

**RESEARCH CONSULTANCY**  
**ON**  
**PARLIAMENTARY CLIMATE CHANGE CAPABILITY**

Conducted for  
International Institute for Environment and Development  
(IIED)

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## **1. BACKGROUND**

The effect of climate change such as variability of annual rainfall pattern, food security, desertification and soil erosion, weather, economic life especially of the poor would increase unless urgent measures are adopted. In order to abate the severity and consequences of climate change, policies would have to be formulated, bills enacted and adaptation and mitigation strategies implemented and monitored at local communities through national central governments. Government would have to approve fresh policies and standard operating procedures. This calls for informed, empowered and enlightened parliamentarians to debate various climate change issues.

The International Institute for Environment and Development (IIED) has been working collaboratively and in partnership with European Parliamentarians for Africa (AWEPA) to deliver a project on Parliamentary Program for Climate Change Adaptation and Mitigation. The project is funded by the Foreign and Commonwealth Office (FCO) of the UK Government. The project is working with Parliaments and parliamentarians in 5 Southern African Development Community (SADC) countries, namely, Botswana, Lesotho, Namibia, South Africa and Swaziland. As part of this project the IIED has commissioned researchers in each of the countries to produce a research paper describing and assessing the parliamentary institutions, their roles and relationships within government and their effectiveness at addressing climate change issues. This paper presents the results for Botswana.

### **1.1 Terms of Reference**

The broad terms of reference for the study cover the following areas:

- a) A description of the Parliament, its makeup, how parliamentary business is conducted and its support structures.

- b) A description of any previous or ongoing parliamentary business regarding climate change and the form this took. This could include presentations or submissions to Parliament or its committees, questions asked, debates held, amendment of existing legislation to address climate change issues and/or debating or amending new climate change legislation. Any other parliamentary business related to climate change but not covered by the above list should also be included.
- c) A description and assessment of how interaction between Parliament and other organs of state work in practice. This will include the Parliaments relationship with the country's representation at the United Nations Framework Convention on Climate Change (UNFCCC) Conference of Parties (COP) especially how this has worked for COP15 held in December 2009 in Copenhagen. The research will provide assessment of these relationships and suggestions as to how these could be strengthened to enable parliamentarians to play a more active role in shaping climate change policy.

## **1.2 Scope of Study**

The authors initially envisioned a survey type of study and designed a 25-item questionnaire to be administered to members of the Botswana Parliament. However, because of the short duration for the study only data and information from secondary sources and limited interview were collected and analysed. A more rigorous and quantitative study could be considered in future.

## 2. INTRODUCTION

Botswana is a landlocked and arid to semi-arid country. It shares common borders with South Africa on the east and south, Namibia on the west and north, Zimbabwe on the east and Zambia at a narrow strip in the north- see Fig 1. It is a member of SADC, Southern African Customs Union (SACU), African Union (AU), Commonwealth and the United Nations (UN). It is one of the largest countries on the African continent but sparsely populated. Botswana's climate is influenced by its position in the southern hemisphere. It is located in the high pressure belt in the interior of southern Africa away from oceanic influences (Republic of Botswana, 2003). Rainfall is unreliable and unevenly distributed and varies from 250 mm annually in the southwest to 650 mm in the northeast. The country is highly vulnerable to seasonal variations in climate, influenced by the La Nina and El Nino events (Wingqvist and Dahlberg 2008:1). Botswana is situated in the catchment basins of the Limpopo, Okavango, Orange, and Zambezi rivers, which are all shared with some other countries. It consists of "a very fragile ecosystem that carries over 3,000 plant species, 164 mammalian, 157 reptiles, 550 birds species, and large numbers of insects. The people of Botswana have derived food, fibre, fuel, medicine, jewellery, fodder, hides and trophies and other livelihoods from these indigenous resources" (Mogotsi et al, 2006:1). About two-thirds of the country are covered by the Kalahari Desert sands, and are not suitable for agricultural production.

**Population:** In 2007, the population of Botswana was estimated to be about 1.8 million people. Botswana's natural resources consist of range and arable land, woodlands and wetlands, wildlife and mineral resources as well as the unique Okavango Delta. (Wingqvist and Dahlberg 2008: 1).

## **Economy**

Botswana enjoys a stable economy and a conducive environment for international collaboration and transactions. Botswana's economic growth rate is described as

... one of the fastest growth rates in per capita income in the world since independence, although it has slowed down considerably due to the global economic slowdown. Economic growth averaged 9% per year from 1967-2006, but slowed during 2007 and 2008 to only 3% before contracting by an estimated 4-5% in 2009. The government has maintained a sound fiscal policy and a negligible level of foreign debt. Foreign exchange reserves were estimated to be \$9.2 billion in November 2009, representing approximately 20 months' cover of imports of goods and services. In the second quarter of 2009, imports remained in excess of exports, resulting in a trade deficit that was partially offset by the revenues from SACU. Botswana's impressive economic record has been built on the foundation of wisely using revenue generated from diamond mining to fuel economic development through prudent fiscal policies and a cautious foreign policy (Bureau of African Affairs, 2010: 5)

Diamonds mining which accounts for more than one third of GDP remains the country's economic mainstay. Botswana has been the world's largest producer of quality gem diamonds since the early 1980s. Its diamonds reserves are estimated to last for the next 20 years at the current production rate. Next to the diamonds industry is tourism which accounts for approximately 6% of the GDP. To avoid dependence on mining Botswana seeks to diversify its economy by promoting other growth areas e.g. industrial development, finance and commerce and knowledge economy (Ministry of Finance and National Planning, 2003). However, the country is experiencing the HIV/AIDS pandemic which has significant negative impact on

national manpower requirement and economic growth. The government is aggressively “providing leadership and programs to combat the epidemic, including free anti-retroviral treatment and a nationwide Prevention of Mother-to-Child Transmission program.”(Bureau of African Affairs, 2010: 5)



Fig 1: Map of Botswana

**Botswana’s environmental problems:** About two decades ago, Botswana’s National Conservation Strategy identified five environmental issues that are of concern to national development and economic growth. These are range land degradation, rapid population growth rate, pressure on water sources, depletion of wood resources and veld products and pollution (Republic of Botswana, 1990: 4). These issues are still persistent despite several attempts by government to tackle them. Strategies to mitigate their impact are compounded by

the current climate change effects. Although they still exist as national environmental issues and concerns, drought and desertification which are related to climate change are predominating and requires proactive policy change. Droughts are becoming more frequent and severe in some parts of the country leading to desertification problems. It is noted that

Due to the drought 75% of the country's human and animal populations are dependent on groundwater. Groundwater use has eased the effects of drought, but has left a toll on the land. Groundwater is retrieved through drilling deep boreholes, which leads to the erosion of the land. Surface water is very scarce in Botswana and less than 5% of the agriculture in the country is sustainable by rainfall. Due to this 95% of the country raises cattle and livestock as a means for an income. Therefore, it is not a surprise to see that 71% of the country's land is used for communal grazing which has been a major cause for the desertification of the country. (Darkoh, 2010)

***Climate change*** is a global concern that is adding to Botswana's environmental stresses contributing to water scarcity (that may affect the country's economy, due to water transfer schemes or dam construction and hence human welfare) and land degradation may affect health and food production.

Climate change is likely to add to existing stresses in Botswana causing significant changes in prevalent vegetation and rangeland cover, affecting species types, composition and distribution, as well as those depending on them. The most vulnerable sectors are identified as agriculture/livestock, woodlands/forests, water and health. (Wingqvist and Dahlberg, 2008: 8).

In addition



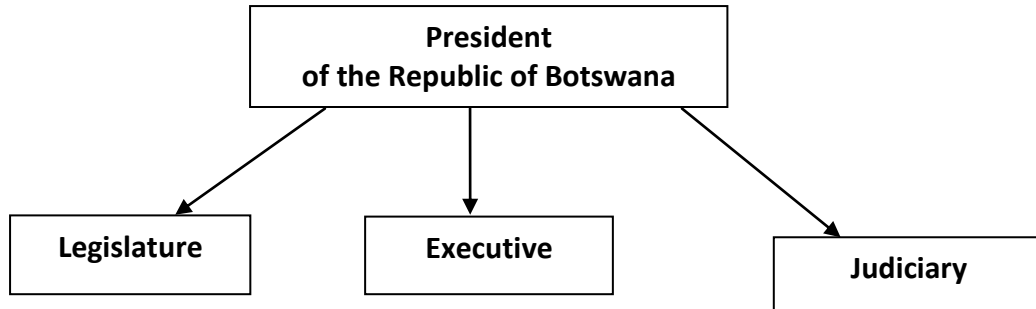
Climate change is likely to impact on Botswana's ecosystems, especially the Okavango Delta, with a probable negative impact on tourism as well as livelihood opportunities for the peoples residing in the basin. Climate change impacts are expected to increase over the years and decades to come, which will constitute a threat to development and diminish the chances of achieving the MDGs (ibid)

Climate change is related to increase in natural disaster risks as Botswana is now experiencing occasional intense rains, floods and loss of biodiversity due to frequent droughts.

This would need a proactive policy change to strengthen the existing environmental policies and legislation in Botswana and build resilience. It is now established that climate change is linked to poverty and vulnerability. Drought is a known environmental phenomenon in Botswana that had affected both individuals and the nation challenging human adaptive capacities and capabilities including use of traditional coping strategies. In addition, Botswana could adopt both energy efficiency and use of renewable energy i.e. solar power systems, the biomass (by collecting waste) and biofuel (e.g. *Jatropha* or tallow) as climate change mitigation strategies.

### **3. GOVERNMENT STRUCTURE**

Botswana practices parliamentary democracy type of Government. Members of the National Assembly are popularly elected. The government structure is made up of *the Executive* (i.e. the State President, who is the chief of state and head of government), and the cabinet; the *Legislative* arm made up of popularly elected representatives to the National Assembly; and advisory House of Chiefs. The *Judiciary* consists of the High Court, Court of Appeal, local and customary courts, and industrial labour court (see Fig. 2) and Appendix 1.



**Fig. 2. Botswana Government Structure**

### **3.1 The Legislature**

Botswana practices multiparty constitutional democracy. Every five years general elections are held to elect Members of Parliament to represent their constituencies at the National Assembly. The National Assembly currently consists of 57 elected members, 4 members are constitutionally elected by Parliament for their special or valuable skills, the President who represents the majority party in Parliament, the Attorney General who advises Parliament on legal and constitutional matters, and the Speaker of the National Assembly who is non-partisan. Both the President and Attorney General are ex officio Members of the National Assembly. All the ten elections since independence had been described as free and fairly contested. From the 2009 General elections the Botswana Democratic Party (BDP) won 45 of the contested National Assembly seats (6 defected in 2010 to form the Botswana Movement for Democracy (BMD)), the Botswana National Front (BNF) won 6 seats, and the Botswana Congress Party (BCP)/Botswana Alliance Movement (BAM) pact won 5 seats. For the first time in the history of the country, an independent candidate won a seat in Parliament during the 2009 election but in July 2010 he joined the newly formed BMD party.

The Botswana Parliament is vested with legislative authority in the Republic that has been in existence for over 40 years. Its main functions are to: a) pass laws regulating the life of the

nation and (b) scrutinize government policy and administration and monitor government expenditure. It approves and/or critiques policies. It “has well developed Standing Orders that guide its procedures and its conduct of business. The National Assembly also enjoys legitimacy, which enhances its capability to make decisions and have them implemented by the bureaucracy.” (BIDPA/ECA, 2006: 202). The BIDPA/ECA report has noted that Parliament “lacks the capacity to initiate policy (Ibid: 202). The process of coming up with a bill is complex. Lobbying from other sectors such as the Non Governmental Organizations (NGOs) and opposition parties is weak (Ibid) probably due to lack of capacity. If it were not weak, it may have otherwise influenced the “decentralization of policy initiation from Government. ... the initiation of policy debate is left to the legislators who lack adequate capacity to do research, hence the pre-dominance of top bureaucrats in the policy-making process” (BIDPA/ECA, 2006:202-3). However, Parliament is empowered by the constitution to co-opt experienced individuals as Specially Elected members to strengthen its capacity. The legislature is key to climate change policy discourses and should be informed in view of abundant scientific information on climate change effects such as floods, droughts and other forms of extreme weather variations threatening food supplies and potentially forcing thousands of people to become climate change refugees.

The Botswana Parliament acts cooperatively with the *House of Chiefs* which serves as an advisory body to the Parliament. The House of Chiefs consists of 8 permanent members who are the chiefs/rulers of the “principal” Batswana tribes, 5 members specially elected by the President, and 22 members elected from designated tribal regions every 5 years. The House has power to scrutinize all bills affecting tribal organization and property, customary law, and the administration of customary courts before being discussed by Parliament. “The roots of Botswana's democracy lie in Setswana traditions, exemplified by the Kgotla, or village council, in which the powers of traditional leaders are limited by custom and law”. (Bureau of African

Affairs, 2010:4). However, the House of Chiefs has to be consulted when the Constitution is reviewed.

### 3.1.1 Conduct of Parliament business

The Botswana Parliament operates through specialized legislative committees. These committees are regulated by the Standing Orders of the National Assembly. Opposition parties are fairly represented on all committees because the composition of committees is directly proportional to party strengths in the Parliament. There are 3 different types of Committees, namely,

- Standing Committees – these committees are created at the first sitting of a Parliament following the general elections and they operate throughout the life of a Parliament i.e. 5 years.
- Sessional Select Committee – appointed regularly at commencement of each session to deal with matters referred to it then report to the National Assembly.
- Special Sessional Committees - appointed during the session to deal with special issues for which they are constituted and then report to the National Assembly.

A list of the existing parliamentary committees is presented in Appendix 2. One of the Parliamentary Committees is on Agriculture and Environment (CAE). This committee is responsible for issues pertaining to agricultural sector and environment at legislative level. The committee would be ideal for promoting and articulating issues on environment related policies such as policy on climate change. It is pertinent to note that in order to address climate change matters/issues holistically, the Botswana Parliament has recently approved the creation of a select committee on climate change (CCC). The committee will be inaugurated during the next session of Parliament. Both committees (i.e. CAE and CCC) would benefit from capacity building and training on climate change to enable the members discharge their parliamentary duties effectively.

To legislate on any issue, a Member of Parliament or Government representative (e.g. Minister) presents either a bill or motion that would be approved by a simple majority of the house. If a policy is initiated through a motion, a consultative process is effected through Government structures including the relevant ministry and the Executive, then taken to Parliament for debate and final approval. A bill or policy initiated by Government is presented to Parliament by the responsible minister for debate and approval. A bill is presented and debated at least twice, passed and then finally signed by the President to become a law.

The Botswana's National Assembly Standing Orders provide that bills, amendments or motions should be submitted to the Clerk and Speaker of the National Assembly, noticed and then presented for debate and eventual rejection or adoption. The Standing Orders provide an opportunity for policy change e.g. on climate change. It could be used to amend the current related Acts or make fresh presentation of a Bill that would culminate in the proclamation of a new act to facilitate appropriate strategies on climate change adaptation and mitigation across sectors.

### **Laws and policies related to climate change**

Some of the Botswana laws could be linked to climate change. The Atmospheric pollution (prevention) Act is an example of the laws to minimise if not eliminate substances that contribute to global warming and climate change as it prohibits industrial processes capable of causing emissions into the atmosphere. This Act needs strengthening because it deals with emissions from controlled areas only. A related policy, initiated through Parliament could deal with more issues such as depletion of the ozone layer. Environmental policies that are meant to protect the environment and that may be linked to climate change are listed in Appendix 3.

## **Botswana constitution and the environment**

The Botswana constitution establishes the important structures of the decision making process. However, there is no specific section in the constitution that refers to climate change or environmental protection. Environmental considerations are subsumed under different sections such as Section 3 on the right to a healthy environment. Appendix 4 presents environmentally related acts that may be linked to climate change. In terms of Section 86 of the Constitution, Parliament has the power to make laws for the good of the country. Therefore the Constitution allows Parliament to legislate on any issue which may include climate change.

### ***3.2 The Executive***

The Executive is the most powerful arm of Botswana Government. It consists of the State President, Government Ministers and Assistant Ministers who are supported by their Permanent Secretaries. However, the President has executive powers to take some decisions without consulting other members of the Executive. The duties of this organ are mainly to initiate and implement government policies, and propose changes to the constitution. The state bureaucracy assists the Executive in implementing policy decisions, programmes and projects. The 2006 BIDPA report stated that “The Executive generally lacks adequate capacity to implement and manage development policy. A lack of skilled manpower is one of the key challenges the Government is faced with” (BIDPA/ECA, 2006:203).

### ***3.3 The Judiciary***

The Judiciary in Botswana, as an arm of Government, is constitutionally independent and perceived to be corrupt-free. It is charged with the administration of justice, delivered by professionals and supported by the High Court, Court of Appeal, Magistrate Court, Industrial Court and Customary Courts. The High Court is headed by the Chief Justice and assisted by the

Master of the High Court as administrator. Botswana's High Court has jurisdiction over general, civil and criminal matters. Judges are appointed by the President and may be removed only after a hearing. The constitution has a code of fundamental human rights enforced by the courts, and Botswana has a good human rights record (Bureau of African Affairs, 2010). In the dispensation of justice the High Court collaborates with other structures such as the Attorney General's Chambers, Public Prosecution Directorate and Customary Courts.

### **3.4 Local Government**

Local government is administered by 9 District Councils and 5 Town Councils headed by the District Commissioners and Council Secretaries/Town Clerks. The District Commissioners are appointed by the central government, have executive authority and are supported by officials of the central and local government departments. They also work in collaboration with elected and nominated district councillors, traditional leaders and district development committees. At village levels there are Tribal Administration, Village Development Committees and Parents Teachers Associations to facilitate socio-economic development of communities. Government policy initiation and development processes recognize all local government structures and the community. These structures are responsible for implementation and monitoring of government policies. The structure is also ideal for delivery of projects and policies directly to communities experiencing the effects of climate change and variability.

## **4 PARLIAMENT AND CLIMATE CHANGE**

### ***4.1 Introduction***

Climate Change refers to all types of variation in global or regional atmospheric conditions that are measured over specified long time scales. Most evidence for climatic changes is inferred from variability of indicators that reflect climate such as vegetation, rainfall patterns (flooding & drought), sea level variation, global warming, ozone depletion, and melting of ice caps. These changes are caused by several processes including human activities such as power production, industrial processes, transportation, land use, deforestation, and agriculture. According to the Intergovernmental Panel on Climate Change (IPCC) over 90% of the current climatic changes are possibly caused by human activities (i.e. anthropogenic climate change) (The Free Dictionary, nd).

Anthropogenic climate change is attributed to the increasing release of greenhouse gases principally CO<sub>2</sub> from combustion processes into the atmosphere. The greenhouse effect is the warming produced as greenhouse gases trap thermal energy and may lead to global warming. In many instances, climate change has been used interchangeably with global warming. The current global challenge is to control and limit the national or industrial carbon footprint.

Botswana is a signatory to the UN Framework Convention for Climate Change (UNFCCC) and the Kyoto Protocol, and therefore environmental issues will have to be monitored and evaluated periodically. For example, appropriate emission guidelines must be developed for power plants based on international standards and protocols.

The Kyoto Protocol is a strategy by the UN to combat the effect of climate change. The principal requirement of the protocol is to limit greenhouse gas emissions by developing nations to agreed levels. The protocol encourages emission (carbon) trading between emitters in developing countries and developed countries through the Clean Development Mechanism



(CDM). Countries that ratified the protocol are expected to institute Designated National Authority (DNA) to control, promote, recommend and approve projects to qualify for CDM benefits. The Meteorological Services Department (DMS) has been established as the DNA in Botswana. The DMS is also the Secretariat of the National Climate Change Committee which is to provide climate change direction and drive actions and strategies. A National Climate Change Coordinator was appointed early in 2010 to provide resource and skills within the Ministry of Environment, Wildlife and Tourism (Loci, 2010).

Some projects and programmes in Botswana have been highlighted as possible beneficiaries of CDM though none of them has been formally presented to the DNA. Actions taken so far for climate change mitigation and adaptation include: consultation on energy policy and energy master plan, aggressive plan to diversify energy production options to include renewables (solar and biofuels), promotion of energy efficiency/management, rural electrification (solar home systems) to reduce stress on wood and vegetation for energy purposes. Several national, regional and international policies (see Appendices 3, 4 and 5) are in place to add value to quality of life, conservation of the environment, diversification of the economy, value addition to natural resources, and job creation (Ministry of Finance and National Planning, 2003).

#### **4.2 Stakeholders dealing with Climate Change issues**

There are non-state organs that deal with issues concerning the environment. For example NGOs and community based organizations (CBOs) play important roles in environmental and conservation issues. These organisations are involved in service provisions and implementation of projects. In 2007 a policy on Community Based Natural Resources Management (CBNRM) was approved by Parliament. CBNRM was started in 1989 as a rural development and conservation strategy which emphasizes that people coexist and depend on natural resources

for their livelihood (van der Jagt et al, 2000). In CBNRM approach, a local community is organised into a Community Based Organisation (CBO) that delivers a project as a business venture, (Centre for Applied Research, 2003). Apart from financial and employment opportunities created by CBOs for rural dwellers, sustainable use and conservation of the natural resource base will ensure that resources are preserved for future generations. Non government organizations also deliver services or projects and have some role to play in climate change mitigation. An NGO is any organisation that is neither government owned nor profit making. NGOs have been operating in the country for more than 3 decades (van der Jagt et al, 2000). The role, function and spread of NGO activities have increased tremendously. The Botswana Council for NGOs (BOCONGO), an umbrella organization for NGOs, can play an important role in implementing climate change policies.

### **4.3 Opportunities and Constraints**

Botswana is a member of SADC Parliamentary Forum, Commonwealth Parliamentary Association, The African Caribbean and Pacific countries and European Union (ACP-EC) and the International Parliamentary Union (IPU). All these provide opportunities for capacity building on climate change processes through collaboration and linkages that may influence policy change. In addition Botswana Parliament has established a Research Division to provide support and information to parliamentarians for policy debates.

However, it has been observed that “not all MPs are familiar with the computer, the internet and email; resources which would definitely be helpful in enabling them collect information” (BIDPA/ECA 2006: 205). Therefore there is a dire need to enhance the capacity of MPs to enable them access internet based information. Their ability to use computers would enhance their capacity to contribute effectively to parliamentary debates as they would be able to access relevant and current information (Toka, 2010).

Officers at Parliament are limited in inter and multidisciplinary issues especially on environmental matters. Their capacity to initiate and provide guided information on climate change policy debates need to be enhanced.

#### ***4.4 Botswana and climate change: A response***

Botswana has started to build capacity for the implementation of the UN Framework for Climate Change (UNFCCC), Convention of Biological Diversity (CBD), and Environmental Impact Assessment (EIA). However, the European Commission has identified some capacity constraints, including: (i) lack of technical skills in specialised areas such as climate change modelling and monitoring of genetically modified organisms (GMO); (ii) lack of specific competencies such as reviewing Environmental Impact Assessment (EIA) reports and enforcing adaptive measures; (iii) absence of integrated approaches to environmental management; and (iv) lack of prioritisation of key issues. The overall capacity constraints are enhanced by the diversion of resources to combat the HIV/AIDS pandemic. (Wingqvist and Dahlberg 2008:2).

Botswana's response to climate change is in many ways. Over the years several environmental policies have either been approved or are different stages of the approval process. Policy initiatives have been presented through parliamentary structures by different ministries and departments e.g. The Ministry of Wildlife, Environment and Tourism, the Department of Meteorological Services, and the Ministry of Minerals, Energy and Water Affairs. Appendix 3 and Appendix 4 present a summary of the policies and a list of National Environmental Laws in Botswana respectively. It can be observed that the policy objectives and the relevant provision of the laws cover issues that are indirectly linked to climate change mitigation and adaptation. The Government is usually represented at various UN forums, conventions, and conferences. For example a high powered government delegation attended and contributed to the recent

(December 2009) COP15 in Copenhagen. Appendix 5 presents a list of International Environmental Conventions showing the overall objectives and dates when they were signed or ratified by government of Botswana.

The authors interviewed a member of the Agriculture and Environment Committee and the MP for Gaborone South (Hon. Molatlhegi MP). He stated that not much has been achieved in terms of policies on climate change but Parliament has recently approved creation of a select committee which will drive issues of climate change at parliamentary level. He also confirmed that many parliamentarians have not had opportunities for capacity building but he has attended some relevant workshops on climate change e.g. those organized by AWEPA, The Parliamentary Centre in Africa, and the Commonwealth Parliamentary Association (CPA).

In view of the foregoing it can be concluded that Botswana government responds positively to issues of the environment including climate change. This is also partly evidenced by the creation of a new Parliament committee on climate change. However parliamentarians, Parliament structure and bureaucrats will need to be empowered or reinforced to generate direct policy on climate change. The role of the National Climate Change Coordinator vis a vis the Parliament should become clearer during the next session of Parliament.

## **5 PARLIAMENT AND OTHER ORGANS OF STATE**

Parliament's role is mainly legislating on matters concerning the nation. Through Government structure and processes described in section 3 above, Parliament facilitates policies that may lead to climate change adaptation and mitigation strategies. There are some organs of state that are charged with the implementation of policies from Parliament. Some of these policies are general and need to be broken down into regulations by respective government ministries

or departments for implementation. The policies that relate to environment have been presented in Appendices 3 and 4.

The Ministry of Wildlife, Environment and Tourism is charged directly with all matters pertaining to environmental resource management in Botswana including climate change mitigation and prevention. Issues of climate change cut across all government ministries and adequate service provision and delivery by public departments would invariably involve some elements of climate change mitigation or prevention. However there are some ministries that by virtue of their main functions and responsibilities are involved with issues of climate change. These are the Ministry of Minerals, Energy and Water Affairs, the Ministry of Agriculture (including the Botswana College of Agriculture i.e. for research in agriculture and land resource management), Ministry of Education and Skills Development, and Ministry of Finance and Development Planning.

Apart from government institutions, some parastatals are involved in environmental activities. These organizations include Water Utilities Corporation responsible for water supply to urban and major villages, Rural Industries Promotions Company (solar energy and water harvesting), University of Botswana (research in environmental, climatology, water, wetlands, biological, and energy issues) and Botswana Power Corporation responsible for electricity generation.

## **6 OBSERVATIONS**

Climate change and variability are not only of international importance but crucial at national levels. Impacts of climate change and variability affect sustainable development worldwide influencing policy reviews for adaptation and mitigation measures. It is affecting efforts to implement international adopted policies such as UN MDG as resources are channelled to disaster management related to climate change particularly in arid and semi arid regions of the world such as Botswana. The impact of climate change and variability is making poverty

reduction efforts more complex as disasters such as flood increase the number of the needy and hence diversion of some resources to relief them.

In Botswana, climate change and variability impact is recognised through related environmental problems such as desertification, frequent droughts and unreliable rainfall patterns. Arable farmers experience low yields and pastoral farmers experience poor range land due to high temperatures and low rainfall. Environmental policies are in place to tackle some of these problems but not specifically on climate change adaptation and mitigation. Although the existing legislation could be modified and some new regulation with implementation strategies be adopted to deal with climate change adaptation and mitigation, specific policy initiatives and proclamations would add impetus to efforts on climate change. These could be facilitated through capacity building of policy makers such as parliamentarians and principal officers in central and local government and then cascaded to lower levels and communities. The focus should not only be on adaptation and prevention measures but more importantly on holistic sustainable development.

Stakeholders such as NGOs and private sector are making efforts to promote sustainable development through public awareness and projects. A well articulated policy on climate change drawing from the existing policies and acts of Parliament, international and regional policies and experience, local contexts and experience is necessary.

Based on data generated for this report it is noted that one of the existing gaps within the political system is capacity among decision makers particularly on policy issues. The support structures that facilitate policy development and implementation processes seem adequate but there is need for capacity building on climate change and variability. It is acknowledged that, “National governments have a key role to play in working towards neutrality. They can apply

various instruments that can change people's behaviour. Legislation and economic incentives, used in the right mix, will make a great influence" (Kirby 2008:51). Decisions taken at Parliament can influence and motivate actors from local to international community and have a profound effect on climate change trend in Botswana and beyond. Since there is no legal instrument specific for climate change but some events and commitment by government to promote climate change education, adaptation and build resilience among people it means this is the right time for building capacity that would facilitate informed debates in Parliament and create a well-articulated climate change policy.

Issues such as HIV/AIDS are overshadowing climate change education across government structure and political circles. Lack of awareness on the part of MPs should be tackled for the sake of the country, future generations and the environment that is our source of livelihood. Climate change is not yet topical among the majority of the politicians and their constituents especially the rural communities with limited scientific knowledge, but who mostly feel the effects of climate change.

## **7 RECOMMENDATIONS**

In view of the discussions in the preceding sections, the following recommendations are presented.

- There is lack of awareness and training on climate change among some MPs and research officers in Botswana. Workshops are therefore strongly recommended to build capacity of parliamentarians and officers of Parliament e.g. on computer literacy, effects of climate change and various mitigation actions.

- Resources should be provided for MPs to attend conferences and seminars regionally and internationally.
- Parliamentarians need improved library services on issues such as climate change. The Library at the National Assembly needs to be upgraded to provide information and other resources timeously especially to support committee meetings.
- Bureaucratic processes take too long e.g. in processing draft policy documents. Several policies have long been at drafting and consultation stages probably because of systemic weaknesses. Capacity building among Parliament officers, ministry officials and MPs may enhance speedy service delivery.
- There are both regional and international initiatives and information on climate change. The relevant parliamentary committees need to take advantage of research and development on climate change to inform policy and legal direction.
- International collaboration and linkages should be employed to enhance knowledge of MPs on climate change. MPs should also visit other parliamentarians in the region or elsewhere to benefit from progress and direction on climate change.
- Policies made in the absence of detailed relevant data are likely to miss the desired effect. There is inadequate data on the effects of climate change to guide formulation of appropriate policies. It is therefore important that the Research Section of the Parliament should be empowered to generate and provide current data and information for MPs.



- Stakeholders on climate change and related issues should also be encouraged to promote public awareness on climate change. For instance, Botswana Committee on Climate Change (BCCC) should be resourced to disseminate information to the general public and MPs rather than through workshops and conferences with principally experts in attendance.

## **ACKNOWLEDGEMENTS**

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## **REFERENCES**

BIDPA/ECA (2006). *The State of Governance in Botswana 2004. Final Report*. Gaborone.

Bureau of African Affairs (2010). Background Notes: Botswana. 26<sup>th</sup> March 2010.

Centre for Applied Research, Final Report of the Review of Community-Based Natural Resource Management in Botswana, Volume 1: Main findings, a study carried out for the National CBNRM Forum, September 2003

Darkoh, M.B.K. (2010). Desertification in Botswana. *RALA Report No. 200. pp61-74*  
[http://en.wikipedia.org/wiki/Botswana#cite\\_note-rala.is-4](http://en.wikipedia.org/wiki/Botswana#cite_note-rala.is-4). Accessed 27<sup>th</sup> November 2010.

Kirby, A. (2008) *CCCC Kick the Habit: A UN Guide to Climate Change Neutrality*. Nairobi: UNEMG, UNEP/GRID-Arendal.

Loci Environmental (2010). Research on the Effects of Jatropha Farming on Local Farmers. Final Report Volume I, Ministry of Minerals, Energy and Water Resources (Energy Affairs Division).

Ministry of Finance and National Planning (2003). *National Development Plan 9 2003/04 – 2008/09 (NDP 9)*. Government Printers, Gaborone:

Mogotsi, K.K., Kanego, A., Sebele, N., Kgaswane, M., and Gabaitse, H. (2006) New Opportunities for Combating Desertification in Botswana: Women in Action for Sustainable Land and Natural Resources Management. <http://www.iydd.org/documents/NOTCDIB.pdf>. Accessed on the 7th August 2010.

Republic of Botswana (1990) National Conservation Strategy: National Policy on Natural Resources Conservation and Development. Government Paper No.1. Government Printer, Gaborone.

The Free Dictionary (nd) <http://encyclopedia.thefreedictionary.com/climate+change> accessed on 12<sup>th</sup> August 2010

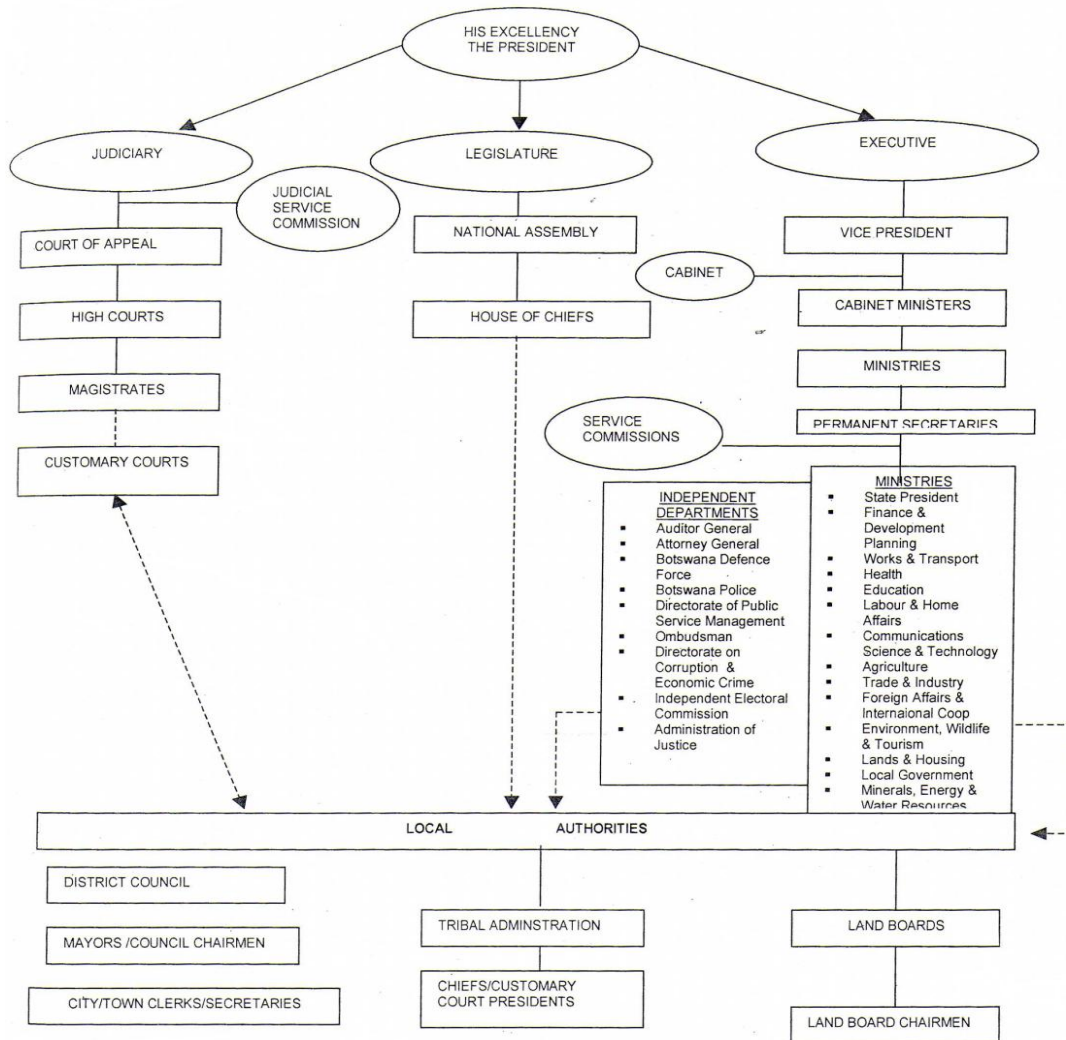
Toka, G. (2010). Botswana MPs Found Ill-Informed To Make Policy On Climate Change. *Sunday Standards*. 25<sup>TH</sup> April 2010. Accessed on 23<sup>rd</sup> July, 2010.

van der Jagt, C., Gujadhur, T. and van Bussel, F. (2000). Community benefits through CBNRM in Botswana. [CBNRM Support Programme Occasional Paper No. 2](http://www.cbnrm.bw/publications/CBNRM%20Support%20Programme%20paper%202.pdf) accessed on 27<sup>th</sup> August 2010 from <http://www.cbnrm.bw/publications/CBNRM%20Support%20Programme%20paper%202.pdf>

Wingqvist, G. Ö. and Dahlberg, E. 2008. Botswana Environmental and Climate Change Analysis 29 May, 2008. *University of Gothenburg*

## APPENDICES

**Appendix 1. Botswana Government Structure (Source: Ministry of Finance and National Planning, 2003).**



## Appendix 2: A list of the existing parliamentary committees

The National Assembly has five Standing Orders Committees who are constituted at the first sitting of a Parliament following elections. These committees operate throughout the lifetime of a Parliament. The lists of standing, sessional and special sessional (Ad Hoc) committees are presented below.

No	Standing Committees
1	Committee of Selection
2	Business Advisory
3	Standing Orders Committee
4	Committee of the National Assembly Staff
5	Committee of Privileges

No	Sessional Committees
1	Public Accounts
2	Finance and Estimates
3	Subsidiary Legislation, Government Assurances and Motions passed by the National Assembly
4	Foreign Affairs, Trade and Security Committee
5	House Committee
6	Committee of Population and Development
7	Law Reform Committee
8	Agriculture and Environment Committee
9	Labour Relations
10	Health Committee

No	Special Sessional Committees
1	Parliamentary Structural Committee
2	Special Select Committee on HIV/AIDS

### Appendix 3: National Environmental Policies in Botswana (Source: Wingqvist and Dahlberg (2008))

Policy	Policy Objectives
National Policy on Resources Conservation and Development 1990	<ul style="list-style-type: none"> <li>• Increase the effectiveness with which natural resources are used and managed and to reduce harmful impacts, and integrate the work of stakeholders in order to improve the development of natural resources through conservation.</li> </ul>
National Policy on Agricultural Development 1991	<ul style="list-style-type: none"> <li>• Improve food security through sustainable methods of production, and increase employment and income in the sector through diversification.</li> </ul>
National Master Plan for Arable Agriculture and Dairy Development 2002	<ul style="list-style-type: none"> <li>• Improve and ensure sustainable performance of the agriculture sector.</li> </ul>
National Settlement Policy 1998	<ul style="list-style-type: none"> <li>• Rationalize the distribution and development of settlements thereby achieve spatially balanced development across the country</li> </ul>
Housing Policy 1999	<ul style="list-style-type: none"> <li>• Facilitate the provision of decent and affordable housing for all within a safe and sanitary environment.</li> </ul>
Draft National Energy Policy 2006	<ul style="list-style-type: none"> <li>• Facilitate economic efficiency, improve access and affordability of energy services, ensure environmental sustainability, ensure security of supply and diversified supply sources, facilitate gender equity, and improve governance in the energy sector.</li> </ul>
Game Ranching Policy for Botswana 2002	<ul style="list-style-type: none"> <li>• Support economic diversification in rural areas and increase economic returns from wildlife resources outside protected areas including by increasing the participation of Batswana.</li> </ul>
Revised National Policy for Rural Development 2002	<ul style="list-style-type: none"> <li>• Reduce poverty, provide opportunities for income generation and involvement in economic activities, create employment and enhance popular participation in the development planning and implementation processes, as a basis for broad-based and sustainable development.</li> </ul>
The Tourism Policy 1990	<ul style="list-style-type: none"> <li>• Promotes low-income, high value tourism that benefits rural areas and involves a large number of citizens.</li> </ul>
National Water Master Plan 1992	<ul style="list-style-type: none"> <li>• Guide the development of the water sector by estimating water until 2020, determining the availability and development potential of resources to meet the identified demand, determining the optimum water resources, development programmes and policies, and identify the associated financial institutional and legal requirements, as well as the likely social and environmental impacts.</li> </ul>
Wildlife Conservation Policy 1986	<ul style="list-style-type: none"> <li>• Provide a framework for the conservation and sustainable</li> </ul>

	utilization of wildlife by realizing the full potential of the wildlife resources, developing a commercial wildlife industry in order to create economic opportunities, jobs and incomes, and increasing the supply of game meat for commercial subsistence and nutritional purposes.
Strategy for Waste Management 1998	<ul style="list-style-type: none"> <li>• Minimize and reduce wastes in industry, commerce and households, maximize environmentally sound waste, reuse and recycling and promote environmentally sound waste collection, treatment and disposal.</li> </ul>
Wastewater and Sanitation Management Policy 2003	<ul style="list-style-type: none"> <li>• Assess the status of sanitation and waste water in Botswana and propose improved management.</li> </ul>

#### Appendix 4: National Environmental Legislation in Botswana (Source: Wingqvist and Dahlberg (2008))

Law	Relevant Provision
Water Act , 1968	<ul style="list-style-type: none"> <li>• Defines water use rights and servitude.</li> </ul>
Wildlife Conservation and National Parks Act, 1992	<ul style="list-style-type: none"> <li>• Conservation and management of wildlife and implementation of international conventions for the protection of fauna, management of national parks and game reserves to which Botswana subscribes.</li> </ul>
Agricultural Resources Conservation Act, 1974	<ul style="list-style-type: none"> <li>• Makes provision for the conservation and improvement of agricultural resources and establishes the agricultural Resources Board whose functions include to issue conservation orders and stock control orders.</li> </ul>
Herbage Preservation (Prevention of Fires) Act, 1978	<ul style="list-style-type: none"> <li>• Prevention and control of bush fires and other fires.</li> </ul>
Tourism Act, 1992	<ul style="list-style-type: none"> <li>• Regulates the tourism industry to promote its sustainable development.</li> </ul>
Forest Act, 1968	<ul style="list-style-type: none"> <li>• Provides for the protection of forests and forest produce and the establishment of forest reserves.</li> </ul>
Environmental Impact Assessment Act, 2005	<ul style="list-style-type: none"> <li>• Provides for the environmental assessment to be done for projects and policies.</li> </ul>
Monuments and Relics act, 2001	<ul style="list-style-type: none"> <li>• Enables the protection, preservation and declaration of artefacts, monuments and heritage areas and provides for archaeological impact assessment.</li> </ul>
Mines and Minerals Act, 1999	<ul style="list-style-type: none"> <li>• Provides for environmental impact assessment of mining projects.</li> </ul>
Waste Management Act, 1998	<ul style="list-style-type: none"> <li>• Provides for the efficient management of waste, as well as the implementation of the Basel Convention.</li> </ul>
Town and Country Planning Act, 1980	<ul style="list-style-type: none"> <li>• Provides for the orderly development of land.</li> </ul>
Atmospheric Pollution Prevention Act , 1971	<ul style="list-style-type: none"> <li>• Governs all pollution and provides for the declaration of controlled areas.</li> </ul>
Agrochemicals Act, 1999	<ul style="list-style-type: none"> <li>• Regulates the registration and licensing of agrochemicals, controls their importation, manufacture, distribution, use and disposal and limits pollution of the environment.</li> </ul>
Tribal Land Act, 1970	<ul style="list-style-type: none"> <li>• Defines Tribal Land and establishes Land Boards to administer it.</li> </ul>
State Land Act, 1966	<ul style="list-style-type: none"> <li>• Defines State land and provides for its disposal.</li> </ul>



## Appendix 5. International Environmental Conventions (Source: Wingqvist and Dahlberg (2008))

Name of Convention	Date of Signature/ Ratification/ Accession	Overall Objectives
Un Convention on Biological Diversity	Ratified 12 October 1995	Conservation of biological diversity, sustainable use of its components; and fair and equitable sharing of benefits arising from genetic resources.
Un Convention to Combat Desertification and Drought 1994	Ratified 11 September 1996	To combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification, particularly in Africa
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) 1973	Accession 14 November 1997	The protection of endangered species prominent in international trade through appropriate control measures and monitoring the status of such species.
Convention on Wetlands of International importance especially and waterfowl Habit (Ramsar Convention) 1971	Accession 12 November 1997	To stem the loss and to promote wise use of wetlands.
Montreal Protocol on substances that Deplete the Ozone Layer, 1987	Ratified 4 December 1991	Ensuring measures to protect the ozone layer.
Basel Convention on the Trans-boundary Movement of Hazardous Wastes and their Disposal 1999	Accession 20 May 1998	Reduce transboundary movements of wastes; minimize the about and toxicity of wastes generated and ensure their environmentally sound management and assist least developed countries in environmentally sound management of the hazardous and other wastes.
UN Framework Convention on Climate Change	27 January 1994	To stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous interference with the climate system.
Kyoto Protocol	Accession 8 August 2003	Countries that ratify this protocol commit to reduce their emissions of carbon dioxide and five other greenhouse gases, or engage in emissions trading if they maintain or increase emissions of these gases.
Vienna Convention for the Protection of the Ozone Layer, 1985	Accession 4 December 1991	Protect human health and he environment against adverse effects from activities which modify the ozone layer.
Cartagena Protocol on Biosafety to the Convention on Biological Diversity 2000.	Ratified 11 June 2002	Ensure an adequate level of protection in the safe transfer, handling and use of living

		modified organisms that may have an adverse effect on the conservation and sustainable use of biodiversity.
Convention for the Protection of World Cultural and Natural Heritage, 1972	Acceptance 23 February 1999	Establish an effect system of collective protection of the cultural and natural heritage of outstanding universal value.