



Convention on the Rights of the Child

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Committee on the Rights of the Child

Eighty-first session

13–31 May 2019

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of Botswana

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2019. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please provide information on the human, technical and financial resources available for the implementation of the Children's Act of 2009, and on related training activities for professionals working for and with children. Please also provide updated information on the review of all laws, including the Penal Code, the Adoption of Children Act and the National Registration Act, in order to bring them into conformity with the Convention and the Children's Act.
2. Please provide information on the assessment and outcomes of the implementation of the national plan of action for children (2006–2016), and whether a new national plan of action for children is envisaged. Please also provide more information on how the State party intends to address the current challenges facing the effective operation of the National Children's Council and the village child protection committees.
3. Please provide information on measures taken to ensure that State budgetary allocations for children are efficiently used and not wasted, for example by cronyism and nepotism, in public procurement processes. Please also provide information on the efforts made to protect budgetary allocations for children in disadvantaged or vulnerable situations, including children living in remote areas and children and families affected by HIV/AIDS.
4. Please indicate whether the State party intends to amend the Marriage Act to prohibit all child marriages, including customary and religious marriages. Please also provide information on measures taken to raise awareness of the harmful consequences of child marriage and on the impact of such measures.
5. In the light of the prohibition of discrimination in the Children's Act of 2009, please describe the legal, policy and awareness-raising measures taken to combat discrimination against children with disabilities, children in street situations, children born to unmarried parents, orphans and children in foster care, children affected or infected by HIV/AIDS and children who are in situations of migration.



6. Please provide updated information on measures taken to prevent and combat all forms of violence against children, including public awareness-raising programmes, training for professionals working with and for children, and rehabilitation and psychosocial services for child victims. Please also indicate whether there is a mechanism for receiving, following up and investigating complaints from or on behalf of child victims of violence, including sexual abuse and neglect.

7. Please provide updated information on any measures to prohibit corporal punishment in all settings, including the status of the Education Bill. Please also provide detailed information on measures taken by the State party, including any awareness-raising or training programmes, to address public resistance to the prohibition of corporal punishment and to take the lead in promoting positive and non-violent forms of child-rearing and discipline.

8. Please provide more information on measures taken to ensure that all children affected or infected by HIV/AIDS, including migrant children, receive antiretroviral treatment, and to provide training on paediatric HIV/AIDS care to health workers. Please also provide information on the education campaign on the prevention of HIV/AIDS, and whether the State party has conducted any studies to assess the impact of these programmes.

9. In the light of the high rate of teenage pregnancy, please inform the Committee on measures taken to provide health-care services for adolescents, including reproductive programmes, confidential HIV testing and counselling services, and access to modern contraceptives. Please also provide information on any support programme or services available to adolescents to address mental health issues and substance abuse, including tobacco and alcohol.

10. Please inform the Committee on measures taken to ensure free and compulsory education for all children, including children with disabilities, in accordance with the Children's Act of 2009. Please also provide more information on the policies adopted by the State party to enable girls to return to school during and after pregnancy, and whether such policies have reduced dropout rates among pregnant girls and adolescent mothers.

11. Please provide information on measures taken, including labour inspections, training programmes and support for child victims, to combat child labour and the commercial sexual exploitation of children. Please also provide information on the implementation of the Anti-Human Trafficking Act of 2014, and whether a mechanism is in place to identify child victims and to refer them to the appropriate services. Please also provide information on child-friendly procedures in courts for child victims and witnesses.

12. Please indicate whether there are specialized courts for child offenders in the State party, and whether children are held separately from adults in detention facilities. Please also provide information on diversion, rehabilitation and reintegration programmes for children in conflict with the law. Please also provide examples of cases involving children where judges have expressly taken into consideration the best interests of the child in their sentencing.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans, and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Child marriages;
- (b) Children living in the State party who are of foreign nationality or not registered;
- (c) Cases of abuse or violence against children, including sexual abuse, and prosecutions and sentences handed down in the State party in such cases;
- (d) Teenage pregnancies, and school re-enrolment rates of children;
- (e) Drug and alcohol abuse by children;
- (f) Children working in the informal sector and children in street situations;
- (g) Child victims of trafficking and abduction.

16. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location, regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Separated from their parents;
- (b) Placed in institutions;
- (c) Placed with foster families;
- (d) Adopted domestically or through intercountry adoption.

17. Please provide data disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

18. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;

(d) Serving a sentence in detention (specifying those in the school of industries and those in prison), and the length of the sentence, including whether any persons who were sentenced for offences they committed under the age of 18 years are serving sentences of life imprisonment;

(e) Sentenced to corporal punishment.

19. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

20. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
