



BY SHEILA KHAMA

# To Build or to Undermine Public Trust

A GOVERNANCE QUESTION

Most systems of government have unique but structured rules of engagement between leaders and those that they lead. Democratic systems of governing are no exception. For instance, using electoral processes, those in power secure a mandate to lead but are for all intents and purposes agents of the public. Defined by the World Bank as, “the manner in which power is exercised in the management of a country’s economic and social resources for development”, good governance is seen by many as the apex of effective electoral systems of government.

<https://www.worldbank.org/en/topic/governance/overview>

**The three principles of good governance are *transparency, accountability, and public participation*. Though iterative, sequencing of the application of the three corner poles matters.**

**Notably, transparent disclosure of information and motive is the vital starting point.**



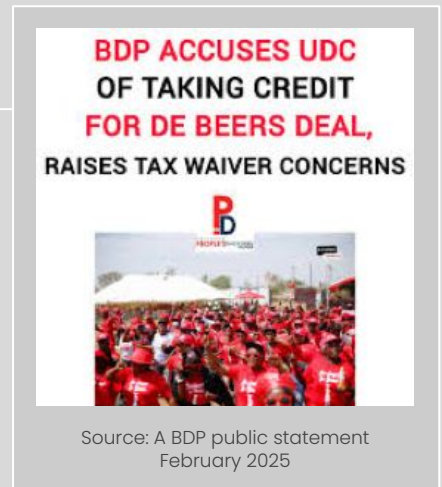
Therefore, guided by the three principles, properly functioning public institutions, credible systems of democratic rule, and responsible leadership must comply with these standards. In the context of transparency, one of the essential roles of leaders is to continuously inform citizens on public policy, laws, decisions, and actions taken to administer affairs of state. This is necessary to foster accountability and public participation by bridging the knowledge gap between those in public office and the public to whom they are responsible.

**This is especially so in an environment in which contemporary systems and institutions of government are alien to a country’s cultural and political norms.**

On the other extreme, a particularly inappropriate action is one in which politicians use symbols of political parties interchangeably with state symbols when engaging the public on sovereign matters. This muddies the waters and misguides the public. The two visuals on pages 3 and 5 are good examples of what is and what is not appropriate, and their implications and potential negative impacts are discussed briefly in the paragraphs below.

# MISEDUCATING THE PUBLIC

The image to the right is part of statement issued by the **Botswana Democratic Party** (BDP) as a **Public Notice** in February 2025. Whatever the motive and facts behind the De Beers tax issue, the statement misleads the public in several fundamental and material ways. Whether intentional or not the statements also miseducate readers with lasting impacts.



## Tax Paid by Mining Companies

First, the statements suggest incorrectly that political parties decide if tax should be paid based on negotiations with investors. However, constitutionally, legally, and administratively the Party has no role in negotiations with mining companies. Negotiations take place between the Republic of Botswana, represented by the Government. The Government administers affairs of state and is made up of three branches, namely the Executive which is formed by the party that wins national elections, the Legislature made up of members of parliament from different parties and the Judiciary headed by the Chief Justice. The three branches are independent but check and balance the powers vested in each other.

Each branch relies on and therefore deploys the State's human, financial and other resources (and none from political parties) to perform its duties. This includes tax administration for which the Botswana United Revenue Services (BURS) is responsible and was created and empowered through an Act of Parliament passed by all parties represented at the time.

<https://botswanalaws.com/consolidated-statutes/principle-legislation/botswana-unified-revenue-service>

**That is to say neither the @BDP nor the United Democratic Coalition (@UDC) are party to the arm of government responsible for tax matters.**

The genesis of taxation is several laws passed by parliament including one leading to the creation of (BURS as an independent agency). Without the laws and institutions there would be no legally binding taxation framework based on which the Government would strategize negotiations with mining companies to establish a threshold for BURS to administer. However, that framework exists and is among others based on legally stipulated types, systems, and levels for taxation. Using this, BURS enjoys powers to assess, impose and collect tax. At its own discretion BURS can and does periodically conduct audits of corporate financial reports to validated disclosure of income earned and tax paid. Again where deemed necessary, BURS can and does take legal action against taxpayers in the event of any failure to comply with the law or its decisions. This is conducted consistent with laws passed by parliament and the systems of the judiciary over which the Chief Justice presides. Neither @BDP nor @UDC has a say in the matter except in case of unlawful interference. Hence any suggestion that the tax levied, collected (or not collected) from De Beers is based on decisions by either political party is a falsification of facts and misinforms the public.

## Negotiating with Mining Companies

Based on Botswana's Mineral Policy approved by Parliament in 2022, the Government delegates responsibility to negotiate with mining companies to a team of the civil servants singled out in the same policy and known in the same policy as **The Mineral Policy Committee**, (MPC). The Committee recommends a way forward to Cabinet. Here too Parliament plays a crucial role in setting the legal parameters for the negotiations based on several laws including those on tax, the environment, mineral development and employee and community wellbeing. This ecosystem and not one act by either branch of Government is what safeguards the State's rights, protects public interests and those of investors. <https://dailynews.gov.bw/news-detail/66379>

Just as with other arms of the Government, to discharge their duties the civil servants who form and support the MPC too, deploy state human and financial resources. The team contracts advisors on tax, legal, mineral economics, project management, engineering designs, geological resources and more. Here too, neither @BDP nor @UDC has any role unless in cases in which due process is compromised. **A case in point was negotiations between the Government of Botswana and HB Antwerp in 2023.** In this case instead of the MPC negotiating with the shareholders of HB Antwerp, a private citizen working directly with the Office of the Presidency was handpicked to lead negotiations and advise the Presidency. The MPC and other institutions of the State were coopted after Heads of Agreement were concluded and the corner poles of the partnership agreed. <https://hbantwerp.com/landmark-facility-botswana-partnership-government-of-botswana/>

## Sales Agreement with De Beers and Taxation

In June 2024, the Botswana Government announced **Heads of Agreement** for the sale of Debswana's production to De Beers and Okavango Diamond Company (ODC) owned by the State. There was no mention of any change to tax to be paid by the former and its entities. Following a change of political leadership, the coalition government announced conclusion of detailed terms of the agreements. Here too there was no mention of any amendment to original agreements.

**Importantly the 2025 diamond sales arrangements made no reference to any change to Botswana's mineral tax laws** and retained the current royalty rate of 10% for gemstones relative to other minerals whose royalty tax ranges from 5% to 3%. Even if they had been any changes to the law, the matter would have been the responsibility of Parliament and neither @BDP nor @UDC).

[\*De Beers seals sales and mining contract with Botswana - MINING.COM\*](#)

## An Ill-Informed Public Erodes Good Governance

By mis-informing citizens on the workings of public institutions, national leaders, and those whose responsibility it is to speak truth to power fail the test of fiduciary responsibility. **Carried out over time public misinformation undermines the ability of citizens to exercise free will by creating an alternative narrative that has no bearing on reality.**

Such actions do not meet the threshold for good governance because they are devoid of transparency, accountability, and public participation. The irony of the misinformation is that just as good public education benefits everyone regardless of party affiliation, whenever those in power misinform the public, party loyalists too are victimized. **Under these conditions, only party elites and other special interest groups benefit from political party agenda.**

## EDUCATING THE PUBLIC

### Question and Answer (Q&A) Script – Public Accounts Committee

As can be seen in the image on the right, in June of 2025, Botswana’s Ministry of Finance issued a Q&A short script as part of a public information exercise aimed at explaining the role, functions, and rationale for having a Public Accounts Committee. Issued as public notices, the scripts were produced in Setswana and English. The notices were featured on printed and electronic media.



In addition, the authorities broadcasted questions posed by the Chairperson of the Committee to senior civil servants on perceived irregularities and as part of the committee’s oversight work. In a similar public information exercise, in the days leading up to the 2026 Budget Speech, the Minister of Finance and Vice President, Mr. Gaolathe, hosted a series of public meetings to provide context for what was to follow. Both gestures are a good example of how the public can be informed and governance served. [Botswana Public Accounts Committee | Live Hearings & Fiscal Oversight – YouTube](#)



### An Informed Public Augers Well for Good Governance

Factual and objective public policy narrative with no partisan undertones progressively enlighten citizens. An enlightened citizenry is more likely to be engaged in public policy discourse and hold those impower in the three branches of Government accountable.

As such, from a governance perspective, **public information initiatives go to the core principles of transparency, accountability, and public participation.** Firstly, by informing citizens on the workings of public institutions, national leaders achieve democratic ideals and they enhance the ability of citizens to add their voice to public policy and the running of affairs of state. Secondly, they empower the public to hold them to a higher standard which is essentially a statement of confidence in themselves to live up to those ideals.

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