

### **3.2.2 Botswana**

*(From M. Mpotokwane and K. Keatimilwe: In SAIEA 2003)*

#### **a) Legal Framework**

Botswana does not have EIA legislation or any constitutional clauses for the protection of the environment, but EIA legislation is being developed and should be considered by Parliament during 2003. This legislation is expected to strengthen the effect of EIA in decision-making by providing for the assessment of policies, programmes and projects before their approval. The legislation will include a list of mandatory projects to be screened, and a definition of ecologically sensitive areas, scoping, assessing impacts and alternatives, and monitoring for compliance with prescribed mitigation measures. The legislation will also include the right of appeal. Under the proposed legislation Category A projects will require a full EIA, Category B projects will require a partial EIA, and the projects falling in Category C will not require any EIA.”

Current environmental legislation is found within a wide range of sectoral Acts which recommends that EIAs should be undertaken, however this is just a recommendation it is not mandatory. The current environmental law does not make stipulations for interested parties to ask for rectification in cases of any environmental damage except if they are directly affected.

#### **b) Citizen engagement**

Citizens are commonly engaged in development issues through public meetings conducted within some communities in the project vicinity. The rationale for these meetings is to get hold of the public’s position on significant issues. Most of these consultative meetings do not have record keeping mechanisms about the populace consulted and the issues tackled, thus it is difficult to determine how effective public participation has been.