

DAILY  
**HANSARD**  
YOUR VOICE IN PARLIAMENT



THE THIRD MEETING OF THE SECOND SESSION OF  
**THE ELEVENTH PARLIAMENT**  
**WEDNESDAY 13 JULY 2016**

**ENGLISH VERSION**

HANSARD NO. 183



**DISCLAIMER**

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**THE NATIONAL ASSEMBLY SPEAKER**  
**The Hon. Gladys K. T. Kokorwe MP.**  
**DEPUTY SPEAKER**  
**The Hon. Kagiso P. Molatlhegi, MP Gaborone South**

|                                       |                    |
|---------------------------------------|--------------------|
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| Deputy Clerk of the National Assembly | - Vacant           |
| Learned Parliamentary Counsel         | - Mr S. Chikanda   |
| Senior Assistant Clerk                | - Vacant           |
| Assistant Clerk (E)                   | - Mr R. Josiah     |

**CABINET**

|  |   |
|--|---|
| His Excellency Lt. Gen. Dr. S. K. I. Khama PH, FOM,<br>DCO, DSM, MP. | - President   |
| His Honour M. E. K. Masisi, MP. (Moshupa-Manyana)                    | - Vice President  |
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| Hon. S. Tsogwane, MP. (Boteti North)                                 | - Minister of Local Government and Rural<br>Development                 |
| Hon. N. E. Molefhi, MP. (Selebi Phikwe East)                         | - Minister of Infrastructure, Science and Technology                    |
| Hon. S. Kgathi, MP. (Bobirwa)  | - Minister of Defence, Justice and Security                             |
| Hon. O. K. Mokaila, MP. (Specially Elected)                          | - Minister of Minerals, Energy and Water Resources                      |
| Hon. P. M. Maele, MP. (Lerala - Maunatlala)                          | - Minister of Lands and Housing   |
| Hon. E. J. Batshu, MP. (Nkange)                                      | - Minister of Labour and Home Affairs                                   |
| Hon. D. K. Makgato, MP. (Sefhare - Ramokgonami)                      | - Minister of Health  |
| Hon. T. S. Khama, MP. (Serowe West)                                  | - Minister of Environment, Wildlife and Tourism                         |
| Hon. V. T. Seretse, MP. (Mmopane - Lentsweletau)                     | - Minister of Investment, Trade and Industry                            |
| Hon. O. K. Matambo, MP. (Specially Elected)                          | - Minister of Finance and Development Planning                          |
| Hon. T. Mabeo, MP. (Thamaga - Kumakwane)                             | - Minister of Transport and Communications                              |
| Hon. T. Olopeng, MP. (Tonota)  | - Minister of Youth, Sport and Culture                                  |
| Hon. E. M. Molale, MP. (Specially Elected)                           | - Minister for Presidential Affairs and Public<br>Administration        |
| Hon. Dr. U. Dow, MP. (Specially Elected)                             | - Minister of Education and Skills Development                          |
| Hon. P. P. Ralotsia, MP. (Kanye North)                               | - Minister of Agriculture   |
| Hon. D. P. Makgalemele, MP (Shoshong)                                | - Assistant Minister, Presidential Affairs and Public<br>Administration |
| Hon. K. K. Autlwetse, MP (Serowe North)                              | - Assistant Minister, Agriculture                                       |
| Hon. B. M. Tshireletso, MP. (Mahalapye East)                         | - Assistant Minister, Local Government and Rural<br>Development         |
| Hon. F. S. Van Der Westhuizen, MP. (Kgalagadi South)                 | - Assistant Minister, Local Government and Rural<br>Development         |
| Hon. M. M. Goya, MP. (Palapye)                                       | - Assistant Minister, Education and Skills Development                  |
| Hon. F. M. M. Molao, MP (Shashe West)                                | - Assistant Minister, Education and Skills Development                  |
| Hon. Dr. A. Madigele, MP. (Mmathethe - Molapowabojang)               | - Assistant Minister, Health  |
| Hon. S. Kebonang, MP. (Lobatse)                                      | - Assistant Minister of Investment, Trade and Industry                  |



## MEMBERS OF PARLIAMENT AND THEIR CONSTITUENCIES

| Names   | Constituency              |
|---|---------------------------|
| <b>RULING PARTY (Botswana Democratic Party)</b> |                           |
| Hon. S. M. Guma, MP                             | Tati East                 |
| Hon. C. De Graaff, MP                           | Ghanzi South              |
| Hon. L. Kablay, MP                              | Letlhakeng - Lephephe     |
| Hon. M. N. Ngaka, MP                            | Takatokwane               |
| Hon. T. Kwerepe, MP                             | Ngami                     |
| Hon. S. Lelatisitswe, MP                        | Boteti East               |
| Hon. J. Molefe, MP                              | Mahalapye West            |
| Hon. K. Markus, MP                              | Maun East                 |
| Hon. K. Mzwini, MP                              | Mmadinare                 |
| Hon. P. Majaga, MP                              | Nata-Gweta                |
| Hon. M. I. Moswaane, MP                         | Francistown West          |
| Hon. B. H. Billy, MP                            | Francistown East          |
| Hon. M. R. Shamukuni, MP                        | Chobe                     |
| Hon. B. G. Butale, MP                           | Tati West                 |
| Hon. I. E. Moipisi, MP                          | Kgalagadi North           |
| Hon. B. Arone, MP                               | Okavango                  |
| <b>OPPOSITION</b>                               |                           |
| <b>(Umbrella for Democratic Change)</b>         |                           |
| Hon. D. G. Boko, MP (Leader of Opposition)      | Gaborone Bonnington North |
| Hon. G. S. M. Mangole, MP                       | Mochudi West              |
| Hon. W. B. Mmolotsi, MP                         | Francistown South         |
| Hon. T. Moremi, MP                              | Maun West                 |
| Hon. A. S. Kesupile, MP                         | Kanye South               |
| Hon. N. S. L. M. Salakae, MP                    | Ghanzi North              |
| Hon. Maj. Gen. P. Mokgware, MP                  | Gabane-Mmankodi           |
| Hon. Dr. T. O. M. Mmatli, MP                    | Molepolole South          |
| Hon. S. Ntshaile, MP                            | Jwaneng -Mabutsane        |
| Hon. M. I. Khan, MP                             | Molepolole North          |
| Hon. H. G. Nkaigwa, MP                          | Gaborone North            |
| Hon. I. J. Davids, MP                           | Mochudi East              |
| Hon. S. M. Bathobakae, MP                       | Tlokweng                  |
| Hon. N. N. Gaolathe, MP                         | Gaborone Bonnington South |
| Hon. S. Kgoroba, MP                             | Mogoditshane              |
| Hon. Dr P. Butale, MP                           | Gaborone Central          |
| Hon Kgosi Lotlamoreng II                        | Goodhope - Mabule         |
| <b>(Botswana Congress Party)</b>                |                           |
| Hon. D. L. Keorapetse, MP                       | Selebi Phikwe West        |
| Hon. S. O. S. Rantwana, MP                      | Ramotswa                  |



**TABLE OF CONTENTS**  
**THE THIRD MEETING OF THE SECOND**  
**SESSION OF THE ELEVENTH PARLIAMENT**  
**WEDNESDAY 13 JULY 2016**

| <i>CONTENTS</i>  | <i>PAGE (S)</i> |
|--|-----------------|
| <b>BUSINESS MOTION</b> .....   | 11              |
| Whistle Blowing Bill, 2015 (No.19 of 2015)<br><i>Second Reading (Resumed Debate)</i> ..... | 31 - 38         |
| <b>QUESTIONS FOR ORAL ANSWER</b> .....   | 6 - 10          |
| <b>SPEAKER'S ANNOUNCEMENT</b> .....  | 5               |
| <b>STATEMENT ON INCIDENTS OF UNRULY<br/>BEHAVIOUR</b> .....                                | 11 - 30         |
| <b>TABLING OF PAPER</b>  |                 |
| Botswana-Mauritius Double Taxation Avoidance<br>Agreement (Amendment) Order, 2016.....     | 10              |



Wednesday 13<sup>th</sup> July, 2016

THE ASSEMBLY met at 2:00 p.m.

(THE SPEAKER in the Chair)

### PRAYERS

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### SPEAKER'S ANNOUNCEMENT

**MADAM SPEAKER (MS KOKORWE):** Order! Order! Honourable Members, I have an announcement to make. As you may recall Honourable Members, when the 11<sup>th</sup> Parliament convened in 2014, Honourable Members raised concerns relating to the level of security in the House and around Parliament precincts. Similar concerns were further raised during Committee of Supply debate on the 10<sup>th</sup> February 2015. You may further recall that the Minister for Presidential Affairs and Public Administration presented a statement before this Honourable House on the 3<sup>rd</sup> of March 2015 in response to issues raised on security in and around Parliament precincts.

Let me remind you Honourable Members that, Parliament is one of the national security areas protected by government security agencies. As a result, assurances made through the statement by the Minister for Presidential Affairs and Public Administration were further discussed at the General Assembly with the security agencies on the 5<sup>th</sup> of March 2015, where upon resolutions were made relating to strategies for strengthening security in the House and around Parliament precincts. Implementation of agreed strategies was delayed by the ongoing refurbishment works. You will agree with me that incidents which happened on the 8<sup>th</sup> of April and yesterday 12<sup>th</sup> July, warrant immediate attention. We can no longer wait for completion of the refurbishment works. The need to strengthen security is now. Some security measures introduced in the House include:

- Removal of water and glasses from the Chamber as well as increasing the number of security personnel inside the Chamber.
- Further, in conjunction with security agencies, we are to introduce scanners and other security gadgets at strategic points in and around Parliament precinct. Your cooperation in implementing security measures in and around Parliament would be highly appreciated.

Honourable Members, we will now do questions.

**MR MMOLOTSI:** Point of order Madam Speaker. Thank you very much Madam Speaker. The point of order relates to the records of Parliament. You will remember that when the President of the Republic of Namibia was here, when you were welcoming the President you read a speech at first...

**MADAM SPEAKER:** Honourable Member, we will discuss that later, it is now time for questions.

**MR MMOLOTSI:** It will affect the records because right now what I am talking about is the situation where the Hansard has been doctored to remove that which you read during that day. It does not appear in the Hansard for that day but we know you read up until you said, "thank you very much for your inspiring speech," but it does not appear here. So, we are not so sure whether the record that is coming of these particular questions we are going to answer, is going to be correct because now we realise that it is possible to doctor the records of Parliament. That is the procedure that we want to establish.

**MADAM SPEAKER:** Okay, I have not yet seen that Hansard that you are talking about. I will look at it and then we can talk about it later.

**MR MOSWAANE:** On a point of order Madam Speaker.

**MADAM SPEAKER:** Wait Honourable Moswaane, why are you seated there? We placed you alphabetically.

**MR MOSWAANE:** Madam Speaker, I have sought refuge this side. I do not feel comfortable seated on that side and I do not feel free. I am within the shortest range of missiles which include bottles, fists and knives. In this turmoil and criminal activities of fights, I cannot be in that seat because I am thin and short, I cannot fight. I wanted to be assured that a police officer will be placed behind me to draw the line between us and opposition.

**HONOURABLE MEMBER:** Please go back to your seat.

**MR MOSWAANE:** No, my life comes first. I need the assurance.

**MADAM SPEAKER:** No, Honourable Moswaane, you are speaking from a chair that is not yours and so I am asking that you go back to your seat and we will talk about the issue. I was taken aback to hear your



voice coming from that direction. You are delaying the time for questions and they are many. We are delaying Parliament business, okay?

### QUESTIONS FOR ORAL ANSWER

#### UPGRADING OF RAMOTSWA POST OFFICE

**MR S. O. S. RANTUANA (RAMOTSWA):** asked the Minister of Transport and Communications if he is aware that:-

- i) the Post Office in Ramotswa is old and too small to provide the modern day services;
- ii) there are no rest rooms to be used by the public especially the old age pensioners;
- iii) there is no shade to sit under especially during summer where temperatures go above 40oC; and
- iv) when another post office will be built in Ramotswa that has all the required facilities.

**MINISTER OF TRANSPORT AND COMMUNICATIONS (MR MABEO):** Madam Speaker,

- i) I am aware of the state of Ramotswa Post Office which is old and small. This status is not unique to Ramotswa but applies to all other post offices across the country. It is for this reason that my Ministry has developed postal and infrastructural development programme to upgrade, refurbish, remodel and develop new post offices in all major villages, towns and cities. The main stumbling block in the implementation of this programme is lack of funding. However funding of postal infrastructural development programme has been submitted for consideration under NDP 11.
- ii) There are rest rooms at Ramotswa Post Office even though they are not adequate to cater for all customers. One of the objectives of implementing the postal development programme is to improve the existing post offices infrastructure by putting in place adequate public ablution facilities.
- iii) Madam Speaker, I hereby confirm that indeed there are no shades at Ramotswa Post Office. The envisaged infrastructural postal development will increase the size of the post offices and create enough banking hall and increase the number of serving points in order to reduce the waiting or queuing times so that customers do not queue outside.

Madam Speaker, my Ministry's current priority is to refurbish the existing post office with all the required facilities. Therefore, there are no plans to construct a new post office in Ramotswa. I thank you Madam Speaker.

**MR RANTUANA:** Supplementary. Thank you Madam Speaker. I hear the Minister saying that there are no funds for upgrading the post office. Is the post office not making any money because I always find queues of people there depositing money? What is the money that the post office is making used for if it is not used for upgrading the post office? The rest rooms that the Minister is talking about, are they for the staff or public?

**MR MABEO:** Thank you very much Madam Speaker. Thank you Member of Parliament. One thing that we should acknowledge is that, post offices are heavily subsidised by government. Let us also remember that there are a lot of services that are being rendered at our post offices, for instance, Old Age pensions and War Veterans allowance and others. Therefore, you can see that there is a lot of pressure at the post offices. Nonetheless, we do not expect post offices to be making a lot of profit that can be used for infrastructure. That is why I said I have requested that during the National Development Plan 11 (NDP 11) which is on-going, we should see how post offices can be developed. Like I said, other programmes more especially those at Local Government and Rural Development are rendered at post offices.

The Honourable Member was asking about toilets or shelter, but what I heard...

**HONOURABLE MEMBER:** Toilet.

**MR MABEO:** Ooh! Toilets. Oh whether the toilets are for staff or customers. I will have to ask my officials, but what I am saying is that if there are toilets, if someone is pressed, they should request to use the toilet. Thank you Madam Speaker.

**MAJ. GEN. MOKGWARE:** Supplementary. Thank you very much Madam Speaker. Thank you Honourable Minister. I did ask a question here on Monday about the profit made by Botswana Post Office savings and you were saying very impressive results. Can you reconcile that particular statement where you said the post offices were making profits? Reconcile it with your statement today where you said the post offices do not have money to carry any other developments.



Secondly, you are saying that your Ministry is busy making some plans in order to expand the post offices so that they can have other facilities there. So can you just confirm to me if you would also include the post office in my constituency and yours in your plans? When can we expect to see that expansion? Thank you.

**MR MABEO:** Thank you Madam Speaker. I thank you Major General for mentioning the post office at my constituency. Honourable Mokgware is saying that I should reconcile what I am saying with what I said last time, but then I was talking about the Botswana Savings Bank (BSB).

Secondly, he was asking if his post office will be among those that will be developed, but when I concluded I said, “my Ministry’s current priority is to refurbish the existing post office with all the required facilities.” So that is my Ministry’s priority. You know that we have many post offices in our country and most of those are not able to handle the number of people who come to seek services. When I talk of refurbishing, we will be looking at those post offices. In other places, we are going to build new post offices. Like I have indicated, we have a programme which we want the NDP 11 to focus on.

In conclusion Madam Speaker...

**MADAM SPEAKER:** Conclude, time is running out.

**MR MABEO:** Yes Madam, he asked about public ablution facilities.

**HONOURABLE MEMBER:** No! It is not Mokgware.

**MR MABEO:** No, thank you. It was not him. Thank you Madam Speaker.

#### **CONSTRUCTION OF THE MAGISTRATE COURT AND OFFICES IN RAMOTSWA**

**MR S. O. S. RANTUANA (RAMOTSWA):** asked the Minister of Defence, Justice and Security when the Magistrate Court and offices will be built in Ramotswa.

**ACTING MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR MAELE):** The construction of the Magistrate Court and offices in Ramotswa could not be accommodated in the National Development Plan 11 (NDP 11) due to budgetary constraints. At the moment, Ramotswa is a visiting Court from Extension II Magistrate Court in Gaborone. The Court operates from the Ramotswa Rural Administration Centre on Tuesdays and Wednesdays.

The construction of the Magistrate Court and offices in Ramotswa is one of the projects earmarked for NDP 12. Thank you Madam Speaker.

#### **REPLACEMENT OF THE YOUTH OFFICER BASED IN MMADINARE**

**MR K. MZWINILA (MMADINARE):** asked the Minister of Youth, Sport and Culture if he is aware that the Youth Officer based in Mmadinare has been transferred; if so, when will the said officer be replaced.

**MINISTER OF YOUTH, SPORT AND CULTURE (MR OLOPENG):** Thank you very much Madam Speaker. Good afternoon, good afternoon Honourable Member. Madam Speaker, I am aware that the Programme Officer based in Mmadinare was transferred. The officer has since been replaced with another Programme Officer who reported for duty on the 10<sup>th</sup> May, 2016. I thank you Madam Speaker. Thank you Honourable Member.

#### **DEVELOPMENT OF RECREATIONAL PARKS IN RAMOTSWA AND OTSE**

**MR S. O. S. RANTUANA (RAMOTSWA):** asked the Minister of Local Government and Rural Development when the recreational parks in Ramotswa and Otse will be developed.

**ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR VAN DER WESTHUIZEN):** Madam Speaker, due to financial constraints, my Ministry through South East District Council has not made provision for development of recreational parks in Ramotswa and Otse in NDP 10. However, consideration has been made to develop a park through Public Private Partnership (PPP) model. The proposal is currently being assessed by the Ministry with the view to seeking approval by the Ministry of Finance and Development Planning. Thank you.

#### **AMENDMENT OF THE STOCK THEFT ACT CAP 09:01**

**MR P. MAJAGA (NATA-GWETA):** asked the Minister of Defence, Justice and Security if, due to the alarming increase in stock theft cases in Botswana with devastating effects on the farming community and the economy at large, he will consider as a matter of urgency amending the Stock Theft Act CAP 09:01 to provide for forfeiture to the state of any weapon, vehicle, boat, aircraft or anything used in commission of an offence under this Act upon conviction of the accused person or persons.



**ACTING MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR MAELE):** Thank you Madam Speaker. I am equally concerned of the level of stock theft in our country. I have accordingly caused the necessary processes which will lead to the amendment of the Stock Theft Act. The envisaged amendment will make provisions for the confiscation of vehicles, weapons, instruments and or other equipment used in the commission of stock theft or convenes of stolen stock or proceeds and to make it an offence with enhanced punishment for possession of stolen stock and stock products. I thank you Madam Speaker.

#### **WATER SUPPLY CHALLENGES AT DAMOCHOJENAA AND MMADINARE**

**MR K. MZWINILA (MMADINARE):** asked the Minister of Minerals, Energy and Water Resources if he is aware that the villages of Damochojena and Mmadinare are still having water supply challenges which can be addressed by the proposed Selibe-Phikwe to Serule water pipeline; if so, will he consider inclusion of the pipeline as one of the Economic Stimulus Programme (ESP) projects.

**MINISTER OF MINERALS, ENERGY AND WATER RESOURCES (MR MOKAILA):** Good afternoon Madam Speaker. I am aware that Damochojena and Mmadinare villages are currently experiencing water shortages. The problem arises from the fact that two boreholes that supply Damochojena village have since dried up. Mmadinare village water supply deficit result from the plant supplying the village is not adequate to supply both the village and Mmadinare Secondary School. To address the problem Damochojena is being bowsed.

In the long term, both villages will be connected to Selebi Phikwe-Serule Water Transfer Scheme. Water Utilities is still sourcing funds for the project. The project will be embarked on once funds have been secured and it is scheduled to take 12 months.

Thank you Madam Speaker.

**MR MOSWAANE:** Supplementary. Are you able to specify the expected timeframe, how long is it going to take, will it be within a short period of 12 months or so?

**MR MOKAILA:** Madam Speaker very soon I will be coming to this Parliament to give you an update on all the projects that we are doing countrywide. I would also ask for your input in requesting that during budget, water should be given a bigger portion. Thank you.

#### **WATER SUPPLY AT MMADINARE SENIOR SECONDARY SCHOOL**

**MR K. MZWINILA (MMADINARE):** asked the Minister of Minerals, Energy and Water Resources if he is aware that the village of Mmadinare with a combined population of more than 17,000 people equally shares its water supply with Mmadinare Senior Secondary School; if so, will he consider the following options for Mmadinare Senior Secondary School:-

- i) drilling of boreholes to supply Mmadinare Senior Secondary School; and
- ii) recycling of the water from Mmadinare Senior Secondary School.

**MINISTER OF MINERALS, ENERGY AND WATER RESOURCES (MR MOKAILA):** Madam Speaker, I answered this question when I was responding to the first one. On this one he was asking if I could consider drilling boreholes for them. So what could help in the long-term is for the Serule, Mmadinare and Selibe Phikwe project scheme to be implemented. It is one of the projects that we have requested for their funding at the World Bank. I thank you.

**MR MZWINILA:** Supplementary. Thank you Honourable Speaker. Honourable Minister, what about recycling the water from Mmadinare Senior Secondary School, like in other senior secondary schools, is that possible in the interim?

**MR MOKAILA:** The volumes concerned Madam Speaker for the secondary school and for the village really looking at the bigger scheme, would not be cost effective for now. Institutions are encouraged to do it for themselves from sewage water to non-portable water, partaking it to the portable state is more costing. That is why I am referring to the scheme, to deal with the problem in the long-term. Thank you Madam Speaker.

#### **UPDATE ON THE REFURBISHMENT AND UPGRADE OF SEDIE TREATMENT PLANT**

**MR T. MOREMI (MAUN WEST):** asked the Minister of Minerals, Energy and Water Resources:-

- i) whether the refurbishment and upgrade of the Sedie Treatment Plant scheduled for May 2015 as promised by the Minister in his answer to a Parliamentary question No. 263 asked on the 12th February 2015 was carried out; and



- ii) why the water supplied to Maun is still black and grimy.

**MINISTER OF MINERALS, ENERGY AND WATER RESOURCES (MR MOKAILA):** Madam Speaker, I am aware of the Sedie water plant and the colour of the water. As I said when I answered the question on the 12<sup>th</sup> February 2015, I said there was a plant deal with that plan. Unfortunately funds have not been available for me to do so. This is why I was making a comment that we would have to come back to Parliament to come and have a discussion about trying to reprioritise projects within Government to allow me to do water projects.

Over and above that Madam Speaker, we have a plan to do an upgrade of a 15 kilometre pipeline that would also get water from the Kunere well fields and the Shashe well fields to try and help the situation, so that we can benefit from using the Kunere well fields and the Shashe well fields when the river is not flowing, as we know that we get water from the river and from those well fields. That is why we are trying to find funding for, to assist with this problem.

I thank you Madam Speaker.

#### CONSTRUCTION OF A CLINIC IN MARUAPULA

**DR P. BUTALE (GABORONE CENTRAL):** asked the Minister of Health if she will consider constructing a clinic in Maruapula to relieve the congestion at Princess Marina Hospital since such a clinic was approved under the Urban Development Plan in 2003.

**ASSISTANT MINISTER OF HEALTH (DR MADIGELE):** Thank you Madam Speaker. Madam Speaker, my Ministry has no plans to construct a clinic in Maruapula as there is no provision in NDP 10 for the construction of such a clinic in Gaborone.

Thank you.

**MR MMOLOTSI:** Supplementary. Is the Minister aware that it was included under Urban Development Plan 3?

**DR MADIGELE:** Thank you Madam Speaker. I am very much aware that this project was in UDP 3, but was deferred at district level. As such it was not included in NDP 10. I thank you Madam Speaker.

#### UPDATE ON THE STATE OF THE NATIONAL STADIUM

**DR P. BUTALE (GABORONE CENTRAL):** asked the Minister of Youth, Sport and Culture to update this Honourable House on the state of the national stadium; he should further state:-

- i) the initial construction cost of the stadium;
- ii) the cost of the 2010 renovations and what the renovations were;
- iii) the cost overruns, if any, in the 2010 renovations; and
- iv) the envisaged cost of the upcoming renovations and the actual planned renovations.

**MINISTER OF YOUTH, SPORT AND CULTURE (MR OLOPENG):** Madam Speaker,

- i) The National Stadium was first constructed in the 1960s, and subsequently there has been several upgrades mainly to increase its capacity and improve its outlook. In fact, even right now there is an upgrade that is on-going. Owing to the fact that the stadium was constructed a very long time ago, I am unable to state a specific figure regarding the initial cost of its construction.
- ii) Madam Speaker, the tendered value cost of the 2010 renovations was P66, 601, 782.08. The works included renovations of seating areas, provision of seats for three stands, refurbishment of toilets, provision of 20 offices, gymnasium hall, improvement in the VIP area, water proofing to three stands with offices below, upgrading of the pitch and running track, provision of new goal posts and retractable tunnel, improvement to storm water drainage, improvement in parking area behind grand stand, cleaning and repainting of perimeter wall, and associated mechanical and electrical works
- iii) Madam Speaker, there were no cost overruns in the 2010 renovations of the stadium.
- iv) The envisaged cost of the ongoing renovations is P44, 499,264.22, and the plan is to increase the seating capacity of the stadium by 3000 seats. I thank you.

**MR MMOLOTSI:** Supplementary. Minister, can you tell us what motivated this upcoming renovation?

**MR OLOPENG:** Thank you very much Madam Speaker. Thank you Honourable Member. The intention



was to increase the capacity of the stadium from 20 000 to 23 000. We are also thinking and planning to continue to do more if we could get funds to roof the stadium because our conditions are becoming more unbearable, heat wise.

**MR MMOLOTSI:** Further supplementary. Minister, the reason I am asking is because there are other national priorities so what actually motivated those renovations at the last hour and during the time where there is dire shortage of funds? What actually motivated that?

**MR OLOPENG:** Thank you very much Madam Speaker. Thank you Honourable Member. As far as I am concerned as a Minister of Youth, Sport and Culture, this is a programme of national interest because sport is no longer taken as a play thing, it is taken as a method that could approach unemployment in the country. I think it is a project that was given priority. For your information, this project was not planned for this financial year; it was actually planned for the last financial year. It is only that the implementation of this plan came towards the end of the last financial year. Thank you very much Madam Speaker. I hope you understand Honourable Member.

**MR MOSWAANE:** Supplementary. Honourable Minister, would some of the reasons which motivated this renovation be to prevent cases such as stampede because you know very well that Gaborone is larger than Francistown? If 30 000 Gaborone people can get into the stadium whereas it can only accommodate 20 000 and cause deaths; my colleague will ask the Minister to account for those deaths.

**MR OLOPENG:** Thank you very much Madam Speaker. Thank you Honourable Member for being so brilliant. Indeed Gaborone as the capital city, that is one of those reasons that actually encouraged us to increase the capacity of the Gaborone Stadium because Gaborone City had only 20 000 seater and Francistown had 25 200 seater so we found it necessary to increase capacity so that we could take care of such. Thank you very much.

#### **SEVERANCE PAY OR PENSION TO SPECIAL CONSTABLES UPON TERMINATION OR END OF CONTRACTS**

**DR P. BUTALE (GABORONE CENTRAL):** asked the Minister of Defence, Justice and Security whether his Ministry has any severance pay or pension payable to special constables upon termination or end of their contracts; he should further state:-

- i) whether special constable officers who have served since this programme started or served a similarly long period have no legitimate expectation to be absorbed into the Police Force;
- ii) the rate of absorption of special constables into the mainstream Police; and
- iii) plans in place to expedite the absorption of long service special constables into the mainstream Police.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** My apologies for being delayed.

Currently special constables are not paid severance pay or pension upon termination or end of contract but are paid gratuity at the end of their contracts. The Revised Special Constables Regulations have categorised them as contract employees and therefore the issue of severance benefits no longer applies.

- i) Contrary to any expectation by the special constables to be absorbed into Regular Police Service, it has to be noted that the position of special constable was never intended to be a condition to qualify for one to be a regular police officer. In this regard, selection for training and subsequently recruitment, is based on competitive selection process, where only the best qualify.
- ii) On average, the special constables intake into Police College ranges between 80 and 90 per cent annually. For example, in the current intake 300 out of 336 recruit constables are from the special constables cadre which is 89 per cent intake.
- iii) Given the manpower tight ceilings in the public service, there are currently no plans to expedite or accelerate the absorption of the special constables who have long service in the Botswana Police Service. Thank you Madam Speaker.

#### **TABLING OF PAPER**

The following paper was tabled:

#### **BOTSWANA-MAURITIUS DOUBLE TAXATION AVOIDANCE AGREEMENT (AMENDMENT) ORDER, 2016**

(Minister of Finance and Development Planning)



## MOTION

## BUSINESS MOTION

**LEADER OF THE HOUSE (MR MASISI):** Madam Speaker, I beg to move in terms of Standing Order 25.2 that the Assembly should not sit on Friday 15 July to allow Honourable Members the opportunity to travel timeously and safely to their constituencies for the President's day public holidays. I move accordingly Madam Speaker.

Question put **and agreed to.**

## STATEMENT ON INCIDENTS OF UNRULY BEHAVIOUR

**LEADER OF THE HOUSE (MR MASISI):** Madam Speaker, it is with the great deal of regret that I, on behalf of the Government of Botswana, am compelled to issue a statement in response to the growing incidents of unruly behaviour that have transpired in this House during the current sitting. Especially yesterday's totally unacceptable behaviour when a certain Member of this House went so far as to throw a projectile across the aisle of this House hitting the Honourable Deputy Speaker, Honourable Molatlhegi.

Madam Speaker, let me make it abundantly clear that such acts of brazen violence as well as disrespect should not be tolerated by anyone anywhere. That such a disgraceful act could be perpetuated within this august Chamber by one of its own Members is however especially deplorable. Madam Speaker, the only relief I can find about yesterday's otherwise depressing spectacle is that, at least it did not happen 24 hours earlier in the presence of our honoured guest His Excellency, the President of Namibia Dr Hage Geingob.

Let me further remind this House that in his address to us, President Geingob had observed that we are a well-established democracy that has become a beacon to others. In this respect, in his praise, he cited along standing practice of tolerance and mutual respect for one another, as well as our record of development of the past half a century.

Madam Speaker, as Botswana we all know that these qualities are rooted in our own timeous traditions of free speech and consultations "*mmualebe o bua la gagwe*" as well as our five decades of adherence to the liberal values of freedom and good governance, enshrined in our Constitution which are further cascaded in the Standing Orders of this House.

Madam Speaker, we should recognise the fact that we have progressed together as a nation because we have been steadfastly true to our own norms of civility. We do appreciate that it is in the nature of any well-established democracy that inside as well as outside this House, we as a people may become passionate in our different points of view, but that should never ever be an excuse for descending into totally disruptive behaviour in this Chamber much less acts that can open the door to unbridled thuggery.

Madam Speaker, I personally regard this as a grave matter for I fear that if our Parliament descends into chaos, it can become the slippery slope. In the absence of good governance, we face a threat of becoming another failed state rather than the well-established democracy the world has come to know and admire.

Madam Speaker, let us be further mindful of the wise words of our own President in his most recent State of the Nation Address opening this very current Session of Parliament when he observed; "we can either become more productive by working together to reach our goals, or we can allow individual desires and potentially debilitating divisions to rob us of further progress. As a nation, we can only achieve our full potential if our individual interests remain subordinate to the national interest. Our greatest strength over the past 5 decades has been our capacity to find common ground in our planning." Madam Speaker, while the voters that elected us were themselves divided in their choices, they were united as Botswana by a common desire for a better future for our country.

It must therefore be our common responsibility no matter where we sit in this Chamber to reflect the will of our people by agreeing and agreeing to disagree with common purpose and mutual respect.

Madam Speaker, unfortunately in the light of recent developments, Government now finds it necessary to reinforce sentiment with action. Given the incitement we see being fomented against honourable offices of the Speaker and the Deputy Speaker; we have decided that the security of their persons shall now have to be augmented. We have also come to the conclusion that at least for the time being, the overall security of this House shall also have to be further enhanced.

Madam Speaker, I dread to think that yesterday's incident may have set this House on a path of self-inflicted decline. We have clearly reached a fork in



the road where we can either build on golden jubilee legacy of progressing or degenerate by turning our back on the noble traditions of civility and free and friendly debate that have characterised the deliberations of this House since it first convened way back in 1965. Madam Speaker, Honourable Members, ladies and gentlemen, let us rather pull ourselves away from the brink by becoming the disciplined representative the vast majority of us voters from across the political spectrum have come to expect us to be. Indeed some members of the Fourth Estate have called upon us to be, the rest will be left to the competent law enforcement agencies to investigate and follow through. I thank you Madam Speaker.

**MADAM SPEAKER:** Order! Order! Honourable Members, Standing Order 41.3 says or reads thus, “no debate may arise on such a statement, but the Speaker may in his or her discretion allow short questions to be put to the Minister making the statement for the purposes of elucidation.”

**ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MS TSHIRELETSO):** I thank you Madam Speaker and let me also thank the vice President for those words. My question is; with what some of the opposition members are doing in Parliament right now, what is going to happen when someone disagrees with them if they finally get into power?

Secondly, is the Vice President aware that last month the Chief Editor of Sunday Standard was invited to Duma FM with one of the Chairpersons of the opposition parties but I will not mention their name because they are not present here with us. The Chairperson was complaining that something negative was written about their President in that paper and the Chief Editor of Sunday Standard asked the Opposition Youth Chairperson ‘ if you ever happen to rule this country, are we ever going to experience the peace that we are experiencing now with President Khama’s leadership?’

Finally, how do we recognise that another person has been wronged? Thank you.

**MR MMOLOTSI:** I will like to ask the Vice President whether he has not realised that the chaos that ensue in this house at the moment is due to his weak leadership.

Secondly; have you not realised that the reason that the 11<sup>th</sup> Parliament is so disorderly is due to poor leadership of the Speaker of Parliament and her Deputy?

Finally, have you not realised that the current Government has instilled so much frustration on every Motswana because the ruling party and its Government still continue to flaunt procedures simply because they are in power?

**ASSISTANT MINISTER OF HEALTH (DR MADIGELE):** Thank you Madam Speaker. Madam Speaker, I want to acknowledge the statement by His Honour the Vice President. I could see it is a solemn statement that he was making, with a heavy heart. I just want to put across a question regarding the behaviours he has been chronicling since last year, that have been making this House disorderly. My question is, would the Leader of the House find it appropriate to recommend random tests of cannabinoids or alcohol or hallucigenic drugs to check the status of Honourable Members time and again to ascertain our fitness to participate in this dispensation. I thank you Madam Speaker.

**MR MOSWAANE:** Thank you Madam Speaker. Every leader is a role model. I remember, last month there was a statement from the Leader of Opposition on radio in which he said police officers should be beaten. It was broadcasted to all Batswana that it would not be wrong to do so, and that no one would persecute them or charge them for doing so.

Just recently on Thursday, the Leader of Opposition said in this House that members of the BDP (Domkrag) should be beaten and the Speaker even said, “Really Sir, are you not going to help me to control these people?” So yesterday we observed the culmination of our security in Parliament. Today Madam Speaker, can you not move me from here to the other side where my colleagues are? When these things happen like this, can you not request Honourable Boko to resign because he is the one encouraging chaos in Parliament of Botswana? Thank you.

**MR MZWINILA:** Thank you Honourable Speaker. I wish to acknowledge the statement by the Leader of the House. It is unfortunate that the security situation has come to the precipice whereby such drastic measures have to be taken.

I have a couple of questions Your Honour. I think that security permeates across the board and you may be enhancing security here but creating holes elsewhere. I would like to just understand the timeline for enhancing Parliament security in general, in terms of the scanners, in terms of ensuring that weapons and weaponry do not enter into Parliament.



I would like to also understand if there are any plans in terms of enhancing the security where we stay at the Parliamentary Village and where we work in terms of our offices, because where you strengthen, those who want to attack us are going to go where it is now weak? So, I would like to just seek clarification in terms of those issues. I thank you Honourable Speaker.

**MR SALAKAE:** Thank you Madam Speaker. Maybe I should thank...

**ASSISTANT MINISTER FOR PRESIDENTIAL AFFAIRS AND PUBLIC ADMINISTRATION (MR MAKGALEMELE):** On a point of order Madam Speaker. Madam Speaker, I had asked for water now they are telling me it is not allowed in the chamber.

**MADAM SPEAKER:** Honourable Makgalemele, they will bring water for you in a less harmful glass; pour it for you and then go back with the bottle. Let them do so.

**MR SALAKAE:** Thank you Madam Speaker. I will not be long. Let me also comment in the statement which was presented by His Honour the Vice President, just a brief comment. It cannot just be a question, I can commend or condemn.

**MADAM SPEAKER:** No, it is a question. They should be short questions like the Standing Order says.

**MR SALAKAE:** Yes, but others like Moswaane have been talking at length. May I be allowed to speak freely without being shouted at. I would like to speak briefly Your Honour, from the bottom of my heart and say the statement which you have said; I said last time that we are fortunate because Batswana love peace. I wish that those who have authority would not use it proudly and arrogantly. Maybe that is what will cause the peace that we have in this country, which Batswana love so much, to be disarranged. That is all that I wanted to say.

**MR GUMA:** Madam Speaker, thank you very much. Mine is just to commend His Honour. I do not have any question to ask, but I just want to say maybe it would have been nicer if the House could also accept if the Member that did certain things that were not right yesterday, to stand up and apologise. It would have been very much nicer.

**MADAM SPEAKER:** Yes Honourable Member, but right now it is a time for questions; short questions please.

**DR P. BUTALE:** Thank you Madam Speaker. I shall ask only three questions. The first one is that, Your Honour the Vice President, as a leader of this House, when there are conflicts like the ones which occur in this House, does it ever occur to you that that could be an opportunity for you to show your leadership qualities? If you are a good leader, when there are issues you do not flare up the tensions, you rather unite people. Is it not the weakness of leadership which is giving rise to the current situation we are in today? We have a Speaker who always talks about not giving us a chance to speak this side, in cohorts with the people we are facing on the other side. You are the one who even encourages that kind of practice, saying, "Let us go and fix them, and oppress them in this way!"

Your Honour I always hear people saying, "It is our first time to see these things happening in this Parliament." I would like to ask, did this country ever lack leadership like it is lacking it now? Have we ever had a Speaker like the current one? Have we ever had a Vice President like the one we have today? The kind whom when he is supposed to build and unite he would rather say, "No, let us kill them."

The last one that I wanted to talk about is that in this House Your Honour, some people who are praising you, encouraging you to do this evil usually break glasses here, scaring us. We would ask ourselves whether after breaking them they would not do anything more sinister. Why did you not come up with a statement when people portrayed such behaviour which also scared me, breaking glasses not knowing why they were doing so? At that particular time, where was a statement? Is this not the double standard that you play that is getting this country to where it is today?

**MR KHAN:** Madam Speaker, thank you for giving me this opportunity. I would like to agree with what the Vice President stated regarding us in this House to be more cautious with how we practise or uphold ourselves within this institution. Where I have a problem and I need clarity from the Vice President is, you know, when people are subjected to undemocratic processes such as what we feel in this House, what do we do? This is because it has taken me almost 20 years to get here. When I got here, I thought I would find some democratic processes where we all share in nation building, only to find that everything seems to be biased, including the entire process of this House.

In policy formulations we are outnumbered and we are not even listened to. We are not given the opportunity



to present in order to build the nation together. We find ourselves in a very hostile situation. Hostile politics create hostility at the end of the day. This is because you are subjecting people to situations where we are unable to contain ourselves at times and we sometimes have human emotions which overtake our senses, and unfortunately that is a normal, natural phenomenon. I am requesting the Honourable Vice President to explain to this House as to whether or not he is going to make sure as the Leader of this House to bring about a more advanced democratic process instead of the stifled democracy that we are feeling currently in the opposition. The full blame should not go to the opposition; the blame must go into the entire House for whatever happens in this House. Thank you.

**MR MOREMI:** Thank you Madam Speaker...

**HONOURABLE MEMBER:** I requested for a point of order Madam Speaker.

**MADAM SPEAKER:** Did you call for a Point of Order?

**MR MOSWAANE:** Point of Order. Is it not in order for Honourable Butale to relay the message to Honourable Boko since he is the leader of the syndicate which causes fights and all every day, and not to the Vice President, who never picks a fight with anyone? Most of the fights and abuse come from the opposition. Why can he not present it there because since this opposition came into being, under the leadership of Honourable Boko, we have seen so many fights? Can you not be called to order to present those to Honourable Boko because we have never seen this behaviour since independence, until he came to Parliament? Thank you.

**MR MOREMI:** Madam Speaker, Honourable Moswaane had requested for a point of order. The procedure of this House is to put him to order first before we proceed. Let me point out that the Standing Orders of this House have been set aside for quite some time. And we are being led by the discretion of the Speaker or the Deputy Speaker, for that day.

**MADAM SPEAKER:** Order! That is not true; I always quote Standing Orders Honourable Moremi.

**MR MOREMI:** Let me quote Madam Speaker, that on Thursday 7<sup>th</sup>, 2016, on page 14 of the Hansard, in this House, the Deputy Speaker refused to pick Honourable Nthabile's point of order and then he was thrown out only because he wanted to know the words he was to

withdraw. He was thrown out for that reason. On that day, a division was called for, Madam Speaker, he used Standing Order 62.1 to call for a division of this House, but he refused!, something which has been written on the Standing Orders of this House! What is the point of us having to hear of another code by the Vice President, a code we do not know? If we are not led using the Standing Orders, what is guiding us in this House?

**MINISTER OF HEALTH (MS MAKGATO):** Thank you very much Madam Speaker. Madam Speaker, first of all, I would like to thank His Honour the Vice President for the eloquent manner in which he delivered his speech and all the contents thereto.

My question to the Vice President is; the entire nation is looking up to us as the leadership in Parliament that for everything we do in Parliament, it gives tune in all the structures on the floor. If we are going to reach that point as Parliament, how are we going to deal with such cases at councils, how are we going to handle fights at the Village Development Committees (VDCs), what are we going to tell them as Members of Parliament, because we are the torch of the nation? We are the torch of our nation, we are the vision of this country. If we cannot be exemplary as the leadership, what more do we expect from the nation at large? We should be exemplary to the nation at large, we should be the ones setting the temperature and the tone of how we differ as Members of Parliament. Your Honour, the Vice President, the way we are going, if we are not firm...I do not see that as a problem, I take it that your taking of the floor shows leadership. You always do things, throw tissues and papers at each other, but today we are serious, we do not want to go beyond where we are today. Therefore that is why you are on the floor today and you did not take the floor when one of us broke his glasses and did not throw them at anyone. I take it that what you did is in order. In short, what are we telling the nation at large, we are taking full responsibility as the leadership of this country?

**MR MOIPISI:** Thank you Madam Speaker. I will not be long. I would like to ask the Vice President, since we are representing our constituents, does it mean that when we go back to our constituents when we adjourn this session, we should tell them of all the behaviour displayed in this House since October 2014. Thank you Madam Speaker.

**MINISTER OF LANDS AND HOUSING (MR MAELE):** Thank you Madam Speaker. Let me start



of by thanking his Honour the Vice President for his statement. In terms of our Standing Orders, we cannot state the names of people who are not in Parliament because they cannot respond for themselves, but in the statement made by the Vice president, he said, 'a Member', some of us were not present when it happened, it is not in order for you Your Honour to give us the names of the member in question so that we are careful around them. Secondly, we were not present when that happened, but what the Member displayed, was it a first time behaviour or we know him to be like that always? And lastly, have you not thought of an action to be taken against that Member, if he has done that in Parliament, it is embarrassing and scary at the same time. Is there any action to probably suspend him for quite some time before being allowed into this House?

**MR MMOLOTSI:** Point of order. Madam Speaker, is the Honourable Member not derailing this House with his questions, knowing that he once fought with Robert Masitara in the Parliament precincts and the action that he is suggesting should be taken, was not taken against them.

**MADAM SPEAKER:** Order! I do not know of his fight with Honourable Masitara. I have not heard of it. He said he needs the name of the member in question.

**MINISTER OF AGRICULTURE (MR RALOTSIA):** Thank you Madam Speaker. Let me thank his Honour the Vice President who is also the Leader of this House for the statement he made on the events that took place in Parliament. Your Honour, the Vice President, is it not in this Parliament when one of the Members of Parliament said that one needs to be careful around the fire place when an insane person is around? Your Honour, is it that hard for stern action to be taken against those Members and those who want to enter Parliament in shorts, with knives in their pockets? Action which will deter those who have similar thoughts from doing that, so that they know that Parliament is not a place where anyone can come and do anything they want. Lastly, I would like to tell the Members of the Opposition that once they protect their Members they should know that whatever bad behaviour they are protecting keeps growing...

**DR P. BUTALE:** On a point of order. Madam Speaker, the things that we complain about, are the very ones which continue. What I am always asking for is a system which is fair to all irrespective of who is on the floor and again if something is wrong, let it apply to everyone. It is clear that my colleague has not heard that we are

supposed to ask questions, he is saying he is asking us. I am wondering if after asking his questions levelled against us, are we supposed to respond?

Once more Madam Speaker, allow me to ask what is this exercise, is this exercise some chance given to the other side to feel good about themselves and bash the person who must have done wrong or we want you to rectify what happened?

**MADAM SPEAKER:** Honourable, I will not answer you on that one.

**DR P. BUTALE:** I am asking if it is procedural to give people a chance to bash others in Parliament like what Honourable Ralotsia is doing. If that is the reason why we are here...

**MADAM SPEAKER:** Honourable Member, the last one does not qualify as a point of order. The first one is fine.

**DR P. BUTALE:** No, Madam Speaker, please listen to what my point of order is saying first. You have not heard my conclusion.

**MADAM SPEAKER:** No, I understood you on the first one and I agree with you but on the last one, no.

I understood him when he first started but he derailed at the end. There is no how we can ask them because they are not on the floor. So, please let us not ask them but let us rather ask the one who issued the statement.

**MR RALOTSIA:** Lastly Madam Speaker, let me state that it is not right to protect unbecoming behaviour regardless of whether someone is your relative because at the end, the one you are protecting might betray you. Therefore we must identify such behaviour Honourable Butale from the onset irrespective of whether that person is from that side or this side.

**MR KWEREPE:** Thank you Madam Speaker. My question to the Vice President is that in his endeavour to protect us, how is he protecting the one who was assaulted yesterday?

**MR GAOLATHE:** I thank you Madam Speaker. I do have four quick questions for His Honour the Vice President;

First, I do agree that any form of violence, regardless where or to whom that violence is perpetuated, it is not right. In fact it was wrong for our Member of Parliament to throw a bottle and it is something that we do not



condone. In fact I called him and asked him to apologise. My questions to you is that, there is so much violence in this country, when will we get a statement from you about the violence of our Directorate of Intelligence and Security (DIS) on the people of Botswana?

Secondly, when will we get a statement from you Your Honour Vice President on the violence of increasingly draconian laws of this country, including the Trade Disputes Act, which it appears we are just about to pass?

Thirdly, when will we get a statement on the violence perpetuated by the state capture of public resources?

Fourth question...

**MINISTER OF LANDS AND HOUSING (MR MAELE):** On a point of order. Madam Speaker, the Member holding the floor is out of order in terms of Standing Order 41.3, which says, the questions must be on the statement that has just been issued for purposes of elucidating. The one on the violence perpetuated by DIS on Batswana did not happen yesterday. What transpired is a Member who assaulted another. That is what he needs to focus on Madam Speaker.

**MADAM SPEAKER:** Honourable Gaolathe, try to concentrate on what he has just said but I believe you were about to finish.

**MR GAOLATHE:** Yes the final one, we are on violence about which we have all agreed it is not acceptable. The last is; when will we get the statement on the violence of our Government's negligence around issues of water, power and education in this county?

**MS BATHOBAKAE:** Thank you Madam Speaker. Let me also comment on the Vice President's cautionary statement. My question to Mr Vice President is that, is he not aware of the contempt and lack of respect between Members of Parliament by using provoking words; words that makes one lose his or her mind are to blame for yesterday's incident? Why is Mr Vice President not issuing an admonishing statement to transform the childish behaviour of Members of Parliament into a mature one? Mr Vice President, please talk to members of the ruling party to try by all means not to provoke us. Reprimand them when they fail to recognise even the good things that we say this side. Thank you.

**MADAM SPEAKER:** Order! Order! Honourable Members, we cannot only focus on questions. I will allow only these three standing, they are the last ones because the number has been decreasing. No, you cannot

do that Honourable Makgalemele, sit down. Honourable Members, if we concentrate only on questions, we will never finish. I have seen those two. No, Honourable Arone, you have just stood up, sit down.

**MAJ. GEN. MOKGWARE:** Thank you Madam Speaker. Let me say that I heard the Vice President. Personally, I do not think there can be smoke without fire.

The Vice President is the witness of what happened here yesterday. It started somewhere.

**MADAM SPEAKER:** Honourable, Standing Order 41.3.

**MAJ. GEN. MOKGWARE:** Madam Speaker, there is nothing as painful as having witnessed other people being treated in a certain way and speaking without time limit but when you are still laying your foundation, you are prodded to ask the question but it seems like you are informed by people from that side. That is why I am saying the environment in this House is not conducive.

**MADAM SPEAKER:** No, Honourable Mokgware, just ask the question and if you were laying your foundation please do so and finish.

**MAJ. GEN. MOKGWARE:** Can you just allow me to finish Madam Speaker, please, I am begging you. Many people stood and spoke. It now seems as if there are certain people who are not allowed to speak. These are things that cause a problem my Vice President, the environment in this House is not conducive, we are being oppressed. We are not being allowed to speak as we have to in this House. Even if you speak something sensible because you are on this side, you will be insulted from that side and we are expected to say 'yes sir.' We are supposed to take in the insults without flinching.

Honourable Kgoroba yesterday said, "I get emotional when you talk about that subject," no one ever listened to him instead they continued to ridicule him. You are driving a person to a point whereby he can lose his cool.

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MAJ. GEN. MOKGWARE:** The Vice President was laughing, he was sitting right there. So my point is that the reprimand should be across board not to be directed to only one side, because there are those that provoke others and those who become victims, right. Now that you have witnessed all these things that have been taking place, do you not deem it fit to address both sides



of the aisle when it comes to reprimanding? If you only focus on one side, it is not going to stop. It is human nature, I will defend my side and successfully so. If we want this behaviour to stop then we need to stop hailing insults and provoking each other. Some of them misuse the protection they have from the Speaker and just provoke. We have observed that and we have been quite about it. If you continue to do that, then nothing will ever be right in this House, it will not be conducive because for as long as we do not have any protection we shall continue to have such statements which will not solve anything. The statement that was made by the Vice President should be uniting us and not dividing us. That is what I am saying. It should be uniting us and not dividing us and categorising us into who was wrong and who was not. Because the ... (Interruption)... is here.

**MR MAKGALEMELE:** Point of order.

**MAJ. GEN. MOKGWARE:** So, that is my request to my Honourable Vice President, make sure that your statement unites us without necessarily pointing any finger to anybody. I thank you.

**MADAM SPEAKER:** Have you finished Honourable Makgalemele.

**MR MAKGALEMELE:** No he was debating rather than asking a question.

**MADAM SPEAKER:** It is fine, he has finished.

**HONOURABLE MEMBER:** The last one Madam Speaker.

**MADAM SPEAKER:** No wait a minute. You are not one of the Members who are going to ask questions.

**MR MOLEFE:** Thank you Madam Speaker. I commend His Honour the Vice President for that statement he made before this House. My question is, since we have Standing Orders that govern the running of this House, if we do not obey them, which orders will govern us then apart from them?

Secondly Your Honour, we have the Speaker of the House who is responsible for ensuring the smooth running of the House but now it looks like we do not accord the Speakership the respect it deserves, they just point fingers at them. Now can you advise us Your Honour that in a situation like this, what do we do?

Moreover, we have the Leader of the Opposition, Honourable Boko, have you brought these issues to his

attention because ever since the commencement of the 11<sup>th</sup> Parliament, these kind of issues have mostly been coming from the other side of the aisle?

My last question Your Honour is, since Honourable Gaolathe was there when this ordeal started, why did he not intervene to avoid matters getting worse? Thank you Madam Speaker.

**MR NGAKA:** Thank you Madam Speaker. My encouragement is that Batswana should come to this Parliament to see how we represent them...

**MADAM SPEAKER:** Your question Honourable!

**MR NGAKA:** Yes I was about to ask my question. The procedure is that Batswana should attend Parliament sessions so that they can listen to how we represent them. The question is, how well are they protected should they come here? Are they not going to react the same way if there is something that has provoked them? Your Honour the President, is it not high time we had scanners to scan Members of Parliament and the public who attend the sessions?

My last question is, some of us who were here yesterday, that bottle came charging at me but was stopped along the way, it scared me and my health is frail, how will you help me Your Honour to cope and protect my health as well? Thank you.

**MADAM SPEAKER:** Order! Order! Honourable Members, I call on the Leader of the House to respond.

**LEADER OF THE HOUSE (MR MASISI):** Thank you very much Madam Speaker. I pray that you give me adequate time to respond fully to all the questions that have been asked by all Honourable Members of this House, for this issue is very, very serious. The first to ask was Honourable Tshireletso, the first one is a question that I am not able to answer, because otherwise it will demand that I give my opinion of what it would be like or speculate if the opposition were to be in power and never in my mind do I speculate, dream or imagine the opposition in power. So I am unable to answer that.

Then she asked about a Radio Interview where an editor of a paper put it to the Opposition and again they are best placed to answer that because I was neither present nor did I hear the interview. Then you asked how does one see a mistake if it is being committed by another, I do not know if you want to call it a mistake, the incident that we had yesterday, really is what precipitated that. My broad answer to that question is that, the statement



that I issued today was clearly motivated by yesterday's occurrence but also influenced by occurrences of the recent past. This meeting and past meetings of Parliament, this 11<sup>th</sup> Parliament, where conduct has been quite unconventional, put mildly.

Honourable Mmolotsi; do I not realise that this situation and I guess you are talking of the situation of violence that was spoken of or the assault. Well, it is not caused by my alleged weak leadership. You know, you should look up the lexical meaning of leadership and if you can draw a positive correlation between that and something distinctly disassociated from it, then there may be something to ask. Right now there is no logic of association or otherwise between what I do in the performance of my job and the perpetuation of an act by an individual member. Not at all! In the context of the ambience in the House, it could not be I, because in the nature of our Parliament, there is provision for heckling, which both sides of the House engage in. Reciprocity is practised and friendships also emerge or exist, and not only does it happen in the Chamber, it happens in places where there are no rules as we have in the House; in the tea room. It happens in freedom squares. It is not starting in the 11<sup>th</sup> Parliament. It has been happening since the 1<sup>st</sup> Parliament. So, the critical question in response to your question is why did it so happen that an object got thrown? Why did it get over board? How does that reflect on me leading the House? Because part of the business of a Leader of the House is to make sure that Government business is driven. It is to make sure that where there are issues that cannot be settled here through the Committees of Parliament like we do have and we often engage with those concerned, we deal with those issues.

Many times Honourable Member, and you are a Member of the Business Advisory Committee, you have been present in those meetings where we have dealt with issues that deal with ambience. I do not know if you conveniently forgot, and even my participating in those.

In the Standing Orders, it is provided for that, if you are unhappy with the ruling of the Speaker, we as leaders elected and created as an organ of Parliament, sit aside with the Speakership and provide counsel. You know it, but it is saddening Madam Speaker to have to acknowledge also further that many times some Members, I am resisting saying which Members, either do not come to those meetings or come late and do not participate.

We had an urgent meeting called, the notification went out yesterday, by way of example, of Business Committee meeting set for eight o'clock this morning...

**MR MMOLOTSI:** On a point of order. I think the Honourable Leader of Opposition is out of order. Rather...

**HONOURABLE MEMBER:** ... (Laughter!) ...

**MR MMOLOTSI:** That is not even funny, I do not know what you are laughing at. This is the kind of attitude that we are talking about. The Honourable Leader of the House is completely out of order because he is now talking about matters of the Business Advisory Committee. I was called by the Clerk yesterday informing me that the meeting has been postponed indefinitely because the Honourable Leader of the House yesterday was attending a Cabinet meeting or whatever meeting, and the Business Advisory meeting was cancelled because one man; Leader of the House could not make it. Today he wants to come here and tell us that some people do not come while he makes sure that meetings are only attended either when he is around or when he has sent somebody like he did the other day. So, this is unfair, and I will urge the Honourable Leader of the House to restrict himself to questions asked and not talk about the issues of the Business Advisory Committee because we will say a lot about that particular committee. That particular committee is also wanting in so many ways.

**MADAM SPEAKER:** Honourable Members, invitations to the meeting that Honourable Mmolotsi is talking about were distributed yesterday that the meeting would be this morning. I am aware that there was one meeting that was postponed and so I am wondering if the reasons you are stating have to do with today's meeting. I am not aware of any reasons to the effect that the meeting was postponed because somebody was engaged at another meeting. Yesterday a letter was circulated calling us to today's meeting.

**HONOURABLE MEMBER:** No, we did not receive them.

**MADAM SPEAKER:** No, the Clerk informed me that she called you. Even this morning she did call you. Please continue.

**MR MASISI:** Madam Speaker, I wish you would develop the patience to listen to even those things we are uncomfortable with. It is very important because



many of us myself included listen to things that we are very uncomfortable with. It is very uncomfortable to sit here and listen to people who in our culture and tradition much younger than someone the age of the Speaker, is persistently insulted, and not just abused by Honourable Members. Again I will resist to say where that insult is coming from.

Getting back to the point I was making, and the reason I am making reference to the Business Advisory Committee Madam Speaker is because it is a structure deliberately created by our Standing Orders to help us manage the House as an exercise, a demonstration of leadership. I sit in that Committee. Honourable Gaolathe and I have a cordial relationship. We often talk. And many a times after having attempted to talk to his leader, have resorted to talk to him more frequently, not only because he is present more frequently, but also because he is more engaging. What I talked to him about are the things that I told him I talked to my Honourable Members about, and urge him to talk to his side of the House about. That is an expression of leadership. I do not expect him to tell you that we talked, but neither do I expect that you would know necessarily that we talked.

We have party caucuses, I do expect and trust that in your party caucuses; because as Honourable Gaolathe just stood up to state, even though it may not be in caucus, he did talk to one of his Members yesterday by way of counselling him not to have done X,Y,Z and sought an apology. I do the same. We do the same in our caucuses.

Some of you who have spent most of your political life in our party, and even assumed positions that were senior in our party, know this practice extremely well. It has not changed since your departure, perhaps only gotten better.

Honourable Mmolotsi further went on to ask, or state or allege that the situation we find ourselves in is because the Speaker and the Deputy Speaker are weak. You know firmness and decisiveness if not in your favour in doing what you would want or want only act as being the case, particularly sadly the 10<sup>th</sup> Parliament where this degeneration began, cannot be termed weak. For your information, we need to get into an exercise where we will review the Standing Orders; and I will get back to you Honourable Khan because you are the one who talked of democracy, to make sure that our Standing Orders are compliant with democratic dispensation.

We now hear that the Government is frustrating Batswana. Honourable Geingob was here as a visitor, he has no affiliation to anybody here politically. The man's integrity is so upright that he cannot be told what to do. I mean if he refuses to yield to doing what he was told to do with a barrel of a gun to his head, who are we to tell him what to do or say? He came here and told the truth. The World Bank, all sorts of reports that you read tell you the truth. Batswana also tell you the truth. Coming to the truth, it is important for us as politicians and leaders to have sufficient humility and capacity to absorb pressure, that when something that is either true or untrue is put to us, we are able to take it. That is an attribute of leadership. Resorting to violence and blaming it on circumstance is not leadership. I can assure you, it is a sign of total weakness and inability. It is alleged that Batswana are frustrated because of the Botswana Democratic Party (BDP)...

**MR MMOLOTSI:** On a point of order. Madam Speaker, we need your guidance. Honourable Members are asking short questions, and according to the Standing Orders, after how long will the Leader of the House or the member presenting a statement respond to the questions raised?

**MADAM SPEAKER:** The Standing Order is silent on that. He is going to respond to all the questions asked. The time frame is not stated.

**MR MASISI:** Madam Speaker, the measure of frustration of Batswana because of the BDP is presented in a manner that is quite unconvincing. This is because here we are talking about the contents of the statement that I made that relate to our conduct. If we all come here and exhibit the frustration felt out there by conducting ourselves in a manner that is dangerous to the wellbeing of each of us, there would be people who would be standing. If we take that statement to a logical conclusion, it is essentially inciting, it is allowing violence and it is preaching violence. You are saying frustration must equal violence or an act to hurt or harm on another person. That is a logical conclusion you draw from a statement like that, from the asker of the question Honourable Mmolotsi.

You know, it is striking that at least up to this moment Honourable Mmolotsi, you have not been violent from what I know. You are urging others and telling them that it is okay to be violent. You have told me that you are frustrated by the BDP, you used to be our Deputy Secretary General and elected by a huge number in Kanye.



**HONOURABLE MEMBER:** ...(Inaudible)...

**MR MASISI:** No, no, I think the numbers may have been too much to tolerate. But he can best explain, anyway that is if we are talking to each other...

**MR MOSWAANE:** On a point of clarification. Honourable Leader of the House, if the opposition has lost elections 11 times to the BDP, is that not because of the love from Batswana? Clarify that one.

**MR MASISI:** Madam Speaker, no, I would resist that because it might draw me to draw conclusions that might cause problems of logic, like the question or allegation that was asked whether Batswana being frustrated with the BDP justifies violence, or equals violence. So, the Honourable Member looking at me has actually internalised and accepted it.

Honourable Madigele; do I find it appropriate to have random tests? This was one of the most pointed questions from a medical practitioner. I think among the mirrored of things to be considered and the expert's review of our security detailing and improvements, this certainly should be one of them. We would put those into place to make sure that we are all fit to participate. Honourable Moswaane...

**DR P. BUTALE:** On a point of clarification. Honourable Vice President, I hear you saying that when Honourable Madigele talks about testing Members of Parliament, alcohol tests can be one of them. So, do you not think that mental check-up should also be one of them to determine whether we are all mentality fit in this House?

**MR MASISI:** Madam Speaker, when I said that, I did not make any specific reference to it. I said those who are experts of this will consider all these including your own suggestion. Mental health Madam Speaker goes in various ways. Even a word in English known as 'cataphrenia', sometimes afflicts some temporarily and they display some deviance temporarily and then get back to being themselves. I would rather relieve the details to those who understand security more. Maybe Major General can help but I am not referring to anyone in this House if there is any.

Honourable Moswaane went further to say that he had heard that the Leader of Opposition had stated that members of the police force should be beaten and he said he overheard him in the Chamber to which the Speaker responded by a way of trying to restrain him indicated that he said members of the BDP should be beaten.

I can only sadly confirm that I have heard Honourable Boko on a number of occasions including when President Geingob was here making commentary that was insightful to a conduct that would otherwise not be promoted. I have said this to him for a number of times. I have also said this to Honourable Gaolathe a number of times that he must try and talk to Honourable Boko. Honestly I took it that he was new on the job the first time and I have said this to him and he would need to restrain himself from that.

About beating police officers, I have also heard it and seen it. It is actually on video, I think it was at a Police Station at Broadhurst. So, it is not surprising that the propensity to act in ways that go beyond the normal when you disagree with others resulting in violence, it can be said to be encouraged by the leadership of the Umbrella for Democratic Change (UDC), at least at the helm of the UDC. I am excluding the Secretary General of the UDC.

Honourable Mzwinila...

**DR P. BUTALE:** On a point of order. Maybe the Honourable Vice President should not get into issues that will lead us into temptation. I am not sure if he wants to indicate that the UDC sanctioned whatever behaviour we are talking about or is sharing his views on the Leader of the UDC? If they are sanctioned, let him come out clear and say the UDC sanctioned violence. If he is talking about utterances made by the Leader of the UDC, he needs to tell us that it is his interpretation of those utterances. I have listened to him and Leader of the Opposition and I know you are misinterpreting and misrepresenting him.

**MADAM SPEAKER:** It is not a point of order; it is a point of clarification.

**MR MASISI:** Let me also treat it as a point of clarification but let me help the Honourable Member. For one, just out of fact, I sit closer to Honourable Boko than you do, so when he makes statement here off record because the microphone might not be on, I am more likely to hear him than you and I do because I have discussed this with him. So that is the fact.

Secondly, I did not talk it being sanctioned by the UDC.

**MR KHAN:** On a point of order. I think it would be out of order for the Vice President to continuously speak about another Member who is not present because in so doing, the person cannot respond for himself or



herself. He is making accusations that may hinge on the character and integrity of the Leader of the Opposition and therefore thereby insinuating that the UDC does not have proper leadership and that would not go right with all of us in the UDC. I think it would be appropriate at the appropriate time for him to bring it up, not now.

**MADAM SPEAKER:** Honourable Khan, Standing Order 16.1 says if a member is absent he should inform the speakership; as we speak I have not received any apology from him. I have here a list of apologies. Honourable Boko's absence with apology means he did not comply with the Standing order.

**MR MOREMI:** On a point of order. His Honour the Vice President is talking about incitement, or should we say "improper motive" and others are encouraging him and he is not willing to withdraw his words. What he said cannot be captured in the Hansard. We shall conclude by saying Leader of the House has got words that could incite and surprisingly there is no one who hears what he is saying. Where is the incitement emanating from? How do you ascribe an improper motive to Leader of the Opposition when we are not saying the words that he said.

**MADAM SPEAKER:** It is also clarification, where is incitement coming from?

**MR MASISI:** I will try to be quick. Please be patient, just listen. Just for purpose of elucidating on your interpretation of talking about a member in his absence; if you are an Honorable Member of this House, we are free to talk about you because you can come back even if you went on a trip, otherwise this House would never go anywhere. We normally talk about other people, both sides of the House, whether good or bad. So let us accept that one.

**MR MMOLOTSI:** On a point of order. Madam Speaker, I thought you were going to remind Leader of the House that he cannot take the words that were used off record, running comments and make it as if he could be able to give proof that the person was inciting with. More often than not, people talk about shocking stuff off record but they are never accused of such because it is off record, microphone was off then. I thought you would remind the Honourable member that he is out of order.

**MADAM SPEAKER:** Honourable Leader of the House, if the words were off record, maybe you should not mention it.

**MR MASISI:** Thank you Madam Speaker. I am setting a context, I will give a simple example of yesterday unfortunately; when the bottle was thrown, the person speaking was Honourable Arone but the bottle went to somebody who did not have his microphone on. That is a context I am talking about.

**MR MOREMI:** On a point of correction. The person who had finished speaking was the Deputy Speaker Mr Kagiso Molatlhegi. That is how the bottle was directed to him.

**MADAM SPEAKER:** I think he is correct because I have the Hansard here; it was him who had finished speaking.

**MR MASISI:** Even if he was the one on the floor, the context I am talking about is that, I never dispute the fact that we do hackle ...

**MR MOLATLHEGI:** On a point of order. My intention was not to comment because I have a pain in the waist. The person who had finished talking before I was hit by the bottle was Honourable Makgato. I had long concluded my debate. I wanted to correct that. Thank you.

**MADAM SPEAKER:** I did not want us to debate it, but somewhere Honourable Molatlhegi stood on a point of elucidation, after that Honourable Arone thanked him and that is where chaos started.

**DR P. BUTALE:** On a point of order. I was saying I will keep referring back to the decorum of this House which is that, you have indeed made a ruling which I expect the Leader of the House to abide by which is that, he should not make reference to issues or words uttered out of record. So he is proceeding as if you did not say anything. I do not know whether that is the tone he is trying to set or what? He needs to withdraw the words and proceed in a proper manner as directed by the Speaker.

**MADAM SPEAKER:** I did not say he should withdraw anything but I have said he should refrain from talking about remarks which were not in the Hansard. You see that he is able to quote because I have the Hansard here? We cannot quote this one.

**MR MASISI:** Under no circumstances, would I undermine your ruling and I never have, never will, never! All I am trying to draw attention of the House to is that, there is a circumstance which was talked to and which was asked about ...



**DR P. BUTALE:** On a point of order. Madam Speaker, you were responding to a complaint that the Leader of the House has imputed improper motives on the Leader of the Opposition based on something that was said out of record, so if you proceed and say, “he is not withdrawing but he should refrain,” what about the record that has already been registered, that was based on the wrong thing that we have identified? How do we proceed?

**MADAM SPEAKER:** I have made a ruling on it. Honourable Leader of the House, proceed.

**MR MASISI:** Thank you Madam Speaker. Let me move along because I must answer all these questions. Honourable Mzwini asked about the timelines of security enhancement that I have talked about. I am not at this moment in a position to provide those. I think after the fair assessment of the needs of security enhancement in the House, outside the House for Honourable Members, then the timeline might emerge, so please pardon me for now.

Honourable Salakae really made a cautionary statement, so it was not a question to me, that the peace we enjoy is because of the tolerance of everybody else and we must be mindful of that. I could not agree more. Honourable Guma really made a statement, Honourable Pheny Butale said do you not realise when there are differences, and the Speaker and the Leader of the House is causing these? No, you cannot ascribe the conduct of Honourable Members of Parliament to intolerable levels of frustration by yourselves. First you saw when you got to Parliament and all the things you saw is to uphold the Constitution and respect the laws. Two is, you know and participated in an orientation exercise that took place and taught you about the various structures of the House, the procedures and rules. We have a system where we have Whips, Leaders on both sides of the House, Committees, Deputy Speaker, the Speakership, where we also have a General Assembly where these could be ventilated.

Madam Speaker, it is important that I point out that fine, we might err, but let us be really brutally honest, many times some of the persons who ask these questions are the biggest perpetrators of provocative actions to the very persons they are accusing, particularly the Speaker and the Deputy Speaker, calling them names, gesticulating in manners that are demeaning and disparaging in the General Assembly and the House. Making commentary that is disrespectful and yet there has been tolerance.

We have had incidences where some members cross the floor from one side to the other and physically touched others. We had others who crossed the floor from one side to the other and pressed every microphone that was there. So what we had intended to do under those circumstances is discuss it at the General Assembly which we have. We discuss it as leaders in our Business Advisory Committee or discuss it on a one to one. But there comes a time as it happened yesterday where actual violence, public and in my own assessment unwarranted at that level occurred, in the glare of the public and that can never be justified. However frustrated you are, if you are, why can you not just walk out and take a break? We cannot come here and fight.

Madam Speaker, I dismiss them completely and it must be remembered that when we first started here, there were complaints why glasses were removed? Why there was no water? Lo and behold these were arsenal, nearly weapons of war.

**MR MOREMI:** Point of order. Madam Speaker, earlier on I requested that we follow Standing Order 57; imputing improper motives but still there is no change that those who requested for water glasses were waiting to throw water bottles but the two are totally unrelated.

**MADAM SPEAKER:** I am not sure if you fully comprehended him. He is saying there were those who complained that there are no glasses so if these glasses were here there could have been missiles; that is what he wants to explain from what happened yesterday when a bottle was thrown, a glass could also be thrown.

**MR MASISI:** For your information Madam Speaker, I did say I understand why, so let us understand that I am allowed to understand why. Painful as it might be, the truth is exactly that. Honourable Khan, now I come to you my dear brother. I am glad you agreed with the sentiments of the statement of condemning violence, but you said you disagree with me on the causes and the ascription, about who caused it. You also went on to talk about democratic dispensation, let me tell you that the simplest rule and principle of democracy is described as majority rule, the majority would rule, the majority viewpoint would rule... Of course through peaceful dialogue and measured dialogue you take into account the views of the minority. If you have not realised that you are a minority, you have a long way to go in understanding democracy. Clearly when we debate issues in the House, the rule is once we have settled or time has elapsed, it is then put to the vote and



just to elucidate that point further, if in the event that those through the ballot are the majority happen to be the minority present, because when you are not present you cannot vote, those who are in the minority through the vote, through the ballot or elections, but majority present would win, it is called democracy.

**MR KHAN:** Clarification. I like what you said “majority rules,” but right now you are a minority Government, you were only voted by 46 per cent of Batswana, while we were voted by 54 per cent of Batswana. So we should be ruling, not you if majority rules in a democracy.

**MR MASISI:** No Honourable Khan, you are going to ask for me to give you a workshop perhaps outside the House, because our processes by which you also arrived in this House, is the system of First Pass the Post. You know that right? You even acknowledge within your statement that you have been trying for 20 years to go past the post and you were failing, until recently. So you got majority in your constituency and you came here, but fewer of you got the majorities in your constituencies to come here and therefore you are a minority. Do not get frustrated when we outnumber you, that is why we are in Government. Accept it, do not whine yourself up and get frustrated because you did not get the numbers, you cannot blame us. We are not accountable for it. What are you going to do in 2019 when there are much fewer of you? You should be prepared.

The hostile environment...

**MR KHAN:** Procedure. Madam Speaker, I thought the Leader of the House will ensure there is fairness in his statement without choosing sides but now it is clear which side he is on.

I am now feeling uneasy because I am getting the impression that he is favouring the Botswana Democratic Party, he is protecting his party but he is the Leader of the House. I am supposed to respect him. We also have to respect Mother of the House, Father of the House, Leader of Opposition and Leader of the House. What am I supposed to do or say when they are being biased? I am frustrated.

**MADAM SPEAKER:** You are frustrated Honourable Khan. The problem with you is starting off by referring to some people as minority but let us and not politicise it Honourable Leader of the House.

**LEADER OF THE HOUSE (MR MASISI):** Thank you Madam Speaker. I just wanted you to remind

Honourable Tawana that the rule is that, when the Speaker is standing, he stands still. That is one of the frustrations Honourable Khan. Let me assure you Honourable Member Khan that I am not politicising it, I am trying to answer every question as it came, because the way some of you ask questions, including on this side, it was very pointed. I am trying to clarify that, but we will come to what you are talking about as I often do, particularly with you Honourable Khan. Learn to differentiate between *mogwe* and *mogwegwadi*.

Honourable Khan has appealed to me to help bring about a more democratic culture in the House...

**MR MMOLOTSI:** On a point of order Madam Speaker. Madam Speaker, Honourable Assistant Minister Autlwtse has been taking a nap for a while now, I think maybe he should be woken up.

**MADAM SPEAKER:** Sit down Honourable Mmolotsi, we heard you.

**MR MASISI:** Madam Speaker, I am glad Honourable Mmolotsi stood on that point of order and in the strict sense of the word the House was not out of order if any other Member has taken a little nap. In the spirit of collegial friendship we entertain those but when it is not convenient, it is termed frustration. I am referring to Honourable Khan. Honourable Khan, I wanted us to conclude this issue of democratic processes, because you and I have a different understanding of democratic process; we might have to take it offline because my answer to this one is premised on the answer I gave to the first question you had, of what democracy is. The processes are there, but you know if there is anything to improve you are free through systems to go on. We are trying to address issues of disrespect and violence.

Honourable Tawana, you said Madam Speaker or was it the Deputy Speaker, when they are on the Speaker’s Chair, sometimes, and you gave the example you gave, set aside the Standing Orders and make rulings arbitrarily, according to you. If it was arbitrary or a genuine mistake, there are processes and procedures that in my knowledge in the committees that I sit in have never heard those raised. In my experience in the 11<sup>th</sup> Parliament I have never heard those raised, wherein such are raised. If it were to occur, it does not vindicate any Member, any one of us in being violent or abusive. I am not dismissing what you are saying because it is your observation and you provided some example as you said but it is no justification for wrongful conduct.



Honourable Makgato, let me answer her even though she is not here. It was almost a rhetorical question really imploring us to rise above where we are now, that if others, junior to us, we find conducting themselves in manners that are unacceptable, what would we say. I am glad, like I am glad for the others who commended my statement in acknowledging that it is the rightful thing to do. This is why you are so calm right now Honourable Bathobakae.

Honourable Moipisi; he asked if we could go and explain or describe to our constituents what we see. I may not be the only one to say it but I think it is within the right of every Member of Parliament to consult their constituents as they see best. Clearly the interpretation of what you see would also be reflective of your observation and leadership. So, that I leave to you Honourable Members.

Honourable Maele, you asked if I could not name the individual who perpetrated the act that happened yesterday. Well, the person has been named already. I do not want us to get to that. I think there will be some other actions that will follow the individual. If you do not know who it is because you were not here you will get to know very, very quickly. It is also in the Hansard.

**HONOURABLE MEMBER:** We do not trust the Hansard.

**MR MASISI:** Alright, you do not trust the Hansard? I will name him. Honourable Kgoroba threw a bottle at Honourable Molatlhegi. So that is what happened yesterday afternoon. You are asking if this Member is like this in his ordinary life or what. I do not want to bring our lives out of Parliament into Parliament. For if I did, it might make for a very interesting reading but also there is a real risk of a lot of inaccuracies coming in. I also want to be respectful of the title "Honourable". The assumption always is that by virtue of being a Member of this House we are all honourable and that precludes or prevents me from delving into personal matters. Finally it is not in my interest nor the interest of this House for me to bring into this House or anybody for that matter things that occur outside the House that are done in private unless they are beneficial to the debate or a discussion that is on-going.

Shall the Member be set aside? I do not want to make a pronouncement on that because I do not have the power to do so, but I can assure you they are in the rules of the House, and that I leave to the Speakership, sanctions provided for wrongful conduct and it would really be up to those charged with the responsibility to decide what

they want to do. We as a collective may wish to do or say something and not necessarily in the House. It could be the General Assembly. It could be in private, et cetera.

Honourable Ralotsia, thank you also for acknowledging it. Yes, it is true that one Member of Parliament (MP) did say, "*fa o ora molelo le setsenwa o nne sentle*" (if you are sitting around a fire with a mad person you should be careful) and it is very appropriate. It is also very true because if somebody is actually mad they could literally do anything to you in the literal sense. Figuratively, it is also a good cautionary statement to make.

#### EXCHANGE OF SPEAKERSHIP

**MAJ. GEN. MOKGWARE:** On a point of order Mr Speaker. Thank you Mr Speaker. I just wanted to say that, we are all Batswana and we all hear Setswana, and understand it very well; we love it in fact, but sometimes when we use certain expressions we should use them in a context which would not look or appear like we want to offend others. We should use them with the awareness that, maybe that sort of expression could provoke others. As we are here, regarding yesterday's incident when one uses an expression which says, "when you are sitting by a fire with a mad person, when they try to rekindle it you should move away," I am going to think that maybe you might be saying that in relation to me. So I am requesting that you do not use such expressions. Of course we should know it is our Setswana adage, but let us be cautious how we use it. Sometimes the way one uses an expression could upset the other person.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR SPEAKER (MR MOLATLHEGI):** Order! Let us listen please. Thank you Honourable Mokgware. We are all aware that Setswana is a very rich language, just like English. Last time I was telling Honourable Arone that he should be wary of the fact that, the English expression he was using could sound like he is being provocative. Leader of the House, continue with your response, but do not use figurative expressions or proverbs which may provoke them. You can use Setswana, and there is nothing wrong with that.

**LEADER OF THE HOUSE (MR MASISI):** Mr Speaker, I would like to be understood clearly, I was responding to a question which was asked by Honourable Ralotsia, whether there was someone who used that expression or not. I confirmed that indeed there was someone who once used that expression. He did not



say today or yesterday. So, it is not I who is saying it Honourable Major General, I am just confirming that indeed it has been said.

You went further to ask, “what about one Member who brought a knife to the House wearing shorts.” I personally am not aware of that, but clearly if there has been a Member who brought a knife wearing shorts, I do not know if he was in the Chamber or outside because I know that shorts are not allowed in the Chamber for one, and a knife; perhaps that is why we want to put in these gadgets that would detect weapons. But it certainly would be very disturbing to know that some Members had come here with knives and wearing shorts. You talked about the fact that, it is not good to protect bad behaviour, and then you cautioned that even when someone belongs to your party do not protect them because one day they will turn against you.

Honourable Kwerepe, how am I intending to protect the victim of yesterday’s assault; first the statement that I issued is a measure of protection and reassurance because we are going to enhance the security of the Speaker and the Deputy Speaker very seriously. There would be a robust response if any attempted to ...

**MR MMOLOTSI:** Clarification. I hear you your Honour, the Vice President that, the security for the Speaker and the Deputy Speaker is going to be enhanced; I want to find out how you are going to enhance security for Members of Parliament because we also feel we are not safe?

**MR MASISI:** That is a supplementary question actually, because I was responding directly to a question put by Honourable Kwerepe; but I did say in the body of my response earlier that the security of Parliament and Parliamentarians is subject to review. I made no specific reference to the direction of the review, and I said that those best placed to such review and those most competent will do it, and the details of that will emerge including the timeline which was mentioned by somebody there. So, yet again, I am not able to give you the specific responses concerning thyself. Were you really scared, you?

**MR MMOLOTSI:** Yes.

**MR MASISI:** Yeah right! Mr Speaker, I am really proud that Honourable Gaolathe, you stood up though after a lot of coaxing to cast your opinion on what happened yesterday. You know you and I talk often about the needfulness of you to project yourself as a person who

can and who does prevail on one Member or other who does not keep to the norms of decorum in the House; we do. I am really proud that today you stood up and you told us that you did speak to the individual Member, but it is useful if you do that more frequently if need be. Having said that, I am also proud that you made a statement which can be ascribed to the leadership of the; I do not know it would be Umbrella for Democratic Change (UDC) or Botswana Movement for Democracy (BMD) that you do not tolerate bottles being thrown at other Members. It is a good thing to say.

Then unfortunately you went on to ask normative questions, very broad, and talking as if to understand violence in the abstract when here we are talking about violence that threatens the body on the main, because that one about the soul or feelings, this is what we engage in outside this House when we debate, if it can be termed violence.

**MINISTER FOR DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Thank you Mr Speaker, thank you Vice President. I did not get an opportunity to speak earlier, but since you are holding the floor, I would really like to understand the words which were uttered by Honourable Gaolathe so that when we leave here we would be able to explain or understand these words as words from the UDC as a position of the party which they all subscribe to, as they condemn the behaviour so that, this matter can be closed with a clear understanding that it is the position of the party. I do not have access to him. Thank you.

**MR MASISI:** Honourable Member, my understanding of what Honourable Gaolathe said really reflected what he felt as a Member, I did not understand him to be saying this is a position of the UDC; this is a position of BMD. Honourable Gaolathe is a very interesting individual and Member. He is well known for not being shy to express his views, even if they are a minority or unpopular in his surroundings. Very recently he made a startling statement at least as reported in the press, that his National Executive Committee (NEC) is a joke, and then he went on to say why he thought it was a joke. So, in the same way, in this case, he had said it is wrong for the UDC Member of Parliament to throw a bottle, it was him saying it. So, I do not take it to be a position of...

**MR GAOLATHE:** Point of order. Thank you Mr Speaker. I did not at any point say the NEC of the BMD is a joke, if you want to know what I said, I am available as always but I did not say that.



**MR SPEAKER:** Order! Yes, now you are putting me in a corner because I do not know what you called for. If you had called for clarification, I believe the Leader of the House could have told you where he has seen the words. But then when you call for a point of order you want me to respond. Leader of the House please clarify your point, Honourable Gaolathe is denying that.

**LEADER OF THE HOUSE (MR MASISI):** No, Mr Speaker and Honourable Member with greatest respect, I did say that it is reported. I read this in a newspaper and I stand by what I read. But if the record of the journalist or the author of the paper was wrong, there is nothing wrong in saying that. So, I honestly I do not know for certain because I was not present when he said whatever he said. But the point I was trying to elucidate is that, Honourable Gaolathe is a distinctive character and I was using that as an example. But if it does not fit, you can ignore it and let me continue because you talked about the alleged violence by the DIS and the alleged violence of lack of water and power supply and why I am not making a statement about it.

If you recall Honourable Member, the statement was really focused on our conduct as Honourable Members. It focused on the circumstance we bring about, the ambiance or lack thereof that we cause in this House and the projection of our image outside as leaders. You are free to bring in a motion, to bring in a question about the violence you talked about. It is not in my statement. I have no intention of making a statement ...

**MR MOREMI:** On a point of clarification. Thank you Mr Speaker. The Vice President explained that you are free to bring a motion about that sort of violence in this House. Just a while ago when he responded to my question about Standing Orders he was emphasising the fact that there are channels to be followed Mr Speaker, and I need to know those since it has been a long time since we have been dealing with this issue.

Recently, Honourable Mmolotsi came to you seeking to notice a motion on the conduct of the Speaker and the Deputy Speaker, and he was denied that. I know that committees are inactive as we speak. Only those who go for trips overseas are the ones working, but they are non-functional. Therefore what avenue are we left with?

Please respond to this and then put a specific date for the meeting of the Business Advisory committee, to address this urgent motion to be presented by Honourable Mmolotsi regarding the conduct and the vote of no

confidence on the Speaker and the Deputy Speaker. This is because I feel that is the only way we can resolve issues in this House.

**MR MASISI:** I do not know if you want me to respond to those?

**MR SPEAKER:** Yes, he stood up on clarification, so he is directing the statement to you.

**MR MASISI:** I do not know the committees to have collapsed because the ones that I sit on function and nobody has come to me to report that committee has collapsed. What I have heard in the General Assembly is that, there are some members who are perennial defaulters. They do not attend committee meetings and those who do not attend Parliament. I have approached those members individually to talk to them, especially ours. I have appealed through the structures that are there to really extend that to the other side because I have no direct access to the members there except through others.

As for the clarification of the Business Committee to deal with your motion, I am the least competent to answer that, I am not able to do that. I am just hearing it for the first time now, but if you put it to the Speakership as the Standing Orders require, you do. But if you want to raise it formally with me, let us do it formally outside so that I can ask you questions, and not seize the opportunity of a clarification in the House.

Honourable Gaolathe; there is so-called draconian laws of the Trade Disputes Act, no, this is just political posturing my dear Honourable Member; real political posturing. We all have an opportunity here to debate as we are still going to participate in the finalisation of the Trade Disputes Bill. We have an opportunity, we live in a free country to go and make statements and garner support for our positions. That is just your convenient posturing for the time being. It does not have anything to do with violence. Essential service for instance, are not new. It is just that we have added more categories. When you add more categories, it becomes violence, honestly Honourable Gaolathe, I have accredited you more than that. Now you are on a slippery ground in defining violence, something is going wrong. And maybe contamination comes from Francistown North.

Mr Speaker, Honourable Bathobakae says that do I not recognise ridicule and insult, and then why do I not make a statement on ridicule and insult. This is a difficult one for me Mr Speaker because the nature of Westminster



Parliamentary democratic debate, I find the Botswana Parliament very mild, it can be quite vigorous. The only thing I did not find mild is when we resort to vocabulary that is insulting. I have sat here and listened to some members across the aisle that have debated and held a strong view, and you are entitled to that opinion. When I was a Minister, I was given descriptions or words that would otherwise be termed as unpalatable.

Recently Honourable Mmolotsi, you said some of the most unpalatable things about Honourable Batshu when we were debating the Trade Disputes Bill.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR MASISI:** You will look it up in the Hansard. I do not want to remind you, you might just get embarrassed. So let me not say it.

**MR SPEAKER:** Honourable Moremi, quorum, you cannot leave. Please take your seat, and you will go out if one of the Members comes back in.

**MR MMOLOTSI:** On a point of order. I think the Honourable Vice President is imputing improper motives on me because he is alleging that I said unpalatable words to Honourable Batshu. I would like him to quote the exact unpalatable words that I uttered to Honourable Batshu. If he cannot do that, he will just have to withdraw and apologise to me.

**LEADER OF THE HOUSE (MR MASISI):** Mr Speaker, I am constrained from making an exact quote but because I do not have the Hansard with me, permit me to remind Honourable Mmolotsi of the words and meaning very close to what he said when he debated in the second reading of the Trade Disputes Bill. He made reference to words that actually said to Honourable Batshu that he is old and should be at the cattle post. He said that and in my presentation, I actually dismissed that. In the nature of a debate about a Bill, the Bill does not ask how old one is and that is what I find unpalatable. So you are attacking this person in my view.

**MR MMOLOTSI:** Point of order. Mr Speaker, I do not remember saying that and I would like the Honourable Leader of the House to prove that indeed I said.

**MR SPEAKER:** Order! Honourable Mmolotsi, that is not a point of order. If the Leader of the House says you said that in your debate, all you need to do is to ask for the Hansard of that day and check that statement. Then you can come here and say, "no, I did not say that on that

day." Today I do not have Hansard here and he does not have it also; let us not dialogue.

**MR MMOLOTSI:** Produce evidence.

**MR SPEAKER:** You like evidence Honourable Mmolotsi. The onus is on you, you will find the Hansard and prove him wrong. Let us not take it further.

**ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MS TSHIRELETSO):** Procedure Mr Speaker. I was saying sometimes when you speak with microphones switched off, you cannot... Honourable Mmolotsi knows that he said that concerning Honourable Batshu but the microphone was not switched on. These are the things that take place in this House. He knows very well that he said that.

**MR SPEAKER:** Okay, then it means there is no recorded evidence. We only have Honourable Tshireletso's testimony. That is why I am saying, this matter should stop right there. Proceed Honourable Leader of the House.

**MR MASISI:** Thank you very much Mr Speaker. I do not intend to make a statement Honourable Bathobakae on issues of heckling, what I intend to do is to monitor it among with my colleagues across the aisle and if it warrants it, we will talk to our party members or we will discuss it at the General Assembly or any of the structures. About heckling, no. Clearly if there are insults and they get out of hand, we want to give the Speakership the opportunity to make rulings on those and bring us to order, but if it gets out of hand we will see what happens when we get to that.

Honourable Mokgware; I have been intrigued by the way... in asking your questions, you have drawn associations, you are saying nothing is without cause, the environment is not conducive; it is what you said. I want to put it to you Honourable Mokgware that you are entitled to that view as many might feel from both sides of the House. But all I was saying in the statement is that, a resolution that is violent in nature is not a lasting resolution. The analysis of what caused it and how it is caused belongs elsewhere. Even the ventilation of those frustrations really belongs elsewhere. You cannot justify this conduct by saying you are frustrated; you cannot. Some of the things we normally talk about one on one. Let me leave them out and we will talk about them again when we are outside. We need to come here with a disposition of wanting to hear the other side and willing



to hear the other side, however painful it is. Some things are taken in jest and some things are taken extremely seriously.

We are all given to making statements that speak to defending our political parties and we know in the nature of politics, sometimes some veer on the truth, some veer far off the truth and some closer to the truth. We know each other. That cannot be an excuse for violent conduct. In fact, every war that has been fought in general has had an excuse of an environment not being conducive. It is not surprising that a General would come here and say what he has learnt in his career that wars begin usually like that. I just want to remind you Honourable that we have no intention of being at war in this House.

**HONOURABLE MEMBER:** Hey! This one is a warlord.

**MR MASISI:** No intention. No, I am reminding all of us that it is not the business or interest of this House to be at war or to fight. The fight we speak of in politics, is a fight of ideas.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Clarification. Mr Speaker, before the Leader of the House concludes, there is an issue which worries me and I want him to clarify it. Sometimes when we are in the House or outside, they say, “it is only that we are few in Parliament, therefore you take advantage of majority to pass laws.” I wanted you to clarify that issue because those who are outside might think that there is oppression by the majority. Clarify this issue so that the people may understand it.

**MR MASISI:** Mr Speaker, it should not take me long to explain this and to also remind that often we get accused of allegations that are made about our capacity to think and very frequently the word mediocrity is used. You know rules of the game; rules of forming a government are such that when that party which has the majority of seats of Parliament emerges, the Chief Justice pronounces who is the President. When you have a majority, you have majority and by definition, the purpose of seeking political power is to use it and you use it effectively through taking decisions. The only way to take decisions in Parliament is through a vote or an expression of affirmation or otherwise. So there is no injustice, there is nothing like that. If anything, all those accusations are an expression of the frustration of not winning government. You cannot come and negotiate winning government in Parliament. You win an election, now some may have been misled by this

floor crossing business. You know people cross, “no we are taking from them and Government is going to fall.” When it stops happening people get very frustrated or when it happens the other way as it is happening now. We will take from you Wynter.

So Mr Speaker, I want to confirm to Honourable Kgathi that, there is no abuse that takes place in Parliament, we use the systems that are in place and it is perfectly legal and in order. Honourable Molefe; if I could go on Mr Speaker, asked what we would use if we do not use the Standing Orders? Nothing! There is nothing else provided for you to use in this Chamber except the Standing Orders. So we will have to ... (Inaudible)... and these Standing Orders are created by ourselves by the way, as confirmed even by the Court of Appeal. We regulate ourselves. What happens when the Speaker is abused and not respected? Chaos and this is what happens, because often at times, I have heard the Speaker trying to restrain a member and the member would either be dismissible to the Speaker or just walk off. If we do not respect our own Speakership whether you like him or not, we are going to descend into where chaos reigns supreme. So I just beg that we all respect the Speakership, all of us.

Have I raised these with Honourable Boko? Yes, I have raised issues of our conduct with Honourable Boko. Will I continue raising them with Honourable Boko? Yes, as long as Honourable Boko is there I will or whoever might replace him. I will raise these issues with him. In his absence I will raise them with his Deputy or the one next in charge.

You asked me to ask Honourable Gaolathe why he did not rebuke Honourable Kgoroba? He answered, he told us that he did talk to him not in the House, outside.

Honourable Ngaka!

**HONOURABLE MEMBER:** Yes sir!

**MR MASISI:** You did say Batswana come here like they have come to bear witness to our debates and conduct and how safe are they from violence? I wish to suggest that talking to Honourable Members and putting in place the measures we are going to, we will also enhance the protection that will by extension be provided for Members in the Gallery, in the House immediately in the precinct of Parliament.



**MR MMOLOTSI:** On a point of clarification. Honourable Leader of the House, do you really think Honourable Ngaka Ngaka is the right person to preach to people about violence?

**MR MASISI:** I find Honourable Ngaka Ngaka as competent as any Member of Parliament to preach to us, including yourself Honourable Mmolotsi about the issues we are discussing. For he is an Honourable Member of the House.

I have highlighted earlier on that even though some things are not recorded, we all hear that and I said I want us to resist bringing things that occur in our lives outside Parliament into the House. If we were to begin, some might just break through the floor to escape the wit of embarrassment that might befall them. So let us just resist being mischievous Mr Speaker. Should we not have scanners and all? This question was asked earlier and I said that the experts will really advise on what we do and obviously the budget will have to be confirmed by yourself.

Honourable Ngaka asked specifically about his own trauma, that he is suffering from and what help he is going to get, because he was in line of fire. An assessment will be made by those competent, because I treat every complaint or allegation seriously, I pass it onto the Speakership so that a determination will be made.

I think I have answered all questions Mr Speaker. I just want to end by pleading in the spirit of the statement I made with every single Member of the House to henceforth, conduct themselves in a manner that would bring respect to themselves as individuals, their parties and to Parliament. By that we will bring respect to Botswana. I thank you.

**MR SPEAKER:** Procedure. Thank you Leader of the House. Thank you Honourable Members. Let us proceed.

**ASSISTANT MINISTER OF EDUCATION AND SKILLS DEVELOPMENT (MR MOLAO):** Mr Speaker I thank you. You have listened to the statement by the Leader of the House, listened to the questions from across the floor on the behaviour particularly of a certain Member colleague of ours. Painfully the Member in question, found it appropriate to just up and leave while we were busy talking about the behaviour so exhibited by himself. I found this very disrespectful to colleagues in the House from across the aisle and also

to the House for that which have happened. I will plead that sanction be meted to such Honourable Member, because certainly just the statement made which was very good, but without proper sanction such that this behaviour does not recur from any of us, for me it will not be enough and this disrespectful behaviour will not end Mr Speaker.

**HONOURABLE MEMBER:** You rose on the point of order.

**MR MOLAO:** I did not rise a the point of order. Learn to listen. So how do we proceed Mr Speaker to meet the necessary sanction to the perpetrator? Thank you.

**MR SPEAKER:** Yes I have noted your point. I too noticed that he left. I will not make a decision on that issue. I will hand it over to the appropriate committee to deal with it. It is very important. We shall deliberate on it there, everyone will have representative. I do not wish to get into it because I want us to proceed.

**HONOURABLE MEMBER:** Procedure.

**MR SPEAKER:** Will these point of procedures ever finish Honourable Moswaane? What is your procedure?

**MR MOSWAANE:** On a point of order. If the concerned Member did not show any remorse, and yet we are always mingling with him, will he not harm us because we speak on behalf of our party? Anything good that we discuss about our party, he does not take it kindly, so I want to know how safe we are Mr Speaker because I am in trouble this side and you know it.

**HONOURABLE MEMBERS:** ... (Inaudible)...

**MR MOSWAANE:** I cannot even look elsewhere.

**MR SPEAKER:** Order! No, I believe that Madam Speaker addressed your issue earlier on Honourable Moswaane. Let it go.

**MR MMOLOTSI:** On a point of order. Two things Mr Speaker; yesterday when we adjourned Madam Speaker had promised that today she was going to give us time to talk about what was happening yesterday. She had started; in fact she had given six Members of the Botswana Democratic Party (BDP) an opportunity to discuss what happened yesterday and reprimand. She was going to continue with us this side today. Therefore, we were expecting that after this it would go on.

Secondly; when we started Parliament today at 2 o'clock, I raised a concern which Honourable Speaker



and she also promised that we would look at it after the statement. This is to the effect that we realised that the Hansard of Monday the 11<sup>th</sup> of July, 2016 has been doctored. You will remember that when the President of the Republic of Namibia was here, Honourable Speaker read what was supposed to be the vote of thanks which was ultimately read by the Leader of the House. She read and ended up where she was talking about being thankful for an inspiring speech, which was recorded. Unfortunately when we looked at the Hansard, we realised that that has been expunged from the Hansard and we really want to understand how safe our records are, how safe the Hansard is, if that could just be expunged without Parliament having sanctioned that to happen. So the Speaker promised that we will talk about that after the statement.

**MR SPEAKER:** Order! Let us address the first issue regarding the matter that we were talking about before the House adjourned yesterday. No, we cannot go back to that one because we concluded it! It was discussed at length this afternoon. I therefore do not agree that we should go back to it because you might end up not talking to each other nicely. We are done with it. Let us accept that we have spoken about it and we have heard the message by the Honourable Leader of the House. So let us move ahead together.

The second issue is about the Hansard and I remember Madam Speaker saying that she is going to have a look at the particular Hansard and I have not seen it either. She promised to have a look at it and that is when there can be discussion about the issue raised. I therefore cannot change what Madam Speaker was saying because we have to read the Hansard first in order to establish what is referred to.

Honourable Members let us continue the debate on the whistleblowing Bill. Let us try to have our say within this hour left...

**MR MOREMI:** On a point of clarification. Mr Speaker, I heard Honourable Mmolotsi asking about the sanctity of our records in Parliament ... (*Interruptions*)...

**MR SPEAKER:** Honourable Salakae please check the quorum before leaving the House. Please continue Honourable Moremi.

**MR MOREMI:** You insist on us continuing whilst we have not rectified what happened. You have not answered him because even what we say from today we are not sure if it will be safe since some things can be

expunged from the Hansard. I think that is what he was asking.

**MR SPEAKER:** I understood him Honourable Moremi, and I even gave him a response. The Madam Speaker even informed him that we are going to have a look at the Hansard that you are talking about and confirm if indeed what he is saying is true. If indeed it is as he alleges then it will be corrected. I do not think that we should dwell on it.

**MR MOREMI:** On a point of clarification. Mr Speaker you do not have to look far for that Hansard, I have it with me.

**MR SPEAKER:** No, Honourable Moremi...

**MR MOREMI:** Are we not going to at least adjourn the House so that this can be corrected because the sanctity of what we are going to be debating is not protected. That is what the issue is about. I have the Hansard with me, there is no need to look for it at the offices.

**MR SPEAKER:** Order! Honourable Moremi, I have where I get the Hansard. It is fine, you can hold on to the one you have with you. There is where I will get my Hansard and have a look at it. I will then come back to discuss it with you if at all what you are saying is the truth. Let us continue.

**ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MS TSHIRELETSO):** On a point of order. Mr Speaker, what was being presented to us before was a statement. I therefore wanted to know what Honourable Kgoroba has to say about what he did in the House. We will not accept where issues are swept under the carpet. Honourable Members in future a similar incident in going to happen and it could remain as if nothing happened. The statement condemned what happened however Honourable Gaolathe had said that he spoke to him and asked him to apologise to the nation in this House.

The issues that are being raised about the Standing Orders are just a strategy to take away the attention from the expected apology by Honourable Kgoroba. He should at least apologise to the nation if at all he does not respect us in this House. The Honourable Member who I respect so much who is the Leader of Botswana Movement for Democracy (BMD), Honourable Gaolathe mentioned that he called him aside and advised him to come and ask for forgiveness in this House. I like what he said.



I therefore wanted to know when we can expect the apology and I do not mean an apology to you since you will be able to see a doctor but I mean him apologising to this House.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MS TSHIRELETSO:** Yes, he is not well. I heard the impact of that bottle as it hit him since I was seated next to him. I am not talking about any other issues but the incident of a thrown bottle and what that Member of Parliament has to say about it? A person who was voted by the people of Mogoditshane as an Honourable Member. I am not even talking about his friendship with whoever and what we have been talking about is just idle talk. I want us to address the serious matter that will be reflected in History of the Hansard.

**MR SPEAKER:** Do you know something? You are not being fair to me because the issue that you are discussing directly affects me. This is why I did not want us to get into it because the bottle hit me. This is why I even told you that when the issue was being discussed earlier Honourable Kgoroba left the House. I do not know the reasons as to why he left. The way the discussions went on earlier I was expecting that they would help us to eventually work well together as Parliament. I therefore request you not to place me in a position where I have to make decisions on an issue that directly affects me.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** On a point of procedure. No, Mr Speaker, Honourable Tshireletso raised a point that we cannot pretend as if nothing has happened and just proceed after what was done by Member of Parliament for Mogoditshane. She is saying 'have you gone through the Standing Orders?' As for criminality and assault, those will be handled elsewhere but in Parliament, when someone behaves like that, what happens? We do not know whether he has been suspended like the other two who have been suspended for a week. But he has been coming here and going out. So we want to know what action will be taken.

**MR SPEAKER:** Honourable Kgathi, I have just been answering Honourable Tshireletso. I cannot make a ruling on yesterday's issue because I am involved. Let us leave that issue and move on with the business of Parliament.

**MR MOSWAANE:** On a point of procedure. I want to know this, had he hit you while you were on that chair, would you still be not in a position to make a

decision? He hit you when you were a Deputy Speaker and still you are. I think that this man should not be tried anywhere, but you just name him here, then we suspend him for 7 days or 14 days.

**HONOURABLE MEMBER:** Procedure.

**MR SPEAKER:** Order! If you still want to talk about the issue of Honourable Kgoroba, I am not the one to rule over it. It does not sit well with me to decide in a case that I am involved in. Let us stop it and I will go and tell Madam Speaker that this issue is still unfinished so that tomorrow when she comes here she deals with it.

**MR MOREMI:** On a point of procedure. Mr Speaker, Honourable Salakae and Honourable Mmolotsi indicated that yesterday before we adjourned, it was said that today when we start, we will talk about this issue and you refused indicating that we are not going to talk about it. Today, about four to five members on the other side of the aisle have taken the floor, being Honourable Kgathi, Honourable Tshireletso, Honourable Moswaane and Honourable Molao. Yesterday, about six members commented and no one did this side because when we talk, we are wrong. I wanted to bring that up because we were promised that we will talk today.

**MR SPEAKER:** Order! I heard your comments. Let us leave that issue and do other business of the House. If it is unfinished, Madam Speaker will finish it tomorrow, not me.

**HONOURABLE MEMBER:** Procedure.

**MR SPEAKER:** No, I said we are proceeding. Wait Honourable Butale.

## BILL

### WHISTLE BLOWING BILL, 2015 (NO. 19 OF 2015)

#### Second Reading (Resumed Debate)

**MR SPEAKER:** Order! When we adjourned yesterday Honourable Arone was on the floor and he was left with 14 minutes 57 seconds. It looks like Honourable Arone is not here; I heard that he has something to attend to. So the floor is open.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** After such a long time without discussing anything beneficial, I want to take this time to indicate that as the Member



of Parliament, I am not impressed that the Leader of the House can take such a long time talking about issues that do not benefit Parliament of Botswana in any way. It took more than two hours without anything beneficial being said; it was just passing time and playing a political game in this Honourable House, to which we have been sent by Botswana to discuss important issues. We could have finished the Whistle-Blowing Bill by now, but the Leader of the House saw it fit to take two hours talking about something which should sadden us. We must put this thing on record that it is very unpleasant; we are not impressed on our side.

Having said that, I want to say that I am happy that the President of Namibia visited our Parliament on the 11<sup>th</sup>, and above all, I am impressed by his exemplary leadership because one of the things that he said was that when he got into the Presidency, the first thing that he did was to declare his assets and liabilities even though there is no law in Namibia that compelled him to do that. He led by example because one of his intentions was to fight corruption and he declared so that by the time he leaves office, it can be known if he has fraudulently acquired something or not. I would profusely thank the President of the Republic of Namibia for that exemplary leadership, and I believe that it will teach us as Botswana what leadership is.

This Bill on Whistle-Blowing is a law that most of the countries have already passed because it is very paramount when we look at issues of fighting corruption.

We know that corruption is already rampant in our country, despite low numbers that we are being told. I strongly believe that it is under reported. Corruption is rampant in Botswana and our problem has been that when you report corruption, you would be in serious trouble. You would be followed as if you are the perpetrator. That is why we should be thankful for the Whistle-Blowing Bill that it has finally come. Since we are a country that wishes to fight corruption, Botswana should now be elated that the Bill is finally here and it should set them free to report. I am however worried that now this policy has been attached with other things that are going to scare Botswana. People are now going to be scared thinking that reporting might end them in trouble.

I am worried about the people who have been given the powers called the authorising officers. When I report corruption, my expectation is not to reveal my name, my address or occupation. If the policy is going to start

asking such questions Botswana are not going to report thinking that there is no confidentiality.

I believe that whistleblowing is supposed to give Botswana the freedom to report without revealing their particulars. There are good investigating officers who can do this job excellently. If somebody reports a case, there are investigating officers, Police officers and Directorate of Corruption and Economic Crime who can investigate if it is true, not for us to scare these people. We should bear in mind that reporting is not easy. People do not like reporting, but if somebody decides on his own to report corruption and we require a lot of things from him that could end him in trouble, it will be difficult for that person to report.

We should remember that at the end we are going to know that the person who reported was Honourable Moipisi. But if Honourable Moipisi works in the Ministry of Education with the person who reported, it means his superiors are going to know because in Botswana we cannot keep a secret. We know the cases of constructive dismissal whereby an employee was accused of something as an excuse to dismiss him. Mr Speaker, I am against this thing of writing one's names, numbers and occupation.

I do not think it is right Mr Speaker to include threads...

**HONOURABLE MEMBER:** Clarification.

**MR MMOLOTSI:** If it can be known that the whistleblower reported something that is not true, he will be liable. Sometimes when somebody goes out and report corruption, he does that not with the full information or evidence. He will be doing that with the assumption that the investigators will dig the evidence. But if he reports and it is found out that what he said was not true then it is regarded as an offence people are not going to whistleblow. This is why I have a problem with how we want to do things. I agree with what was said by...

**ASSISTANT MINISTER FOR PRESIDENTIAL AFFAIRS AND PUBLIC ADMINISTRATION (MR MAKGALEMELE):** On a point of clarification. I thank you Mr Speaker, you too Honourable Member. I was saying when I ask for clarification I want it at that point. So if you continue talking you make things difficult for me. I wanted to let you know that when the person who reports corruption is asked for particulars, that is done for further investigations.



Secondly, it is for the purpose of protecting that whistleblower. So, those are some of the reasons why the information is actually required. But again most importantly it is for the purpose that in the event that whistleblower intentionally reported something that is not true, it should be known so that measures should be taken against him.

**MR MMOLOTSI:** Personally I do not think it is a problem if there was no truth in a case because the person who was reported would not be charged with anything. I do not think there is any wrong in suspecting. Sometimes it is possible that you could see that there is corruption happening but not able to put a finger on it. Therefore I do not see any need for threats to the person who will be reporting such corrupt practices.

**MINISTER OF MINERALS, ENERGY AND WATER RESOURCES (MR MOKAILA):** On a point of clarification. Mr Speaker, those of us in positions are perpetually accused of corruption, sometimes to defame us, do you not believe that we also need protection?

**MR MMOLOTSI:** What I am saying Honourable Mokaila is that when somebody says Honourable Mokaila is associated with the company that was awarded a tender in Morupule B, investigating officers will investigate. If they find out that it is not true; he would have been reported. What if the report is true? Is it not that when the investigators find out that it is true the government would see how it will prevent that situation? But if Honourable Mokaila was falsely accused, then nothing is going to be done. That case will end just there or maybe those people will have to be investigated. That is where I am coming from; I do not think those people should be threatened.

**DR P. BUTALE:** Elucidation. Member for Francistown South, you are handling it so well. The international standard is that Bills of this nature are supposed to be seen to be promoting and encouraging whistleblowing instead of making people think twice if they are to whistle-blow. It also talks about anonymous disclosures; it is there in other legislatures it is not like you are inventing anything.

**MR MMOLOTSI:** This is why I was saying I agree with anonymity so that we copy what is happening in other countries. On the issue of authorising officer, I have a concern that he has the powers to decline some cases. This policy goes on to say the authorising officer can end the investigation in his opinion, if he feels that according to him the case is of no importance. Mr

Speaker, you know I do not support the lines which say “in his own opinion”. This is because if I can give you an example; yesterday I tabled a motion of no confidence on the Speaker. Believing that she is not capable, I was giving my reasons and in the opinion of the Speaker I did not convince him. In my opinion my reasons that the Speaker is underperforming were convincing and you see today, I am unable to present that motion here because according to the Speaker, according to his opinion, my reasons were unconvincing.

We have not even started doing the Bill if we have an authorising officer who when I report a case against Honourable Kwerepe and is somehow related to Honourable Kwerepe then he believes that my reasons are not convincing enough. We are now aware how the country operates nowadays so this Bill will just be vindictive; some will be charged and some will not be charged because this Bill indicates that authorising officers use their opinion to determine whether to continue investigating or not. This to me sounds like this Bill does not cater for the public but rather for some.

You know, we had a meeting with one of the departments in the Ministry of Education...

**ASSISTANT MINISTER FOR PRESIDENTIAL AFFAIRS AND PUBLIC ADMINISTRATION (MR MAKGALEMELE):** On a point of clarification Mr Speaker. Just a very short one Honourable Mmolotsi. Out of all the concerns you raised, what is your suggestion? What do you suggest could be done to cushion against that concern?

**MR MMOLOTSI:** My belief is that if the case is like this, having been presented it is not a duty which can be assigned just one man to determine using an opinion. I strongly believe there should be a group of people or a board which can determine whether the case is worth investigating or not.

**DR P. BUTALE:** On a point of elucidation Mr Speaker. It is not like some of these things are not implemented in other countries; there is a post or position of Public Interest Commissioner within the same whistleblowing law whose core duty is to determine such cases fairly without fear of being dismissed from his post.

**MR MMOLOTSI:** That is one way, then the other way like I said, is to subject this to a board to determine those cases more especially looking at the way our country has changed thus far. I was just about to give an example of one of the departments of Ministry of Education and



Skills Development that appeared before the Committee of Education in the past few days. They explained that just an individual, one person has accredited a school which does not meet the standards; so you can clearly see that if it is an individual's opinion it can ruin everything. That is why I believe that if we want an institution to be effective, if we want a system to be effective we should lay the right foundation for it to serve a better purpose for us. Otherwise at the end of the day we are going to implement a Bill which will be the same as the rest of the Bills we implemented before; it will be the same as other institutions that are not effective.

In the past we debated about Directorate of Corruption and Economic Crime (DCEC), who when it was established its powers were limited, we talked about Ombudsman who if there were given enough powers our country could be performing better. That is why right now, 8, 9, 10 years later, the Ombudsman, Mr Maine once made a decision that he is against President Khama flying the Botswana Defence Force (BDF) aeroplanes, the things he still does now to date, he travels everywhere in them whereas the Ombudsman explained that is wrong. These are institutions we establish but limit their powers; we do so, so that we can have the upper hand when we want to be corrupt.

Therefore Mr Speaker, we will notice some amendments so that we strengthen this Whistleblowing Legislation so that it can be an effective Bill as it is other countries. Thank you Mr Speaker.

**MR LELATISITSWE (BOTETI EAST):** Thank you Mr Speaker. Firstly let me thank the Minister for tabling the Bill. As Botswana we should remember that the Bill tabled covers everyone including the one who tabled it. I am also grateful that in the past few days we were honoured with the visit of the President of Namibia in Parliament to address us. I was impressed by one point in his speech when he said he declared his assets and liabilities during his inauguration.

It is good that today we are debating whistleblowing Bill after passing the declaration of assets and liabilities Bill...I will give examples as to why I say this. Botswana is a small country, if we do not know how much assets a person occupying a certain position has in future are going to ask ourselves questions when we see him doing well and have suspicions that he might be stealing from the government coffer. Therefore that is why I believe that it would be good that as we are debating this Bill which is long overdue; it could have

been tabled a long time ago in Parliament however Bills are made as time goes on. This Bill is straightforward; it protects the government and parastatals from losing funds, I am grateful for that. It is a good Bill, even the way it is presented it shows that it is in the best interests of Botswana who trust the government of Botswana Democratic Party as people who are willing to disclose information on cases of corruption will feel free to do so before the problems get worse..

**HONOURABLE MEMBER :...**(Inaudible)...

**MR LELATISITSWE:** Yes, to alert. Let me thank you Honourable Minister Batshu, yes, to alert the relevant people before there are more problems. This is a very straight forward and current Bill. I heard that there are people that will be legally authorised to receive these reports from whistle blowers. They will be given the powers to decide whether to investigate the issue further or to dismiss it; I think this is a mistake we are living in a political society. Someone might be authorised to receive cases of whistleblowing and at the same time leaning towards politics and this is....

**MR MOREMI:** Elucidation. Thank you Honourable Lelatisitswe, I like the way you clarified it that we are living in a very political society as Botswana. Let me explain further that I once went to the office of the Deputy Speaker with Honourable Biggie Butale and the Chief whip of my party and asked him to call Parliamentary Counsel. We talked to the Deputy Speaker and he listened to us and then I took out a knife 'this big' from where I had kept it...

**HONOURABLE MEMBERS:** ... (Laughter!)...

**MR MOREMI:** Now his very neighbour wants to use it politically in Parliament in my presence. This is why I want to elucidate; to try and clarify that the same people that we confide in by disclosing information, later use it against us.

**HONOURABLE MEMBERS:** .... (Laughter!)...

**MR LELATISITSWE:** Thank you Kgosi. I am trying to say that I do trust this law because I believe there will be some regulations that will help in its implementation. These are issues that need to be looked into to make sure that these authorised persons are not somehow involved in politics and consequently becoming judgemental towards the political whistle blowers and as a result dismissing very important cases.



If regulations are going to be made, my wish is that there will not only be one authorised person; a board could be sworn in to promise that they will keep whatever information that is disclosed to them private. They should also be persecuted if they passed on the information that they got from the whistle blowers. I fear that if only one person is authorised to receive these cases, this law could be used to oppress others. We need to look into this Bill because we do not want situations where we later try and amend it because it is not serving its purpose.

I will now look into clause number eight which focuses on agencies that the whistle blowers can use to disclose information. I can see that a lot of agencies have been listed down but I think we also need to add Competition Authority. This is because we need people who will make sure that people's possessions are not duplicated and this agency's role is exactly that.

When looking again at the clause that talks about the whistle blower, if there are suspicious that an individual's reasons for disclosing information are malicious, more people need to get involved to prove that to be the case because one person could be biased or use their political affiliation in making a decision.

Most of the time when people whistle blow, they do not have all facts because usually the information that they are disclosing will be happening from a distance but it is very important that this information is investigated further as the Government resources are available. It needs to be investigated and only be dismissed if there is lack of evidence to take the case further to court. This law should not be used to threaten people. This is another point that...

**ASSISTANT MINISTER FOR PRESIDENTIAL AFFAIRS AND PUBLIC ADMINISTRATION (MR MAKGALEMELE):** Elucidation. Thank you Mr Speaker, let me point out that all these agencies that authorised people will be taken from, all have Accounting Officers. If say, the Head of Directorate on Corruption and Economic Crime (DCEC) has chosen someone from that agency, that head of DCEC still remains accountable for all the decisions. In other words he should be able to look into decisions that have been made and make sure that they are fair and sound. Decisions are going to pass through those that would have made the choices Mr Speaker.

**MR LELATISITSWE:** thank you Honourable Minister, I understand you. If the points that you have

just narrated could be included in the Regulations, that will be great because they are currently not stated there. I believe it is wrong to go to the third person to tell them what you have decided. I believe in a way we are bounding ourselves. In Boteti we have an expression of saying "instead of tying a cow with a rope, a person rather ties themselves up." Briefly, I believe this Bill, if these regulations which are going to be done trying to alleviate or ease the concerns I have been presenting, people who want to invest in Botswana can have trust in us. I heard the President of Namibia when he was here the other day pointing out that he believes in this country. I believe this confidence in us will keep growing.

With those remarks, I support this Bill and I am encouraging the Minister to bring also bring a Bill on declaration of assets and liabilities, so that in future when we see people glowing within a short period of time, we not would fail to blow the whistle because we would be wondering whether they are actually living beyond their means or not; because we know what Parliament is paying is not that much. With those words, I support this Bill. Thank you.

**MR SALAKAE (GHANZI NORTH):** Mr Speaker, thank you. I also felt I should rise and air my observations on this Whistle Blowing Bill.

Let me start by saying most of the time when I enter through that door, entering this House there is a conscience which rises within me and it imparts within me that this is a House which Batswana hold at high esteem and have trust in it. They have hope that the issues that we would discuss in this House would improve their lives; they have literally surrendered their lives to us. Why am I saying this? Time and again when I address political rallies or when I talk to people that I often talk to, I always request them not to leave political issues solely to politicians, and it always suffices that they never agree with that suggestion. They truly believe these issues should be led by us.

Just recently when the issues of Sebina we still fresh, I found it fit for Batswana to arise and show disdain, and they believed that as politicians we are the ones who were supposed to have profusely condemned such behaviour. That taught me that when we are in this House we should deeply consider issues presented before us cautiously, truthfully and with fearing God as possible. Currently...

**MR LELATISITSWE:** On a point of clarification. Thank you Honourable Colleague. I did not understand



a point where you said maybe this Bill could touch on some issues or be amended to allow Batswana not to leave political issues for us politicians onyl. I also heard you saying something about Sebina, so I am thinking you should maybe clarify it for us a bit.

**MR SALAKAE:** The Honourable Member is too emotional, he should try to relax. Earlier when he started his debate he said something about the President of Namibia, and I did not jump up to ask him what the President had done. Relax; just sit back and listen to me, allow me to conclude my statement. If there is need for you to take some tea, just walk outside have some and come back. Maybe to touch on your issue just a bit, I was just pointing out that I wish this House could take issues seriously; issues that come here because Batswana believe their lives are in our hands.

This Bill of whistle blowing, I believe it was brought here as a conduit to address issues of corruption. It is going to try to address the issue of transparency which Batswana always lament about. When you look closely at this Bill, it departs from what some of us believe in. There is something called regional integration; where you expect us to do like other people, or benchmarking from those who have done it before us and showing that they have succeeded at it, we totally deviate from the way. Like now, when in other countries they show that for whistle blowing to be encouraged, people should be given incentives, here we rather intimidate them. I am going to be calm in my debate today.

Let me start by saying yesterday when Clause 8 of this Bill was being addressed, Honourable Ngaka Ngaka pointed out, even jokingly; and I wondered whether he was really listening to himself. He was making fun, laughing at Honourable Phenyo Butale saying he does not know what he is afraid of because people listed on Clause 8 are the people to whom anybody who has an issue can go. Let me clearly and confidently say I agree with the Honourable Member for Gaborone Central that the list in Clause 8 needs to be increased; besides they are also questionable.

As leaders, I have pointed out that people have so much hope in us that the issues that we bring here; we have them in our hearts as priorities. When you consider these issues you will realise that the route the BDP (Domkrag) government wants Batswana to take, it is to try to silence people.

We just recently dealt with a Bill which was trying to silence the civil service, and now the people who we

expect to strengthen democracy by bringing issues to us so that they are addressed; now we are starting to intimidate them. We are also saying they should report to the people whom they are afraid of. All the institutions listed here, I wonder why the BDP (Domkrag) government believes that for things to go well, it should be organisations they have control over who are involved. When you look at all these institutions, these are all Government departments. Why are we afraid of engaging other Batswana who do not work for government, giving them a responsibility such as this one? We have so many parastatals which we give so much money to, which shows that we trust them. Why are we so afraid?

I just wanted to point out that a department like the Directorate of Intelligence and Security Services (DISS), Batswana have spoken in numbers that it is one of the departments which if it were according to their wishes, it could be dismantled and built afresh. We would then believe people would be able to go there confidently to report that a certain company which a Minister is involved with, which is called so and so has done this and that. So I believe so much that Clause 8 (a), (b), (c), (d), (e), (f) and (g) should be expanded and maybe the DISS should be removed from the list, and you should consider this issue that when someone goes to a certain department here, instead of giving their name out of fear of being intimidated, maybe an institution like that which has been given authority to receive the cases and check whether they are true or not, they should be able to do thorough investigations because we are always told of how much intelligence they possess.

Mr Speaker, Batswana are timid by nature and this is because they have so much trust in the leadership. When you ask a Motswana to blow the whistle about corruption which is maybe perpetrated by Member of Parliament Makgalemele, for example, I am just giving an example, and you tell them that if what they are saying is not true as written in Clauses 17, 18, 19, 20, 21 and 22 say. If it is not true, they may be fined a sum of P10 000.

**ASSISTANT MINISTER FOR PRESIDENTIAL AFFAIRS AND PUBLIC ADMINISTRATION (MR MAKGALEMELE):**

Point of order. Mr Speaker, I am not sure if you were listening or you were still consulting with the Clerks there but please order the Honourable Member to stop using my name in the examples he is giving.



**MR SPEAKER:** Please leave Honourable Makgalemele alone, stop using his name to give examples, find another one to use. And proceed.

**MR SALAKAE:** But I am serious but forgive me if you think I am saying you are corrupt. My main objective is to show that Batswana have an expectation that the laws made in Parliament were made with the seriousness they deserve and setting the priorities right. We should not take it that as the Botswana Democratic Party, they will lead for ever, like Honourable Lelatisitswe said. We should be careful on the way we are making laws and being mindful of the fact that one day the ruling party will not be in power, and then consider if those laws will be conducive for them at that time. Some of us might be in power in 2019 and as such some of you might lose out in the upcoming 2019 elections, we should therefore be careful of that. Let us talk about the issue of authorised persons. Let us include Dikgosi in that list. Why do we believe that we can trust the Botswana Unified Revenue Service (BURS) officers over Dikgosi who can hold more confidential information? Why can we not include organisations such as the Law Society among the organisations to report to since they have adjudicated most of the cases? I do believe that these organisations are better placed to handle these issues better than other organisations because they understand issues of the law better. I was amazed by Honourable Mokaila when he mentioned that he can be sued, and then I realised that we cannot trust some Ministers and other authorised persons. I do not believe that the Honourable Minister could think of defamation of character while in actual fact he has been trusted to hold that confidential information, I am suspecting the Honourable Minister is suspecting me because some of the authorised persons are not trustworthy. Why is it that the law could be made in such a way that whistle blowers are protected? I am wondering if a person reports an incident at the Directorate of Intelligence and Security (DIS), and then they take those to a third party, what is the penalty of the authorised persons? One can pick that the law is one sided, and the objective is for Batswana not to have a voice in issues presented to Parliament. I do believe that we need national dialogue where Batswana could just voice out their concerns without any fear. Batswana should not fear anything when they present their issues. And if at all they are scared of what they are going to say, the one advising them should be in a position to tell them that the issue at hand is likely to put them at some sort of risk, other than coming up with measures which deter them totally to present their issues. If programmes

such as *Matlho-a-Phage* were not stopped like they have been stopped currently, then national dialogue would be continuing now. We could be knowing the reasons why Batswana do not trust the authorised persons, through those debates. If we tell you that Batswana do not trust those people, you cannot agree because we have not gone to Batswana, there is no such time we talk to Batswana as the government on issues that concern them. We just come here and use our numbers to make laws which do not sit well with Batswana.

Mr Speaker, I believe that just like in other countries, Botswana should have incentives. There should be an organisation responsible for considering all issues from whistle blowers, other than having Batswana report to DIS, where they have to present their names, and contact details yet it is the same department they are complaining about. How are we sure that that is the easiest way for us to be spied on?

With those, since most of the details have been laid out by other Honourable Members, this is a genuine Bill but the problem is the details which we put in these Bills. If Batswana call for an amendment of a certain Act, or for an enactment of a certain Act, then instead of us consulting with them, we start cooking the details. Let us take our constituents serious and remember the fact that we are representing them here and as such we should consult them. The incentives and intimidation policy is a major issue on whistle blowing agencies in the Republic of South Africa and England. And therefore my take is that before we could bring this Bill, let us benchmark on best practices and see how best they came with the Act, but as it is now, this is just to intimidate Batswana.

**MR MAKGALEMELE:** Clarification. Thank you Mr Speaker. This incentive thing, has been highlighted by a few Members. Are these incentives not going to cause others to give false reports about other people looking at the benefits? Let me confirm to you that in the process of this Bill, we went on benchmarking trips to the Republic of South Africa, Australia and Rwanda and that when we started drafting it the Australian counterparts came and coached us on doing that.

**MR SALAKAE:** Thank you Mr Speaker. I take it that when everything is done, be it the incentive policy or what, there are guidelines to be followed. There should be guidelines to show that there should be a board to consider certain issues and if at all those reports need some investigations then those people be given incentives. We could advertise that when people report



corruption they will be given some incentives but it does not mean that all reports will warrant an incentive. We need to have a board which will determine if the report attracts an incentive or not.

We are grateful for the benchmarking exercises you made. But the problem is that when we compare the countries that you have benchmarked from and our own, the situations differ. Some of them have these boards that I am talking about and some others have the incentives. Others do not find the importance of a whistle-blower leaving their contact details when reporting a case of corruption. That is why I am beginning to suspect that those who are intimidated might seem to be telling the truth. Like I said that when we were discussing the Trade Disputes Bill, Botswana thought we were trying to silence the workers. Now we are debating an issue where Botswana fear that they will be victimised by it. We must look into these issues carefully and in particular we should look at Part V of offences and penalties.

Just recently, we were saying that Botswana are scared. Someone once reported goats' theft to the police. At the end, the police disclosed the identity of that person. That is why I now have this great belief that we should have a penalty of authoritative persons we have put here. What should be done if they disclose the information to a third party?

We are now likely to believe that the target in this is the media. The suspicion that is there is that, there are some who are friendlier with the media. That is why we always advice that we should not make laws while very angry. We still believe that there are some people you want to punish. I am wondering what we are going to do if later on these people whom we wanted to punish by the law we made admit that they are wrong and ask for forgiveness. Let us make these laws calmly bearing in mind that a law is not similar to a policy. It takes time to have a law reviewed and it requires Parliament to be reviewed. There are many issues that require the attention of Parliament therefore we should not waste time in making punitive laws.

With those words Madam Speaker, let me state that we have long waited for this whistleblowing Bill. The only problem is that it has certain clauses that require amendment. Issues like those found in Clause 8, Part V together with Clause 21 to 24, these should be reviewed so that we do justice to Botswana. Thank you Madam Speaker.

**MR KGOROBA (MOGODITSHANE):** Thank you Mr Speaker. Let me apologise to this House for my actions yesterday, and apologise proficiently directly to you who happened to be the victim of my action and I hope I will be pardoned.

The Honourable Minister here has just mentioned that they went on a benchmarking exercise and we are here in Parliament to come and address this matter together. I am wondering if they did not see it fit to engage delegation from this House which would constitute both Members from the two sides so that we would all have been part of this benchmarking exercise. I advise the Honourable Minister that in future when you go on benchmarking exercise, especially that which you know will end up here in this House for approval, please let us engage both sides of the aisle so that we are all on board when the matter comes to the floor of Parliament.

**MR SPEAKER:** Honourable Kgoroba, hold it right there. You will continue tomorrow. Honourable Members, let me remind you that we have a General Assembly tomorrow, 10 o'clock at Auditorium Annexe II. I believe that you have all received the invitation. Come tomorrow for an address.

#### MOTION

#### ADJOURNMENT

**MINISTER OF MINERALS, ENERGY AND WATER RESOURCES (MR MOKAILA):** Mr Speaker, I move that this House do now adjourn.

Question put and **agreed to.**

The Assembly accordingly adjourned at 6:00 p.m. until Thursday 14<sup>th</sup> July, 2016 at 2:00 p.m.



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