



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Fifth periodic report submitted by Botswana under  
article 18 of the of the Convention, due in 2023\***

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\* The present document is being issued without formal editing.



## Foreword

1. This Fifth Country Report on implementation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was officially commissioned by the Minister of Youth, Gender, Sport and Culture on 6 October 2022 in Francistown. The production of the report was through a concerted effort of the Government of Botswana and various members of the civil society organisations who include: Dikgosi (Traditional Leaders), Faith Leaders, Political Parties, Private Law Practitioners, Human Rights Community Based Organisations, the National Gender Commission, Trade Unions and People With Disabilities. These sectors participated from the initial stages up to the finalisation of the Report.

2. It is important to highlight that nation-wide consultations were undertaken in the Northeast region (Francistown), Northwest region (Maun), Southern part (Gaborone), the Eastern area (Selibe Phikwe) and the Western area (Gantsi).

3. Botswana ratified and acceded to the Convention on the Elimination of all Forms of Discrimination Against Women on 13th August 1996, demonstrating commitment to ending discrimination against women and promoting women's rights. Furthermore, Botswana acceded to other instruments which promote gender equality and women's empowerment such as the Southern African Development Community Protocol on Gender and Development in 2017.

4. Botswana continues to widely publicise the Convention and its Optional Protocol through various medium led by the National Gender Machinery. To this end, during the Review of the Constitution of Botswana (the Dibotelo Commission), CSOs and other groups made particular reference to the CEDAW in preparation for their submission to the Commission carried out in 2022.

5. His Excellency the President of the Republic of Botswana in 2021 committed to move the country from a middle income to a high-income economy through adopting the Reset Agenda whose Pillar five (5) is: Mindset Change. Through this, the nation is challenged to embark on a mind-set change by setting new priorities, adopting new approaches, and putting in place new implementation strategies. To this end, the Gender Portfolio was transferred to the Ministry of Youth, Gender, Sport 1 and Culture.

6. To promote gender equality, Government continues to adopt institutional, administrative and legal reforms intended to achieve socio-economic inclusion of women and girls.

7. This report highlights the considerable progress made since the last Country report in 2018. These include the Revised Land Policy 2019 to allow both married women and men to own land, enactment of the Sexual Offenders Registry Act of 2021 which introduces stiffer penalties for persons convicted of sexual offences and a register for recording particulars of such persons and Amendment of the Penal Code 2018 to increase the age of a child from 16 to 18 years.

8. In addition, Government intensified efforts to mainstream gender through active engagement of various sectors as evidenced by the Gender Strategy in Agricultural Sector; development of Climate Change Policy and the current mainstreaming of gender into the Justice System. Other administrative reforms include establishment of the Gender and Child Protection Branch by the Botswana Police Service and the establishment of Specialised Courts by the Administration of Justice to expedite the hearing of Gender Based Violence (GBV) cases.

9. To facilitate effective implementation and strengthened monitoring of the National Policy on Gender and Development, the second National Gender

Commission was appointed in 2022. In addition, the Inter-Ministerial Committee on GBV was established in November 2020 to provide strategic direction on the National Response on GBV.

## Executive Summary

10. This constitutes Botswana's Fifth periodic report to the Committee on the Elimination of all forms of Discrimination Against Women on implementation of the CEDAW/C/BWA/5 6/38 17-22706. The report follows the Concluding Observations of the Committee and recommendations from the Fourth Country Report.

11. The Report is presented in two main parts being the Response to the Concluding Observations and Examination of Progress on the Implementation of CEDAW. These are preceded by an Executive Summary and an Introduction. The Response to the Concluding Observations addresses the recommendations arising from the previous Periodic Report on the implementation of CEDAW. The Progress on Implementation of CEDAW covers progress on all the Articles of the Convention since the previous Report to date. The Introduction covers information on the profile and socio-economic overview of the country, its constitutional framework; and legal, political and administrative measures adopted to give effect to CEDAW.

12. As regards definition of discrimination natural justice takes precedence over all Botswana Courts including the Customary Justice System. In this regard, customary law must be applied with the set of principles of morality, humanity or natural justice with the object of achieving justice and equality. Where a practice or custom is not ascertainable, the court is enjoined to determine it in accordance with the principles of justice, equity and good conscience. Furthermore, International Human Rights Law guides application of law in the Country.

13. Botswana continues to widely publicise the Convention and its Optional Protocol through workshops, focused group discussions, and commemorations of days like International Women's Day; International Men's Day; 16 Days of Activism Against Violence on Women and Children and the World Aids Day. The Media is also engaged particularly on Gender Sensitive Reporting. To this end, 755 Dikgosi (Traditional Leaders), 65 340 Youth, 15 157 Community Leaders, 75 242 women, 57 188 men, 5 320 Local Authorities and 703 Faith Based Organisations.

14. In recognition of the need for special measures to address inequality between women and men, Government made deliberate efforts to address low representation of women in political office. In that regard, His Excellency the President of the Republic of Botswana made a conscious decision to appoint 67% of the specially elected Members of Parliament as females. Furthermore, His Excellency the President appointed the first female finance Minister, first female President of the Court of Appeal, First Permanent Secretary to the President and the Deputy Permanent Secretary to the President are also females. The Commissioner of Prisons and Commissioner General for Botswana Unified Revenue Service (BURS) are also females. At local level 34% of women were appointed as Councillors.

15. In an effort to address gender stereotypes and negative cultural practices, there are ongoing programmes geared towards mobilising male involvement into family and societal matters such as the Men Care Programme, Men in the Kitchen and Monna Tia. These are implemented by Government and Civil Society Organisations (CSOs) and aimed at promoting positive male masculinity, role models and to curb absent fathers. In addition, different sectors continue to implement Abolition of Marital Act which abolishes men as the head of the family as well as restrictions which the marital power places on the legal capacity of a wife. Furthermore, Botswana continues to

strive for promotion of positive aspects of culture through the engagement with relevant actors, including tribal chiefs, religious and community leaders on the negative impact of discriminatory stereotypes on the enjoyment of women's human rights. Government recognises the importance of traditional leaders (Dikgosi) as custodians of culture and continues to engage them. In November 2020, Government in partnership with UNDP developed a Training Manual on GBV to standardise capacity building of Dikgosi on GBV.

16. Botswana has committed to accelerating action to eliminate GBV at the Nairobi Summit on the International Conference on Population and Development (ICPD 25). Furthermore, Botswana ratified the Southern Africa Development (SADC) Protocol on Gender and Development. An Inter-Ministerial Committee on GBV was also established in 2020 to provide strategic guidance and coordination of national response to GBV. To enhance access to justice, Botswana Police introduced a Gender and Child Protection Branch. In addition, specialised courts to expedite hearing of GBV cases were established by the Administrative of Justice in December 2021. The Botswana Prisons Services also introduced a Programme aimed at promoting rehabilitation and re-integration of GBV perpetrators into the society. In 2021, a Feasibility Study on the Strengthening and Establishment of Safe Havens was completed. Findings and recommendations of the Feasibility Study are currently being considered to inform decisions regarding the needs of GBV survivors.

17. Government is currently developing a Bill to amend the Anti-Human Trafficking Act of 2014. The Bill introduces provisions that deal specifically with sex trafficking of minors. The penalties range from a minimum mandatory sentence of not less than 30 years and a maximum of life imprisonment with a fine of approximately USD 100 000.00 without the option of a suspended sentence. The Bill was developed following a nation-wide consultation led by the Ministry of Justice. This included key stakeholders such as the Law Enforcement, District Officials, Social Workers and other critical front-line officers and partners. To monitor the extent of trafficking in persons as guided by Section 5 (f) of the Anti-Human Trafficking Act, Government established the Human Trafficking (Prohibition) Committee under the Ministry of Justice. The Committee is mandated to “direct and supervise the arrangements of study or research projects and the development of an integrated database system for the benefit of prevention and suppression of trafficking in persons”.

18. Botswana’s highest court, The Court of Appeal, made a ruling in 2019 that same sex relations between consenting adults does not constitute a crime hence opening an opportunity for the review of legislation to decriminalise same sex relations. There are organisations that are supported to work directly with these key populations to ensure they access health services and also cater for their rights. Revised HIV guidelines cater for key populations and provide services tailor made for their needs.

19. Government has made strides in representation of women in decision making positions in the Public Sector which stands at 44% compared to 56% for men at managerial level positions. To raise awareness on the importance of electing women into decision making positions a Training Manual for Women in Politics in Botswana has been developed and translated into Setswana. This was done through the support of UNDP.

20. Training for women aspiring for political office for the 2024 elections is scheduled to take place in 15 different areas countrywide. Furthermore, 2018 Mme O Kae (which was conducted by Emang Basadi) Study recommendations on the status of women in politics will be used as an educational and advocacy tool on the political empowerment of women in the 2024 general elections.

21. The Revised National Policy on Education, Education and Training Sector Strategic Plan (ETSSP) marks a significant milestone in the Country’s collective

efforts to bring about a more diversified, knowledge-based economy. It is intended to strengthen the match between qualifications and labour market requirements, thereby ensuring that education outputs are more closely aligned to future employment needs. Botswana is committed to providing a competitive and relevant curriculum starting from Pre-Primary school to Tertiary level. To augment Government efforts Botswana International University of Science and Technology (BIUST) promotes uptake of STEM Subjects to ensure that girls also benefit and bridge the inequality gap.

22. Botswana is committed to achieving Universal Health Coverage (UHC) with the Government aligning national health strategies to the 2030 Agenda for Sustainable Development and strengthening primary health care as the delivery vehicle to achieve equitable access to people-centred, non-discriminatory, comprehensive health services.

23. In this regard, improvements in key sexual and reproductive health and rights (SRHR) indicators have been recorded; decline in AIDS related deaths from 5 300 (2017) to 5 100 (2020), total fertility rate from 3 to 2.8 births per woman and increase in contraceptive prevalence rate from 53% to 64.7% (2017).

24. Trends in maternal mortality also reveal that the country is off track to meet the SDG target by 2030 when compared to projections.

25. Botswana has made commendable progress towards meeting the objectives of the International Conference on Population and Development (ICPD). While it is important to acknowledge that Botswana still has unmet need for family planning, preventable maternal deaths, GBV and sexual transmission of HIV. Furthermore, even though infant mortality has declined, Botswana still registers high neonatal, infant and under-5 mortality rates.

26. In addition, Botswana like other countries was negatively affected by the impact of COVID-19 as the country registered high incidences of GBV and defilement especially during Extreme Social Distancing Period. This perpetuated both economic and social inequality.

27. The National Policy on Gender and Development continues to guide Gender Mainstreaming across sectors which has resulted in the improvement of the quality of life for vulnerable groups. Botswana has made notable progress in mainstreaming gender in the economic and social sectors and these include land ownership by married women and youth, access to Agricultural Programmes such as Livestock Management and Infrastructure Development (LIMID) which has a deliberate window to promote increased women's access to productive resources including small stock and boreholes. The Citizen Economic Development Entrepreneurial Agency has also developed a programme designed for improved financial access to women. There is also preferential treatment for women, youth and people with disability on Government procurement. In 2021 Botswana adopted the Citizen Inclusion Act which aims to promote effective participation of targeted citizens in the economic development of the Country. The Industrial Development Policy also establishes industries in rural areas which are mostly women owned small scale businesses.

28. Government continues to develop interventions and programmes aimed at empowerment of rural communities. Government has put in place the Rural Development Council and other structures that oversee national food security. Despite Government efforts there is a disparity in ownership of productive resources by rural women. In Botswana women are the majority of those participating in subsistence agriculture, however, the sector continues to face hardships due to climate change. Furthermore, a significant number of rural women earn their living through the informal sector. Those in remote areas face even greater poverty than those in rural areas closer to urban developments.

29. Government recognises the significant contribution of women in decision making and as such affords them the opportunity to participate at various levels starting at ward level. In addition, in 2022, Government has improved access to services for rural communities through establishment of more districts, hence bringing services closer to the people. This will lead to infrastructure development such as roads and electricity connections for improved accessibility to markets.

30. The Government of Botswana adopted a Law Reform Strategy (2020–2023) to promote rule of law and economic growth. The Strategy remains a guiding document on reconciliation of customary and common law.

31. Whilst data collection and analysis remain a challenge there are steps to strengthen evidence-based planning and program implementation for improved impact. In this regard a number of National frameworks have a dedicated monitoring and evaluation component.

## **Introduction**

### **A. Country profile and socio-economic overview**

32. The Republic of Botswana is a landlocked country situated in Southern Africa and covers a surface area of 581,730sq km. The results of the latest National Population and Housing Census (2022), estimates the total population at 2,359,609, an increase from 2,024,904 registered in the 2011 Census. This is a slight increase indicating a growth rate of 1.4 percent between 2011 and 2022, a decline from the 1.9 percent estimated in 2011.

33. Botswana is a multi-party democracy which holds free and fair elections every five (5) years, the last of which were held in 2019. The arms of Government in Botswana comprise the National Assembly, the Executive and the Judiciary. Various institutions have been set-up to oversee policy implementation, accountability and governance. To improve local government and service delivery, Government has since increased district councils from sixteen (16) to twenty-seven (27) in 2022.

34. Botswana has demonstrated prudence in macroeconomic policy and good governance. Revenues from diamonds, combined with sound economic policies, have helped build infrastructure and kept the economy stable. Similar to other countries, the COVID-19 pandemic had a particularly significant impact on the economy and society hence the country continues to face structural challenges, slow growth, and shock on the socio-economic factors.

35. Nevertheless, Botswana's performance regarding the development agenda is of good standing, and thus the country has been rated positively on a number of indicators including those pertaining to human development. The Human Development Index (HDI) of 2022 shows Botswana declining from an HDI of 0.716 in 2018 to 0.693. According to the World Economic Forum's (2022) Global Gender Gap, Botswana ranks 66 out of 146 Countries at 0.72.

### **Constitutional framework**

36. The Constitution of Botswana provides for equality before the law. The recently concluded Constitutional Review process was comprehensive and all-inclusive ensuring that marginalised voices such as women, children, People With Disability (PWD) and Lesbians, Gay, Bisexual, Queer, Transgender, Intersex (LGBQTI) were heard. The Commission produced the Report which has been published and made

accessible to the public. A White Paper has been produced and will be presented to Parliament.

37. Botswana ratified the revised Southern Africa Development Community (SADC) Protocol on Gender Development in 2017.

#### **Legal, political and administrative measures adopted to give effect to CEDAW**

38. In an effort to enhance implementation of the National Policy on Gender and Development which is aligned to the CEDAW, Government reconstituted membership of the National Gender Commission in 2022 to strengthen gender mainstreaming across all sectors. An Inter-Ministerial Committee on GBV was also established in 2020 to provide strategic guidance on the national response to Gender Based Violence as well as put in place mechanisms for monitoring the implementation of these efforts. At local level, 28 District Gender Committees were established and trained to lead implementation of the National Policy on Gender and Development.

39. In an effort to enhance implementation of the National Policy on Gender and Development, Government reconstituted membership of the National Gender Commission in 2022 to strengthen gender mainstreaming across all sectors. An Inter-Ministerial Committee on GBV was also established in 2020 to provide strategic guidance on the national response to Gender Based Violence as well as put in place mechanisms for monitoring implementation. At local level, 28 District Gender Committees were established and trained to lead gender mainstreaming at local level.

## **B. Response to the concluding observations**

### **Customary discriminatory laws**

#### **Recommendation 12**

40. Government adopted a Law Reform Strategy (2020–2023). The Strategy objective includes law reform, statute law revision (simplification and harmonisation of the law) and access to law. Implementation of the Strategy will promote the rule of law and economic growth. The Strategy will further ensure that laws are reformed, simplified and harmonised to meet community expectation, address social, economic, environmental and political challenges.

41. Based on the above, the following laws were adopted:

(a) Sexual Offenders Registry Act (2021) which is intended to protect persons against sexual offenders by; establishing and maintaining a record of persons who have been convicted of sexual offences whether committed in or out of Botswana and informing the relevant authorities that deal with foster care, kinship care giving and adoption. The Act further introduces stiffer penalties for persons failing to disclose their conviction(s) of sexual offences. In addition, the Act prohibits convicted persons from working with vulnerable persons such as children, the elderly and People With Disability;

(b) Cyber crime and Computer Related Crimes Act 2018 intended to: Criminalise offences committed against, and through the usage of computer systems and electronic communications networks; provides for investigation and collection of evidence for computer and network related crimes; and for the admission of electronic evidence for such offences. Sections 16 to 20 of the Act also provides for prosecution of crimes such as; cyber harassment, cyberbullying, cyber stalking, offensive electronic communication and revenge pornography, image-based sexual abuse and child sexual abuse material.

42. The Customary Courts Act was amended in 2017 to confer to any person the right to transfer a case from Customary Court to Magistrate Court. On this note, Legal Aid Botswana in partnership with Non-Government Organisations (NGOs) continue to provide legal assistance to women who desire to transfer their matter from Customary Courts to Common law courts.

43. Government ratified the Convention on the Rights of Persons with Disabilities in 2021. To domesticate the Convention, Parliament approved the Revised Disability Policy.

44. In addition, Government established the Human Rights Unit in 2019 which is currently housed under the Ministry of Justice. Furthermore, the Ombudsman (Amendment) Act was enacted in 2021 to confer the human rights mandate on the Office of the Ombudsman in accordance with the Paris Principles.

45. Though Botswana is not Party to the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, Government upholds the spirit of the Protocol and remains committed to its implementation. To this end, national consultations to consider ratifying the protocol are currently on-going following the African Union Advocacy Mission to Botswana in December 2022, whereupon the African Union Commission Special Envoy on Gender Equality and Women Empowerment lobbied Government to sign the Protocol.

#### **Definition and prohibition of discrimination**

##### **Recommendations 14**

46. In addition to 12(a) above; Government upholds Article 1 of the Convention as enshrined in the Constitution of Botswana. It is on this premise that the Country continues to undertake legislative reforms to repeal those that may be discriminatory. Examples include the Revised Botswana Land Policy of 2019 which now gives married women an equal opportunity and right to apply for and own land.

#### **Women's access to justice**

##### **Recommendation 16**

47. The Legal Aid Act of 2013 established Legal Aid Botswana (LAB) which has branches in Gaborone, Francistown, Kasane, Tsabong, Maun and Palapye to provide access to justice by indigent persons in Botswana. The initial support offered was in respect of civil matters. However, Government is currently piloting the expansion of support to criminal matters.

48. In ensuring that legal aid is available and accessible to all particularly indigent women, a total of 6 521 persons were supported between April 2019 and December 2022. Of these beneficiaries, 56% were women of whom 21% were from rural areas.

49. The legal aid services include matters on: access to identity documents, child maintenance and support, GBV and medical malpractice cases. These services are delivered through the REAct program supported by the Global Fund, an intervention which trains community reactors and paralegals to document human rights violations of identified key and vulnerable groups and provide information, education and linkage to services including legal aid and health services.

50. The Government in collaboration with CSOs continues to hold dialogues with different stakeholders to enhance delivery mechanisms for protecting the rights of women and girls at various levels.

51. The 5 Year National Comprehensive Strategy to remove Human Rights Related Barriers to HIV and TB Services in Botswana identifies adolescent girls and young women, people in remote and rural areas particularly women and girls affected by

poverty, female sex workers, transgender persons among people most vulnerable and at higher risk of acquiring HIV infection. To enhance access to quality service, Government provides financial support to CSOs to provide legal aid for key and vulnerable populations. Since 2019, over 300 women living in poverty and rural areas as well as women with disabilities have been reached.

**National machinery**  
**Recommendation 18**

52. To enhance the capacity of the National Gender Machinery in the promotion of a gender responsive budgeting approach, Government with support of the UN Women trained all 72 National Gender Machinery Programme Officers on Gender Responsive Budgeting (GRB) in 2022. In addition, The National Gender Machinery capacitated 28 District Gender Committees on Gender and Development. Furthermore, each Committee is allocated a budget ranging between USD500 and USD1000 towards implementation of their plans.

53. In 2021, a Gender Responsive Public Financial Management (GRPFM) assessment was conducted to test the adequacy of Botswana Government Public Finance Management towards gender equality. The assessment is used to track service delivery using sex disaggregated results to enhance equitable access to services.

**National human rights institution**  
**Recommendation 20**

54. The legislative process of transforming the Office of the Ombudsman into a hybrid institution with the mandate to promote and protect human rights was completed in 2021 through the Ombudsman (Amendment) Act. The restructuring exercise is completed and operation will commence in July 2023. With regard to compliance to Paris Principles, the Office of the Ombudsman will undergo the accreditation process with the Global Alliance National Human Rights Institution once it is operational.

**Temporary special measures**  
**Recommendation 22**

55. Government acknowledges the low representation of women in political office. It is in this regard that His Excellency the President made a conscious decision to appoint 67% of the specially elected Members of Parliament as females. Furthermore, His Excellency the President appointed the first female leaders being: Minister of Finance, President of the Court of Appeal, Permanent Secretary to the President, the Commissioner of Prisons and Commissioner General for Botswana Unified Revenue Service (BURS). At local level 34% of women were appointed as Councillors.

56. Government has intensified outreach efforts and information dissemination through various modes such as print media, television and radio. Programmes include:

(a) Batho Pele (Putting People First) under the Ministry of Local Government and Rural Development which aims at providing information on programmes targeting rural communities;

(b) Mmueleli Wame (My Advocate) under the Ministry of Justice aimed at providing public education on legal issues;

(c) Lefatshe Boswa (Land, a valuable asset) under the Ministry of Land and Water Affairs provides public education on land rights;

(d) Letlhabile (It has Risen) under the Ministry of Youth, Gender, Sport and Culture provides public education on gender equality and women's empowerment, youth and cultural matters as well as sport.

### **Stereotypes and cultural practices**

#### **Recommendation 24**

57. The National Policy on Gender and Development provides strategic guidance on Gender equality. This is prioritised in National Development Frameworks such as the Vision 2036 and the National Development Plan.

58. To ensure effective implementation of the Policy, there are ongoing programmes geared towards mobilising male involvement into family and societal matters such as the Men Care Programme, Men in the Kitchen and Monna Tia. These are implemented by Government and CSOs and aimed at promoting positive male masculinity, role models and to curb absent fathers.

59. The Abolition of Marital Power Act abolishes marital power and its consequences in marriages in community of property. The effect of the abolition of marital power is to remove the restrictions which the marital power places on the legal capacity of a wife and abolishes the common law position of the husband as the head of the family.

60. The Government recognises the importance of traditional leaders (Dikgosi) as custodians of culture and continues to engage them. In November 2020 the Government in partnership with UNDP developed a Training Manual on GBV to standardise capacity building of Dikgosi on GBV.

61. District Gender Committees whose mandate is to facilitate implementation of the Policy at District Level are also in place in twenty-eight (28) Districts. Furthermore, the Faith Based Sector has representation in the National Gender Commission which is the highest advisory body to the Government on Gender and Development.

62. During the 2022 commemoration of the Day of the African Child, Government held dialogues with community leaders, extension teams and the general public on amongst others early and forced child marriage, sexual exploitation and abuse, health, drug and substance abuse as well as harmful traditional practices.

63. In 2018, The First Lady of the Republic of Botswana launched a national campaign dubbed "Eseng mo Ngwaneng" (not on the child) which was further supported by His Excellency the President of Botswana who made a public commitment to prioritise drafting of laws that ensure protection of children from any form of abuse. The campaign created awareness on all forms of child abuse and exploitation within different localities. Key participants included religious leaders, spiritual and traditional doctors, political leaders, private sector, men's organisations, the media and youth. The campaign reached 112,000 people.

64. In addition, the Determined, Resilient, Empowered, AIDS-Free, Mentored and Safe (DREAMS) Programme which complimented the Eseng mo Ngwaneng Campaign reached 13 000 adolescent girls and young women across the country. DREAMS empowers young women to make decisions about their lives and gives them tools and resources to guide decision making about their lives.

65. The First Lady in 2019 also undertook a campaign on GBV and child marriages dubbed Dipalametse (The Last Sprint) aimed at mobilising and engaging young people, families and community leaders on children's rights and Gender Based Violence. The campaign covered six main Districts.

66. In 2019, the Government developed a Monitoring and Evaluation Framework for the Gender Policy to standardise reporting and tracking of activities, programmes and projects aimed at addressing gender gaps by different sectors. The Framework is yet to be rolled out to the various sectors to support their reporting. The National Gender Machinery through this tool, will be able to establish eminent gaps and emerging issues and provide strategic programmatic guidance.

**Gender based violence against women**  
**Recommendation 26**

67. To ensure effective implementation of the GBV Strategy, the Government has dedicated human and financial resources. These include establishment of the Inter-Ministerial Committee on Gender Based Violence (IMC) in 2020 to provide strategic direction and coordination of the national response to GBV. The committee comprises Ministers of Youth, Gender, Sport and Culture, Local Government and Rural Development, Defence, Health, Justice, Education and Skills Development, Labour and Home Affairs and Minister for State President. The committee is supported by a multi-sectoral team of experts at technical level.

68. The Botswana Police Service established the Gender and Child Protection (GCP) Branch in April 2021 as a special unit to ensure rapid response to Gender Based Violence and Child related matters. GCP officers have been deployed at all Police Stations. To date, a total of 2248 police officers have received training on GBV and human rights through the BPS in-service programmes.

69. The Botswana Prisons Service has a Gender Based Violence Perpetrators Programme aimed at raising understanding of the factors leading to offending behaviour and promoting acceptance of responsibility for one's violent behaviour. The programme also has a dedicated budget to ensure effectiveness.

70. Gender Committees have been established at district level to guide District or Urban Development Committees (DDC/UDC) and other community structures on various interventions, events and activities geared towards the promotion of gender equality including prevention of GBV. Civil Society Organisations such as Botswana Association of Local Authorities (BALA) in collaboration with Gender Links also continue to play a significant role in addressing gender and GBV issues through local government 'Centres of Excellence programme, which encompasses the appointment of Gender Focal Points in District Councils.

71. For the reporting period, Government committed a total of USD1.5 million to support the housing of GBV survivors.

72. The common law rule is that upon marriage, a husband acquires what is referred to as marital power. The effect of marital power is that a husband acquires power over the person and property of his wife. It is on the basis of power over the wife that upon marriage a wife was regarded as having given the husband irrevocable consent to sex. In 2004 Parliament enacted the Abolition of Marital Power Act wherein at section 4 of the Act is provided that the common law rule in terms of which a husband acquires the marital power over the person and property of his wife is abolished. The High Court in 2008 addressed the matter of marital rape, holding that "to suggest that it should be permitted if the perpetrator is a spouse is ... totally unacceptable and a historic aberration." (Letsholathebe v. The State 2008, [3] BLR 1 HC (Kirby J).

73. In order to ensure that gender-based violence cases are handled in a timely manner, the Honourable Chief Justice, reacting to the increased rate of GBV Cases and by extension implementing recommendation 26 (d) issued a Practice Directive No.9 of 2020 as an initiative and declared that effective 1st December 2020, All GBV Cases are treated as urgent applications and be given expedited management, set

down and disposal. That such cases shall be prioritised and removed from the normal track of other cases upon registration.

74. Botswana has also established specialised Courts dedicated to gender-based violence cases and set them up at all Magistrates Courts with a Chief Magistrate. The prosecution rate improved from 51% in 2021 to 68% in 2022.

75. The Botswana Police Service (BPS) has deployed trained Gender and Child Protection Focal Persons to deal with Gender Based Violence matters in a gender sensitive manner. In addition, there are 6 child-friendly policing centres.

76. To ensure professional response to GBV issues, the Government through BPS also developed a set of guiding principles aimed at ensuring that officers are committed to integrating GBV into their work and adequately skilled to do so. The following have been carried out in that regard:

(a) Standard Operating Procedures (SOPs) were developed as a standard tool for dealing with GBV and child related cases, to ensure comprehensive, coordinated, and synchronised interventions.

(b) The Botswana Police Service (BPS) continues to employ science and technology in strengthening its response and interventions to GBV and its emerging complexities, through the introduction of Standardised Forensic Evidence Collection Kits in Sexual Assaults, Use of DNA and DNA databases for cold cases, Use of Digital Forensics for online sexual exploitation cases.

(c) There is continued capacity building for Police Officers to equip them with knowledge on how to effectively and efficiently handle GBV cases. The following training workshops were conducted:

(d) Gender Based Violence workshops for 572 officers were carried out at the Botswana Police College between the periods of 2020–2022. There were also Child Interviewing Training workshops carried out for 302 officers in between the period of 2020 and 2023.

77. In an effort to implement the recommendation, a feasibility study on establishment and strengthening of safe havens was carried out in 2021 to inform the Government on modalities of setting up shelters. In addition, the Government continues to offer financial support of USD 500 000 annually to civil society organisations providing shelters to survivors of GBV. Legal Aid Botswana in collaboration with shelters provides legal assistance.

78. The Botswana Gender Based Violence Prevention and Support Centre in Gaborone provides clinical services particularly Post Exposure Prophylaxis (PEP) for prevention of HIV infection. The shelter also screens and tests for Sexually Transmitted Infections (STIs) and provides HIV Testing and Counselling. In addition, the shelter provides contraceptive mixed methods to prevent unplanned pregnancies. Furthermore, the shelter provides treatment for injuries that could be suffered by victims. These services are provided through the support and guidance of the Ministry of Health.

79. To further strengthen support to GBV survivors, shelters make referrals and provide transport to access services outside their facilities such as meetings with legal representatives. Children are also transported to school. Other support interventions include:

(a) Family counselling and reconciliation to ensure sustainability and lifelong benefits for survivors.

(b) Involvement of men in violence including GBV prevention initiatives.

(c) Engagement of Religious Leaders/ Ministers in counselling services as preferred by survivors.

80. During the COVID-19 shelters were provided for key populations including women and girls and LGBTQI in two Districts in partnership with CSOs.

81. The 2010 Botswana Police Service Communication Strategy on sexual abuse paved way for gender-sensitive complaint mechanism. Currently in all police stations in Botswana, gender sensitivity is upheld on survivors of Gender Based Violence and witnesses.

82. Civil society is supported to utilise three data collection systems to document human rights violations amongst communities that are gender sensitive and ensure confidentiality. These systems are ONA, REAct & DHIS2.

83. In 2020 the BPS launched a Toll-free number (0800 600 144) specifically for GBV reporting which allows for anonymous reporting. There are also collaborative partnerships, multi-sectoral referral system sanctions for flexibility, confidentiality and prompt support in reporting of GBV cases.

84. Government continues to implement laws which criminalise domestic violence and provide survivors of domestic violence with protection. Women that are victims of GBV have the right to apply for a restraining order from their partners at a magistrate's court. In addition, where a minor requires protection social workers can apply for a restraining order on their behalf.

85. From 2020 to date, about 35 training workshops attended by eight hundred and seventy-seven (877) professionals within the child justice continuum were conducted across the country. Details of the training are as follows:

- (a) GBV Workshops – 572 police officers;
- (b) Child Interviewing Training – 302 police first responders and 82 Station Commanders;
- (c) Botswana Child Protection Training – 10 police officers, including Prosecutors;
- (d) Child Law and Sexual Offences Training for the Directorate of Public Prosecutions twenty (20) police officers;
- (e) Child Justice Stakeholder Engagements – 100 officers;
- (f) GBV SOPs Cascading Workshop for Social Work Assistants – 50 officers;
- (g) SOPs on a Child friendly Response for Children in contact with the Law (as both victims and perpetrators); and
- (h) Training Workshop for Social Workers – 105 officers.

### **Trafficking and exploitation of prostitution**

#### **Recommendation 28**

86. During the reporting period, the Government kick-started formal internal processes to draft a Bill to amend the Anti-Human Trafficking Act of 2014. Some of the major deficiencies that require redress include the need to eliminate the option of a fine in lieu of imprisonment or to provide for a quantified mandatory jail sentence; address ambiguously worded offences that require strict liability or presumption that men's realignment of the Anti-Human Trafficking Act to other critical and allied pieces of legislation such as the Anti-Money Laundering (AML) and Counter Terrorism Financing (CTF) laws; to effect amendments that would take into consideration the complexities of TIP such as catering for corporate criminal liability

in perpetration of the crime. The Anti-Human Trafficking (Amendment) Bill introduces provisions that deal specifically with sex trafficking of minors under Section 2 and Section 9A. The penalties range from a minimum mandatory sentence of not less than 30 years and a maximum of life imprisonment with a fine of approximately USD100 000.00 without the option of a suspended sentence.

87. The Anti-Human Trafficking (Amendment) Bill of 2022 was devised taking into consideration the above-mentioned legislative deficiencies and others. The Ministry of Justice therefore embarked on nation-wide consultative workshops with key stakeholders such as members of civil society organisations, law enforcement, District officials, Social Workers and other critical front-line officers and partners. The first workshop was held in the Southern Region in March 2022; the second in the Northern part of the country in March, 2022 and the third was in Western part of the country in May 2022.

88. Government considered a total of 32 resolutions and is now finalising internal processes with a view to present the updated Anti-Human Trafficking (Amendment) Bill to Parliament so as to pass it into law by 2023.

89. To monitor the extent of trafficking in persons, the Government guided by Section 5 (f) of the Anti-Human Trafficking Act established the Human Trafficking (Prohibition) Committee under the Ministry of Justice. The Committee is mandated to “direct and supervise the arrangements of study or research projects and the development of an integrated database system for the benefit of prevention and suppression of trafficking in persons”.

90. During the period under review, the committee granted permission for (2) requests for independent research studies the results to which are pending. The Ministry is however exploring funding opportunities to conduct a well-tailored, professional and comprehensive study on the extent and forms of trafficking affecting women and girls.

91. The Anti-Human Trafficking National Action Plan (2017–2022) has now come to an end. The implementation Matrix of the plan comprised 22 Specific Interventions encompassing the thematic areas of Protection of victims, Prosecution of offenders, Prevention initiatives and Partnerships with key stakeholders. Eleven point five (11.5) of the Strategic Interventions were successfully or partially completed which translated to an implementation rate of 52.3% for the entire plan. One (1) point was awarded for fully completed initiatives, 0.5 points were awarded for partially complete and no points for incomplete initiatives.

92. It is worth noting that the Government is currently developing the new Anti-Human Trafficking National Action Plan (2023–2028) to be implemented in April 2023. In this respect, a National Drafting Committee comprising key stakeholders including civil society organisations has been established. The Committee has held one consultative forum to solicit input from other key stakeholders such as civil society organisations, academia, politicians and the general public.

93. The Anti-Human Trafficking Act under Section 16 prescribes for the Minister responsible for social welfare, from monies appropriated by Parliament to: establish and operate centres for victims; and accredit non-governmental organisations as centres for victims. In this respect, the Ministry of Local Government and Rural Development in conjunction with civil society organisations provides shelter and also offer professional counselling for all victims of human trafficking.

94. The Ministry is also exploring funding opportunities to erect dedicated centres for victims including formalising the accreditation of identified non-governmental organisations or civil society organisations who can operate shelters for victims.

95. Capacity building initiatives with targeted information on human trafficking have been delivered to frontline officials and the general public.

96. From 2018 to date, 90 capacity building initiatives were delivered to various national stakeholders including members of the criminal justice system, the media, traditional and community leaders, religious organisations, front-line officials, civil servants and the general public. These capacity building initiatives were conducted in collaboration with the United Nations Office on Drugs and Crime (UNODC) and the International Organization for Migration (IOM) as well as the SADC Secretariat.

97. To strengthen the criminal justice system, the Ministry of Justice held 2 judicial colloquia in conjunction with United Nations Office on Drugs and Crime (UNODC) and the SADC Secretariat to 47 of Their Worships Magistrates of the Bench and 17 Honourable Judges. The third and final colloquium was delivered in 2019 comprising 16 of Their Worships, Magistrates of the Bench and 11 Honourable Judges.

98. Government has maintained and enhanced partnerships with members of the UN Inter-Agency Committee against Trafficking in Persons such as the United Nations Office on Drugs and Crime, the International Organization for Migration (IOM), as well as the SADC Secretariat.

99. Government continues to engage other countries through Joint Permanent Commissions on Defence and Security Cooperation (JPCDS) headed at the level of Ministers; and Bi-National Commissions at the level of Heads of State in the Southern African region. Botswana also engages other nations through anti-human trafficking focal persons' platforms across the SADC Region and beyond.

100. Bi-lateral partnerships with some countries such as the United States of America and United Kingdom have resulted in the exchange of technical expertise, joint training sessions to law enforcement and exchange of critical information on human trafficking trends and new modus-operandi used by human traffickers.

101. International organisations such as the United Nations and the SADC Secretariat have provided technical and financial support to Botswana during training sessions. There has also been interaction between law enforcement agencies in Botswana and other countries across Africa and beyond including INTERPOL and EUROPOL.

## **HIV/AIDS**

### **Recommendation 30**

102. Government of Botswana through NAHPA supports civil society organisations (CSO) to document sex workers, provide legal and human rights awareness, document their human rights violations and link them to appropriate service including legal, health and social services as well as conduct public engagement on the rights of women and the impacts of stigma and discrimination.

103. The Hands-Off Project has so far reached a total of 6862 sex workers including both documented and undocumented migrant sex workers. Services provided include access to HIV testing, treatment and care support, information sharing through focus group discussions and support group sessions.

104. Government also provides Prevention of Mother To Child Transmission (PMTCT) Programme for pregnant women, issuing of free condoms for family planning, PrEP for discordant partners/high risk behaviour, testing services both private and public available to all, and health education on issues of stigma.

105. Since 2019, Government through NAHPA supports civil society (Nkaikela Youth Group) to empower women engaged in sex work to exit the trade as well as prevent vulnerable women and girls particularly out of school groups from entering into sex work.

106. Women and girls who are survivors of any form of sexual abuse are afforded the protocol of medical intervention including post exposure prophylaxis as well as undergoing counselling. All the under privileged females are thoroughly assessed and assisted with poverty eradication programmes which are income generating to enhance their livelihoods.

107. Government through social safety nets provides food baskets to women and needy children. In addition, the Government provides 3 nutritious meals to learners. Furthermore, the Government offers support to civil society working with youth such as Young Women Christian Association (YWCA) for furtherance of education for those who dropped out of school. The same are also provided with parenting, life and leadership skills. Noting the vulnerability of women and girls in rural areas, the Government has dedicated financial resources to support artists and cultural groups at local level.

**Political participation and participation in public life by women**  
**Recommendation 32**

108. To raise awareness on the importance of electing women into decision making positions a Training Manual for Women in Politics in Botswana has been developed and currently being translated into Setswana. This was done through the support of UNDP.

109. Training for women aspiring for political office for the 2024 elections is scheduled to take place in 15 different areas countrywide. In addition, a campaign will be undertaken targeting political parties, NGOs, district councils, women, men and youth.

110. Emang Basadi conducted research on the status of women in politics to highlight perceptions and attitudes of the political players and the general public on women's involvement and participation in political decision making. This booklet will be used as an educational and advocacy tool on the political empowerment of women in the 2024 general elections.

111. In addition, Emang Basadi has started a project called Promoting Women into Political positions and leadership for the 2024 general elections and this project will work on the following:

- (a) Continue with national constitutional review including the electoral system review;
- (b) Training on Civic and Voter education;
- (c) Develop and launch Media Gender responsive reporting Guidelines;
- (d) Train Media on Gender Responsive Reporting;
- (e) Train aspiring women and girls to participate in 2024 National General Elections; and
- (f) Train political parties to review their institutional policies, regulations, manifestos to mainstream gender.

112. The Government of Botswana, through the Ministry of Youth, Gender, Sport and Culture (MYSC), in partnership with the United Nations Development Programme (UNDP); has embarked on a programme aimed at preparing women for more strategic campaigning for political participation and leadership for the 2024 elections and beyond. The purpose of this project is to:

- (a) Strengthen capacities of women in politics and women advocates to be effective leaders, change drivers, campaigners and mediators;

(b) Discuss women's political participation and challenges in a multiparty context/approach;

(c) Strengthen women and youth capacities to improve their contribution to women's and youth wings/leagues within political parties;

(d) Sensitize top members of political parties and local political party authorities and influencers on how they can turn their respective organisations into democratic and inclusive institutions;

(e) Raise awareness among women parliamentarians, women from local government entities, women from civil society organisations and the media, about the importance of promoting gender equality in political involvement, participation in leadership and decision-making at all levels; and

(f) Support the design of intervention strategies and of a favourable environment for actions for the adoption of a gender parity law in Botswana, in line with CEDAW's recommendations and the National Gender Policy.

113. The Government in collaboration with civil society organisations has carried out programmes aimed at empowering aspiring women politicians. Some civil society organisations such as Gender Links and Democracy Works Foundation have undertaken programs aimed at empowering women. Wider consultation and participatory constitutional review have been completed; it is envisaged to bring to the fore issues relating to women representation and participation in the political sphere.

## **Education**

### **Recommendation 34**

114. Transportation of children in selected remote areas to and from school in donkey carts continues. Botswana has various service providers who have hotlines where children can report and these include:

(a) Childline Botswana toll free line;

(b) Botswana Gender Based Violence Prevention and Support Centre (BGBVC) (operates free short message service cell phone number);

(c) The Botswana Police Service provides a GBV toll free line and Gender and Child Protection Branch to ensure rapid response to child abuse matters and to provide victim friendly psycho-social services to the victims; and

(d) Youth Counselling on Air (YOCA) assists youth to report cases and also receive counselling. The service has been temporarily suspended and is under review.

115. Botswana has not yet developed an anti-bullying policy however; the Education system has adopted the child-friendly school concept with anti-bullying clearly pronounced. Botswana's Inclusive Education Policy 2010 also addresses school bullying and intimidation by stating that: "Schools will develop anti-bullying policies and practices to ensure that children with special educational needs are safe and happy in the school environment." In addition, it prescribes the use of Learning Support Workers to ensure that learners are safe and happy in school during break times, so that learners with special educational needs who are not as robust as their peers are not intimidated.

116. The Education Act (1967) is in the process of review and corporal punishment is under discussion.

117. The Government of Botswana is committed to ensuring that all children complete their basic education. The Inclusive Education Policy aims at providing

access to high quality inclusive basic education for all children and affording opportunities for young people and adults from marginalised and vulnerable groups to complete their basic education.

118. The Botswana General Education system through the school guidance and counselling departments supports children to remain in schools. There are also wider national programmes that form circles of support for children such as the Affirmative Action Programme (AAP). The aim of the AAP is to support and increase retention and completion rates at secondary school level, especially for young women and girls, as well as increase access and retention of groups furthest left behind at the tertiary education level. Through this programme learners from remote area communities, and economically and socially disadvantaged groups are supported socially, financially and psychologically to access education and training. Through this programme, an estimated 2754 learners, that is 8% of the total enrolment, have accessed university level education in 2021/22 academic year.

119. The readmission procedure currently requires a fitness certificate as opposed to waiting for six weeks and readmission is also allowed into the same geographical area school. However, note that no child is expected to be absent from school for forty school days, otherwise they will be required to repeat the class. Children are admitted to the standard or class they dropped at.

120. Government has put in place policies to strengthen interlinkages in skills development including Technical and Vocational Education and Training (TVET) and related systems to the educational system to meet the market needs required to achieve the High-Income Country Status.

121. The Government through institutions such as Botswana International University of Science and Technology (BIUST) is dedicated to promoting Science, Technology, Engineering and Mathematics (STEM) Subjects to ensure that girls also benefit and move away from the traditional subjects. BIUST has in place strategies that motivate girls and the general public to change their mind-set about the STEM subjects and equally view girls as standing an equal opportunity like their counterparts.

122. Efforts are being made by academic institutions to nurture and mentor learners and the public (in identified problem areas) through various media to build the needed confidence. This includes in-residence (on the BIUST campus) experience; enrichment residential programmes during university vacation times; live interactive participation in solving mathematics and science problems.

123. In addition, mobile Science Circuses are carried out to reach learners throughout the Country to bring about live interactive mathematics and science activities developing a science movement which provides exposure, play, admiration, experimentation and utilisation. Through this a support chain linking primary schools, secondary schools, relevant Technical College and the BIUST is created.

124. Teacher aid is available in the education system for children and the country has developed a language policy in which in the first two years of Primary Education, children will bridge with their mother tongue. That is, children have an opportunity to appreciate concepts with their mother tongue. The policy commenced with thirteen languages in January 2023.

125. Botswana has as of August 2021 signed the Convention on the Rights of People with Disabilities and this is a progressive step towards realising rights of people with disabilities. The Ministry of Education through the Department of Special Support Services ensures inclusive education by carrying out learner assessment for correct placement. This applies to all learners including girls with disabilities. Financial resources remain a challenge but the Government continues to seek ways to provide for the services.

## Employment

### Recommendation 36

126. Maternity leave both in the private and public sector is currently 84 days, which is six (6) weeks before confinement and six (6) weeks after confinement. Currently labour laws are under review and it has been proposed that the duration for maternity leave and maternity allowance be aligned with Maternity Convention (C183 of 2000) This proposal means that the duration for maternity leave is envisaged to increase from between (12) weeks to (14) weeks and the maternity allowance increased from 50% to 66% especially in the private sector as in public sector maternity allowance is already at 100% for the first three children and 50% thereafter. Enforcement of the provision of maternity leave is however monitored through labour inspections. Non-adherence to the provisions of the act is a criminal offence and the matter can also be dealt with through the dispute resolution mechanism. There is availability of both private and public early childhood care facilities throughout the country. There are also health facilities both in private and public and accessible to all. Access to public facilities is free of charge.

Table 1

**The table below shows disaggregated 2021 unemployed population (15 years and above with disability by Strata and Sex, Q4 2021) data**

<i>Strata</i>	<i>Employed Females</i>
Cities and Towns	587
Urban Villages	3 056
Rural Areas	12 457
<b>Total</b>	<b>6 100</b>

*Source:* Statistics Botswana, 2021

127. Botswana notes that though the Country has not ratified this Convention, national laws have taken on board the aspirations of the Convention which presents good ground for ratification.

128. Government in collaboration with civil society organisations and community-based organisations continue to provide affordable childcare facilities.

129. A total of 1 147 private and public early childhood care facilities are available throughout the country with a total enrolment of 38 743 (19 339 girls and 19 404 boys).

130. Current legislation of pensions and social security, benefits qualifying women and men. The tripartite, through the Decent Work Country Programme 2020–2024, is developing a social protection scheme as a priority under the Programme. The envisaged scheme will leverage on lessons learnt from COVID-19. The scheme will be accessible to women and men and extend coverage to women in the informal economy.

## Health

### Recommendation 38

131. Initiatives to reduce maternal and infant mortality are on-going. Through the emergency obstetric maternal and amp; new-born care (EmOMNC) nurses and doctors are continuously given the skills to attend to emergencies that can and do emerge during pregnancy, labour and postpartum. So far district-based trainings are

conducted periodically for nurses, midwives and doctors and to-date a total of 120 nurses and doctors (HCW) have been trained in 2022 to attend to obstetrics and/gynaecology that may result in losing women and children. As a way of promoting retention of nurses, the ministry has reviewed its pay structures to remunerate health care providers with overtime allowance of 30% added to it 10% for post basic courses like midwifery. This acts as an incentive to nurses in order to retain them to service.

132. The Government of Botswana has further put in place structures to audit maternal and new-born deaths in all structures of health, being institutional and national /audit systems or committees. On a frequent basis when a death occurs at an institution it is reported to the Ministry of Health Sexual Reproductive Health Division (SRHD) within 24 hours and the expectation is for the respective institution to audit that death and come up with recommendations for improvement. The case is further audited at the national level to further come up with solutions and recommendations to the institution where a death occurred. At the national level quarterly maternal mortality audits are conducted and the specific institutions are supported to rectify why a woman died. Mobile services have also been strengthened by decentralising transport and increasing the number of ambulances per district. The Ministry of Health has also embarked on the project to harness drone's technology as an innovative solution to addressing one of the causes of maternal mortality by delivering live-saving commodities including drugs and blood.

133. In recognition of incidences of abortion coupled with maternal mortality due to abortion, Botswana is still consulting on the issue of decriminalising abortion. The Country still considers abortion or termination of pregnancy under the considered issues as stipulated by the Laws of Botswana, e.g. in cases of rape, incest, threats to the health and lives of a woman and the unborn baby as well as severe abnormalities/foetal impairment. However, health care workers continue to be trained with skills to provide comprehensive post abortion care to women coupled with the provision of modern contraceptives to avoid future unplanned pregnancies.

134. The Ministry of Health has introduced long-acting contraceptives (LAC) in the form of Implants both a three year and five-year types to prevent unplanned and unwanted pregnancies, this is in addition to the other methods that have been in place for the longest time in the country. The Ministry has also introduced the morning after pill/emergency contraception to the health care delivery system. Health care workers have in this regard been capacitated on implant insertions and removal in addition to other LAC as well as the provision of EC coupled with counselling of women.

135. Through the Sexual and Reproductive Health Division and a unit named "Male Involvement in SRH and response to GBV strategic documents in the form of guidelines to service providers have been developed. These guidelines were reviewed in 2022 and are ready for dissemination to the entire health care delivery system. Service providers will be trained to effectively respond to victims of GBV who in most cases are women and the girl child. The guidelines also cover management of key populations and stipulate the referral process of victims of abuse to relevant stakeholders for further management.

136. The Ministry of Health in partnership with CSOs since 2019 trained over 100 health care professionals on human rights based centred service provision including, medical ethics redefining of gender stereotypes to empower them with knowledge on how to better serve key and vulnerable populations. Furthermore, District Health Management Teams (DHMTs) also partner with CSOs to conduct joint programming, inter-referrals and linkage to services for Gender Based Violence.

137. In addition, MoH continues to strengthen cervical cancer screening services by conducting ongoing capacity building initiatives, awareness and demand creation

services nationally on the importance of screening-providers have been trained on screening and treatment up to 2022. The ministry has expanded the VIA screening modality to 18 districts, 75 facilities and 35 LEEP clinics. Furthermore, the ministry is currently working on the national cancer control plan to strengthen screening, diagnostic, treatment and rehabilitation services for all cancers including cervical cancer.

### **Economic empowerment of women**

#### **Recommendation 40**

138. The Ministry of Lands and Water Affairs through their programme Lefatshe Boswa alerts the public on their rights to accessing land; The Revised Botswana Land Policy of 2019 allows surviving spouses to pursue applications of their deceased partners; The Land Tribunal, a Court of equity holds road shows to sensitise women on the operations of the Land Tribunal. The Government during the Ministry rationalisation exercise moved the Land Tribunal from the Ministry of Lands and Water Affairs to the Ministry of Justice. This will enhance the integrity of the justice system in Land Adjudication as the respondents and the adjudicators will no longer be in the same Ministry.

139. The Ministry of Agriculture (MoA) continues to mainstream gender in its policies, strategies and programmes as guided by the National Policy on Gender and Development and achievements include among others; The establishment of the Sector Gender Committee (SGC). The purpose of the Committee is to oversee gender sensitive programming, monitoring implementation of such programmes as well as sensitising and evaluating such initiatives in the sector; A Gender in Agriculture Strategy was adopted in 2020 following engagement with key stakeholders amongst them being women in rural areas and in agriculture. The Strategy covers several areas such as awareness raising on women's access to agricultural land, sensitising Land Boards and Tribal Administration Authorities on the rights of women to access land, access to finance as well as extension and information services.

140. To close the gender gap in agriculture, the Government adopted gender sensitive and gender responsive programming. Examples include: The Integrated Support Programme for Arable Agriculture Development (ISPAAD) and the Livestock Management and Infrastructure Development (LIMID) Programmes. Majority of the beneficiaries of these are women; the LIMID II Impact Evaluation Survey Report published in February 2017 indicates that 70.3% women benefited from the programme compared to 29.7% men, Furthermore, Government provides arable farmers with inputs such as seeds, fertilisers, herbicides and draught power to undertake tillage operations through the ISPAAD Programme. The Programme also includes cluster and individual field fencing. The impact of the programme is that 60% of the women in the subsistence sector benefited thereby contributing to food security at household level.

141. Increasing global recognition of the need for gender equality and empowerment for effective development has resulted in the reprioritisation of gender equality in sport and development policies and strategies. The following are some of the efforts the Ministry of Youth, Gender, Sport and Culture in partnership with the Sporting Fraternity has embarked on:

142. In 2018, Botswana hosted the 7th IWG World Conference on Women and Sports demonstrating commitment at the highest level. The hosting of this event motivated the Ministry of Youth, Gender, Sport and Culture (MYSC) to develop a strategy, guidelines and implementation action plan for gender mainstreaming in sport through the support of the Commonwealth. The strategy is intended to contribute to the attainment of gender equality.

143. The strategy focuses on:

- Advocating for appointment of women in decision making positions in Sport Bodies,
- Resourcing women participation in sport, gender equality in sport,
- Fighting Gender Based Violence through sport,
- Promote relationship between female and males in sport,
- Increasing women participation in sport and professions,
- Raising awareness issues such as sexual reproduction health,
- Inclusion of marginalised groups in sport activities
- Curbing communicable diseases through sport in females as the most affected group.
- Eliminate perceptions perpetuated against female participation in sport.

144. Since the adoption of the strategy the following have been achieved.

- The Formation of Women and Sport Botswana (WASBO) a body which advocates and monitors women inclusion in Sport.
- The formulation and implementation of the Diversity and Inclusion Policy in 2022.
- The formulation and implementation of the Sexual Harassment Policy in 2022.
- Increase women involvement in sport by 30% in the Vision 2028.

145. To date, Botswana Government has more than 20 females in positions of administration leadership and technical in Regional, National Sport Associations and Sport Agency level.

### **Rural women**

#### **Recommendation 42**

146. Government recognises the significant contribution of women in decision making and as such affords them the opportunity to participate at various levels starting at ward level. To date, females represent 69% of the total membership of Village Development Committees, 47% of VDC executive positions, 19% Councillors, 12% Mayoress and 43% of Council Management.

147. The satellite offices established in 2018 have since been upgraded to fully operational offices. In addition, the capacity of the National Gender Machinery has been increased from 31 to 72 Programme Officers. This has enabled the machinery to reach more communities particularly the rural areas.

148. Government has partnered with the Civil Society with the objective of building and empowering women (organised women groups) at community level (WE GROW). The partnership includes poverty alleviation as it targets the poor and marginalised women. To date, 17 groups with a total membership of 220 were formed. Some groups are growing their savings through micro-lending while other groups have started various small businesses.

149. Government also established partnership with Civil Society for empowering communities in remote area settlements to be self-reliant in food security. On this premise, a total of 11 hydroponic vegetable gardens have been planned for installation. To date, 5 have been installed. The project has benefitted 41 individuals of which 29 (70.7%) are women Beneficiaries have been equipped with skill on

operating the hydroponic unit including servicing the equipment, making fertilisers and seedlings, business management acumen as well as marketing skills. This will enhance the skills transfer to young women and improve food security in their homes.

### **Indigenous and migrant women**

#### **Recommendation 44**

150. The Remote Area Development Programme (RADP), its Affirmative Action Framework for Remote Area Communities (RACs) as well as the 10-year implementation plan were introduced in 2014 specifically as one of the flagship programmes. The plan involves regular consultations with RACs and monitors implementation of identified projects for the benefit of the RACs. The Affirmative Action Framework for RACs is guided by the Revised National Policy for Rural Development, the National Strategy on Poverty Reduction, and the RADP document of 2009. The Affirmative Action is meant to ensure that the RACs benefit from national programmes across sectors, through close monitoring of implementation and fast-tracking of programmes in the remote area communities, for optimal benefit.

151. Specifically, the affirmative action is intended to:

- Promote social inclusion of people living in recognised remote(delete) RACs to be able to participate in the economic and social activities of the country;
- Enable RACs to build sustainable livelihoods, promote self-reliance and sustainable utilisation of natural resources;
- Enhance RAC's access to social services, poverty eradication initiatives and other national development programmes; and
- Facilitate community participation of RACs in community development initiatives; and (f) enhance collaboration with NGOs, CBOs, Faith Based Organisations (FBOs), Development Partners and Private Sector on the development of RACs.

152. The Prison Act emphasises access to health and education by convicts amongst whom are women. In this regard, clinics operated by trained health personnel are available in the facility to enable access to health services. With education, it is offered from standard 1 up to tertiary level. To de-stigmatise ex-offenders, a reintegration program is implemented in partnership with communities. On HIV treatment, the Government has removed obstacles whereupon ART is accessible to everyone regardless of nationality, gender, race, socio-economic status and sexual orientation.

153. The Botswana Prison Service operates 2 Infectious Disease Control Centres (IDCCs) in Francistown and Gaborone. These are clinics that provide HIV/AIDS related services to in-mates including detained illegal migrants.

154. It is worth noting that Botswana has adopted the Alternative to Detention Strategy to relieve expectant mothers, nursing mothers, and children. Marginalised persons who are eligible for detention and have reliable hosts (where an immigration officer can easily access them) are released from detention to their hosts subject to making written sureties on their behalf that they would arrange for their travel back home and inform the immigration officer on their progress until such a person leaves the country.

155. The detention process considers all humanitarian needs such as the health and legal needs of detainees. During detention, the Government ensures that families are not separated. For the economic benefit of refugees, they are issued with work and residence permits. Upon detention of a migrant, their health status is considered and

they are supported accordingly. While under custody, migrant women and children have access to free medical services including antiretroviral treatment.

156. Women migrants who are not detained also have access to health services including antenatal care and immunisation for children.

157. With regard to legal services, migrant women have a right to legal representation and the freedom to seek private legal counsel. Women migrants also have access to employment that they qualify for.

### **Climate change Recommendation 46**

158. The Ministry of Environment and Tourism developed the Botswana Climate Change Response Policy (BCCRP) 2021 as an overarching framework to deal with Climate adaptation processes in the country. The Policy is aligned to United Nations Framework Convention on Climate Change (UNFCCC) and has a dedicated chapter on gender. By this, gender sensitive measures are undertaken.

159. The Botswana National Climate Change Strategy (2018) and the National Adaptation Plan Framework for Botswana (2020) guide interventions on adaptation, mitigation and resilience.

160. The National Climate Change Strategy of Botswana (NCCB) has identified high level strategic activities for gender responsive adaptation activities, such as:

- Promoting equitable participation of women farmers and female headed households in Climate Smart Agriculture (CSA) Programmes, agro-tourism and access to conservation agriculture technologies.
- Ensuring gender equitable access to the proposed endowment fund providing low-cost finance to climate change adaptation projects.
- Developing a national Climate Change Gender Action Plan, encouraging women to drive climate resilience and including water, energy, and healthcare issues in households.
- Ensuring that women's voices are included in natural resources management through their equitable participation in Community Based Natural Resources Management processes.
- Ensuring the full participation of women and female headed households in disaster management public gatherings, to address both the higher vulnerability of women and children, and to plan for higher post disaster burden placed on women due to their dual role as producers and carers.

### **Family relations and equality before the law Recommendation 48**

161. The Government of Botswana adopted a Law Reform Strategy (2020–2023) to promote rule of law and economic growth. The Law Reform Strategy aims to review outdated and inconsistent laws and regulations, to improve access to justice, promote enjoyment of human rights and other social protections. The Strategy remains a guiding document on reconciliation of customary and common law. (Response is as captured at 12a above).

162. The Adoption of Children's Act is currently under review.

**Data collection and analysis****Recommendation 50**

163. The Government through Statistics Botswana undertakes periodic surveys and the collected data is disaggregated by sex amongst other variables, Examples include:

- National Population and Housing Census – 2022.
- Crime Statistics – 2022.
- Botswana AIDS Impact Survey – 2022.
- Informal Sector Survey – 2021.
- Multi-Topic Household Survey – 2020.
- The National Relationship Study – 2018.
- Botswana Demographic Survey – 2017.

**C. Examination of progress on implementation of CEDAW****Part I****Article 1****Discrimination**

164. The Constitution of Botswana provides for equality before the law. The recently concluded Constitutional Review process was all comprehensive and all-inclusive ensuring that marginalised voices such as women, children, People With Disability (PWD) and Lesbians, Gay, Bisexual, Queer, Transgender, Intersex (LGBTQI) were heard. Furthermore, the review process has proposed that Section 15 of the Constitution be amended to include intersex as a ground for non-discrimination. In addition, Botswana ratified the revised Southern Africa Development Community (SADC) Protocol on Gender Development in 2017.

165. The Botswana Land Policy was revised in 2021 to facilitate ownership of land by both women and men married in community of property. In 2021, Botswana adopted the Economic Inclusion Act which aims to promote effective participation of targeted citizens in the economic growth and development of the economy. The Act is also expected to empower women as one of the targeted groups and this aligns with the principle of “Leaving No One Behind”. In addition, the Government adopted the Sexual Offenders Registry Act in 2021. The Act amongst others provides for stiffer penalties and recording of details of persons convicted of sexual offences. The Act further prohibits such persons from working with vulnerable groups such as the elderly, children and People With Disability.

**Article 2****Policy measures**

166. Since the last reporting period, Botswana adopted policies, institutional and administrative reforms. These include;

167. The National Energy Policy 2021 which recognises the energy needs of women and men and calls for the inclusion and consideration of these gender differences into energy strategies; Botswana Climate Change Policy 2021 also recognises differential impact of climate change on women and men and the need for intervention. Furthermore, the Ministry of Agriculture has also developed the Agricultural Gender Strategy that mainstreams gender into agricultural programmes.

**Article 3****Guarantee of basic human rights and fundamental freedoms**

168. Botswana continues to create legislation and structures that promote enjoyment of human rights and fundamental freedoms. Noting limited knowledge on the laws of the Country which hinders access to justice particularly by women, government continues to make strides to mainstream gender into the Customary Justice System. During the reporting period, 296 Dikgosi have trained on Gender and Development and GBV.

**Article 4****Special measures**

169. The Government is committed to implementing special measures targeting vulnerable groups such as women, youth and people with disability. Government has adopted a number of initiatives to empower women and other vulnerable groups. The Poverty Eradication Programme provides economic opportunities to the most vulnerable populations, including remote-area communities. As at August 2022, 14 744 additional projects had been funded. In total, out of the 40 973 projects funded since inception, 29 564 are operational and have employed 34 553 people thus contributing to improved livelihoods.

170. The National Poverty Eradication Draft Policy will be reviewed in line with the recently enacted Economic Inclusion Act (2022) which provides for, *inter alia*, the implementation of economic empowerment laws and initiatives as well as the effective participation of “targeted citizens” in the economic growth and development of the economy. There are also reservations and preferential treatment for women, youth and people with disability in micro-procurement, project maintenance, price preference (tenders) and quota reservation for firebreak projects. As of December 2022, 31 524 women and 10 416 men benefitted from the Poverty Eradication Programme. Of these, 3 547 were youth, being 2 661 females and 886 males.

**Article 5****Sex role stereotyping and prejudice**

171. As highlighted earlier, Botswana has an enabling environment, through the existence of sound legal and policy frameworks to eliminate all forms of discrimination and violence against women and girls. However, violence against and exploitation of women and girls remains a challenge, with one in three women having experienced GBV in their lifetime, and with women with disabilities two to three times at risk. Intimate Partner Violence (IPV) accounts for most cases of violence against women (36.5% lifetime experience). Women of reproductive age are more likely to experience IPV than older women, specifically for those aged forty and older while 15% of women who have ever been pregnant experienced GBV during pregnancy. Higher levels of GBV are driven by entrenched gender inequalities and negative socio-cultural practices that assert male dominance over women and girls (patriarchy) fostering a culture of silence, fear and impunity related to GBV.

172. In an effort to prevent re-offending by perpetrators, Botswana Prisons Services introduced a programme aimed at promoting rehabilitation and re-integration of perpetrators into the society.

173. Capacity building for various sectors remains central to the success of GBV response with ongoing efforts to mainstream gender into the Customary Justice System through the implementation of the 2015 Dikgosi GBV Action Plan. A GBV Training Curriculum for Dikgosi was developed in 2019 for that purpose. Government

is also finalising Guidelines on Child Welfare and Abuse, to assist Dikgosi on handling issues of child abuse.

#### **Article 6 Prostitution**

174. The Botswana Court of Appeal made a ruling in 2019 that same sex relations between consenting adults does not constitute a crime. There are organisations that are supported to work directly with these key populations to ensure they access health services and also cater for their rights. Revised HIV guidelines cater for key populations and provide services tailor made for their needs.

## **Part II**

#### **Article 7 Political and public life**

175. The Electoral Act Chapter 02:09 of 2012, the Local Government Act 2012 and the Referendum Act CAP 02:10 guide the electoral processes in Botswana. These laws do not carry special measures to facilitate women's representation. Botswana adopted the National Policy on Gender and Development in 2015 as a strategic guiding tool on gender interventions, and a National Gender Commission has been established to support the process towards an inclusive legislature. The unicameral parliament consists of 57 members who are directly elected in single-member constituencies using First Past the Post (FPTP), and they elect the President, who has the mandate to nominate six Specially Elected Members for election by the National Assembly, which totals 63 members, plus the Speaker of Parliament and the President of Botswana. The number of Specially Elected Members was increased from four to six before the 2019 elections, and four women were elected under this dispensation after nomination by the President. However, the number of women securing direct election remains low.

176. Botswana conducted a constitutional review in 2022 where issues of gender equality and women's empowerment were high on the agenda. The Gender Policy and Action Plan sets equal representation as a national priority, and His Excellency the President of Botswana, in his inaugural address to Parliament, emphasised the need to increase the presence and participation of women in politics. According to the national progress report, "the FPTP arrangement is not adequate in ensuring that women fully participate in the electoral process." Three women were elected under FPTP in the 2019 elections, and the President used the facility for Specially Elected Members to nominate 4 women, thus increasing the representation to 7 women of the total 63 members elected.

177. The SADC Electoral Observation Mission (SEOM) expressed regret at the low number of women who contested the elections, noting that there were only 11 women among the 210 candidates for election although 55 percent of voters in Botswana are women. Higher numbers could be achieved by encouraging the participating parties to field more women candidates to compete for parliamentary seats, among other measures. Botswana ranks last in the SADC rankings with 11.1 percent women in the National Assembly. The next general election is in 2024.

Table 2  
**Women in Botswana Parliament and Cabinet**

	2014			2019		
	<i>Female</i>	<i>Male</i>	<i>Female %</i>	<i>Female</i>	<i>Male</i>	<i>Female %</i>
Parliament	5	56	<b>8.2</b>	7	58	<b>11</b>
Cabinet	4	20	<b>17</b>	6	23	<b>20.6</b>

Source: Appointment of Cabinet Ref 5/57/13 I

Table 3  
**Women Representation in Local Government**

	2014			2019		
	<i>Female</i>	<i>Male</i>	<i>Female %</i>	<i>Female</i>	<i>Male</i>	<i>Female %</i>
Local Councils	116	473	<b>24.5</b>	117	591	<b>19.7</b>

Source: Local Government and Rural Development 2022

### **Article 8 Representation**

178. Since 2017 to date, Botswana has made substantive progress in the representation of women at all levels of decision-making in economic and public life. Within the public sector, women make up 44 per cent compared to 56 percent for men of managerial level positions. Statistics.

Table 4  
**Participation of women in the Court of Appeal and High Court**

	<i>Female</i>	<i>Male</i>	<i>Female %</i>
Chief Judge	0	1	0
Presidents	1	1	50
Judges	8	38	17
Magistrates	45	22	67

Source: Administration of Justice 2021

Table 5  
**Heads of Missions**

	<i>Female</i>	<i>Male</i>	<i>Female %</i>
	6	17	26%

Source: Ministry of Foreign Affairs 2021

### **Article 9 Nationality**

179. Botswana has a relatively strong civil registration and vital statistics system that has achieved 98% of birth registration coverage as per the 2020 Vital Statistics Report and about 80% of all deaths in the country. Considering another pathway with a

bearing on one's nationality is through marriage, the civil registration system accounts for all the common law marriages in the country as mandated by the Marriage Act.

*Nationality or tribal affiliation of a child*

180. In Botswana, women or men married to non-citizens have the right to keep their citizenship. In addition, children born from such union enjoy dual citizenship until the age of 21 years. This means that children can inherit out of their will, the citizenship of either parent.

### **Part III**

#### **Article 10 Education**

181. In addition to information provided below refer to Part B (Response 34).

182. Botswana provides free and compulsory ten (10) years of Basic Education from Primary to Secondary school. This is in line with the Country's Vision 2036's Pillar which promotes Human and Social Development; the Revised National Policy on Education, Education and Training Sector Strategic Plan (ETSSP) as well as UN Sustainable Development Goals.

183. The ETSSP marks a significant milestone in our collective efforts as a nation to bring about a more diversified, knowledge-based economy. It is intended to strengthen the match between qualifications and labour market requirements, thereby ensuring that education outputs are more closely aligned to future employment needs. It also facilitates improved outcomes for all learners by addressing issues of quality, relevance, access, equity and accountability across the entire sector, from Pre-Primary school to Tertiary level.

184. With the view to accommodate learners from remote area communities, economically and socially disadvantaged groups, the Government has adopted the Affirmative Action Programme (AAP). The programme is intended to support learners socially, financially and psychologically to access education and training. Through this programme, an estimated 2754 learners, that is 8% of the total enrolment, have accessed university level education in 2021/22 academic year.

185. The Country has committed to providing a competitive and relevant curriculum that is delivered by qualified teachers and trainers, making compliance to quality assurance standards mandatory. To that end, the minimum qualification for teaching at a tertiary institution has been raised to an advanced university degree. Additionally, implementation of the quality standards meant that the number of personnel without teaching qualifications within the sector were drastically reduced. As per the ETSSP government has determined that Colleges of Education programmes should be upgraded to degree level, which will further strengthen the quality of teaching and learning in schools.

#### **Article 11 Employment**

186. The Botswana Demographic Dividend Study of 2018 revealed that two thirds of the population are economically active. Although unemployment rate is high (24.5 per cent) with youth and women being the most affected, Botswana has reached gender parity where 50.1% of the economically active males are employed compared to 49.9% of females. With the disruption of livelihoods and the limited access to social services due to the COVID-19 pandemic, women, young people and persons with

disabilities face increased multi-dimensional inequalities based on income, gender and disability; this has further compounded their economic vulnerabilities.

## **Article 12**

### **Health**

187. Botswana is committed to achieving Universal Health Coverage (UHC) with the Government aligning national health strategies to the 2030 Agenda for Sustainable Development and strengthening primary health care as the delivery vehicle to achieve equitable access to people-centred, non-discriminatory, comprehensive health services.

188. Furthermore, Botswana possesses a legal framework that ensures access to women and men to most aspects of SRHR care, information and education. In this regard, improvements in key sexual and reproductive health and rights (SRHR) indicators have been recorded; decline in AIDS related deaths from 5 300 (2017) to 5 100 (2020), total fertility rate from 3 to 2.8 births per woman and increase in contraceptive prevalence rate from 53% to 64.7% (2017). Notwithstanding, pockets of unmet need for family planning exist, where 17% of women of reproductive age have an unmet need for family planning, evidenced through differential fertility rate by rural/urban divide and education level attainment. This was corroborated during the stakeholder consultations where participants expressed persistent stockouts of reproductive health commodities especially condoms arising from supply chain related bottlenecks. Trends in maternal mortality also reveal that the country is off track to meet the SDG target by 2030 when compared to projections.

189. This represents the unfinished business of the International Conference on Population and Development (ICPD), and Botswana has made commitments to accelerate progress towards ending the unmet need for family planning, preventable maternal deaths, GBV and sexual transmission of HIV. Already, Botswana has recently developed an investment case on ending the unmet need for family planning to quantify the scale of sustainable financing required to ensure effective coverage of high impact interventions required to achieve this target.

### **Infant mortality rate (Female/Male)**

190. Infant mortality rates have declined from 28 (2021) to 27.4 (2022) deaths per 1000 live births, but neonatal, infant and under-five mortality rates remain high at 39, 38, and 56 per 1,000 live births respectively. Neonatal mortality accounts for about 70 percent of child deaths in the first year. Under five mortality rate was 48 per 1000 live births in 2017.

### **Maternal mortality**

191. There is a high rate of prenatal attendance by pregnant women and more than 98 percent of births are institutional. Even so, the investment into ensuring availability of comprehensive integrated SRHR, HIV and other health services has not adequately translated into the desired SDG maternal mortality target of 70 per 100,000 live births by 2030. Botswana's Maternal Mortality Ratio (MMR) was 130.5 in 2020 deaths per 100,000 live births.

### **HIV/AIDS prevalence amongst females and males**

192. Government is concerned about the higher HIV prevalence amongst women than men. The Botswana HIV/AIDS Impact Survey 2022 (BIAS V) indicates that by 5-year age groups, HIV prevalence was higher amongst females in each age group from ages 20–24 years through to 40–44 years. GBV continues to be one of the key drivers of HIV/AIDS infections in Botswana.

193. With the support of the Global Fund Matching Funds for AGYW in the 2019–2021; 2022–2024 grant cycles, Botswana received USD 2 million to continue institutionalizing a range of information, skills and values to empower young people to exercise their sexual and reproductive rights, and to make healthier decisions about their health and sexuality by revising the national curriculum.

194. The Life-skills Toolkit (which operationalizes the National Life-skills Framework) provides guidance to implementers (Guidance and Counselling Teachers, Social Workers and health service providers) on delivering CSE to young people at pre-school, primary and secondary school levels, as well as those out of school.

195. The Ministry of Education is currently reviewing and updating the Life-skills Curriculum as well as developing a Parent-Child Communication Manual.

196. The following are the successes of the measures adopted by Botswana to reduce HIV prevalence among young people:

- With regard to condom distribution, according to the 2020 report of the Global HIV Prevention, Botswana is ranked as one of the best countries in terms of the number of condoms distributed per person per year in sub-Saharan Africa between 2018 and 2019. The report applauds Botswana for managing to narrow the gap regarding preventive benefits of condom use in the 15–49-year age group.
- With regard to the promotion of HIV testing as the entry point to every HIV/AIDS program, Botswana exceeded the World Health Organisation (WHO) 95-95-95 target. This shows that 95.1% of the adult population living with HIV know their status, 98% are on treatment, while 97.7% of those who are on treatment are virally suppressed.
- With regard to Voluntary Male Circumcision (VMMC), cumulative achievement from 2009–2022: 273 983 SMCs were conducted, which translates to 92.5.0% of the 298 180 needed to be reached by 2022. Of these SMCs 6 021 were done through the Early Infant SMC Project.
- Botswana has also been effective in reducing Mother to Child Transmission of HIV and has reduced direct transmission from mother to child to 2.21%, surpassing the 5% global target.
- In recognition of this achievement, Botswana became the first African country to be awarded the Silver Tier Certificate on the Path to eliminate of Mother to Child Transmission of HIV by WHO.
- The National comprehensive program to remove human rights and gender related barriers to HIV and TB services which is supported by the Global Fund’s Breaking Down Barriers Initiative covered 11 out of 27 health districts and will gradually be scaled up nationally to promote human rights awareness and capacitate key and vulnerable populations.
- Noting that Botswana exceeded the 95:95:95 target, Government expanded the mandate of National AIDS and Health Promotion Agency (NAHPA) to include Non-Communicable Diseases (NCDs). As such, in 2021, with the support of the WHO, Botswana developed an NCDs investment case to guide resources mobilisation for NCDs.
- In addition, Botswana was on 20th September 2022, bestowed with a “National Achievement Award” by the Africa-America Institute (AAI), for effectively containing and managing the spread of HIV, Tuberculosis, and Malaria, among others. Furthermore, the Botswana Guidelines for HIV/STI Programmes for Key Populations was completed in 2020 with the support of United Nations

Population Fund (UNFPA). Through the assistance of UNFPA, the Government has developed the second National Condom Strategy (SBCC) 2020–2023, which is aligned to the National Strategic Framework III. The main highlights of the national strategy are to Strengthen coordination and condom programming, expand condom market beyond the public sector and address funding and resource gaps.

- Through social contracting, the Government has engaged CSOs in order to increase condom access to the community. 11 613 200 condoms were distributed in 2021 of which 36% were distributed by the various NGOs funded by Government.

197. In Botswana Gender Based Violence (GBV) remains a concern which became heightened in the advent of COVID-19 and has as such widened the gender inequality gap.

198. At the beginning on the pandemic in 2020–2021, Botswana experienced a surge in cases of violence against children, especially sexual violence. “COVID-19 exacerbated pre-existing challenges. It is very clear that some of the abuse is perpetuated in homes, a place where children should be safe. The country recorded increase of rape cases of children from 474 to 734, defilement cases increased from 1825 to 2033, while violence cases grew from 134 to 238 during the same period.

199. Access to health services was equally affected, with the routine immunization rate for children under 1 year dropping from 90 per cent to 47.5 per cent for all antigens for the same age group in 2021. “COVID-19 put a considerable strain on the health system, necessitating prioritization now to focus on continuity of essential and routine services such as ASRH and HIV services and building a more resilient system. The pandemic has also affected the education system in particular, about 26,000 learners enrolled in the Early Childhood Education programme missed two thirds of learning time in the first year of COVID-19. Learners with disabilities bore a double burden as the school closure resulted in them missing two thirds of learning time in the first year of COVID-19.

200. The COVID-19 pandemic threatens to roll back years of progress in protection and promotion of children’s rights, leaving children deprived of essential services and families struggling. The Country still has an outstanding challenge of building resilient systems to protect children and their families from any future shocks.

201. During the period GBV, service providers such as Botswana Police Service registered cases as per the below table.

Table 6|  
**Botswana Police GBV Statistics 2020–21**

<i>Description</i>	<i>Year 2020</i>	<i>Year 2021</i>	
# of GBV Cases Register	18 290	24 432	
<i>GBV Related Offences</i>	<i>Total Number of Reported Cases (2019)</i>	<i>Total Number of Reported Cases (2020)</i>	<i>Total Number of Reported Cases (2021)</i>
Rape	2 265	1 919	2 111
Defilement	1 208	1 825	2 033

In 2020 a total of 345 clients were admitted at the 2 shelters in Botswana.

### **Article 13**

#### **Economic and Social Benefits**

202. The National Poverty Eradication Draft Policy will be reviewed in line with the recently enacted Economic Inclusion Act (2022) which provides for, inter alia, the implementation of economic empowerment laws and initiatives as well as the effective participation of “targeted citizens” in the economic growth and development of the economy.

203. Botswana continues to avail start-up capital through the Youth Development Fund (YDF) to economically empower the youth as means of including them in the mainstream economy. From 2009 to 2020, a total of 10 729 youth (6 383 males, 4 346 females) benefited from the YDF funding. Out of these, 73 were persons with disability while 460 were youth in remote area (RADS).

204. There are Reservations and Preferential Treatment for the youth in micro-procurement, project maintenance, price preference (tenders) and quota reservation for firebreak projects. From April to November 2022, total expenditure on 20% quota reservations (micro procurement) was USD 2 684 367.66 while USD 164 959.75 was spent on 15% quota for maintenance. USD 46 351 062.35 was spent on 15% price preference (tenders) while the total expenditure for 30% quota reservation for firebreak projects is USD 16 229.84 Youth are also allowed to identify unused open spaces to utilise at no cost for setting up business stalls.

205. Government is also committed to alleviating out of school youth from poverty through the National Service Programme (Tirelo Sechaba), which empowers unemployed youth with skills and experience across various industries and business sectors. Youth enrolled in the program are given a monthly allowance to cover basic expenses. As at March 2019 to date, 14 054 out of a target of 15 000 youth were enrolled. The National Internship program offers unemployed citizen graduates a chance to develop work skills and experience that will support them in the transition from academia to the working environment through attachments in various organisations in Botswana. Placement is done for a maximum period of two (2) years. Selection is done on a first come first serve basis by considering the available vacancy, qualification and place of service. Similarly, the National Internship Programme offers the graduates a monthly allowance for basic expenses. Since 2018 to date, 13 423 youth graduates have been enrolled in the Programme.

206. As of December 2022, 31 524 women and 10 416 men benefitted from the Poverty Eradication Programme. Of these, 3 547 were youth, being 2 661 females and 886 males.

207. Profiling of the poor which leads to identification of appropriate and responsive interventions has been undertaken in four (4) severely impacted districts (Letlhakeng Tutume, Charleshill and Gumare. Implementation of recommendations such as support to access markets for local produce is ongoing.

208. The management of child poverty and intergenerational transmission of poverty has been achieved through implementation of programmes that facilitate access to adequate education, food and health care. These include the Early Childhood Development (ECD) whose objective is to bridge a child’s two worlds: home and school.

209. The Botswana National School Feeding Programme has a universal coverage and it reaches school children from reception to standard seven (7) in all government owned schools. The programme provides two on-site hot meals a day covering 364 859 learners in 764 public primary schools country wide. Thus, early morning breakfast before classes commence and mid-morning meals. A special dispensation

of a third lunch meal is given to 23 049 learners in Remote Area Settlements or from vulnerable communities. The school feeding programme also caters for Secondary school students.

210. Employment and wealth creation continue to be a priority for the country. As such, the implementation of targeted citizen economic empowerment programmes, aimed specifically at women, youth and other vulnerable members of society will be maintained. These include Women Empowerment initiatives, Youth Development Fund and the Poverty Eradication Programme. Affirmative action for these groups is being strengthened through amongst others, the Economic Inclusion Act, Local Economic Development Strategy and the Public Procurement Act.

211. Progress has been made in the provision of infrastructure in the rural areas to improve the investment environment and accessibility of services. This includes provision of electricity, water, roads, housing, sanitation, information communication technology as well as harnessing renewable energy sources. The rate of electrification stood at 72% access in 2020 (90.74% in urban areas and 26.38% in rural areas) while 203 villages are being connected for ICT purposes through SmartBots Village Connectivity Project.

212. To accelerate infrastructure development and to increase employment opportunities at local authority level, the Government has rolled out the Constituency Community Projects (CCP) programme covering all 57 constituencies in the financial year 2017/18. The total yearly funding under this Programme is USD 570 000.00 where each constituency benefits USD 100 000.00. Infrastructure developed includes classrooms, storm water drainage, roads, day care centres, guest houses and streetlights.

213. Human Capital Development, prioritizing efforts to boost skills development and training, with emphasis on technical training as well as up-skilling of the poor continues to be developed.

214. To mitigate the effect of COVID-19, the Government adopted the new Citizen Entrepreneurial Development Agency funding guidelines in 2020. The guidelines aim to make funding for the establishment and expansion of businesses more accessible, they are further designed to cushion both women and men from the aftermath of COVID19 pandemic with loans up to USD 500,000 not requiring security. Furthermore, CEDA developed Letlhabile Product which has to date assisted a total of 494 women led businesses to the value of USD 2.2 Million in 2021 and sustaining 5494 jobs in the process. These include enactment of the Economic Inclusion Act 2022. Furthermore, the Government through CEDA has assisted 9065 female led businesses to the tune of USD 13.2 Million creating employment for 16 160 since April 2014 to the end of January 2021.

215. Government continues to provide social safety nets to cushion vulnerable groups from abject poverty, malnutrition and diseases. These include the Destitute Programme, Ipelegeng (Public Works Programme) where majority of beneficiaries are women, Under Five feeding Programme, Orphan Care Programme for orphans and vulnerable children, Old Age Pension as well as disability allowance.

#### **Article 14**

##### **Rural women**

216. Botswana's rural population comprises approximately 30 percent of the total population. Although infrastructure and services have improved, poverty remains high in rural areas, as the majority of rural households continue to depend on subsistence agriculture under harsh climatic conditions, along with low incomes from

informal businesses. The percentage of people living in severe poverty is higher in rural areas at 7.4 per cent vis-a-vis 1.3 per cent in urban areas.

217. The gender inequalities in the sector such as men having more access, ownership and control to land, credit/finance, information, technology, markets and agriculture support services continue to be addressed through gender sensitive programming. The interventions such as the Integrated Support Programme for Arable Agriculture Development (ISPAAD) and the Livestock Management and Infrastructure Development (LIMID) Programmes have more women than men benefitting. The LIMID 11 Impact Evaluation Survey Report published in February 2017 reflects that 70.3% women and 29.7% men benefitted. These figures are for the Resource poor component of the Programme which involves individuals who owned up to 4 cattle or up to 20 small stock being given chicken and small stock assets to improve their livelihoods. The infrastructure component which includes water drilling, animal husbandry and fodder support and abattoirs was given to farmer syndicates and not individuals. In this component men seemed to benefit more than women as they constitute the majority.

## **Part IV**

### **Article 16**

#### **Marriage and family life**

218. The Married Persons Property (Amendment) Act 2021 provides for registration of property by married persons. This allows transparency in property ownership between married persons thereby reducing property grabbing.

#### *Challenges*

219. The main challenge that hinders effective implementation of the CEDAW is inadequate resources for institutional capacity development.

#### *Mitigation*

220. Government continues to provide resources though limited to various entities including Civil Society to support the National Gender Programme. In addition, Government collaborates with Development Partners, the Private Sector and other countries to learn best practice.

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