

AFRICA RISK CONSULTING**Country briefing – Botswana****23 July 2014**

Summary

Internal tensions rock Botswana's defence forces, with senior army officers accused of misappropriating sophisticated surveillance equipment. The case reveals the security cluster's extensive use of extra-judicial, illegal surveillance against targeted individuals and political opponents. Botswana's Walvis Bay dry port commences operations and is expected to facilitate growth in trade volumes in Southern Africa through giving landlocked countries smoother and cheaper access to external markets. Parliament approves the National Innovation Fund to support technology start-ups and innovative projects by local and international organisations and companies and stimulate knowledge-based economic growth.

1.1 Factional wars rock security services

Senior officers in the **Botswana Defence Forces (BDF)** and the **Directorate of Intelligence Services (DIS)** are embroiled in a conflict that has exposed the use of illegal surveillance against targeted individuals in Botswana. The BDF's overall commander, Lieutenant General **Gaolathe Galebotswe**, accused Brigadier General **Peter Magosi**, commander of ground forces and former chief of **Military Intelligence (MI)**, and Sergeant **Dzikamani Mothobi**, (a military intelligence officer) of being responsible for the "disappearance" of military surveillance equipment between 2006 and 2012.¹ The two were expected to appear before a BDF board of inquiry and before the Botswana **High Court** in July.

However, the inquiry was suspended at the behest of President **Ian Khama** (2008-present) due to the negative publicity that it had generated.² Justice **Key Dingake** eventually halted the high court hearing, citing inadequate legal representation for the accused.³ DIS Director **Isaac Kgosi** and permanent secretary to the president **Eric Mohale** had been scheduled to testify against the accused.⁴ Instead of a trial, attorney general **Athalia Molokomme** will convene talks between Kgosi, Mohale and the accused BDF officers.⁵

¹ Botswana Gazette, 10 Jul 2014.

² Botswana Gazette, 19 Jun 2014.

³ Botswana Gazette, 19 Jun 2014.

⁴ Sunday Standard, 27 Apr 2014.

⁵ Botswana Gazette, 10 Jul 2014.

The “missing equipment” is also reported to be in the custody of the **Office of the President**, hence the abrupt withdrawal of charges against the accused.⁶

The case has been reported as the public face of factional conflicts within the BDF and the DIS. Galebotswe is alleged to have initiated a personal vendetta against Magosi and Mothobi due to the latter’s reported undermining of Galebotswe’s authority in the military.⁷ Kgosi and Mohale’s involvement stems from their support of Galebotswe who was reportedly almost forced to resign due to the spy equipment case.⁸

“Although the spy equipment saga shows the way the government spies on critics, this is primarily a factional fight between individuals not inter-institutional conflict.”⁹

The case has focused attention on DIS and Military Intelligence use of illegal spy equipment against targeted individuals. The equipment, also called “GSM jammers”,¹⁰ is illegal in Botswana. However, the security services have reportedly owned such equipment clandestinely since 2006.¹¹ **Cellebrite** data spying equipment enables the security services to hack into targeted individuals’ mobile devices, download data at high speed and also determine their location.¹² Cellebrite is a multinational data and diagnostics company with offices in **Israel, the United States (US), Brazil, Germany and Singapore**.¹³ Established in 1999, it is a subsidiary of the **Sun Corporation**, a publicly-traded **Japanese** company based in **Nagoya**.¹⁴

President Ian Khama’s government has a record of spying on political opponents. Former BDF commander Major General **Pius Mokgware** sued the **Botswana Telecommunications Corporation (BTC)** for facilitating government-sanctioned phone-tapping following his dismissal in 2010 on the grounds of insubordination and threats of mutiny among infantrymen.¹⁵ The **African Media Barometer** has also reported a growing and pervasive fear of government surveillance among ordinary citizens and critics of the government from as far back as 2009.¹⁶ Ruling **Botswana Democratic Party (BDP)** member of parliament (MP) and chairman of the Parliamentary Committee on Intelligence and Security (PCIS) **Kagiso Molatlhegi**

⁶ Sunday Standard, 27 Apr 2014.

⁷ Sunday Standard, 27 Apr 2014.

⁸ Sunday Standard, 27 Apr 2014.

⁹ Source, researcher, University of Pretoria (South Africa)

¹⁰ A GSM jammer is an electronic device that can temporarily disrupt any cell phone signals that are in an area close enough to the jammer.

¹¹ Sunday Standard, 27 Apr 2014.

¹² Market Watch, 14 Jul 2014.

¹³ Market Watch, 14 Jul 2014.

¹⁴ Market Watch, 14 Jul 2014.

¹⁵ IDASA, 2011

¹⁶ MISA, 2009

has accused Khama's government of overseeing increased violation of civil liberties through non-transparent security service activities.¹⁷

In Botswana, the presidency wields complete control over the military, police and intelligence officers. The president also appoints members of the PCIS directly, which Khama's critics say undermines the ability of the committee and parliament itself to carry out independent oversight of the security services.¹⁸ President Khama's rule has gradually gained a reputation for authoritarianism. Khama's extensive influence over the security services is primarily due to his military background: he attained the rank of BDF Commander before his resignation in March 1998.

*"Botswana can be described as a 'military state'. The president recruits former army officers, particularly the ones he worked with when he was commander - Isaac Kgosi for instance. As a result, he wants to run the regime like a military organisation..."*¹⁹

Although several media publications have reported on the continued violation of civil liberties in Botswana, the spy equipment saga is not likely to affect the BDP's performance in this year's polls.²⁰

*"Khama is still very popular in the rural areas where the party draws most of its support. The media, especially the main TV station [Botswana Television (BTV)] is controlled by the state and used as an effective tool of propaganda. If there are any changes in this year's election results against the BDP, they will be marginal. Only people in Gaborone and peripheral towns like Mochudi would be concerned about the spy equipment saga and/or surveillance programmes run by the government."*²¹

The government has also escaped international censure so far. This will continue as long as it can avoid emulating the behaviour of its more egregious neighbours in **Zimbabwe**, **Mozambique**, **Swaziland** and **Zambia**.

1.2 Botswana's dry port commences operations at Walvis Bay

Botswana Railways commercial manager **Mthulusi Lotshe** announced that Botswana's new dry port at **Walvis Bay** in **Namibia** became operational on 1 July.²² A dry port is an inland intermodal terminal directly connected by road or rail to a sea port which operates as a centre for transfer of sea cargo to inland

¹⁷ Sunday Standard, 12 May 2014.

¹⁸ Sunday Standard, 12 May 2014.

¹⁹ Source, researcher, University of Pretoria (South Africa)

²⁰ Source, researcher, University of Pretoria (South Africa)

²¹ Source, researcher, University of Pretoria (South Africa)

²² The Namibian, 30 Jun 2014.

destinations.²³ The Botswana dry port in Namibia offers cartage services, container handling, stacking, a break bulk terminal, a general purpose warehouse, a container port and customs clearance.²⁴ Dry ports have grown in importance in recent years as infrastructure that supports economic growth in African economies.

The dry port project was initiated on 4 March 2013 and was expected to be complete in February 2014. It fell behind schedule due to environmental regulatory review by Namibia's **Ministry of Environment and Tourism**. The ministry conducted the review following complaints from residents living close to the construction site in Walvis Bay.²⁵ Construction of the dry port cost approximately \$5.7m.²⁶

Sea Rail, a Namibia-registered and wholly-owned subsidiary of Botswana Railways, will operate the dry port.²⁷ It is expected to complement the planned 1,500-kilometre **Trans-Kalahari Railway** which will connect Botswana to the port.²⁸ Namibia and Botswana signed an agreement in March 2014 for joint construction of the railway. Completion is scheduled for 2019.²⁹ Construction will cost approximately \$9.2 billion which will be sourced through private funds.³⁰

The dry port will potentially facilitate the growth of Botswana's trade volumes globally and within **Southern Africa** through linking the region to international markets via a Botswana hub. Botswana particularly stands to benefit through increased access to export markets for its minerals, such as coal, which is in high demand in **Asian** markets especially **China** and **India**.

The dry port should also improve cargo processing through coordinated freight operations that integrate landlocked southern African countries with Walvis Bay. The dry port is a result of Namibia's offer to Zambia, Zimbabwe and Botswana in 2012 to help construct trade-expansion facilities at Walvis Bay.³¹ Zambia was the first to construct a dry port; Zimbabwe is yet to set up any facilities. However, optimum gains may not be felt in the absence of an integrated regional railway system.

²³ Communicate Personnel, 30 Jun 2014.

²⁴ The Namibian, 30 Jun 2014.

²⁵ Botswana Gazette, 13 Feb 2014.

²⁶ The Namibian, 30 Jun 2014.

²⁷ The Namibia Economist, 30 Jun 2014.

²⁸ The Namibia Economist, 30 Jun 2014.

²⁹ New Era, 26 Mar 2014.

³⁰ New Era, 26 Mar 2014.

³¹ Botswana Gazette, 13 Feb 2014.

1.3 Parliament approves National Innovation Fund

In July Botswana's parliament approved the **National Innovation Fund** which will support technology start-ups and innovative companies in science, engineering and technology (SET).³² The government's innovation policy centres mainly on the **Botswana Innovation Hub (BIH)**, a registered quasi-state corporation which is developing a state-of-the-art technology park in Gaborone. Key focus areas are mining, information technology, bio-technology, and energy and environment.³³ Its services to start ups and innovative projects include provision of office and laboratory space, seed funding, training, incentive registration and strategic partner collaborations.

*"The outcomes of the (fund's) approval will be evident...innovators will not have to seek private funding...in Africa, especially, it is easier to get funding from the government than the private sector. This will also spur job creation through supporting African start-ups which will address one of African countries' key problem areas."*³⁴

The timing of the fund's approval appears to coincide with the transfer of **De Beers'** diamond 'sights' from **London** to Gaborone in December 2013. Effective management of the fund and astute identification of potentially-valuable SET projects could boost Botswana's economy and attract foreign direct investment (FDI).

Implications

Botswana's security services debacle will taint its image as Africa's bastion of democracy. President Khama's failure to chastise or hold his lieutenants accountable, especially DIS head Isaac Kgosi, creates an impression of rampant cronyism within his government. This has been cannon fodder for opposition parties in the run up to elections. However, the conflict is unlikely to weaken the standing of the BDP in the upcoming September 2014 elections, except in urban areas where anti-government sentiment is strongest. There has been little, if any, external/international pressure on Khama to repair his government's image, in part because Botswana's democratic and rule-of-law credentials remain stronger than many of its neighbours'. At the same time, this lack of external pressure may also be emboldening him to protect his allies in the security forces. The case also reflects Khama's increasingly personal oversight of the security services, along with office bearers such as Gaoletswe and Kgosi. This gives ammunition to the government's critics who point to a trajectory in Botswana towards an emergent police state.

³² Biztech Africa, 14 Jul 2014.

³³ Botswana Innovation Hub website, 21 Jul 2014.

³⁴ Journalist, Techmoran



The commencement of Botswana's dry port at Walvis Bay has considerable potential to improve the cost and efficiency of its access to export markets. It still remains to be seen if current internal rail and road infrastructure can support the port in the initial stages and deliver a short-term economic boost. Coal exports are expected to be the first to benefit from the dry port.

Parliament's approval of the Innovation Fund may incentivise new SET projects in the country and potentially attract international investment. However, the fund's success rests on effective management of grants and identification of valuable innovations and will have to overcome a shortage of local scientific talent – by global standards and by comparison with neighbouring South Africa – and the economic (and employment) dominance of Botswana's state sector.