



BOTSWANA

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Introduction

Botswana is a stable democracy with a prosperous economy. It shares a western border with Namibia, a southern border with South Africa and eastern borders with Zimbabwe and Zambia. Its population is estimated to be 1.7 million.¹ Formerly a British protectorate, Botswana became independent in 1966 and has since been governed by democratically elected civilian governments. Rich diamond reserves are the bedrock of Botswana's strong economy.

Compared with neighbouring countries, Botswana does not have a significant problem with the proliferation of small arms. A careful blend of traditional and civil law, coupled with a general respect for the law, are believed to be the main reasons for this.

Between the late 1970s and the mid-1990s, Botswana's neighbours were involved with armed liberation struggles. The president of Botswana has argued that these struggles caused firearms to fall into the "wrong hands".²

Despite this, the small arms problem has remained under control. There are documented cases of licenced rifles and shotguns having been used in domestic violence and "passion killings",³ but these incidents are rare. Control of armed poachers who cross into Botswana's game reserves from neighbouring countries is one of the more serious firearm-related problems.



The poachers, who are primarily foreign nationals, tend to cross back into their own countries with their firearms if they are not apprehended.⁴

While Botswana is one of the worlds' fastest growing economies, it is also experiencing an increase in poverty and income inequality due to a lack of economic diversification.⁵ Economic disparities, coupled with regional instability and poverty, have resulted in increased levels of crime. The proliferation of small arms needs to be assessed and prevented if stability and peace within the country are to continue.

Methodology

The research team in Botswana comprised five lecturers from the University of Botswana's Department of Political and Administrative Studies, who were working under the auspices of the Centre for Strategic Studies.

The researchers conducted semi-structured interviews with a variety of sources. Interviews were supplemented by press clippings and the internet searches. An internet search revealed very limited information about small arms in Botswana, although some articles pertaining to security in Botswana were found.

The research team experienced problems obtaining interviews with officials in the Office of the President, the Botswana Prison Services and the Princess Marina Hospital. The Office of the President, which is responsible for national defence and security, did not provide any information, but referred the research team to the Police and Botswana Defence Force (BDF). The Prison Services were unwilling to provide data. Despite being contacted on several occasions, the Princess Marina Hospital failed to provide researchers with an appropriate official to interview. This may have been due to the fact that officials had a large workload and/or that no appropriate records had been kept about the impact of guns in hospital cases.

The criminal lawyers who were interviewed wished to remain anonymous. The limited print media within Botswana meant that there were very few crime reporters to interview. However, a crime reporter from the *Botswana Gazette* was interviewed.

The first draft of this report was made available to representatives from the BDF, the Attorney General's office, the Botswana Police Service (BPS), Securicor, Ditshwanelo, the Botswana Centre for Human Rights, Customs and Immigration, and UNHCR. The report was discussed at a national consultative workshop on 17 November 2003, where all relevant stakeholders were offered an opportunity to present their views and comments on its accuracy.

National Firearm Stockpiles

Security forces

The state institutions which make use of firearms are the BDF, the BPS and the Department of Wildlife and National Parks (DWNP). The firearms used include shotguns, pistols, and rifles (semi-automatic, automatic, hunting), and assault rifles like the AK-47.

Those individuals permitted to carry pistols on duty are members of the BDF, the Police Special Support Group (SSP), the Criminal Investigation Department, and the Anti-Poaching Unit of the Wildlife Department.

The BDF is a small army with two infantry brigades and support units.⁶ The precise size of the force could not be established, but independent sources estimate its strength to be between 10 000 and 15 000 men.⁷

Botswana buys arms and ammunition from a variety of countries. These include China (for police arms), the United Kingdom, Belgium, and South Africa. After the formation of the BDF in 1977, and in response to the threat presented by the war of liberation in neighbouring Zimbabwe, Botswana received arms donations from China and other Eastern European countries. In recent years no such donations have been received.⁸

The Botswana government purchases arms directly from other governments, but also makes use of independent arms brokers, who have to possess all the necessary permits and documentation to provide such a service.⁹ Arms are procured through a Selective Tender Committee as provided for in the Public Procurement and Disposal Act. The BDF is

accountable for its finances to the Auditor General (through the Public Accounts Committee) and also to the Parliamentary Committee on Finance.¹⁰

Botswana has purchased arms from Canada, the United Kingdom and the United States.¹¹ In 2000, the Canadian military exported CDN\$ 20 723 729 (US\$15 390 670¹²) worth of military equipment to Botswana, however, it is not known how much of this consignment was small arms.¹³ The United States' military sales to Botswana in 1999 were valued at US\$615 000, according to one source.¹⁴ Small arms exports from South Africa to Botswana in 1997 were valued at ZAR115 000¹⁵ (US\$17 561). In 1999 small arms exports from the United Kingdom to Botswana were valued at £3 500 000 (US\$6 305 846), and in 2000 at £2million (US\$3 603 393).¹⁶ Imports from the UK included automatic weapons, accessories and specially designed components, sporting rifles, shotguns, pistols, assault rifles and ammunition.¹⁷ Conventional arms imports for the year 2001 were estimated at US\$ 32 million.¹⁸

Table 1.1: Arms Exports to Botswana 1997 - 2000

Year of Export to Botswana	Country	Value
1997	South Africa	ZAR 115 000
1999	United States	US\$ 615 000
1999	United Kingdom	£ 3 500 000
2000	Canada	CDN\$ 20 723 729 ¹⁹
2000	United Kingdom	£ 2 000 000

Researchers were not able to determine the size of security force stockpiles, despite having requested this information from the police and military.

Police in Botswana are not armed while on patrol. However, should the need arise, each police officer may be given orders to use the firearms which are held in storage. Members of the police SSG are armed and undertake patrols, especially at night in cooperation with the BDF. Ditshwanelo, a human rights non-governmental organisation, has expressed concern about recent calls in the media by the public for police to be armed. Ditshwanelo

members believe that once firearms are in circulation it is likely that they will contribute to an escalation in the levels of violence. They believe it is more pertinent to assess and address the reasons for increasing crime levels.²⁰

All the respondents interviewed shared the view that the police in Botswana should remain unarmed. This is interesting considering that all respondents also agreed that the crime rate is increasing in Botswana. This may indicate that the respondents do not believe that arming the police will increase their ability to combat crime.

Loss and theft by the security forces

It was not possible to determine the extent of firearms loss, theft and misuse by the state security forces. Only anecdotal examples exist, a sample of which are outlined below.

In December 2003 the *Botswana Guardian* claimed that criminals had infiltrated the police. Police Commissioner Norman Moleboge reportedly said that "over the last three years 110 officers were dismissed for various acts of indiscipline while 45 officers were dismissed last year for failure to adhere to the police code of conduct and involvement in criminal activities."²¹ No information was provided as to whether any of these dismissals were related to the loss and theft of firearms. However, there have been incidents where police personnel and soldiers allegedly stole state-owned weapons, and subsequently used them in incidents of domestic violence.²²

There have been incidents where BDF members lost or sold their firearms. As a result of this, the BDF has instituted stricter armoury controls. Every BDF unit is now required to take stock of its firearms daily, and these reports are forwarded to headquarters every month. The BDF has claimed that most of the firearms reported stolen have been recovered.²³ Unfortunately, exact data on the number of thefts has proven unattainable due to the sensitive nature of the matter.

During 2003 there were seven suicides at the BDF barracks, at least three of which were committed with service rifles.²⁴ In September of that year, it was reported that a BDF member shot three of his colleagues, killing one instantly and then killing himself.²⁵ The motivation for the shooting remains

unknown. At the time of writing the Commander of the BDF, Lieutenant General Fischer, had appointed a board of enquiry to investigate the incident.

Civilian gun ownership

Since Botswana did not experience a war of liberation, the country did not have to deal with the problem of disposing of combat rifles at independence. In addition, civilians have not actively expressed the need to carry handguns for self-protection, which may be attributed to the low rate of violent crime in the country.

Ownership of handguns by private citizens was banned in 1990 in an amendment to the Arms and Ammunition Act. However, some private citizens still own handguns that were licenced before this amendment. All other handguns owned by private citizens are unregistered, many of which may have been smuggled into the country.

The trade, regulation and control of civilian firearms is governed by the Arms and Ammunition Act of 1979 (as amended). The Commissioner of Police holds the authority to licence firearms, authorise trade in civilian firearms, and regulate and control of firearms. The Central Arms Registry is responsible for registering and recording all information about firearms in civilian possession.

The Arms Registry uses a manual system for recording the information. This system causes problems for the police because they have no reliable way to verify whether an individual applying for a licence already possesses the maximum number of firearms permitted.²⁶ The Registry does not record the number of weapons owned by the Police Service or the BDF.²⁷

In terms of the Act, civilians may own a maximum of three firearms. However, there is no limit to the number of guns that may be possessed in any one household.²⁸ It is therefore possible, albeit unlikely, that four members of a household could each possess three gun licences.

Civilians who apply for a permit to own a firearm are entered into an annual raffle system conducted by the police. From the thousands of

applications received, 400 are chosen randomly for consideration. The legislation requires that the 400 applicants then be screened and only those who have no history of mental illness, no criminal record and are over the age of 18 are granted a permit. The current Act does not require any competency testing of applicants. Of the maximum of 400 licences issued, 200 will be for rifles and 200 for shotguns. Individuals who possess a firearm licence must apply for a permit if they want to lend their firearm to another person, and that person must be over 18 years.

Should an owner of a gun licence die, there is a process to be followed to re-allocate the gun licence to another individual. In Botswana it is traditional for the family of the deceased to meet and decide who will inherit the gun.²⁹ When this decision has been made, the new owner must apply for a permit. This is a separate process from the raffle system. After the person is screened and the application approved, the previous certificate of ownership is cancelled and a new one is issued.³⁰ It is often difficult for the police to keep track of this procedure due to the manual recording system. The Central Arms Registry is conducting community education campaigns to inform the public about the correct procedure for cases where a gun licence holder dies.³¹

As of 31 December 2002, Botswana had a total of 32 901 registered firearms, which included 31 454 shotguns and rifles, 411 handguns and 36 stunner pistols.³² While a maximum of 400 licences are issued each year the number of applications received far exceeds this number, as indicated by table 1.2 below.

Table 1.2: Number of applications for firearms per annum since 1999

Year	Shotguns	Rifles	Total
1999	8 218	12 103	20 321
2000	15 577	23 557	39 134
2001	11 098	18 280	29 378
2002	12 680	22 168	34 848
2003	13 613	24 556	38 169

Temporary permits may be issued to visitors to Botswana who wish to bring their firearms to the country. Section 7 of the Arms and Ammunition Act states that a temporary permit can be valid for up to thirty days.

Subsection 8.4 (a) states: “a temporary permit is restricted to a person who is not a citizen or resident of Botswana and who, in the opinion of the Commissioner, has valid reason for being in possession of arms or ammunition to which the application relates.” Such permits are usually issued to tourists who intend to hunt while in Botswana. In 2002, there were 1 020 temporary permits issued.”³³

With regard to ammunition, an individual can only purchase 100 live rounds of ammunition per year.³⁴ The registration certificate and licence for the firearm must be produced in order to purchase the ammunition.³⁵ Firearm dealers are required to endorse the permit each time an ammunition purchase is made.

Between 1990 and 2002, a total of 187 firearms, including 82 shotguns, 98 rifles and seven pistols, were reported stolen to the police.

Firearms-Related Crime

In spite of the stringent regulations and controls, Botswana is experiencing an increase in the number of firearm-related crimes, including firearm theft, armed robberies, murder, domestic violence, cattle rustling and poaching.³⁶ The President observed that “...there has been an increase in criminal acts committed with military style weapons in armed robberies, hijacking and stealing livestock, to mention but a few.”³⁷

Fifty per cent of murders committed between 2000 and 2002 involved the use of firearms. Only 2 out of 29 suicides involved firearm use and 31% of attempted murders involved the use of a firearm.

The Deputy Commissioner of Police has said that murders increased from 213 in 2001 to 254 in 2002, robberies from 146 in 2001 to 206 in 2002, and unlawful wounding from 1 797 to 2 323 in 2003.³⁸ While the majority of these crimes are committed with knives or sharp instruments, firearms are also used.³⁹ President Mogae stated that in 2001, 142 firearms were used in criminal activities resulting in loss of life or serious injury, including 51 murders, 29 suicides and 26 attempted murders.⁴⁰

Armed robberies have increased in Botswana in recent years, most of them committed with illegally owned weapons.⁴¹ Nine mm handguns are most commonly used in criminal acts. The majority of these weapons originate from outside of the country.⁴² Although firearms-related crime is increasing, most murders are committed with knives and take place when the perpetrator is under the influence of alcohol.⁴³

Table 1.3: Criminal offences on the increase in Botswana⁴⁴

Offence	2001	2002	Increase %
Defilement	218	237	8.7%
Unlawful Wounding	1 797	2 323	29.3%
Burglary and Theft	5 050	5 585	10.6%
House Breaking and Theft	6 043	6 306	4.4%
Robbery	1 465	2 046	39.7%
Motor Vehicle Theft	5 114	5 323	4.1%
Rape	1 364	1 473	8.0%
Murder	213	254	19.3%
Stock Theft	1 103	1 168	5.9%
Illegal Immigration	6 839	12 192	78.3%

Table 1.4 Crime statistics involving firearms per district⁴⁵

Offence	Year	Districts													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
Murder	2003	-	-	-	-	1	-	-	2	1	-	-	-	2	-
Attempted Murder	2003	-	1	1	-	-	-	-	-	-	2	1	-	1	1
Suicide	2003	-	2	1	-	-	-	-	2	1	1	-	-	1	-
Armed Robbery	2003	-	4	62	8	4	-	-	5	-	-	1	2	21	7
Poaching	2003	-	-	-	-	18	-	-	2	11	10	-	1	-	-
Possession of Arms and Ammunition	2003	-	9	1	-	2	-	-	1	-	-	-	-	3	1

The district numbering corresponds to the following regions/cities/towns:

- District 1 – Kutlwano, Francistown, Tatitown, Tonota, Matsijole, Masunga, Tutume and Tshesebe
- District 2 – Serowe, Mahalapye, Palapye, Shoshong, Maunatala, Machaneng, Martisndrift
- District 3 – Central Police Station (Gaborone), Urban Police Station (Gaborone), Broadhurst (Gaborone), Borakanelo, Tlokweg
- District 4 – Lobatse, Woodhall, Ramatlabama, Goodhope
- District 5 – Maun, Gweta, Seronga, Shakawe, Sehitwa
- District 6 – Gantsi, Mamuno, Nojane, Kalkfontein
- District 7 – Kasane, Kazungula, Kavimba, Pandamatenga, Kasane Airport
- District 8 – Letlhakane, Orapa, Nata, Rakops, Sowa
- District 9 – Tsabong, Tshane, Werda, Kang
- District 10 – Selibe Phikwe, Botshabelo, Bobonong, Semolale
- District 11 – Molepolole, Lethlakeng, Takatokwane, Thamaga, Sejelo
- District 12 – Mochudi, Sikwane, Dibete, Oilfantsdrift
- District 13 – Gaborone West, Mogoditshane, SSKA, Naledi, Ramotswa
- District 14 – Kanye, Jwaneng, Moshupa, Phitsane Molopo

Districts 4, 6, 9, 11 and 14 comprise the Southern Division. Districts 2, 3, 12, and 13 comprise the South Central Division. The Northern Division is comprised of districts 1, 5, 7, 8, and 10.

We can deduce from this table that the majority of armed robberies and murders occur in urban areas, particularly Gaborone. Poaching incidents are highest in the Northern rural districts, particularly Maun and Gweta, close to game parks.

As shown in table 1.4, immigration crimes are increasing the fastest, followed by robbery and then murder. According to the Botswana Police, the increasing number of illegal immigrants, particularly from Zimbabwe, has become a serious threat to the security of Botswana because of their increased involvement in crime. In 2002, a total of 26 214 illegal immigrants were taken into custody for violating the laws of Botswana.⁴⁶ However, there is no evidence to link the prevalence of illegal small arms in Botswana to refugees and illegal immigrants.⁴⁷

Statistics of routine checks at the border indicate that South African owners of registered firearms sometimes cross into Botswana with their pistols, without following the correct procedures. Between 1994 and 2002, customs officials seized 49 illegal firearms at borders.⁴⁸

There is a perception by the general public in Botswana that South Africans and Zimbabweans are responsible for the increasing levels of crime in the country.⁴⁹

Securicor Botswana say that in every gun-related case to which they are called, a South African citizen is implicated.⁵⁰ A lawyer has suggested that since strict gun laws discourage local criminals, weapons are ‘contracted in’ from South Africa or Zimbabwe when a gun is deemed necessary to commit a crime.⁵¹

All the people interviewed believed that the deteriorating political situation in Zimbabwe was likely to lead to an increase in crime in Botswana, particularly in the north.

A September 2003 report in the *Botswana Guardian*, based on figures released by the Botswana Police Service, suggested that “foreigners in Botswana are more likely to be criminals than locals.”⁵² According to this report, Botswana’s crime rate grew by 14 per cent between 2001 and 2002.

Firearms Dealers

There are 39 registered firearms dealers⁵³ in Botswana who import 500 small arms, mostly shotguns, annually.⁵⁴ Arms dealers are distributed throughout the country. They are issued with permits which must be renewed every three years. There is currently no legislation in Botswana limiting the number of arms dealers. Permits are issued at the discretion of the Minister of the Office of the President. There is no limit on the number of arms dealer licences which a single person can possess. According to one arms dealer, the government does not regulate the number of guns imported into the country. A dealer can import as many guns as his finances allow, however, it appears from information supplied by Customs and Excise officials that only 100 more firearms are imported by dealers than the maximum number of firearm licences which can be awarded annually.

In order to import firearms, dealers are required to fill in an application form. Once approved, the dealer sends the approved application to the supplier who then applies to his/her government for an export permit. For each transaction there must also be an end-user certificate to ensure that firearms are not re-exported to a country under UN Security Council embargo.⁵⁵ Dealers are required to declare the arms and ammunition they are importing at the border to allow customs officials to crosscheck serial numbers.⁵⁶ Thirty-eight import permits (this does not include temporary import permits) were issued for 2002. Statistics for other years could not be obtained because of the difficulty of checking records at the Central Arms Registry, which has not been computerised.

The Central Arms Registry regulates arms dealers. Every three months they have to verify their records and reconcile their stock with purchases. No firearm may be sold without being legally registered, but researchers found that firearms are being openly offered for sale through the press. Prices for these guns range from 11 000 Pula to 15 000 Pula.⁵⁷ It appears that through this apparently unregulated market, legal firearms may be sold to unlicensed buyers and are thus transferred from the legal to the illegal pool.

Private Security Companies

There are 23 private security companies in Botswana,⁵⁸ the two largest are Securicor Botswana and Security Systems. In 1998 the Control of Security Guard Services Act was passed, which stipulated that all security companies

in Botswana must be owned by Batswana. However companies such as Securicor Botswana, which has its head office in South Africa, may continue to engage in guarding activities, because it was in existence before the law came into effect.

Private security guards are not armed in Botswana, but they are sometimes called upon to deal with crime situations that involve firearms. Securicor Botswana currently protect 4 800 homes and 6 200 business premises countrywide, and employ 298 security personnel. On average, Securicor Botswana is called out to three incidents per month where firearms are involved. In 2002, they were called out to one incident, which involved a murder with a firearm. In a 2003 incident, a Securicor vehicle was shot at. According to Securicor, this was the first time such an incident had taken place. The gun used by the assailants was a 9mm pistol.⁵⁹

Assessing the demand for firearms

Batswana men traditionally seek to own firearms for hunting and the protection of livestock. Firearms are regarded as a status symbol, especially among elderly and middle aged men; they are used at cultural activities like weddings, to slaughter cattle.⁶⁰ The shotgun, because of its versatility is the most popular firearm, although the smaller calibre rifles used for game hunting are also popular. In the past firearms were seldom used in disputes. However, there have been increasing incidents where guns have been used in domestic violence and suicide cases.⁶¹

The demand for small arms is difficult to quantify by region within Botswana. Some of respondents stated that the demand for small arms is highest in the vicinity of the border with Zimbabwe.⁶² Others believe small arms demand is highest in the urban areas of Gaborone and Francistown. According to Securicor Botswana, most armed crime occurs in Gaborone and Lobatse. However, Ditshwanelo argues that the perception that crime is rising faster in urban than in rural areas may be due to the fact urban crime is more likely to be reported in the press, so it is not necessarily an accurate perception.⁶³

Assessing firearm controls

Botswana has signed and ratified the Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African

Development Community (SADC Protocol) and is party to both the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (2001) and the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2000).

The Arms and Ammunition Act (1979) is the primary legislation regulating civilian firearm use and ownership. Other legislation relevant to small arms control includes the Explosives Act (Chapter 24:02), the Finance Act, the Dangerous Drugs Act and the Stock Theft Act.⁶⁹

In assessing the ability of the police to implement the firearm legislation effectively, several interviewees commented that the police service lacked funding and was not ready to deal with crime adequately. The Botswana Police Service dealt with a total number of 168 718 accused persons in 2002. This shows an increase of 11.3% from the previous year.⁷⁰ The low ratio of police officers to civilians means it is difficult for the police to cope with the increasing crime levels. A total of 6 497 police officers have to serve a population of 1.7 million, on average one officer for every 2 500 civilians.⁷¹

The police have had to compete with the BDF for a share of the national budget. The BDF has on occasion been called upon to deal with cases of crime and maintenance of law and order when the police force was incapable of doing so.⁷² Such aid to civil authorities by the BDF can be problematic since the BDF is trained to use force and violence. However, training on peacekeeping provided to the BDF by the Centre for Strategic Studies has been instrumental in changing the soldiers' perspectives on civilian situations. Despite the increasing crime, financial support to the police force remains low when compared to the military's allocation.⁷³

In 1996, out of a total of 209 million Pula (US\$44.3m) that was allocated to the Office of the President for development expenditures, the BDF received 145 million Pula (US\$30.7m), while the police received only 45 million Pula (US\$9.5m). This trend has been repeated in successive budgets.⁷⁴

The NGO representatives interviewed stated the belief that, in general, civilians do not feel secure or have faith in the police service in Botswana.⁷⁵

High profile crimes appear to receive a great deal of attention from the police, but day-to-day crime or crime that occurs amongst the lower to middle class population does not receive adequate attention.⁷⁶

Only a small fraction of the national budget is allocated to the purchase of arms. For example the Department of Wildlife and National Parks (DWNP) in 2003 spent 1 million Pula out of 80 million Pula (US\$16.9m) for recurrent expenditure to strengthen the anti-poaching unit. Weapons are not updated regularly. The last purchase was ten years ago for the police, and three years ago for the DWNP.⁷⁷ This indicates that firearms are not regarded as essential to combat crime.

In 1981 the police declared a firearm amnesty during which 304 firearms were surrendered to the police because they were old or unserviceable or because their owners wanted new firearms. Other arms surrendered, included 754 shotguns, 546 rifles, two handguns and two stunner pistols.

Unserviceable firearms are disposed of. Permission has to be sought from the Selective Tender Board and these weapons are sold to companies, approved by the government, which destroy the weapons. The armed forces are mandated, within established guidelines, to destroy expired ammunition.

The police also destroy redundant firearms, both those surrendered to them by the public and those confiscated. The machine used to do this, a McIntyre 4000 donated by the British government in 2002, has to date cut into pieces 77 of the 3 213 weapons collected for destruction. The pieces are then melted down. Of the 3 213 firearms, 1 937 were shotguns, 1 248 rifles, 17 handguns and 11 pellet guns.

In April 2002 the government of Botswana established a National Focal Point on Small Arms and Light Weapons, which is chaired by the Deputy Commissioner of Police. The National Focal Point Committee includes:

- one representative from the Office of the President
- one representative from the Ministry of Foreign Affairs and International Cooperation

- four representatives from the Botswana Police Service
- two representatives from the Botswana Defence Force
- two representatives from the Attorney General's chambers
- two representative from the Department of Customs and Excise
- one representative from the Department of Mines
- one representative from the Department of Immigration.

As of March 2003, plans were under way to include one representative from civil society.

By 2003 the National Focal Point had met five times.⁷⁸ The National Focal Point identifies the gaps in national legislation and regulations, regional policies and international agreements relating to arms, and suggests ways to improve arms control. National efforts at arms control are also supplemented through regional cooperation among SADC countries through the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) mandated to formulate a SADC Policy on firearms to support the SADC Protocol.

In 2002, the Government of Botswana undertook a review of legislation that regulates the circulation and transfer of small arms and light weapons. On the basis of the review it was decided that the Arms and Ammunition Act should be amended to make any form of brokering illegal.⁷⁹ The review also noted that the current Arms and Ammunition Act does not require applicants to undergo proficiency tests on firearm handling and use; and that registered owners are not legally bound to have gun safes for their firearms. The police, through the National Focal Point, have initiated a process to review the legislation to make it more stringent and bring it in line with the SADC Protocol and other international agreements.⁸⁰

Other challenges facing the Botswana Police are: permeable borders and lack of screening equipment at ports of entry; the manual recording system of the Central Arms Registry; the high demand for shotguns and rifles by farmers; proliferation of military type weapons in the Northern division, mainly for poaching around the Chobe area; improper handling of licenced weapons by registered owners; and failure to renew firearm licences.⁸¹

Regional instability is a key factor in the fight to control crime and arms flows into Botswana. The unstable situation in Zimbabwe, coupled with

levels of crime in South Africa, is affecting crime rates in Botswana. Vision 2016, the long-term development plan of the government of Botswana, challenges Botswana to eliminate violent crime and the illegal possession of firearms so as to create a safe and secure environment for the public.⁸² Providing such safety and security also requires a commitment to peace and security by all countries within the SADC region.

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Interview with Ruben Pitse, *Botswana Gazette* Crime Reporter, Gaborone, 16 July 2003.

Interview with Mr. Rockie Mmutle, Managing Director, Securicor Botswana, Alarm and Cash Services, Gaborone, 31 July 2003.

Interview with Ms. Alice Mogwe, Director and Ms. Ingrid Melville, Paralegal/Research Coordinator, Ditshwanelo, Gaborone, 11 July 2003.

Interview with Detective Superintendent, Mr. Tlogelang, Officer in Charge Central Arms Registry, Botswana Police Headquarters, Gaborone, 10 July 2003.

Interview with Mrs. Mphethle, Chief Prosecutor at the Attorney General's Office, Gaborone, 28 July 2003.

Interview with Mr. M. Batshabang, Assistant Director of Management and Utilisation Division, Department of Wildlife and National Parks, Gaborone, 24 July 2003.

Interview with Mr. Ronald Marsh, Gaborone Crime Prevention Chairman, Gaborone Sun, 28 July 2003.

Interview with Mr. Bernard Otim, UNHCR Botswana Representative, Gaborone, 15 July 2003.

Interview with Brigadier O. B. Tiroyamodimo and Captain M.G. Mompoti, Botswana Defence Force, Sir Seretse Khama Barracks, Mogoditshane, 7 October 2003.

Interview with Mike Botha, a retailer of Pan African Ammunition Manufactures, Tlokweng, 8 October 2003.

Endnotes

- 1 *The World Guide: an alternative reference to the countries of our planet*, 2003/2004, ITDG Publishing, London, 2003.
- 2 "Government Tightens Arms Control," *The Daily News Online* (Gaborone) [www.gov.bw], 15 May 2003.
- 3 'Passion killings' refer to a spate of incidents within Botswana in which young men have been murdering their girlfriends. A total of 58 people have been murdered in 'passion killings' between January and November 15, 2003. (Source: Lesego Mabiletsa, "Fifty-eight die in 'passion killings'", *The Botswana Guardian*, Gaborone), 5 December 2003, p.2.
- 4 Interview with Brigadier O. B. Tiroyamodimo and Captain M. G. Mompoti, Sir Seretse Khama Barracks, Mogoditshane, 7 October 2003.
- 5 Molomo, MG. "Civil-Military Relations in Botswana's Developmental State", *African Studies Quarterly*, vol. 5, no.2, 2001. <http://web.africa.ufi.edu/asq/v5/v5i2a3.htm>.
- 6 Interview with Brigadier O. B. Tiroyamodimo and Captain Mompoti, Sir Seretse Khama Barracks, Mogoditshane, 7 October 2003.
- 7 Women are not able to participate in combat roles within the BDF.
- 8 Interview with Brigadier O. B. Tiroyamodimo and Captain Mompoti, 7 October 2003.
- 9 Interview with Mike Botha a retailer of Pan African Ammunition Manufactures, Tlokweng, 8 October 2003.
- 10 Interview with Brigadier O. B. Tiroyamodimo and Captain Mompoti, 7 October 2003.
- 11 Please see Table 1.
- 12 All currency conversions based on the exchange rates as of 20 April 2004.
- 13 Epps, K. "Canadian Military Exports 2000," *Ploughshares Monitor*, Spring 2002.
- 14 Conventional Arms Transfer Project found at www.clw.org/cat/foraid/append2a.html.
- 15 South African Exports recorded at www.nisat.org/export_laws-regslinked/southafrica/small_arms_exports_from_south_af.htm.
- 16 Arms export figures from UK Government's annual "Strategic Export Controls" Report, CAAT Africa Briefing, February 2002. www.caat.org.uk/information/publications/countries/arms-to-africa-0202.php.
- 17 Ibid.
- 18 Botswana Profile: Military, www.nationmaster.com/country/bw/Military, September 20, 2003.
- 19 The BDF representatives who attended the National Consultative Workshop to discuss this research report stated that they did not recall this purchase. The BDF were requested to provide the correct data. At the time of writing such information had not been received.
- 20 Interview with Ms. Alice Mogwe, Director and Ms. Ingrid Melville, Paralegal, Ditshwanelo, Gaborone, 11 July 2003.
- 21 Sebopeng, T. "Criminals Infiltrate Police Service," *The Botswana Guardian*, Gaborone, 5 December 2003, p. 3.
- 22 Interview with Mrs. Mphethle, Chief Prosecutor at the Attorney General's Office, Gaborone, 28 July 2003.
- 23 Interview Brigadier O. B. Tiroyamodimo and Captain M. G. Mompoti, 7 October 2003.
- 24 Mophonkolo, S. "Another Suicide in Army Barracks," *The Botswana Guardian*, Gaborone, 5 December 2003, p.2.
- 25 'Soldier Shoots Colleagues', *Mmegi* (Gaborone), 19-25 September 2003, p.2.
- 26 Interview with Detective Superintendent, Mr. Tlogelang, Officer in Charge Central Arms Registry, Gaborone, 10 July 2003.
- 27 Ibid.
- 28 Ibid.

- 29 Ibid.
- 30 Ibid.
- 31 Ibid.
- 32 Moleboge, N.S. "The status of Firearms Control in Botswana by the Commissioner of Police", Towards a Safe and Secure Nation, First Consultative Conference on Firearm Control, Ownership and Administration in Botswana, 13-15 May 2003, Final Report, Gaborone.
- 33 Interview with Central Arms Registry, 10 July 2003.
- 34 Arms and Ammunition Act, 1981.
- 35 Interview with Central Arms Registry, 10 July 2003.
- 36 Statistics on poaching were not provided by the DWNP officials, they did not know the numbers and said they would try to find out the details. However, no data was provided at the time of the writing of this report.
- 37 'Government Tightens Arms Control,' *Daily News Online*, Gaborone, www.gov.bw 15 May 2003.
- 38 Interview with Mr. Batshu, Deputy Commissioner of Police, Gaborone, 3 June 2003.
- 39 "Annual Report of the Commissioner of the Botswana Police Service for the Year 2002," Botswana Police Service.
- 40 'Government Tightens Arms Control,' *The Daily News Online*, Gaborone, www.gov.bw, 15 May 2003.
- 41 Interview with Mrs. Mphethle, Chief Prosecutor at the Attorney General's Office, Gaborone, 28 July 2003.
- 42 Ibid.
- 43 Ibid.
- 44 "Annual Report of the Commissioner of the Botswana Police Service for the Year 2002," Botswana Police Service.
- 45 Presentation by Senior Assistant Commissioner Tabathu Mulale. "Botswana Police Service Perspective on the Impact of Small Arms and Light Weapons, Current Challenges and the Way Forward," presented at the National Focal Point Immersion Workshop, 13-15 October 2003, Gaborone, Botswana.
- 46 "Annual Report of the Commissioner of the Botswana Police Service for the Year 2002," Botswana Police Service.
- 47 Interview with Bernard Otim, UNHCR Botswana Representative, UNHCR Botswana Headquarters, Gaborone, 15 July 2003.
- 48 Interview with Mr. B.M. Mudongo, Deputy Director, Customs and Excise, Mr. C.W. Mudongo, Head of Investigations, Mr. Ramaeba, Principal Customs Officer, Customs and Excise Headquarters, Gaborone, 10 July 2003.
- 49 Interview with a criminal lawyer, Gaborone, 4 August 2003. Name withheld upon request.
- 50 Interview with Mr. Rockie Mmutle, Managing Director, Securicor Botswana, Gaborone, 31 July 2003.
- 51 Interview with a criminal lawyer, Gaborone, 4 August 2003. Name withheld upon request.
- 52 Balise, J. "Immigration Offences Double," *The Botswana Guardian*, Gaborone, 26 September 2003, p3.
- 53 Please see Appendix 1 for a list of firearm dealers.
- 54 Interview with Customs and Excise Officials, 10 July 2003.
- 55 Interview with Mike Botha, a gun retailer, Pan African Ammunition Manufactures, Tlokweg, 8 October 2003.
- 56 Interview with Customs and Excise Officials, 10 July 2003.

- 57 The current exchange rate determines that the range of prices in US Dollars is 1 666 to 2 500.
- 58 Attempts to verify this number through the Office of the President's Security Department failed.
- 59 Interview with Mr. Rockie Mmutle, Managing Director, Securicor Botswana, Gaborone, 31 July 2003.
- 60 Interview with Mr. Batshu, Deputy Commissioner of Police, 3 June 2003.
- 61 Interview with Chief Prosecutor at the Attorney General's Office, July 2003.
- 62 Interview with Mr. Ronald Marsh, Gaborone Crime Prevention Chairman, Gaborone, 28 July 2003.
- 63 Interview with Ditshwanelo, Gaborone, 11 July 2003.
- 64 Cross, P et al. "Law of the Gun: An Audit of firearms control legislation in the SADC region", SaferAfrica and Safer World, June 2003
- 65 "Annual Report of the Commissioner of the Botswana Police Service for the Year 2002," Botswana Police Service.
- 66 Sebopeng, T. "Get Off Your Butts – Moleboge," *The Botswana Guardian*, Gaborone, 5 December 2003, p3.
- 67 Molomo, 2001.
- 68 It should be noted that the BDF representatives who attended the National Consultative Workshop on the Small Arms Report in November 2003, commented that it was unfair to compare the proportion of the budget allocated to the BDF in comparison to the Police Services. They argued that the BDF equipment costs more than the Police equipment and that instead it would be more accurate to ask the Police Services what equipment they lack.
- 69 Molomo, 2001 "During the 2003 defence budget, as in many other years, the Minister of Finance and Development Planning had to defend the BDF budget, which is generally regarded to be too high. Out of a total allocation of P802 million for the Ministry of State President, the BDF was allocated P415 million, which represents more than half of the allocation to that ministry about 14 percent of the total budget allocation." Balise, J. 'Gaolathe Defends BDF Budget,' *The Botswana Guardian*, 21 February 2003.
- 70 Interview with Ditshwanelo, 11 July 2003.
- 71 Ibid., interview with Gaborone Crime Prevention Group, 28 July 2003, and with a criminal lawyer, Gaborone, 4 August 2003. Name withheld upon request.
- 72 Interview with Mr. M. Batshabang, Assistant Director of Management and Utilisation Division, Department of Wildlife and National Parks, Gaborone, 24 July 2003.
- 73 Interview with Central Arms Registry, 10 July 2003.
- 74 See SaferAfrica, "First National Consultative Conference on Firearms Control, Ownership and Administration in Botswana: Towards a Safe and Secure Nation," 13- 15 May 2003, Gaborone, Botswana. The Botswana Cabinet on 24 July 2002, directed that the Arms and Ammunition Act be amended to provide, for among others: brokering as an offence. (Statement by Edwin Batshu, Deputy Commissioner of Police, Botswana Police Services, First Biennial Meeting of States to Consider the Implementation of the UNPOA, 7 July 2003, New York.
- 75 "Government Tightens Arms Control," *The Daily News Online*, Gaborone, www.gov.bw, 15 May 2003.
- 76 Presentation by Senior Assistant Commissioner Tabathu Mulale at the National Focal Point Immersion Workshop, 13-15 October 2003, Gaborone, Botswana.
- 77 "Towards a Safe and Secure Nation: The First Consultative Conference on Firearm Control, Ownership and Administration in Botswana," Gaborone, 13-15 May 2003, Final Report.

Appendix 1

BOTSWANA ARMS DEALERS REGISTERED UNDER REGULATION 15 (1) (2) OF THE ARMS AND AMMUNITION ACT Chapter 24:01 LAWS OF BOTSWANA AS AT 25/07/2002

Company	Licence number	Director	Address
R.A. Bailey Stores	A.502	Hilton Charles Freeman	Box 122 Letlhakane
R.A. Bailey Stores	A.513	Hilton Charles Freeman	Box 128 Rakops
R.A. Bailey Stores	A. 492	Hilton Charles Freeman	Bag 004 Gweta
Maano Supermarket	A.494	Paul Motsomi	Box 150 Gweta
R.A. Bailey Stores	A.522	Hilton Charles Freeman	Box 1168 Serowe
G.B. Watson Botswana	A. 530	G.B. Watson	Box 5 Serowe
R.A. Bailey Stores	A.495	Hilton Charles Freeman	Box 1 Palapye
R.A. Bailey Wholesalers	A.496	Hilton Charles Freeman	Box 1 Palapye
Ebrahim Stores	A. 512	Mahommed F. Ebrahim	Box 39 Francistown
Pan African Ammunition	A.517	Derek Brink	Box 20718 Maun
Pan African Ammunition	A.525	Derek Brink	Box 401967 Gaborone
Broadhurst Hardware	A.497	Shaik Rafique Ahmed	Box 1680 Gaborone
Francistown Sports and Electronics	A. 512	Imtiaz Ahmed Chand	Box 10851
P.B. Investment Holdings	A. 507	Patricia Ann Becker	Box 1274 Gaborone
Explosion Gaborone	A.523	Ameen Moorad	Box 1379 Gaborone
Maun Wholesalers	A.503	Spyros Nicolaou	Box 29 Maun
J.S. Wellio Maun General Dealer	A.520	John Wellio	Box 57 Maun
J.S. Wellio Shakawe Store	A.500	John Wellio	Box 38 Shakawe
J.S. Wellio Gumare Store	A.501	John Wellio	Box 57 Maun
Tip Top Butchery	A.518	Mark John Kyriacou	Box 492 Maun
Marcos Trading Store	A.521	Chrisopher Marcos	Box 244 Maun
Safari South	A.508	Steven Howard Rann	Box 40 Maun
Toteng Investment (Pty) Ltd	A.532	Chritopher Marcos	Box 244 Maun

Company	Licence number	Director	Address
Pan African Ammunition	A.515	Derek Brink	P. Bag F93 Francistown
L.C.S. Wholesalers	A.531	Ebrahim Goolam Asmael	Box 2 Lobatse
Desai Supermarket	A.499	Dawood Ismael Desai	Box 685 Jwaneng
Kanye Wholesalers	A.529	Abdul Munaf Mustapha	Box 101 Kanye
Hukuntsi Trading Store	A.524	William Keith Viljoen	Box 48
Hukuntsi Bokspits Trading Store	A.491	Klass Van Der Westhuizen	P.O. Tsabong
Oasis Store	A.511	Walter John Vize	Box 5 Ghanzi
Kalkfontein Store	A.527	William Babish	P. Bag 006 Ghanzi
Wright Trading Store (Delta Stores)	A.498	Malcolm Wright	Box 38 Shakawe
Mmabatho General Dealer	A.526	Daniel Senoki Palai	Box 960 Mochudi
Chand Brothers	A.509	Zaheer Ahmed Chand	Box 380 Mochudi
Tajbhai Store	A.486	Miunuddin Tajbhai	Box 1058 Borakalale Ward, Molepolole
Central Supply Store	A.516	Muneer Ahmed Khan	Box 10 Molepolole
Marks Radios	A.506	Tebatso Tseleng	Box 264 Mahalapye
Kang Trading Store	A.505	Lean Marnewick	Box 5 Kang
Chadwick, Blackbeard and Hepburn Safaris	A.493	Judith Mary Elizabeth Hepburn	Box 104 Kasane