



REPUBLIC OF BOTSWANA

ORGANISATION 1300

ATTORNEY GENERAL'S CHAMBERS

**2026/2027 RECURRENT AND
DEVELOPMENT BUDGET PROPOSALS**

PRESENTED TO THE COMMITTEE OF SUPPLY

BY

**HONOURABLE MINISTER OF JUSTICE &
CORRECTIONAL SERVICES**

RAMAOTWANA NELSON RAMAOTWANA

MARCH 2026

A. INTRODUCTION

- 1.** I wish to present to this Honourable House, the 2026/2027 Budget Estimates for **"HEAD 1300 – ATTORNEY GENERAL'S CHAMBERS."**
- 2.** The Office of the Attorney General (AGC) exists to provide legal services to the Government. This constitutional mandate is executed through four (4) functional areas, the Civil Litigation Division (CLD), Legislative Drafting Division (LDD), International and Commercial Division (ICD) and Corporate Services Division (CSD).
- 3.** There is also the Office of the Director of Public Prosecutions (DPP) which was established constitutionally in 2005 through the Constitution Amendment Act of 2005 as independent of the Attorney General's Chambers in terms of the execution of its mandate. However, in terms of Section 51(A) of the constitution, the DPP remains subject to the administrative supervision of the Attorney General.

LEGISLATIVE DRAFTING DIVISION

4. **Mr. Chairman,** I am happy to report that twenty-five **(25)** Bills were passed by Parliament during the 2025 Meetings of Parliament. Thus, at the budget meeting, five (5) Bills were presented and passed as Acts of Parliament. During the Winter meeting, 14 Bills were presented and passed as Acts of Parliament. At the SONA meeting, seven (7) Bills were presented, and six (6) were passed as Acts of Parliament.
5. **Mr. Chairman,** it is important to note at this juncture that, in as much as there is significant output of legislation by the Legislative Drafting Division, as demonstrated above, the Division is constrained by the critical challenge relating to legislation not being drafted within a structured order of priority.
6. **Mr. Chairman,** there is currently no formalised Government Legislative Programme (GLP) to guide legislative development, resulting in the receipt of not well-thought out instructions, often on an urgency basis. The drafting of legislation therefore occurs haphazardly, without an entrenched system of prioritisation. This hinders development due to the lack of a supportive legal framework, impacts on quality, as well as having a knock-on effect on the turnaround times of other pieces of draft legislation required by other Ministries. We therefore urge that a formalised GLP be put in place, as a matter of priority.

- 7. Mr. Chairman,** with respect to updating the laws of Botswana, I am thrilled to announce that the tender has been awarded to Blackhall Publishing. In terms of this tender, the laws of Botswana will be updated to 31st December, 2025. In order to enhance access to laws, it is anticipated that the E-laws initiative will also be resuscitated within the year.
- 8. Mr. Chairman,** as reported in last year's presentation to this Honourable House, a Law Reform Unit was established within the Legislative Drafting Division of the Attorney General's Chambers in March 2020. The process of operationalising the Unit is ongoing, and technical assistance has been sought from the United Nations Development Programme and the British High Commission. Furthermore, the establishment of an independent Law Reform Agency which, in line with international best practice, initiates legal reform on a continuous basis and makes the recommendations to Government, is currently being considered.
- 9. Mr. Chairman,** law reform is an extremely important, technical endeavour, requiring a wide range of specialised skills, and the limited capacity of the Legislative Drafting Division, under the Attorney General's Chambers, to carry out the demands required of a proper and fully-functional law reform entity, would further stretch available resources.

INTERNATIONAL & COMMERCIAL DIVISION

10. Mr. Chairman, the International and Commercial Division continues to render legal services to Government Ministries and Departments in matters relating to commercial and international law. This entails the drafting of Commercial Agreements on the procurement of goods and services to ensure compliance with the procurement legislation, as well as undertaking negotiations and drafting Agreements relating to strategic projects commissioned by the Government in the various sectors. Additionally, the Division drafts and undertakes negotiations on Memoranda of Understanding (MoUs) as well as Agreements with other States, in various areas of cooperation and collaboration with the Republic of Botswana. I am therefore pleased to report that in this financial year, **165 Commercial Agreements** as well as **120 MoUs** and **Bilateral Agreements** were drafted by the Division.

11. Mr Chairman, the International and Commercial Division further provides legal advice to Ministries on the implementation by the Republic of Botswana, of its obligations under various Conventions and Protocols to which Botswana is a party. These include legal instruments under the auspices of the United Nations and its Agencies, African Union, SADC, SACU and other organisations. The Division also prepares the necessary instruments to convey the commitment by the Republic of Botswana to various Conventions, Protocols and

international Agreements, and supports Ministries in the preparation of country Reports to the respective monitoring bodies.

- 12.** The Division executes its mandate through the secondment of Legal Officers to all Ministries. The increased demand for legal services for projects; bilateral and multilateral collaboration Agreements; procurement; as well as project management and monitoring, warrants an increase in legal personnel to ensure legal compliance by Ministries and the Government as a whole.

CIVIL LITIGATION DIVISION (CLD)

- 13. Mr. Chairman,** the Civil Litigation Division is mandated to handle all civil cases instituted by or against the Government, its departments, and public officers sued in the course of their official duties. In certain instances, Chambers outsources some matters to private legal practitioners. This outsourcing arrangement necessitates additional budgetary provisions to enable Chambers to meet the associated legal fees.
- 14. Mr Chairman,** commensurate with the above mandate, the financial responsibility for court-awarded damages, interest and costs arising from litigation against the Government is borne centrally through a vote administered by the Attorney General's Chambers. This arrangement applies irrespective of which Ministry, Department or

Agency (MDA) was responsible for the decision or conduct giving rise to the liability.

- 15.** It is proposed that the Government establish a legal and administrative framework under which MDAs are required to reimburse the Government for Court-awarded damages and interest, court-awarded costs, and settlements arising from litigation attributable to their administrative conduct. The framework may include clear attribution criteria linking liability to responsible MDAs and mechanisms for phased reimbursement where necessary.
- 16. Mr Chairman,** reviewing the Conditions of Service for officers continues to be a priority. Officers have raised concerns about their remuneration, allowances and the appropriate grading of entry level positions. We continue to engage with the Directorate of Public Service Management (DPSM) in this regard and we are hopeful that a speedy resolution will be realised.
- 17.** With respect to litigation, the creation of specialised or dedicated teams/desk officers within the Division to support MDAs with high volumes of litigation matters or dealing in specialised areas is proposed. Such areas include construction and arbitration. While these teams will be created under the current staff complement it is anticipated that there will be a need to increase the complement and engagements with the DPSM are at an advanced stage regarding this through the creation of additional posts.

DIRECTORATE OF PUBLIC PROSECUTIONS (DPP)

- 18. Mr Chairman,** the Directorate of Public Prosecutions remains structurally and administratively linked to the Attorney General's Chambers. While the constitutional framework provides for prosecutorial independence in the exercise of prosecutorial discretion, the current institutional arrangement limits the Director of Public Prosecutions' administrative authority over key operational matters, including human resource management, discipline, transfers, promotions, budgeting inputs and internal governance systems.
- 19.** It is proposed that Government initiate measures toward structural separation and administrative autonomy of the DPP. This may include establishing the DPP as a distinct administratively self-governing entity within Government and also vesting authority for human resource management, discipline, transfers and performance oversight within the Office of the Director of Public Prosecutions.
- 20. Mr. Chairman,** the Office of DPP aims to prosecute all criminal cases as per the powers conferred upon it by the Constitution, including those that are currently prosecuted by the Botswana Police Service. However, this ambition has been greatly impacted by an acute shortage of resources for the takeover project, which is aimed at relieving the Botswana Police Service of the delegated prosecutorial powers previously bestowed upon it.

21. Mr. Chairman, there is an increase in the completion of dockets/registration of Cases at Court. During the period commencing 1st October 2025 to date, the DPP has received 965 dockets. A total of 521 dockets (53.9%) have been completed. Notably, there has been an increase in the registration of corruption cases and cases of national interest.

22. Mr. Chairman, prosecutors are increasingly exposed to security risks in the execution of their duties, particularly in matters involving serious offences, organised crime, corruption and other high-risk prosecutions. Risks may arise within court environments, during travel to and from proceedings, and, in certain cases, at private residences. It is proposed that the Government adopt a structured security enhancement framework for prosecutors, including, conducting formal security risk assessments for prosecutorial roles and specific high-risk matters and procuring and deploying manned security personnel in identified high-risk environments where necessary.

23. Mr. Chairman, the realisation of the mandate of the AGC and DPP is dependent upon a conducive working environment for the workforce. Similar concerns raised above in respect of CLD officers have been raised at the DPP too. Indeed, conditions across Chambers need to be enhanced to attract, incentivise and retain experienced lawyers. Efforts are underway to address these challenges and achieve parity in remuneration across the public service, including responsibility allowance and commuted overtime allowance.

DEEDS REGISTRY & LANDS DIVISION (REPORTING STRUCTURE)

- 24. Mr. Chairman,** kindly be informed that the Deeds Registry and Lands Divisions are structurally placed under the Attorney General's Chambers, which caters for their salaries and allowances under the recurrent budget. The Registrar and Assistant Registrars of Deeds are employees of Chambers who are seconded to the Department of Deeds Registry at the Ministry of Lands and Agriculture (MLA). In addition, in terms of performance reporting, they report to the MLA.

- 25.** This arrangement is complex and, at times, results in the needs of the Deeds Registry not being adequately addressed or properly budgeted for. In this regard, I propose that consideration be given to restructuring this arrangement so that the two divisions are fully placed under one Ministry for improved coordination and efficient administration. Alternatively, for the Registry to be set up as an independent or extra ministerial department.

REFURBISHMENT OF AGC HEADQUARTERS BUILDING AND CONSTRUCTION OF ATTORNEY GENERAL'S CHAMBERS OFFICE AND RESIDENTIAL HOUSES IN MAUN

- 26.** On the infrastructure front, Chambers continues to suffer from the poor state of facilities at its headquarters in Gaborone. The current state of the building is a concern both operationally and safety wise and requires urgent attention. Chambers has requested funds under NDP 12 for the refurbishment of the building. This includes the Fire Detection System, Fire Suppression System, Access Control and CCTV systems, Standby Generators and Transformers, Building Works and Office Lifts.
- 27.** Due to the magnitude and complexity of the project, the Ministry of Transport and Infrastructure (MTI) has been requested to assist in implementation and the request has been acceded to. The project has prioritised the refurbishment of the lifts system through the replacement or modernisation of at least four (4) lifts. To that end funds have been set aside for that aspect as the first phase of the project in the 2026/2027 financial year. In the short to medium term purchase orders have been issued to revive two (2) lifts in the building to ease pressure on the current three (3) operational lifts.
- 28.** Regionally, Chambers' efforts to address the acute shortage of suitable office and residential accommodation have been hampered by challenges arising from project implementation delays. As previously

reported, the Attorney General's Chambers' office block and residential houses in Maun were nearing completion in 2024. However, due to contractual disputes impacting project timelines and delays in appointing a sub-contractor for the remaining mechanical works, the project remains uncompleted. These works included testing and commissioning of domestic water tanks, heating, ventilation and air conditioning and some plumbing works. Project implementation is currently at 97% completion.

- 29.** The Ministry of Transport and Infrastructure recently embarked on a procurement process to identify and appoint a mechanical sub-contractor to complete the remaining works. I am pleased to advise that in the last week of February 2026 a sub-contractor was approved for completion of the works at a total contract sum of Six Million Three Hundred and Thirty-Four Thousand Two Hundred and Thirty-Nine Pula Eighty-Six Thebe (P6,334,239.86). Chambers has engaged formally with MTI to advise on the timelines for commencement and completion of these works and awaits a formal response.

- 30.** It is proposed that expedited completion of outstanding infrastructure projects should be done through coordinated inter-ministerial interventions and the establishment of a high-level task team comprising representatives from the Attorney General's Chambers and the MTI to review contractual arrangements and progress.

BUDGET UTILISATION FOR 2025/2026 FINANCIAL YEAR

RECURRENT BUDGET

31. Mr. Chairman, for the financial year 2025/2026 the Attorney General's Chambers was allocated a recurrent budget amount of Three Hundred and Ninety-Seven Million, Five Hundred and Eighty-Four Thousand Four Hundred and Forty Pula (P397 584 440,00). Expenditure to date stands at Two Hundred and Ninety-Eight Million, Seven Hundred and Ninety-Seven Thousand, One Hundred and Forty-Six Pula, Thirteen Thebe (P298 797 146,18) or 75.15% of the approved budget. The expenditure is below the target for the quarter due to the standing GPO moratorium.

DEVELOPMENT BUDGET

32. Mr. Chairman, for the financial year 2025/2026, the Attorney General's Chambers was allocated a development budget amounting to **Ten Million, Two Hundred Thousand Pula (P10,200,000)** which has been revised to P8,977,662. The budget was approved for ongoing projects being the Refurbishment of the Attorney General's Chambers HQ Facilities, and the completion of the Construction of the Maun AGC Office Block and Staff Housing. Expenditure as at end of February 2026 stands at **P3,638,256** or 41% of the revised budget. The under expenditure is due to delays in appointing a subcontractor for the remaining mechanical works in the Maun project as well as

delays in completing the AGC refurbishment project. The Refurbishment of Attorney General's Chambers Facilities is at 96% progress, with completion estimated in April 2026. As reported, the progress for construction of office facilities in Maun is at 97% completion and the expectation is that the project will be completed during the 2026/2027 Financial Year.

BUDGET PROPOSALS FOR 2026/27 FINANCIAL YEAR

RECURRENT BUDGET

- 33. Mr. Chairman,** I request for approval of **Three Hundred and Ninety-Nine Million, Three Hundred and Sixty-One Thousand Pula (P399,361,000)** under the Recurrent Budget. This represents an increase of One Million, Seven Hundred and Seventy-Six Thousand, Five Hundred and Sixty Pula (**P1,776 560**) or a small percentage (0.45%) over the 2025/2026 budget amount of **Three Hundred and Ninety-Seven Million, Five Hundred and Eighty-Four Thousand, Four Hundred and Forty Pula (P397,584,440)**.
- 34. Mr. Chairman,** allow me to outline the major items that comprise this budget proposal. I request Two Hundred and Sixty-One Million, Eight Hundred and Fifty-Two Thousand, Eight Hundred and Eighty Pula (**P 261 852 880,00**) for salaries and allowances. The salaries and allowances constitute 65,57% of the budget, followed by major operational items/expenses being Legal Costs at Forty-One Million Pula

(P41 000 000,00) or 10,27%, Service Charges at Twenty-Two Million (P22 000 000,00) or 5,51% and Travel Costs at Ten Million Pula (P10 000 000,00) or 2,50%.

The remaining balance of Sixty-Four Million, Five Hundred and Eight Thousand, One Hundred and Twenty Pula (P64 508 120,00) or 16,15% of the budget proposal is required for other supporting services for AGCs operational activities.

35. Mr. Chairman, the slight increment goes to Salaries, Allowances, and Gratuities for Contract Officers. Although there is an adjustment for personal emoluments, it is important to highlight that the current economic status has enforced a significant reduction for Legal Costs by Sixteen Million, Three Hundred and Seventy-Four Thousand, Nine Hundred and Sixty Pula (P16 374 960) or 28.54%. This is despite an increase in the number of criminal cases emanating from emerging legal concepts/areas in which the AGC/DPP is under-resourced or lacks expertise hence the need to outsource to external senior or specialised legal counsel whose charges are on a higher legal fees scale. Therefore, the reduction of the budget allocation from Fifty-Seven Million, Three Hundred and Seventy-Four Thousand, Nine Hundred and Sixty Pula (P57,374,960) to Forty-One Million Pula (P41 000 000,00) may have a significant impact on court proceedings.

36. Mr. Chairman, we are still experiencing financial challenges regarding Subsistence Costs due to extensive travel for prosecutors serving in areas which do not have DPP offices but provide prosecutorial services to citizens. The allocated budget represents an increase of One Million, Two Hundred and Twenty Pula P1 200 020.00 or 13.64% from P8 799 980,00 to P10,000,000. The funds are usually depleted as early as the second quarter of the financial year, therefore the increment is intended to minimise transfers from various votes.

In the current year, an effort was made to comply with the travel moratorium, however a waiver was requested to exceed the 50% threshold to minimise postponement of cases. However, in consideration of the economic outlook, AGCs will evaluate possible cost saving measures for 2026/2027 financial year.

DEVELOPMENT BUDGET

37. Mr. Chairman, I request an amount of **Twenty-Seven Million, Seven Hundred Thousand Pula (P27,700,000)** under the Development Budget. The budget will be used for further Refurbishment of AGC Facilities, that is following refurbishment of other areas in the building after completion of the Heating, Ventilation & Air Conditioning (HVAC) and the associated Building Management System. The budget will also be used for the completion of the office and residential facilities in Maun.

B. CONCLUSION

38. Chairman, this concludes my budget proposal. I therefore move that the sum of **Three Hundred and Ninety-Nine Million, Three Hundred and Sixty-One Thousand Pula (P399,361,000)** under Recurrent Budget for Organisation 1300; be approved and stand part of the Schedule of the Appropriation (2026/2027) Bill, 2026 (Bill No.1 of 2026), and that the sum of **Twenty-Seven Million, Seven Hundred Thousand Pula (P27,700,000)** under the Development Budget for Organisation 1300 be approved and stand part of the Estimates for the 2026/2027 financial year.

39. I move accordingly.

I thank you, **Mr. Chairman.**