



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Botswana

10 March 2025

Context

Botswana's civil society operates in a dynamic, yet challenging environment. While constitutional freedoms of expression, association and assembly exist, recent events in 2024, such as interference and intimidation from the intelligence services, have constrained civic space. Additionally, civil society actors face hurdles such as resource constraints exacerbated by the country's middle-income status, as donors have redirected their funds to other countries which are low income and perceived to be in greater need of support.

Despite these challenges, civil society in Botswana continues to advocate for citizens' rights and freedoms. Opportunities for collaboration exist with the newly elected government, which came into power after the 30 October 2024 general elections, and which expressed its commitment to constitutional and human rights reforms. Strengthened engagement between civil society and the new government could improve the enabling environment for civil society in Botswana.

1. Respect and protection of fundamental freedoms

Despite constitutional guarantees of freedoms of association, expression and peaceful assembly (Chapter 2, Subsection 3 of [Botswana's Constitution](#)), the government targeted civil society in 2024 through harassment, intimidation and disruptions of peaceful marches.

In 2024, during the constitutional review process, the government proposed [Constitution \(Amendment\) Bill No. 4 of 2024](#), which civil society [criticised](#) for not adequately protecting the promotion of people's rights, equality, national unity and democracy. While the Bill included Clause 5, which sought to enshrine the right to collectively bargain and strike in Section 13 of the Constitution of Botswana, it excluded critical provisions on the right of access to information, which would have affected civil society's ability to hold the government accountable. Some of the proposed amendments, if enacted, would have resulted in a regression of the country's democracy, for example, by giving the president powers to nominate ten specially elected members of parliament (MPs).

The Constitution (Amendment) Bill of 2024, which would have required a two-thirds majority of MPs to pass into law, failed to secure the required threshold of votes during the parliamentary voting on 4 September 2024. Nonetheless, in November 2024, the new government [announced plans](#) to launch a comprehensive, people-centered constitutional review process within its first six months in office, thereby again opening the door for constitutional amendments that could promote human rights.

The Botswana Council of Non-Governmental Organisations (BOCONGO), an umbrella body for civil society organisations in Botswana, conducted advocacy against, - including civic education on - the proposed bill, resulting in [visits from the Directorate of Intelligence and Security \(DIS\)](#), Botswana's national security agency, in May 2024. Speaking to the BOCONGO members present, the DIS claimed that it was brought to

their attention that BOCONGO was causing public chaos. Such visits point to surveillance of civil society actors by the DIS, which could intimidate CSOs, affecting their right to freely express dissenting views. On 18 July 2024, while BOCONGO members hosted a [Constitution Café](#) in a mall, police detained civil society actors for questioning on accusations of disruption of public order, as witnessed by BOCONGO. These forms of harassment not only undermine freedom of assembly but also discourage CSOs from addressing critical issues in order to avoid potential confrontation with state authorities such as the police.

On 4 September 2024, as Parliament prepared to vote on the Constitution (Amendment) Bill, some CSOs and the public organised a peaceful march urging the members of parliament to reject the Bill. Police [arrested several protesters](#) and [used force](#) to break up the protest. [Public Order Act](#) Chapter 22:02 mandates a police-issued permit for assemblies, including peaceful marches. This goes against international standards or guidelines on peaceful assembly such as the [Amnesty International Guidelines](#) on the Right to Freedom of Peaceful Assembly which states that holding an assembly must not be subject to prior authorisation or permission. The Amnesty International Guidelines further state that the requirement of prior authorisation or permission to hold an assembly goes against the concept that freedom of peaceful assembly is a right and an entitlement, not a privilege.

Additionally, on 26 July 2024, the government proposed the Access to Information Bill (Bill No.15 of 2024) in parliament. This Bill however was not passed into law, hindering civil society's ability to research, monitor, and hold the government accountable, undermining transparency. Without Access to Information legislation, civil society continues to face significant challenges in obtaining state-held information which is necessary for holding the government accountable. While civil society continues to perform their role in absence of the Bill, their advocacy and monitoring efforts are weakened by the limited access to information.

2. Supportive legal framework for the work of civil society actors

In Botswana, the [2022 Societies Act](#) governs the registration of societies, including NGOs, requiring them to register and obtain a registration certificate annually. During the 2024 mandatory registration process, NGOs faced challenges due to the government's use of a complex online system which was difficult to navigate, among other steps requiring organisations to physically collect login details for the digital platform. This posed a risk of deregistration to some of the NGOs in the country, including those that are BOCONGO members. Nonetheless, the government had [extended the deadline](#) for the registration to March 2025, noting the challenges experienced, to allow for CSOs to continue registering via the new online system. The extension is sufficient and allows CSOs to be able to register.

Despite the fact that Section 2 of the Constitution guarantees freedoms of association,

assembly and expression, the [Public Order Act](#) Chapter 22:02 requires that a permit be obtained from the police in order to hold peaceful marches or demonstrations. According to [international guidelines](#), the requirement for prior authorisation or permission to hold an assembly goes against the concept that freedom of peaceful assembly is a right and an entitlement, not a privilege. The requirement for a permit reinforces a barrier for civil society, particularly to mobilise and advocate effectively.

3. Accessible and sustainable resources

Accessibility to sustainable resources by CSOs in Botswana is affected by the country's status as an upper middle-income country, as [classified by the World Bank](#). Many of the donors and development partners, including embassies who for many years have been sources of support for the CSO sector, have shifted their focus to lower income and developing countries. Botswana's income status implies that the country is able to fully resource its entire development without the support of such partners, including the important work done by civil society organisations. Botswana was [classified as an upper middle-income economy](#) as far back as 2015, highlighting a longstanding trend that has been influencing foreign funding availability in the country.

Civil society organisations in Botswana, including those providing critical services such as child protection, are grappling with severe resource gaps with many now threatened with discontinuation of their services due to lack of funding. This would then mean that the government has to step in and provide these critical services itself, ensuring that those in need are fully taken care of, as obligated by law.

BOCONGO, as the umbrella body for CSOs in Botswana, receives a government subvention through the NGO Council, which is a unit under the Ministry of Labour and Home Affairs, charged with facilitating government engagement with civil society through BOCONGO. Over the years, this subvention has drastically decreased from P1.2 million (ca. 82,000 Euros) annually to the current P600,000 (ca. 40,000 Euros) per year. This amount is insufficient for the BOCONGO Secretariat to effectively coordinate the work of its CSO members across the country.

4. State openness and responsiveness

In Botswana, civil society and government interactions have been selective or conditional, depending on the issues at hand. There have been opportunities for collaboration, such as during the development of the National Development Plan 12 (NDP 12), where civil society actors from various thematic groups were included and consulted across different [Technical Working Groups](#) which were established to support the development of the NDP 12 in 2024. In 2024, civil society also delivered a [petition](#) to the British High Commission in Botswana against the United Kingdom's then proposed Anti-Hunting Bill which sought to prohibit the import of trophies from species listed in the Convention on International Trade in Endangered Species of Wild Fauna

and Flora (CITES) . CSOs criticised the bill's expected impact on hunting as a tool for conservation and regulation of wildlife populations, aligning with the government's stance on the issue and highlighting an area of cooperation between civil society and government. Additionally, past collaborations with the government have occurred in efforts to combat HIV/AIDS.

However, limitations become apparent when the government and civil society hold differing views. This was evident during the 2024 constitutional review process, where some government institutions did not grant civil society the opportunity to meaningfully engage with the reform process. When the opportunities to engage were presented through meetings, they were often mere formalities rather than genuine attempts at dialogue. Civil society organisations argued that the proposed constitutional amendments did not adequately address the concerns of the Batswana and failed to protect citizens' rights, promote equality, national unity, and democracy. These challenges highlight the tension that can arise when there is a lack of alignment between the government and civil society on key issues. The selective interaction limits engagement on more controversial issues. It does not equate to true and full openness, and fails to ensure CSO participation across all critical issues of national development.

5. Political Culture and Public Discourses on Civil Society

In terms of political culture and public discourse, civil society in Botswana has been framed in previous years as agents of opposition political parties or as serving foreign interests. This has particularly been done by members and supporters of the previous ruling party, the Botswana Democratic Party (BDP). This discourse arose when civil society and opposition parties shared similar stances on issues such as the Constitution (Amendment) Bill No 4 of 2024. Furthermore, civil society has often been labelled as foreign agents due to their funding from international donors, accusing them of adopting the principles and interests of their donors, especially when conducting work on controversial projects like the constitutional review.

Nonetheless, there is another segment of the public such as citizens and media practitioners in Botswana who perceive civil society to be agents and proponents of development and democracy. This perception is visible in various ways, particularly through public expressions of support for civil society during critical advocacy efforts. For example, during the constitutional review process, civil society organisations including BOCONGO members were frequently discussed on radio programmes, with citizens actively calling into different radio shows encouraging CSOs to continue advocating on their behalf. Additionally, other ordinary citizens demonstrated their support and solidarity by attending [civil society engagement sessions](#) organised by BOCONGO during the constitutional review process. The above signals a certain level of trust in civil society as legitimate representatives of public concerns.

Regarding inclusion, marginalised groups, such as women and ethnic minorities,

have gained increasing visibility within civil society. Numerous organisations actively promote inclusivity and advocate for the human rights of marginalised populations, such as Lesbians, Gays and Bisexuals of Botswana (LEGABIBO), an advocacy organisation championing the rights and freedoms of LGBTQI+ in Botswana. Notably, CSOs from marginalised groups such as women are often at the forefront, driving public discourse and ensuring their voices are heard in efforts to create a more inclusive society. Organisations such as Emang Basadi which advocate for women's rights and political inclusion, are led by women themselves, reflecting their active role in driving these efforts.

Challenges and Opportunities

Over the next four months, civil society in Botswana will continue to face challenges, including limited funding resulting from the country's middle-income status and the current state of the national economy, which has seen a [significant decline](#) over the past 12 months. It is uncertain whether BOCONGO will continue receiving the government subvention. The funding constraint will impact civil society organisations' ability to conduct their mandate which includes, among others, advocacy for policy and legal reforms, and delivery of essential services.

However, opportunities exist to improve the enabling environment. Following the election in October 2024 of a new ruling party and government which says it is committed to human rights, there is potential for dialogue and increased collaboration. BOCONGO has reached out to the new government to initiate dialogue towards strengthening collaboration and partnership, which could advance human rights and democracy through initiatives such as passing the Access to Information Bill and initiating a people-centred constitution review process. The new government has already [publicly committed](#) to initiating this process, presenting a critical opportunity for meaningful engagement between civil society and the government.

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