



BUSINESSBOTSWANA

Head Office: Luthuli Road | P.O. Box 432 Gaborone | Tel: 3953459 | Fax: 3973142 | email: publicrelations@bb.org.bw

North Region: Haskins Building | Private Bag F/85 Francistown | Phone: 2414622 | Fax: 2414494 | email: bbfrancistown@bb.org.bw

PROPOSAL

ECONOMIC RECOVERY: EASING LOCKDOWN WHILE MANAGING COVID-19 PANDEMIC

1.0 INTRODUCTION:

Business Botswana (BB) acknowledges the impact COVID-19 had on the economy globally. We acknowledge that sectors (*including the informal*) that contribute significantly to the country's GDP have been hit hard and are working aggressively to support them and ensure their survival. Business Botswana as a private sector organisation, propose a robust Economy Recovery Strategy in liaison with government, to ensure that the economy of Botswana recovers post COVID-19 pandemic.

2.0 PROPOSED MITIGATIONS:

In an effort to exist the lockdown, Business Botswana proposes the following:

- a) **Intensify testing:** The private sector appreciates the current challenge or shortage of testing kits, this notwithstanding, we recommend community testing to be conducted alongside trace testing to enable an informed response to the pandemic. With the winter season approaching, it is critical to identify as many affected persons as possible to ensure measures are taken to reduce transmissions of the virus. Should a specific area be found to be a hot spot during testing that specific area to be put under lock-down.
- b) **Enforce stringent social distancing measures:** Government to continue enforcing all current guidelines on social distancing, and to implore all people to wear face masks in public at all times until such time as the public health experts' advice otherwise.
- c) **Ensure excellent hygiene:** Owners of properties with public toilets to be maintain excellent hygiene practices and ensure there is soap at all times.
- d) **Public transport ban to be lifted:** To continue imposing strict sanitization measures and ensure at least 65% passenger per vehicle.
- e) **Border closure:** Continue with the closing of non-commercial borders for at least 6 months, and to continue allowing only essential goods transporters to cross the border.
- f) **Migration:** Inter city or town migration should remain restricted except for essential services and goods.

- g) **Opening of non-essential services businesses in phases:** To open support services to the essential services sector under current restrictions on number of people and social distancing guidelines, as well as health guidelines of sanitising people upon entrance to their premises. These include restaurants, shops including those selling clothes, bottle stores and salons, and these to start opening on restricted hours/times. Bars should continue closed and churches. For businesses that can function from home, to continue working from home for a further 30 days or until as advised by Ministry of Health and Wellness.
- h) **Government to enforce local procurement:** E.g Government to encourage parastatals, councils, CTO and other government entities to fill up at service stations as much as possible to try and assist with the volume throughput for local businesses.
- i) **Opening of schools to be phased:** schools to be open a few hours a day for classroom learning only, and these to comply with current social distancing guidelines; no sports activities, assemblies. Mandatory daily screening of pupils and teachers on arrival at school to be out in place. *(detailed plan attached)*
- j) **Establishment of Economy Recovery and stimulus package subcommittee:** The subcommittee to report to the COVID-19 presidential task team, and representation to include all relevant stakeholders, including Business Botswana, economic experts, creative arts, informal sector, World Bank, churches, etc. The subcommittee will be expected to draw a detailed recovery and long term recovery plan and robust stimulus packages.

Business Botswana reiterate its support to government's efforts in opening the economy as well as accelerating a recovery strategy post COVID-19 era.

3.0 SECTOR BASED PROPOSALS

Sectors have submitted detailed proposals on how the sectors have been affected and what mitigations should be put in place in re-opening the economy as per the following sectors. Three (3) are covered in the proposal as follows:

3.1 CONSTRUCTION

3.1.1 OVERVIEW

The Botswana Construction Sector like many other economic sectors has been heavily affected by the COVID-19 pandemic that besieged the global village effectively in February 2020. The Botswana Construction Sector is comprised of the following industry participants;

- Architects
- Engineers
- Surveyors (quantity and land surveyors)
- Interior designers
- Town & Urban Planners
- Contractors (building, electrical, mechanical, civil and shop fitters)

The Construction Industry is one of the largest employers in the Country, which employs professionals, skilled, semi-skilled and non-skilled personnel. The industry continues to play a pivotal role in the country's goal of achieving its infrastructural developmental agenda since independence. Moreover, the Construction Industry is a significant contributor to the country's Gross Domestic Product (GDP). Most of the employment created in the construction industry is primarily in the private sector with the majority being in construction companies.

When the President of the Republic of Botswana, Dr Mokgweetsi Eric Keabetswe Masisi decided to heed to the WHO Health and Safety Guidelines to curb the spread of the COVID-19 pandemic, one of the immediate measures was to impose a Lock down from the 02nd April 2020 from midnight. Subsequent to that, he enacted the State of Emergency (SOE) for a period not exceeding 6 months to fight the COVID-19 pandemic. These decisions affected the Construction Industry immensely as consultants and contractors had to cease working in their normal environments and construction sites closed from physical operations. Some consultants had the leverage of relocating some of their operations to their homesteads. Even though this is not an easy undertaking for staff members, some were somewhat unprepared for such drastic changes. There is little evidence to suggest that industry was prepared for such drastic changes to the operations and working conditions.

The COVID-19 pandemic has dealt a blow to the industry with the following observations;

- Construction sites have ceased operations
- Staff has been relegated to stay at home
- Building materials procurement has been stopped
- Suspension of projects that were either about to go to site or were already on site
- Suspension of allocation/award of new work
- Suspension of adjudication of tenders/contracts
- Slow to no payment to consultants and contractors for works done to date

3.1.2 BUSINESS RESUSCITATION

Even though there were some interventions undertaken by the Government to relieve entities and businesses affected by the COVID-19 scourge, the Construction Industry has not been spared of the unintended consequences of the lockdown. The interventions undertaken, although appreciated, are not enough to sustain some businesses should the lockdown and the ramifications of the State of Emergency (SOE) be prolonged with no immediate economic activity. While we appreciate the Government's interventions in fighting the pandemic, we are pleased that in Botswana we do not have the alarming numbers of infected cases seen in other countries. We do hope that the numbers stay that way until life in all generalities get back to the 'new' normal.

That being said, the longer there is no-activity in the Construction Industry, the more likely we are to experience some of the following:

- Delayed delivery of projects
- Delayed commencement of contracts and new works
- Employee layoffs and retrenchments
- Dwindled revenues by non-activity
- Growing corporate debts
- No prospects for job creation (graduates professional and artisans)
- No prospects for growth and expansion
- Company liquidations and bankruptcy

3.1.3 PRIORITIZATION OF RESUSCITATIONS

It is in the best interest of the country that the economy must bounce back and function. Priority should be to activate the economy to get back to the era prior to the COVID-19 or better. All the strategies of opening up the economy will be welcomed, but due diligence would have to be taken into consideration sector by sector. In the Construction Industry, we are cognizant of the fact that it might not be business as usual and some projects which were duly to commence might be shelved based on priority levels. Bearing in mind that

transmission of the COVID-19 is through droplets on surfaces, air-borne (still to be ascertained), human-to-human transmission through large gatherings, we acknowledge that construction sites in their current nature might pose an occupational health and safety challenge.

Notwithstanding the above, our suggestion for business resuscitation in the Construction Industry is as listed below;

- For every contractor and consultant to have a solid and comprehensive Occupational Health & Safety Policy
- Prioritize on projects that will be geared towards essential services in the fight against the COVID-19 pandemic i.e.
 - Refurbishment of clinics, hospitals, schools, police stations etc.
- Projects that are geared towards de-congestions in schools to promote social distancing
- Undertake maintenance of public facilities using minimal tradesmen for compliance with Health & Safety measures (minor works for contractors)
- Utilization of the Presidential Directive on Direct Allocation System (DAS) through the Projects Allocation Committee (PAC) to award priority projects in the health & education projects for consultants
- Payment of all outstanding invoices raised by consultants and contractors as matter of urgency
- All construction projects to employ an Occupation Health, Safety & Environment (OHSE) Officer known commonly as SHE on their sites as a matter of urgency
- All personnel working on construction sites MUST be given PPE and they must comply at all times
- Periodic inspection of construction sites by the Occupational Health, Safety & Environment (OHSE) specialists and report be availed to the user ministries (for government projects) or Ministry of Health for all other projects
- All Project Managers to avail the Health & Safety Report on their monthly site progress reports
- Payments of services to contractors and consultants to be expedited at every stage of invoice submission (14 days maximum)
- Consultants and Contractors offices to comply to COVID-19 Safety and Health regulations and protocols
- Re-alignment of the National Budget 2020/21 to address the priority needs for the COVID -19 pandemic
- Completion of projects that have been started prior to COVID-19 pandemic
- Projects coordination to be undertaken through digital means available (virtual meetings, emails, video conferencing, etc.)
- Procurement of materials to be undertaken for priority projects and completion of the ones ongoing
- An emergency procurement process/method that is to be adopted to be understood by all parties to be engaged
- Consultants and Contractors to avail names and contacts details of key personnel for correspondences during contracts administration during the State of Emergency (SOE) period
- Only one person will be designated by the contractors/consultants for the application of any special permits.
 - No workers will be allowed to apply for permits individually
 - All workers shall carry with them identification cards/passports at all the times
 - Workers will notify the Permits coordinator designated by the company for permit that are to expire 72 hours before expiry date

3.1.4 STRATEGIES FOR RESUSCITATION

The construction industry sector operates in a systematic value chain that involves design professionals, contractors, merchants/suppliers (materials), clients, etc. Even though contractors and suppliers come at the end of the collaborative or supply chain in a project set-up, they can never be ignored as they are the ones undertaking the physical works on sites to execute the works designed by professionals. In order to get the construction industry sector resuscitated in the short and long term, we have devised strategies that will be best to activate the operations. These strategies will be categorized according to the industry disciplines (design consultants and contractors).

3.1.4.1 Design Consultants

Even though the operations of consultants have been obstructed, all is not lost for them to continue their operations. Consultants could continue to be awarded new projects that could be prioritized in the short term as explained herein before. The continuance of operations for the consultants will be undertaken as suggested below;

- Working within the social distancing framework, including working in shifts and some employees working from home
- Consultants will be encouraged to have staff connected to home internet
- Hold virtual meetings and coordination with the design teams and clients using digital platforms
- Share technical information digitally (email, WhatsApp, etc) for ease of progress
- Sign off design stages and send them to user clients and send reports digitally
- Coordinated site supervisions/inspections adhering to Health & Safety guidelines
- Preparation of invoices for payment and send them electronically
- Limited attendance to construction sites for purposes of quality control and works progress valuations

3.1.4.2 Contractors

Though it should be noted that contractors employ multitudes of workers in the execution of their mandates, the era that we have entered now is not the usual one and calls for change in working approach. In recognition of such, we have some suggestions for sites to also resume works. Contractors will be heavily impacted as the suggested methodologies or operations on resuming will be tedious and time consuming. Our proposal is that no existing work that had not been recommended for termination prior to the lockdown and SOE will be terminated, new work might be affected if there is any likelihood of a prioritization of projects geared towards COVID-19.

However, we suggest the following as ways in which contractors could resume operations;

- Contractor avail the progress of their works on sites according to scope and trades involved
- Schedule work on sites on a rotational basis as per trades involved i.e.
 - Bricklaying, plumbing, carpentry, electrical installation to be done staggered not at the same time.
- Use minimal personnel in undertaking these works
- Revise the existing construction programme together with the Project Manager
- Employ a SHE officers on all sites and avail PPE to all personnel involved in projects
- SHE office to avail the HSE report to the Project Manager at all progress meetings

- Contractors to avail the number of staff required for works to be undertaken on sites for permit application and be availed to the Clerk of Works or Resident Staff
- Handling of materials on sites to be coordinated and all HSE measures be applied
- Contractor to sanitize all equipment/tools and materials to be used on sites

3.1.5 HEALTH & SAFETY

The COVID-19 pandemic as a health scourge has opened great debates on how prepared are we in these circumstances. The pandemic has exposed the world over that we can never be fully be prepared for such viral diseases that spread very fast. The best way to prevent the spread of such is to exercise some precautionary measures that will save lives. That been said, the construction industry as an industry should also come to the party to prepare for health & safety measures availed in the case of such pandemics.

Even though there are health & safety measures that have always been available, compliances to such in the construction industry have not been very stringent. It has now become prudent that we can never allow laxity in non-compliances to health & safety measures an all construction sites and offices in the construction industry.

Our proposal going forth during the COVID-19 pandemic and beyond as follows;

- Construction sector to have delegates that will work with Occupational Health, Safety & Environment (OHSE) task team to craft the policies that are contextualized with the industry
- All contractors and consultants shall have a sound Health & Safety Policy document in their offices and sites
- All contractors shall employ Safety, Health & Environment (SHE) officers in all their sites during construction phase as matter of urgency and compliances
- A Health & Safety (HSE) Policy Document shall form part of all future tender's/bidding processes
 - The report shall form part of the compliance documents
 - All adjudications of tenders/bids shall take considerations to the availed HSE Policy documents
- Personal Protective Equipment (PPE) shall be availed on all staff on construction sites
- All personnel shall comply with the health & safety measures, failure to which punitive measures will be applied
- House-keeping to comply with health & safety measures must be exercised occasionally
- All construction sites shall be inspected by OHSE specialists periodically. Projects Managers/Construction Managers or Clerk of Works shall take action or suspend works for non-compliances
- Comprehensive Health & Safety must be produced by the contractors and checked by the Clerk of Works or Resident Staff and be availed to the Project Manager/Construction Manager without fail

3.1.6 PROCUREMENT OF WORKS AND SERVICES

The COVID-19 era has created the 'new' normal in the Construction Industry which we will need to adhere to. It has become evident that some construction related works are being undertaken in the spate to curb the COVID-19 pandemic by different procuring entities. It is noted that procurement under the State of

Emergency will not follow the usual traditional methods we were used to. Already the PPADB had given the Ministry of Basic Education (MOBE) a blanket approval for their procurement of services from the contractors to comply with Health & Safety guidelines to fight the pandemic. Though a sector at Business Botswana we were not availed with the methodology how this procurement will be done, it poses a risk for abuse, preferential treatment and covert corrupt practice.

In order to curb this risk, we suggest the following measures to be applied on procurement of works and services;

- All Procuring entities utilize the Presidential Directive on Direct Allocation System (DAS) through the Projects Allocation Committee (PAC) housed at the Ministry of Infrastructure & Housing Development for all emergent services of consultants for works of value within the stipulated P150 million or any revision thereafter
- Projects be unbundled to fairly and equitably distribute them amongst consultants and contractors
- Minor works be categorically reserved wholly for citizen-owned companies in the category OC – C to the value not exceeding P30m
- All citizens owned contractors in the categories D & E be encouraged to form joint ventures for projects P30m and above to build capacity
- Services of Project Managers be encouraged to supervise some of the works procured on an emergent basis
- Payment for works and services done be approved and paid expeditiously
- No contractor/consultant to benefit more than once in emergency procurements when others are still on the list awaiting works allocation
- All direct appointments be publicized and made transparent to Business Botswana Construction sector
- All consultants and contractors shall be registered with BURS

3.1.7 CONCLUSION

Even though we are yet to appreciate the full effect of COVID-19 pandemic and its ramifications to the economy, it presents a very perilous environment that is presently challenging to the business community at large including the beneficiaries and livelihoods of the full spectrum of the population. It is the responsibility of Botswana and the residents who live in Botswana alike to join the Government in fighting the pandemic. Countries around the world will have to develop strategies to open up economies and trade. Botswana is no exception and as such, we need to prioritize sectors that will need to stimulate the economy in the short leading to long-term. The Construction Industry, which employs thousands of people, cannot sit idle for a long time. The Construction Sector is pivotal for the works and services to be done as part of Government's effort to fight the pandemic. It has also become evident that we need to have a sound Occupational Health, Safety & Environment (OHSE) Policy/Law that has worked well for the mining industry.

If Government decides on a phased re-opening of the economy, it is our recommendation that the Construction Industry be amongst the first industries to be re-opened, with a robust Occupational Health, Safety & Environment Strategy and complementary degree of professionalism. One of the long-term initiatives for the construction sector is the Transformation Agenda that will need to be drawn towards Citizen Economic Empowerment (CEE) which Government wants to sign into law this year.

The impact of the contribution of the Construction Industry in reviving the economy through creation of jobs, directly and indirectly, cannot be overemphasised. There is a ripple effect of employment creation in all sectors of the economy which is created by a busy Botswana Construction Industry which no other industry can create.

It is our desire that this proposal will help guide the reactivation of the Construction Industry as we re-build this economy.

MEDIA

3.2 REOPENING THE BOTSWANA CREATIVE, ARTS & MEDIA SECTOR AND ACHIEVING JOBS AND GROWTH AFTER LOCKDOWN & COVID-19: A 12-POINT PLAN

3.2.1 OVERVIEW

Our economy is under extreme pressure due to the COVID-19 lockdown from 2 April to 30 April. Other than essential services all key industries have been ground to a halt with devastating consequences not just for the poor, marginalised communities, informal traders but also the media, creatives and artists.

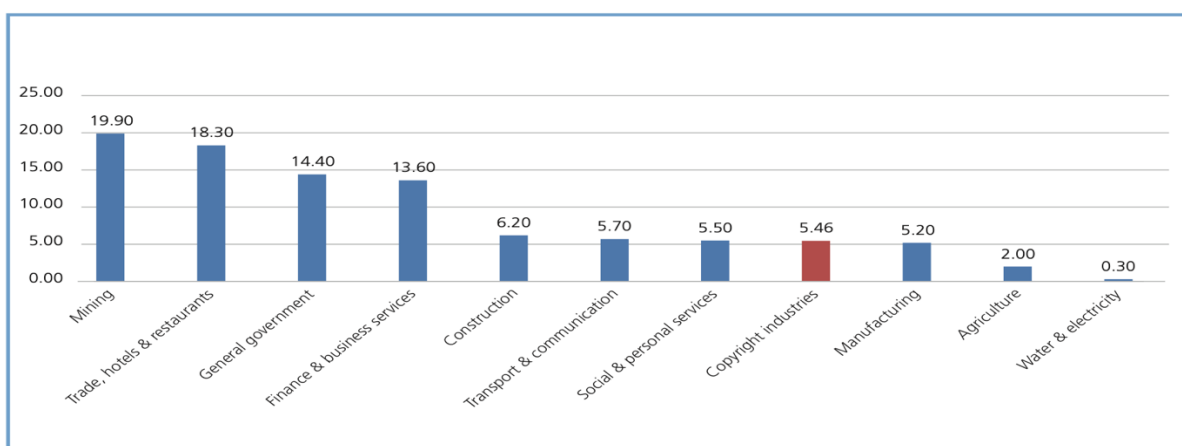
The Creative, Arts and Media Sector started feeling effects of COVID-19 long before the first reported case in Botswana. The sector is almost as hard hit as tourism / hospitality and air travel.

The Creative, Arts and Media Sector commends the government efforts to combat COVID-19. We are fully cognizant and appreciative of the sacrifice and contribution of Botswana in the frontline of the fight. This including our colleagues and members in the media and communication industries performing important essential service work and keeping Botswana informed and entertained during lockdown.

3.2.2 IMPACT OF COVID-19 ON THE CREATIVE, ARTS AND MEDIA SECTOR

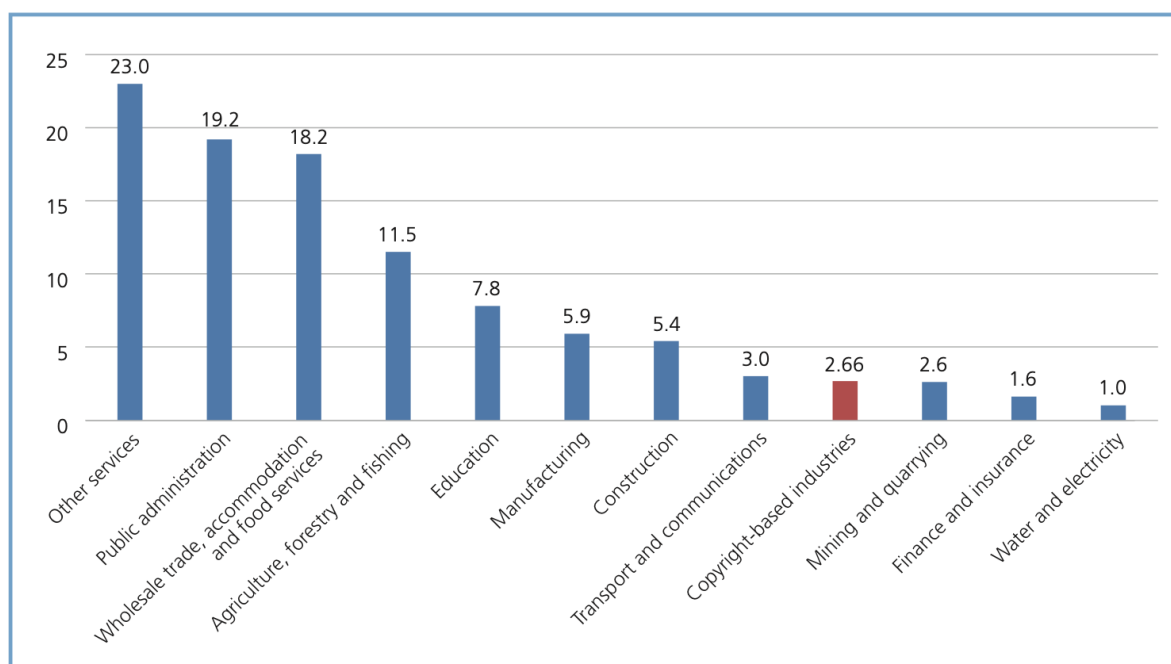
The Creative, Arts and Media sector is the 8th highest contributor to GDP directly and indirectly and is responsible for 2.66% of employment. COVID-19 is a wakeup call for us to urgently pursue the structural reforms and growth we have long been talking about and motivating for.

3.2.2.1 Sector contribution to GDP



Source: *The Economic Contribution of Copyright Industries in Botswana 2019, CIPA / MITI*

3.2.2.2 Sector contribution to employment



Source: *The Economic Contribution of Copyright Industries in Botswana 2019, CIPA / MITI*

3.2.3 BACKGROUND: THE FAILURE OF POLICY AND POLICY IMPLEMENTATION

Some of the missteps of the past are costing us dearly now. Here are a few examples:

3.2.3.1 Digital Terrestrial Television (DTT) Migration & Analogue Switch Off (ASO):

The process of Digital Terrestrial Television migration and Analogue Switch Off was due to have been finalised in December 2016. This process needs to conclude.

By now all the households with access to BTV in Botswana should have a set top box with capability of at least 6 TV channels. As we battle with the disruption COVID-19 had brought to our education system, had DTT been fully operational by now as originally planned it would to some degree have aided us in communicating about the pandemic more broadly and widely. Furthermore, in lockdown and the state of emergency which we are now in one or more channels could have been fully dedicated to education. This could have helped to salvage the parts of the academic year lost to the early closure of schools and continued closure post lockdown. This would have been of great helpful particularly for the vulnerable with limited internet access and constrained ability to remote learn.

We are encouraged that the Japanese Government recently in April 2020 announced a grant of P17million towards the purchase of set top boxes (STBS). This will possibly avail 15000 – 20000 additional set top boxes to Batswana. However, with 10-20000 STBS currently available against an ASO target of 325,000 STBs this is a drop in the ocean.

We believe very strongly that as part of the stimulus and recovery plan for Botswana post COVID-19, government should consider putting in place various measures such as grants, subsidies, etcetera to ensure that every household unable to afford a set top box receives one as a matter of

urgency.

This will allow the conclusion of DTT migration & Analogue Switch Off. In turn the conclusion of these processes will also allow the opening up of spectrum which will in the long term make internet service provision more affordable and efficient.

3.2.3.2 Failure to embrace other languages and allow for community broadcasting:

With COVID-19 we have seen the public broadcasters (BTV, RB1 & RB2) embrace languages other than English and Setswana in their mainstream broadcasts and news programming. In line with this it is time for government to embrace community broadcasting. This will ensure the timeous dissemination of information, education and communication not just around the COVID-19 pandemic to citizens whose first languages are neither Setswana nor English.

Proposals to allow tertiary institutions to start radio stations will not have the desired effect. Tertiary institutions simply will not be as powerful as allowing the creation of local stations in the various towns and communities in Botswana many of which do not host significant tertiary institutions.

3.2.3.3 The non-collection of Taxation for digital services:

By now Botswana should be collecting at a minimum Valued Added Tax (VAT) from the digital services consumed in Botswana but purchased, online or from abroad. COVID-19 has brought an explosion in the use of collaboration and cloud-based services such as Microsoft Teams, Zoom, Cisco Webex and others.

Tax revenue collection will no doubt diminish during the COVID-19 pandemic whereas government emergency expenditure has increased, and the deficit is ballooning. With increasing digitalization Botswana cannot afford to continue tax revenue leakage to some of the richest companies in the world such as Facebook, Apple, Google and Amazon.

This is perplexing giving the challenges the public purse will be faced with going forward.

3.2.3.4 The lack of diversity in the Cluster Development Initiative and failure to include the Creative, Arts and Media Sector as a cluster:

The National Strategy Office posits that *“Cluster development is about focusing scarce implementation capacity on fields with critical mass and higher potential of success.”*

The initial clusters in Botswana were: diamonds/mining, beef, tourism and Financial Services (Finance & Knowledge Intensive Business Services). In 2019 a Small Stock cluster (Goats & Sheep) etcetera was introduced into Botswana’s cluster mix to bring it to 6 clusters.

Four of Botswana’s clusters have proven vulnerable to demand and supply side shocks and are export dependent. The other two beef and small stock are vulnerable to drought, extreme weather and animal disease. The difference between beef and small stock as a cluster is purely academic. The success or failure of the current clusters is largely based on their ability to export their produce to the world.

The Cluster Development Initiative (CDI) in its present form ignores the Creative, Arts and Media sector. It neglects to recognise its high potential and the fact that you can build up a robust new cluster on the basis of its domestic economic resilience and import substitution.

The recognition of the creative and cultural industries in Botswana as the 7th economic cluster is long overdue. If the clusters going forward and a recovery plan for Botswana ignores the resilience of this sector and its job creation potential, we will all be poorer for it.

3.2.4 CREATIVE, ARTS AND MEDIA SECTOR 12-POINT PLAN TO CATALYSE ECONOMIC DEVELOPMENT AND DRIVE THE POST-LOCKDOWN ECONOMIC RECOVERY:

Against this background the Creative, Arts and Media sector falls back to its 10-point plan which was shared with Government in July 2019 and calls for policy changes and various urgent interventions to be implemented to catalyse jobs and growth in the sector.

To our original 10-point plan we have added two more points as follows:

- **NO. 11.** Measures to ensure strong and sustainable news media ecosystem; and,
- **NO. 12.** Community Broadcasting

NO. 1: Make the Creative sector the 6th high priority economic Cluster

We believe the Creative and Cultural Industries should be the sixth (6th) cluster to the current 5 (five) high priority clusters in the Government Cluster Development Initiative.

We are already an integral part of Knowledge Intensive Business Services (Advanced Business Services) and aspire to become a net exporter of Knowledge, Intellectual Property and Expertise.

Comment: Discussions with the National Strategy Office as directed by H.E. President M.E.K Masisi in July 2019 are yet to bear fruit.

NO. 2: Create an apex body for the promotion, funding and regulation of the creative and arts industry

The creative and arts sector industry body will PROMOTE and can APPROPRIATELY FUND the arts and creative sectors and excellence/advancement in Botswana. Its approach will necessarily have to be Specialised (Understanding, trained in and appreciative of the arts/creativity/writing/books), Arm's length (No Political interference / Non-Departmental Public Body). It would probably be most practical to have one statutory or dynamic quasi-governmental body that has different structures and functions responsible for all of the above similar to BNSC. Many people call this an Arts Council. We have provisionally called it **Creative Botswana** to reflect that it will cover all the arts: performing, visual and literary, including, film, literature and books.

Comment: Ongoing through MYSECD.

NO. 3: Leveraging Public Private Community Partnerships (PPCPs) to grow Arts and Culture into Social Enterprises and turn Gaborone into the Creative Capital of SADC.

Botswana has retained an intact African civilisation that was spared the worst effects of colonisation in the SADC region. Its unique political representative structure ensures that this powerful reservoir of cultural capital does not come into conflict with Botswana's rapid modernisation. This modernisation has the effects of introducing new technologies with an economic role including the fully technology-based arts of film, recorded music, television, radio and electronic publishing. Any growth of the creative industries in Botswana will have to articulate both of these systems and design a careful synergy between them that compromise neither Botswana's tradition nor its modernity. Through this we can turn Botswana into a Global Gateway into SADC and SADC's Gateway into the world

Comment: Ongoing. Championed by the Infers Group

NO. 4: Taxation of foreign OTTs (Facebook, Apple, Google, Youtube and LinkedIn etc) to fund creative / arts / media sector

Botswana Government and BURS have a huge blind spot in the taxation of digital and online services this constitutes massive revenue leakage and must be abated immediately. This revenue could be used to partially fund local content production, broadcast media, film, sport, arts and culture development.

Comment: No Progress

NO. 5: Transformation of Department of Broadcasting & Information Services (BTV, RB2 & Daily News)

Botswana Government must review the Department budget upwards extra expenditure on media creates huge potential for job creation in the arts and creative economy where more than 50% of the jobs are held by youth. The Department needs to do a full review of its commercial operations (it is giving away airtime and advertising space for next to nothing) and how it acquires content. We need Active Commissioning that will allow for the engagement and resourcing of more local production companies to create content with better production values than those that are independently produced. Changing the State Broadcaster into a Public Broadcaster will allow for the widening of its content mandate and possible revenue streams that can improve both efficiency and effectiveness.

Comment: No Progress

NO. 6: Media Consumption measurement

The media is the outlet for the lion's share of our output. However, if consumption is not measured decision making around programming and what kind of content resonates, what content to make or to buy is subjective and not meritocratic. There is limited or no measurement of media consumption in Botswana. We believe Government should mandate BOCRA to do a half yearly survey of media consumption (all media including Print, Social and Digital Media) in Republic, the bi-annual findings should be made public.

Comment: No Progress. Awaiting audience with BOCRA.

NO. 7: Increased funding of the creative and arts AND tax breaks or exemptions. Some random examples of this:

Income Tax section 51 should explicitly pronounce the creative industries as one of the rebatable sectors in addition to education, sports and charity to get private sector more involved. Legal Aid Botswana to offer free legal services or contract templates for artists (justification is Unesco 2003 and 2005 convention plus AU Agenda 2063). Fashion, design, clothing and textile manufacturing cannot be viable without a robust government grants /assistance / subsidy programme as was the case in Botswana and is currently the case in Lesotho which is taking advantage of AGOA and has +/- 40,000 textile workers.

Comment: No Progress.

NO. 8: Fashion design, clothing, textiles and the Cultural and lifestyle fashion industry

A coherent strategy and government support and funding to revive the fashion design, textiles and clothing sub sector in Botswana is required. There are 30 to 40000 jobs in this sector in Lesotho alone. We need to invest in cultural fashion events to promote culture through cultural garments and Accessories on both local & international platforms such as fashion expose, exhibitions, cultural festivals etc. We need to invest in lifestyle fashion events such as fashion weeks through funding to create Employment and exchange of knowledge through cross culture and commerce trade exchange.

Comment: No Progress.

NO. 9: Policy Review and Law Reform

Our Arts and culture policy are outdated. We need a new Cultural and Creative Industries policy relevant to our times and the digital era. This could follow on from the Creative and Cultural Industries Strategy which is due anytime now. This Policy could ensure deeper and more meaningful use of local products, content and local job creation across all media (public and private) and the broader economy.

Comment: Cinematograph Act review ongoing. Limited progress with other policies coupled with failure to fully implement existing policy e.g. broadcasting Policy provision on Community broadcasting.

NO. 10: Payments and Settlement delays

Payment and settlement of dues for work done is a huge problem across the sector and has a cascading effect with the content creator or artist at the bottom of the food chain the most affected. We are not sure why this is, but Government and Parastatals constitute the largest players in the economy. If government takes 3-6 months to award a tender, to contract and then to make a payment for work done job creation and economic activity is adversely affected. We propose that the Government should impose and monitor payment / settlement standards on Government departments and parastatals.

Comment: The Government announced a range of measures as a result of COVID-19. We hope these measures become permanent and enshrined in law.

NO. 11. Measures to ensure strong and sustainable news media ecosystem

1. Tax breaks and exemptions for news media organisations:

In light of the decimation of advertising revenues for Botswana's news media organizations we are calling for the following temporary measures to implemented to cushion news media organisations:

Tax breaks on news media's most critical inputs: Zero rating of VAT and Ad valorem Excise on newsprint and ink for Newspaper printing purposes. Zero rating of inputs for news journalism organisations i.e. software, computers, cameras, recording equipment and accessories.

2. Deferment of licensing fees payable by broadcast news media organisations for 24 months:

Deferment or waiver of the licensing fees payable by news media organisations to BOCRA for 24 to 36 months.

There is a strong precedent for this from New Zealand where fees payable by News Organisation have been waived¹

Legislation to force digital platforms such as Google and Facebook to pay for the reuse and exploitation of Botswana News from various sources:

1. Lockdown has decimated the news media ecosystem in Botswana. News organisations primary income is advertising and that has largely dried up. Subscription and Newspaper sale revenue has also dried up. Nevertheless, the news media are using digital channels to

¹ Covid-19: Government announces support package for media sector - <https://www.scoop.co.nz/stories/HL2004/S00149/covid-19-government-announces-support-package-for-media-sector.htm>

disseminate the news. However, news distribution via digital channels is exploitative and needs to be addressed.

In France the Competition Watchdog has ordered Google to pay for News Reuse. France's competition authority has ordered Google to negotiate with publishers to pay for reuse of snippets of their content — such as can be displayed in its News aggregation service or surfaced via Google Search. The country was the first of the European Union Member States to transpose the neighbouring right for news into national law, following the passing of a pan-EU copyright reform last year².

In Australia the Government has instructed the Competition and Consumer Commission to develop a code between media companies and digital platforms including Google and Facebook.

“Facebook and Google will be forced to share advertising revenue with Australian media companies after the treasurer, Josh Frydenberg, instructed the competition watchdog to develop a mandatory code of conduct for the digital giants amid a steep decline in advertising brought on by the coronavirus pandemic”^{3 4}

We would motivate for a similar approach here: of the Government of Botswana instructing the Competition Authority to do a study and develop a code - compelling digital platforms to share advertising revenue that is from news related content with the News Media.

NO. 12. Community Broadcasting

Community radio stations enable communities' unfettered opportunities to hear of developments and other important issues affecting their lives. Radio is a very good and fast medium of communicating with the communities on matters of public importance and developmental issues. By their nature community radio will allow for broadcasting in languages others English and Setswana. The Botswana Broadcasting policy allows for community radio stations.

The Government of Botswana should instruct BOCRA to develop guidelines and run a tender for the establishment of community radio stations as a matter of urgency.

3.3 EDUCATION

3.3.1 BASIC EDUCATION

3.3.1.1 Allow teachers back to school to prepare for either classes or online learning. If necessary, this can be kept to under twenty teachers a day with staff coming in always shifts.

3.3.1.2 Allow examinable classes to come - particularly Form 5 students. PSLE is planned already to be phased out next year, so if we don't do it this year, we can still use the student's classroom work to determine if they are ready to move up. Students would come only for classroom learning no afternoon activities. All utilised areas properly be sanitized daily

3.3.1.3 E-learning begins for all other students at the same time Form 5 returns. Teachers continue to be allowed to come in (in shifts if necessary) to facilitate e-learning at its best.

² France's competition watchdog orders Google to pay for news reuse - <https://techcrunch.com/2020/04/09/frances-competition-watchdog-orders-google-to-pay-for-news-reuse/>

³ Facebook and Google to be forced to share advertising revenue with Australian media companies - https://www.theguardian.com/media/2020/apr/19/facebook-and-google-to-be-forced-to-share-advertising-revenue-with-australian-media-companies?CMP=Share_iOSApp_Other

⁴ Legislation to Protect Local News - <https://www.newsmediaalliance.org/protect-local-news-video/>

3.3.1.4 Other classes return in stages if necessary - classroom learning only - no extracurricular

3.3.1.5 The sooner this or another similar plan can be implemented the better. We have had reports of even our primary students really struggling with depression and a few get very upset when they hear the words “*Corona Virus*” If we can keep the borders closed longer, maybe we can move ahead with education safety.

3.3.1.6 Children could attend schools in shifts of no more than 10 to 15 students per class. The timetable can be designed to accommodate that arrangement. This means children will or may come to school at least twice a week.

3.3.1.7 Another point to this option will be to introduce afternoon shifts for the other half the of class.

3.3.1.8 Schools in the less affected zones/regions could be allowed to have 100% student’s attendance on condition that they are provided with face masks and gloves. The school will run until lunch time to allow children and teachers to go back to their homes.

3.3.1.9 Compliance to health protocols such as sanitisation, washing of hands with clean water and soap, compulsory wearing of masks, fumigation.

3.3.2 TERTIARY EDUCATION

Proposed three types, Pure Online Learning, Correspondence Learning or Social Distanced Schools.

3.3.1.1 Phased in approach with strict compliance to health protocols such as sanitisation, washing of hands with clean water and soap, compulsory wearing of masks, fumigation of campuses prior to reopening.

3.3.1.2 Perhaps government can also do intensive testing in schools once open, compulsory testing for all staff.

3.3.1.3 Priority given to completing classes and practical sessions, and slowly introducing theory related programmes with smaller groups.

3.3.1.4 Regular screening of staff and students at main gates, students attend in shifts to facilitate small groups.

3.3.1.5 A combination of both social distancing and online delivery so that those with connectivity can continue to learn from home.