and cooperation among local authorities. The association also engages and collaborates with government on matters that affect its members. Under the Local Government Act 2012, the association was mandated to develop a code of conduct for its members, which was ratified by members in 2013. The association is also enshrined in the Local Government Act 2012 and its objectives are to: provide and strengthen local governance; provide opportunities for members to discuss issues of common interest; collaborate and engage with national government on matters of mutual interest; and build partnerships, networks and coalitions with strategic organisations. Its main funding is from national government. Some donor agencies have also provided modest support.

7. INTERGOVERNMENTAL RELATIONS

Good intergovernmental relations are promoted through various mechanisms such as national and local-level forums including kgotla meetings and high-

level consultative meetings. Each district administration is headed by a district commissioner appointed by the permanent secretary to the president. Each district commissioner has authority over the development, implementation and monitoring of their local district/urban development plan. Local authorities, headed by council secretaries/town clerks, and heads of departments for national government provide effective communication links between communities and national government. At national government level, the MLGRD is well represented in cabinet with a minister and two assistant ministers. Additionally, in 2012 the government established a parliamentary committee, the Local Governance and Social Welfare Committee, which is responsible for local governance issues at national level. Local authorities can also establish national and international twinnings with other local authorities to undertake development projects of common interest and benefit.

8. MONITORING SYSTEMS

A number of independent scrutiny mechanisms ensure the accountability of local authorities:

- the Auditor General's Department is a statutory authority which audits the accounts of all councils annually
- the Local Authorities Public Accounts Committee, appointed by MLGRD, examines the accounts of local authorities periodically
- the Ombudsman deals with complaints of maladministration
- the Directorate on Economic Crime and Corruption investigates alleged cases of corruption in local authorities.

These organisations derive their authority from the constitution and from acts of parliament such as the Ombudsman Act, the Corruption and Economic Crime Act, the Accounts and Audit Act and the Local Authority Procurement and Asset Disposal Act.

Table 7.2a Aggregate income and expenditure for local government 2016/17

Income	BWPm	Expenditure	BWPm
Centre-local transfers	3,530	Administration	
Restricted	na	Staff	2,073
Unrestricted	na	Property maintenance	756
Locally raised revenue	2,717	Operational costs	234
Property taxes	na	Services	
Licences and fees	na	Development	2,757
TOTAL INCOME	6,247	TOTAL EXPENDITURE	5,819

Note: Figures may not sum to totals due to rounding Source: MLGRD communication with CLGF

Table 7.2b Local government expenditure as a percentage of total government expenditure 2013-17

	2014/15 actual BWPbn	2015/16 actual BWPbn	2016/17 actual BWPbn	2017/18 estimated BWPbn	2018/19 budgeted BWPbn
Total government expenditure	50.56	55.96	51.81	na	45.94
Total local government expenditure	5.82	na	6.21	na	6.28
Local government expenditure as a percentage of total government expenditure	11.5%	na	12.0%	na	13.7%

Source: MOI communication with CLGF, Budget Statement 2016 and table 2a.^{7,9}

9. FINANCE, STAFFING AND RESOURCES

9.1 Local government expenditure

In 2016/17, local government expenditure was 12.0% of total government expenditure: see table 7.2b.

9.2 Locally raised revenue

Councils have statutory powers to collect certain taxes, levies and fees to cover their operating expenses. Local sources of revenue include rates, service levies and user charges including abattoir fees, trade licences, beer levy, interest on investments, housing rents, and any other sources of revenue as determined from time to time. Since 2012, property tax and business tax are applicable in both urban and district councils.

9.3 Transfers

National government provides 90% and 80% of district and urban councils' recurrent budgets, respectively; and 100% of their capital budgets. Councils also receive development grants from national government. Since Botswana's domestic government revenues are largely generated by mining and national taxes, the revenue is pooled and shared between national and local government.

9.4 Loans

No information is available.

9.5 Local authority staff

The Department of Corporate Services within the MLGRD is responsible for recruitment, postings, transfers, promotions, training, discipline and conditions of service of senior staff in all local authorities. The administrative heads of councils are town clerks in urban districts and council secretaries in rural districts. The responsibility for lower grade staff lies with the local authority and the local district commissioner. Councillors receive remuneration at a level determined by national government. Strategic leadership at local authority level is provided by mayors in towns and council chairpersons in rural districts.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

10.1 Overview of local government service delivery responsibility

Councils are organised into departments to facilitate service delivery and each has jurisdiction over its own area. Coordination of council plans and activities is done through various mechanisms and forums organised by national government. Functions of councils include provision of primary education infrastructure, public health and sanitation, waste management, tertiary and secondary roads and other areas such as social welfare and community development, remote area development and maintenance of public facilities. Local authorities are empowered to undertake other functions related to those specified by legislation and as advised by the MLGRD.

10.2 ICT use in service delivery

Some of the services offered by councils can be found on their websites. In addition, the MLGRD is piloting a 'service hall' concept in two councils, Kweneng and Gaborone, in response to feedback from customers highlighting slow turnaround time, disjointed and fragmented services, manual services, poor record management, and excessive bureaucracy. The service halls represent a first step towards joined-up government and a 'one-stop shop' approach where a number of services can be provided under one roof and also offered online.

10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)

Vision 2036^{7,10} aligns Botswana's national agenda with the global agenda for sustainable development, and its associated sustainable development goals and the principles of the Africa Agenda 2063. A substantial role is envisaged within Vision 2036 for local government both in terms of governance and local economic development.

REFERENCES AND USEFUL WEBSITES

- 7.1a Government of Botswana portal www.gov.bw
- 7.1b Women in national parliaments. Inter-Parliamentary Union www.ipu.org/wmn-e/classif.htm
- 7.2a Botswana Constitution www.parliament.gov.bw/documents-and-reports/constitution-of-botswana
- 7.2b Botswana Vision 2036, p.27 www.statsbots.org.bw/2036-vision
- 7.2c Local Government Act 2012 <http://aceproject.org/ero-en/regions/africa/BW/Local%20Government-District%20Councils%20Act.pdf>
- 7.3a National Statistics Office, 2011 Census www.cso.gov.bw
- 7.3b UNFPA population estimates www.statsbots.org.bw/sites/default/files/publications/population_projection.pdf
- 7.3c Ministry of Local Government and Rural Development www.mlg.gov.bw
- 7.4 Election Commission www.iec.gov.bw
- 7.5 Botswana e-Government Master Plan 2015-2021 www.cit.co.bw/downloads/e-government%20master%20plan%20presentation%20to%2014th%20e-government%20board%20version2.pdf
- 7.6 Botswana Association of Local Authorities www.bala.org.bw
- 7.7 No references for this section
- 7.8 No references for this section
- 7.9 Based on figure BWP5.82bn in table 2 and BWP50.56bn in section 71 the 2016/17 budget in brief www.gov.bw/en/Ministries-Authorities/Ministries/Ministry-of-Finance-and-Development-Planning1/latest-news-/THE-2016-BUDGET-SPEECH
- 7.10 Botswana Vision 2036 www.statsbots.org.bw/2036-vision
- 7.11a UN 2012 statistics surface area <http://unstats.un.org/unsd/demographic/products/dyb/dyb2006/Table03.pdf>
- 7.11b Commonwealth Local Government Knowledge Hub www.clgf.org.uk/resource-centre/knowledge-hub
- 7.11c UNDP HDR Botswana country profile <http://hdr.undp.org/en/countries/profiles/BWA>

Annex 7a Summary of service provision in different spheres of government in Botswana

Services	Delivering authority			Remarks
	National government	City/town councils	Rural councils	
GENERAL ADMINISTRATION				
Police	■			Ministry of Labour and Home Affairs is responsible for civil status register
Fire protection		■	■	
Criminal justice	■			
Civil status register	■			
Statistical office	■			
Electoral register	■			
EDUCATION				
Pre-school (kindergarten and nursery)		■	■	Government offers only at reception class level, private pre-schools offer at a lower level Some apprenticeship training brigades are community-owned
Primary		■	■	
Secondary	■			
Vocational and technical	■			
Higher education	■			
Adult education	■			
SOCIAL WELFARE				
Family welfare services		■	■	
Welfare homes	■			
Social security	■	■	■	
PUBLIC HEALTH				
Primary care	■			Inspectorate for Licensing responsible for vector control and household malaria spray
Hospitals	■			
Health protection	■	■	■	
HOUSING AND TOWN PLANNING				
Housing	■	■	■	Self-help housing loans administration overseen by Ministry of Lands and Housing
Town planning	■	■	■	
Regional planning	■			
TRANSPORT				
Roads	■	■	■	Botswana is a landlocked country so has no ports
Transport	■			
Urban roads		■		
Urban rail	■			
Ports				
Airports	■			
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation	■			Provided by water utility corporations
Refuse collection and disposal		■	■	
Cemeteries and crematoria		■	■	
Slaughter-houses	■	■	■	
Environmental protection		■	■	
Consumer protection	■			
CULTURE, LEISURE AND SPORTS				
Theatre and concerts	■	■	■	
Museums and libraries	■			
Parks and open spaces		■	■	
Sports and leisure	■	■	■	
Religious facilities				
UTILITIES				
Gas services				
District heating				
Water supply	■	■	■	
Electricity	■			
ECONOMIC				
Agriculture, forests and fisheries	■			
Economic promotion				
Trade and industry	■	■	■	

■ sole responsibility service ■ joint responsibility service ■ discretionary service