



Republic of Botswana

## Botswana Country Report

THE 11<sup>TH</sup> United Nations Congress on  
Crime Prevention and Criminal Justice  
18 - 25 April, Bangkok, Thailand

Mr. President

Allow me to congratulate you and other members of the Bureau on your assumption of the Presidency of this important gathering on a subject that is of utmost concern to the World at large. There is no doubt in my mind that under your able leadership the work of this forum will be crowned with success. I assure you of the full support and cooperation of my delegation in this regard. We like to take this opportunity to express our gratitude for the warm reception and hospitality displayed by the people and government of Thailand.

Mr. President

Trans-national organized crime continues to threaten the safety and wellbeing of the people of Botswana and hampers social and economic development. Not only has this type of crime increased in scope, but it has also increased in intensity and sophistication. It is evident from the latest Police Statistics that trans-national crime and criminal syndicates have expanded their range of activities from robbery, motor vehicle theft, drugs and arms trafficking to white colour crime.

Botswana's unique geographical location in the heart of Southern Africa, and its common and often long and porous borders with neighbouring countries makes it easy for criminals to come and leave the country undetected. This is exacerbated by the fact that criminals take advantage of increased travel, rapid money movements, and telecommunication and computer skills. The use of advanced technology provides an environment conducive for the growth of such groups.

We are of the view that no country can fight this war on its own; it thus calls for collaboration with the world at large. Mechanisms in the form of detectors must be put in place to monitor the movements of persons and goods across borders. Such initiative would go a long way in controlling the illicit movement of contraband, particularly weapons, motor vehicles and illicit drugs across the border.

In an attempt to revamp our efforts to curb organized crime in Botswana, we have acceded to and ratified the United Nations Convention against Trans-national organized Crime in August 2002.

However we are yet to promulgate legislation to harmonize our domestic laws with the provisions of the Convention. This is so largely because Botswana continues to be hampered by lack of capacity and technical expertise that would be required to carry out some research on relevant legislation with a view to reviewing and harmonizing our domestic legislation to align them with the Convention and its additional protocols.

However, we are delighted to report that the UNODC has done a commendable job in training some of our law enforcement personnel, that includes prosecutors, investigators and judicial officers. Having said that, we are still lacking in the area of fully embarking on capacity building of some programmes for our law enforcement personnel that include customs and immigration personnel charged with the prevention, detection and control of the offences covered by the Convention.

Botswana pledges its support for international cooperation in the fight against organised crime. We recognize that owing to its global nature organized crime calls for a global solution and thus we need to pool our recourses together to combat it in all its forms and manifestations.

Mr. President

To Botswana has put in place several pieces of legislation to assist the law enforcement agencies fight trans-national organised crime. They are,

- The Proceeds of Serious Crimes Act, passed to deprive persons convicted of serious crimes of the benefits or rewards gained from such crimes, and to deal with the problems of money laundering, and matters incidental thereto or connected therewith.
- Mutual Assistance in Criminal Matters Act, which relates to the provision and obtaining of international assistance in criminal matters.

- Corruption and Economic Crime Act, passed so as to enable the establishment of a Directorate on Corruption and Economic Crime (DCEC), and to make comprehensive provision for the prevention of corruption, and to confer power on the Directorate to investigate suspected cases of corruption and economic crime and matters connected or incidental thereto.
- Banking Act, providing for the licensing, control and regulation of banks, and for matters incidental thereto.
- Extradition Act, passed in order to amend the previous Act and to provide for, inter alia, the extradition of persons accused or convicted of crimes committed within the jurisdiction of other countries.

The main aim of these Acts is to ensure easier cooperation between the law enforcement agencies of Botswana and other regional and international law enforcement agencies.

Mr President,

Botswana has ratified a number of Protocols and taken action to suppress the financing of acts of terrorism. This is along side her obligations under the TOC, covering, inter alia, the offences of trafficking in persons, trafficking in firearms, money Laundering

To this end, strict reporting procedures have been imposed on banks and other financial institutions to report suspicious transactions to competent authorities, which in turn are obligated to take appropriate action.

These provisions of the Banking Regulations are in recognition of the close link between the proceeds of serious economic crime, corruptions and the financing of terrorism.

In 2004 the Directorate on Corruption and Economic Crime investigated a record number of money laundering cases involving approximately US\$ 1 million. Six of these cases are currently pending before different courts in the country. Two more cases involving approximately US\$ 1.2 million are to be

registered before the courts soon. Money laundering is a relatively new phenomenon in Botswana and investigators, prosecutors and judicial officers are still grappling with issues relating to this crime. In this regard we would like to appeal for assistance in training of personnel in these sectors.

Mr President,

Botswana recognises the need for increased cooperation between regional and international law enforcement agencies. To this end, the Botswana Police Service is a member of the Southern African Regional Police Chiefs Organisation (SARPCCO) at the regional level and a member of Interpol at the international. On the other hand, Botswana is affiliated to a number of regional and international organs through its various organs of government.

Mr President,

This concludes the Botswana position and contribution to this 11<sup>th</sup> UN Congress on Crime Prevention and Criminal justice.