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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twenty-ninth session**  
Geneva, 15-26 January 2018

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Botswana**

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\* The annex is being issued without formal editing in English.

Contents

	<i>Page</i>
Introduction .....	3
I. Summary of the proceedings of the review process .....	3
A. Presentation by the State under review .....	3
B. Interactive dialogue and responses by the State under review .....	3
II. Conclusions and/or recommendations.....	3
Annex	
Composition of the delegation .....	15

## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-ninth session from 15 to 26 January 2018. The review of Botswana was held at the 5<sup>th</sup> meeting, on 17 January 2018. The delegation of Botswana was headed by the Minister of Nationality, Immigration and Gender Affairs of Botswana, His Excellency Mr. Edwin J. Batshu. At its 10th meeting, held on 19 January 2018, the Working Group adopted the report on Botswana.

2. On 10 January 2018, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Botswana: China, Cuba and the United States of America.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Botswana:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/29/BWA/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/29/BWA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/29/BWA/3).

4. A list of questions prepared in advance by Belgium, Brazil, Germany, Portugal, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland was transmitted to Botswana through the troika. These questions are available on the extranet of the universal periodic review.

## I. Summary of the proceedings of the review process

[To be completed by 2 February 2018]

### A. Presentation by the State under review

### B. Interactive dialogue and responses by the State under review

5. During the interactive dialogue, 83 delegations made statements. Recommendations made during the interactive dialogue appear in section II of this report.

## II. Conclusions and/or recommendations\*\*

6. **The following recommendations made during the interactive dialogue enjoy the support of Botswana:**

6.1. **Ratify those international instruments to which Botswana had committed to ratify during the second cycle of the UPR (Madagascar);**

6.2. **Cooperate fully with treaty bodies by meeting reporting obligations as a member state (Republic of Korea);**

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\*\* The conclusions and recommendations have not been edited.

- 6.3. Continue to work on the implementation of its commitments to promote and protect human rights in light of the recommendations already accepted (Sudan);
- 6.4. Consider the creation of a National Follow-up Mechanism for Recommendation on human rights issues, which would allow for an adequate follow-up of the obligations and recommendations made by regional and universal human rights systems (Paraguay);
- 6.5. Domesticate CEDAW in order to enhance the promotion and protection of women's rights (Namibia);
- 6.6. Continue efforts to ensure that the national human rights institution that will be established, will be in compliance with the Paris Principles (Portugal);
- 6.7. Expedite the establishment of a national human rights institution in conformity with the Paris Principles (Sierra Leone);
- 6.8. Intensify efforts aimed at establishing a National Human Rights Institution in line with Paris Principles (Ukraine);
- 6.9. Prioritize the setting-up of the national human rights institution in accordance with the Paris Principles (South Africa);
- 6.10. Step up the process of setting up the national human rights institution in conformity with the Paris Principles (Togo);
- 6.11. Accelerate the establishment of the national human rights institution in line with the Paris Principles on the Status of National Institutions (Afghanistan);
- 6.12. Establish, without further delay, a national human rights institution that will be in full compliance with the Paris Principles (Liechtenstein);
- 6.13. Establish a national human rights institution in line with the Paris Principles (Morocco);
- 6.14. Complete the legal procedures to establish the national human rights institution (Tunisia);
- 6.15. Complete its efforts to establish a national human rights institution in line with the Paris Principles (Greece);
- 6.16. Establish a national human rights institution that is in line with the Paris Principles by finalizing and adopting the Ombudsman Amendment Bill that will confer the human rights mandate on the Office of the Ombudsman (Thailand);
- 6.17. Take all efforts to ensure that its national human rights institution is in compliance with the Paris Principles (Timor-Leste);
- 6.18. Ensure the independence of the Office of the Ombudsman as a National Human Rights Institution in line with the Paris Principles (Canada);
- 6.19. Take concrete steps towards the finalization of the bill on the transformation of the Office of the Ombudsman into a hybrid National Human Rights Institution (Namibia);
- 6.20. Ensure that the Office of the Ombudsman, as a National Human Rights Institution is independent and adequately financed in line with the Paris Principles (Germany);
- 6.21. Resource adequately the National Gender Commission established in 2016 to monitor implementation of the National Policy on Gender and Development to perform its functions effectively (Singapore);
- 6.22. Finalize the work on a Comprehensive Human Rights Strategy and National Action Plan (Turkey);

- 6.23. **Finalise its plans to develop a National Human Rights Strategy and National Action Plan (Zimbabwe);**
- 6.24. **Take measures to improve efficiency, accountability and transparency in the public service of the country (Azerbaijan);**
- 6.25. **Provide trainings on human rights principles and obligations for all law enforcement officers, as well as continue to investigate allegations of human rights violations, including violations committed by police officers, and hold accountable those who are responsible (Thailand);**
- 6.26. **Take measures to prevent and combat all forms of discrimination, especially against women, persons with disabilities and other vulnerable groups (Italy);**
- 6.27. **Continue with reforms, which include introducing measures to diversify the economy and accelerate economic growth aimed at increased productivity, poverty reduction and the attainment of equitable social development (Indonesia);**
- 6.28. **Take active steps to ensure that public consultations on the abolition of the death penalty, including on its abolition, are held and include information on the outcome of those consultations in its next UPR report (Rwanda);**
- 6.29. **Renew the work towards holding a public national discussion on the death penalty (Ukraine);**
- 6.30. **Criminalize domestic violence and continue the elaboration and implementation of public policies to prevent, address, punish and eradicate all forms of violence against women, including building help centres for women victim of violence (Paraguay);**
- 6.31. **Implement further measures to combat gender-based violence and take steps to strengthen legal protections for victims of gender-based violence (Australia);**
- 6.32. **Train police officers and other stakeholders on the handling of reported cases of gender-based violence (Belgium);**
- 6.33. **Punish the authors responsible of sexual violence against women and girls (France);**
- 6.34. **Strengthen its domestic criminal legal system in order to effectively investigate and prosecute crimes (India);**
- 6.35. **Continue with efforts in the field of gender equality, especially by removing loopholes in national legislation and by encouraging participation of women in economy and politics (Slovenia);**
- 6.36. **Continue to study the possibility of establishing the measures and mechanisms in order to improve the representation of women's access to decision making positions in politics (Mauritania);**
- 6.37. **Take the necessary measures, as a country of origin, transit and destination for human trafficking and sexual exploitation of children, to address and investigate such crimes (Syrian Arabic Republic);**
- 6.38. **Continue to strengthen measures to combat human trafficking by providing trainings to service providers and stakeholders working with victims of human trafficking (Maldives);**
- 6.39. **Take concrete measures to prevent human trafficking and exploitation, especially of women and children (Republic of Korea);**
- 6.40. **Work closely with civil society and non-government organizations in addressing human trafficking issues (Philippines);**

- 6.41. Enhance its social protection programme, in areas such as: targeting mechanisms, implementation procedures and coordination (State of Palestine);
- 6.42. Strengthen the economic resources of the most vulnerable so that they can live in dignity (Libya);
- 6.43. Continue undertaking further measures to eradicate poverty (Azerbaijan);
- 6.44. Adopt a specific policy with affirmative action measures to lift young people out of exclusion and poverty, particularly those living in rural areas (Honduras);
- 6.45. Continue working on poverty eradication initiatives with special focus on women and children (Bhutan);
- 6.46. Further strengthen policies aimed at poverty eradication (Georgia);
- 6.47. Adopt measures to improve the quality of water (Timor-Leste);
- 6.48. Continue efforts to ensure the right to safe drinking water and sanitation by adopting in this regard a national water supply policy that includes a strategy for its sustainable management and measures to improve its treatment (Spain);
- 6.49. Adopt a national water policy, elaborating a long term strategy to manage this resource in a sustainable manner (Senegal);
- 6.50. Adopt policies aimed at improving the quality of water and introduce a systematic monitoring system for water treatment (Holy See);
- 6.51. Take necessary measures to improve access to health, particularly for vulnerable groups, including children and women (Algeria);
- 6.52. Broaden access to emergency obstetric care, to improve midwifery training for the medical personnel and consider increasing resources assigned to maternal health (Russian Federation);
- 6.53. Work at improving the health care infrastructure, access to emergency obstetric care, midwife training and resources devoted to maternal health (Holy See);
- 6.54. Further improve the health care infrastructure in Botswana and special attention to awareness raising programmes among women and adolescent girls in rural areas for addressing the challenge of HIV/AIDS (India);
- 6.55. Further strengthen its national programme to reduce HIV prevalence, especially among young people (Indonesia);
- 6.56. Strengthen the policies to combat HIV/AIDS (Senegal);
- 6.57. Maintain the Government's programmes on combating HIV/AIDS with the support of the World Health Organization and other international partners (Ukraine);
- 6.58. Take further steps to ensure right to health particularly by combatting the scourge of HIV and AIDS (Azerbaijan);
- 6.59. Continue to take action to promote awareness raising programs for prevention of HIV/AIDS (Myanmar);
- 6.60. Strengthen targeted interventions on vulnerability to HIV and gender based violence (Ethiopia);
- 6.61. Continue efforts to promote comprehensive education policies, particularly by implementing the National Strategic Education Plan (2015-2020) (Brazil);
- 6.62. Improve the quality of education (Iraq);

- 6.63. Promote human rights education and awareness raising for the public including schools, through government ministries and other bodies (Ghana);
- 6.64. Continue efforts to implement Committee on the Elimination of Discrimination Against Women obligations and promote and protect the rights of women (Maldives);
- 6.65. Continue to put emphasis on gender equality and ensuring rights of women and girls, including better access for them to education aside from committing greater budgetary resources to the Women Economic Empowerment Programme (Malaysia);
- 6.66. Take measures aimed at ending violence against women and girls and the discrimination suffered by them by influencing traditional practices that undermine gender equality and promoting greater participation of women in all sectors of society (Spain);
- 6.67. Continue the efforts to combat discrimination against women and achieve gender equality (Tunisia);
- 6.68. Continue efforts to achieve gender equality and the empowerment of women (Egypt);
- 6.69. Continue to strengthen programs for the economic empowerment of women (Cuba);
- 6.70. Pursue the implementation of plans and strategies to promote the rights of the child (Cuba);
- 6.71. Continue conducting the situational analysis on the National Plan of Action for Orphans and Vulnerable Children (Slovenia);
- 6.72. Allocate dedicated funding to the National Plan of Action for Orphans and Vulnerable Children for more effective implementation (Singapore);
- 6.73. Implement gender equality policies, which fosters girls' access to health and education and raise awareness among the population about sexual and gender-based violence (Mexico).
7. The following recommendations made during the interactive dialogue will be examined by Botswana and responses will be provided in due time, but no later than the thirty-eighth session of the Human Rights Council:
- 7.1. Enhance efforts to conform to the international standards concerning human rights, also by continuing the ratification process of the main international instruments (Italy);
- 7.2. Consider initiating the processes of ratification of the main human rights treaties that have not been ratified (Paraguay);
- 7.3. Become a party to international human rights instruments which Botswana has not as yet become a party to (Niger);
- 7.4. Ratify the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of Persons with Disabilities, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);
- 7.5. Consider the ratification of the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of all Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention against Torture and Other Cruel, Inhuman or

**Degrading Treatment or Punishment and its Optional Protocol, and incorporate these instruments into its national legislation (Burkina Faso);**

**7.6. Ratify the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);**

**7.7. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and harmonize its National Migration Policy with the principles espoused in the ICRMW (Philippines);**

**7.8. Ratify the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment (Denmark);**

**7.9. Intensify efforts to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Georgia);**

**7.10. Consider acceding to the Convention on the Rights of Persons with Disabilities (Ethiopia);**

**7.11. Accelerate the accession process to the Convention on the Rights of Persons with Disabilities (Georgia);**

**7.12. Speed up the process of accession to the Convention on the Rights of Persons with Disabilities (Azerbaijan);**

**7.13. Consider ratifying the Convention on the Rights of Persons with Disabilities (Mauritius);**

**7.14. Ratify the Convention on Persons with Disabilities (Morocco);**

**7.15. Continue the process of ratification of international conventions to which this country is not yet a party, especially the ratification of the International Covenant on Economic, Social and Cultural Rights (Gabon);**

**7.16. Ratify the International Covenant on Economic, Social and Cultural Rights (Angola); (Armenia); (Egypt); (Iraq);**

**7.17. Ratify the International Covenant on Economic, Social and Cultural Rights and the UNESCO Convention against Discrimination in Education (Honduras);**

**7.18. Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and the Convention on the Rights of Persons with Disabilities (Portugal);**

**7.19. Ratify the 1961 Convention on the Reduction of Statelessness (Sierra Lone);**

**7.20. Accede and domesticate the 1961 Convention on Reduction of Statelessness to address child statelessness and lack of nationality (Kenya);**

**7.21. Accede to the 1961 Convention on the Reduction of Statelessness (Slovakia);**

**7.22. Accede to the 1961 Convention on the Reduction of Statelessness (Côte d'Ivoire);**

**7.23. Ratify Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**

**7.24. Consider ratifying the Genocide Convention in view of the upcoming 70<sup>th</sup> anniversary of its adoption (Rwanda);**

**7.25. Ratify the UNESCO Convention against Discrimination in Education (Senegal);**

- 7.26. **Extend a standing invitation to the special procedures mandate holders (State of Palestine);**
- 7.27. **Extend a standing invitation to Special Procedures (Honduras);**
- 7.28. **Issue an open standing invitation to the Human Rights Council special procedures (Ukraine);**
- 7.29. **Issue a standing invitation to the special procedures of the Human Rights Council (Portugal);**
- 7.30. **Issue a standing invitation to special procedures (Montenegro);**
- 7.31. **Fully cooperate with the United Nations human rights mechanisms and, in particular, invite the special rapporteur on the situation of human rights defenders to conduct visits and ensure that there are unhindered visits with human rights defenders (Chile);**
- 7.32. **Recognize the competence of the Committee against Torture to receive individual communications under article 22 of the Convention (Morocco);**
- 7.33. **Adopt an open, merit-based selection process when selecting national candidates for UN Treaty Bodies elections (United Kingdom of Great Britain and Northern Ireland);**
- 7.34. **Consider developing in consultation with parliament and civil society a policy framework to guide practices and procedures concerning international treaty processes, which creates rights and obligations in international law (Ghana);**
- 7.35. **Adopt a national action plan on the implementation of the UN Security Council Resolution 1325 (Portugal);**
- 7.36. **Finalize domestic implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women, and the Convention against Torture (Turkey);**
- 7.37. **Take necessary steps to incorporate into domestic law those international human rights conventions that Botswana has ratified (Slovakia);**
- 7.38. **Accelerate ongoing efforts to domesticate the provisions of the international human rights treaties to which it is a party (Zimbabwe);**
- 7.39. **Incorporate into domestic law those international human rights conventions Botswana has ratified, including the CAT, the ICCPR and the CEDAW, making them directly applicable to the courts and administrative authorities (Greece);**
- 7.40. **Incorporate into domestic law those international human rights conventions that had been ratified, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the Convention on the Elimination of all Forms of Discrimination against Women and the African Charter on Human and People's Rights, making them directly applicable to the courts and administrative authorities (Zambia);**
- 7.41. **Ensure full incorporation of provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of all Forms of Racial Discrimination, the Convention on the Elimination of all Forms of Discrimination against Women into the national legislation (Afghanistan);**
- 7.42. **Continue efforts to domesticate ratified human rights conventions such as against torture, on civil and political rights and the African Charter on Human and Peoples' Rights (Kenya);**

- 7.43. **Adopt laws to incorporate in its national legislation the international human rights instruments to which it is party (Niger);**
- 7.44. **Include provisions of international human rights treaties ratified by Botswana in national legislation in order to ensure its applicability in courts and administrative organs (Russian Federation);**
- 7.45. **Further consolidate its social and human rights policies, particularly in the area of economic, social and cultural rights in order to improve the quality of life, particularly of the most vulnerable groups of its population (Bolivarian Republic of Venezuela)**
- 7.46. **Continue to address concerns on discrimination based on sex, sexual orientation or gender identity (Philippines);**
- 7.47. **Authorize sex changes (France);**
- 7.48. **Continue to fully implement various international human rights instruments particularly CEDAW and CAT with a view to reduce gender-based violence (Indonesia);**
- 7.49. **Raise the minimum age of criminality (Turkey);**
- 7.50. **Disseminate further the legal aid program aimed at promoting access to justice, increase a number of offices for legal aid throughout the country and to extend the mandate of the legal aid program to include criminal issues (Algeria);**
- 7.51. **Ensure that all journalists can report freely on Government activities without threat or harassment (United States of America);**
- 7.52. **Improve legal protections for journalists, especially those receiving information from whistle-blowers or covering government protests (Australia);**
- 7.53. **Refrain from using criminal charges to obstruct freedom of information and expression, including for journalists who receive information from whistle-blowers (Netherlands);**
- 7.54. **Enlarge the space for participation of civil society for more democratic governance and social inclusion (Republic of Korea);**
- 7.55. **Create mechanisms to increase the representation of women in positions of responsibility (Togo);**
- 7.56. **Increase women's representation in decision-making positions, in particular in the areas of access to water and services (Iraq);**
- 7.57. **Amend the 2009 Children's Act to include the definition of child trafficking and to criminalize the worst forms of child labour (United Kingdom of Great Britain and Northern Ireland);**
- 7.58. **Take effective measures to prevent trafficking in human beings and to rehabilitate victims (Russian Federation);**
- 7.59. **Amend the Trade Disputes Act and Trade Unions and Employees Organizations Act to conform to international standards, including protecting workers' right to organize (United States of America);**
- 7.60. **Take effective measures to improve the condition of migrant workers in compliance with international standards (Holy See);**
- 7.61. **Strengthen further its efforts in the area of poverty eradication, including by strengthening and addressing short-comings highlighted in the poverty eradication programmes (Malaysia);**
- 7.62. **Widen the programs to combat HIV for non-Botswana nationals (France);**

7.63. Affirm that there is no international human right to abortion and resist calls to liberalize abortion and further implement laws aimed at protecting the right to life of the unborn child (Kenya);

7.64. Take all appropriate measures to ensure children's access to quality education, including, when possible, education in their own language (Finland);

7.65. Adopting measures based on the principle of gender equality, which protect women's rights and safety and punish any discriminatory and harmful practice against them (Uruguay);

7.66. Reviews laws in order to stop violations of women's rights in the areas of adoption, marriage, divorce, burial and devolution of property on death and other personal law matters (Honduras);

7.67. Establish a comprehensive monitoring mechanism on the treatment of children with the aim of disclosing cases of sexual abuse, mistreatment and neglect, including by introducing the possibility of taking children out of an environment which is not conducive for their development (Germany);

7.68. Take effective measures to end violence against children including sexual abuse and exploitation (Myanmar);

7.69. Increase efforts in promoting the rights and well-being of indigenous peoples (Philippines);

7.70. Strengthen measures to protect minorities and indigenous people living in the country (Benin);

7.71. Strengthen the programs aiming at preserving and reinforcing the rights of people belonging to minorities (France);

7.72. Ensure indigenous peoples receive proper access to public services and water, and repeal the hunting ban as recommended by the United Nations Special Rapporteur (Canada);

7.73. Adopt legislative and normative acts to ensure the rights of all children to acquire citizenship and ensure that no child is born stateless (Russian Federation);

7.74. Amend its legislation in order to grant nationality to any child born in Botswana who would otherwise be stateless as well as to foundlings (Sierra Leone);

7.75. Amend the Citizenship Act and the Citizenship regulations in accordance with the Convention on the Rights of the Child, so as to ensure every child's right to a nationality (Belgium);

7.76. Adopt legislative measures, administrative measures and programmes which ensure the registration of all children born within its borders regardless of their parents' migratory status or nationality including refugees, foundling children and those born outside of hospitals (Mexico).

8. The following recommendations made during the interactive dialogue are noted by Botswana:

8.1. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and the International Convention for the Protection of All Persons from Enforced Disappearance (Slovakia);

8.2. Ratify the First and Second Optional Protocol to the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and its Optional Protocol (Spain);

- 8.3. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and observe a moratorium on the death penalty in the interim (South Africa);**
- 8.4. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Togo); (Côte d'Ivoire); (Liechtenstein);**
- 8.5. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of death penalty and take the necessary measures to repeal the death penalty from its legislation (Argentina);**
- 8.6. **Accede to the Second Optional Protocol of the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and adopt a formal moratorium and commute all death sentences to prison terms (Sweden);**
- 8.7. **Ratify the Indigenous and Tribal Peoples Convention No.169 of the International Labour Organization (Denmark);**
- 8.8. **Continue the efforts to harmonize laws and review the dual system between customary law and common law in order to remove contradictions and inconsistencies (Tunisia);**
- 8.9. **Adopt specific legislation to protect victims of violence and other human rights violations committed against persons on the basis of their real or imputed sexual orientation or gender identity, in line with resolution 275 of the African Commission on Human and People's Rights (Netherlands);**
- 8.10. **Eliminate normative exceptions and practices to the principle of non-discrimination which are not in line with international human rights treaties (Ecuador);**
- 8.11. **Enact legislation to eliminate discrimination on the basis of sexual orientation and gender identity (Australia);**
- 8.12. **Ensure adopting of specific legislation to fight discrimination, hate speech and violence based on sexual orientation and gender identity (Brazil);**
- 8.13. **Protect LGBTI-persons from discrimination by amending sections 164, 165 and 167 of the Botswana Penal Code to decriminalize same-sex activities among consenting adults and by explicitly including sexual orientation and gender identity as listed grounds of non-discrimination in Section 3 of the Constitution (Germany);**
- 8.14. **Prohibit discrimination towards LGBTI community, at the same time ensuring the full respect of everyone's human rights regardless of their sexual orientation or gender identity (Uruguay);**
- 8.15. **Initiate awareness-raising activities to the general public on the human rights of LGBTI persons in order to prevent stigma and discrimination and to support civil society actors in their similar efforts (Finland);**
- 8.16. **Abolish the death penalty (France); (Honduras);**
- 8.17. **Consider abolishing the death penalty (Mozambique);**
- 8.18. **Give due consideration to the legal abolition of the death penalty as well as to the commutation of all death sentences to terms of imprisonment (Liechtenstein);**
- 8.19. **Impose a moratorium on the use of death penalty (Montenegro);**
- 8.20. **Establish an official moratorium on executions and abolish the death penalty (Germany);**
- 8.21. **Establish a moratorium on the application of the death penalty with a view to holding informed debates about its full abolition (Mexico);**

- 8.22. Establish a moratorium on the death penalty as a first step towards its full abolition and ratify the Second Optional Protocol to International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal);
- 8.23. Agree to a moratorium on the death penalty as a first step towards its ultimate abolition, as previously recommended (Ireland);
- 8.24. Impose a country-wide moratorium on the death penalty that immediately halts all sentences and executions with a view toward complete abolition of the death penalty (Iceland);
- 8.25. Consider implementing a moratorium on the death penalty (Ghana);
- 8.26. Enact a moratorium on the use of the death penalty with a view to abolishing it and enhance the promotion and the protection of the right to life (Holy See);
- 8.27. Establish a formal moratorium on the death penalty, as a step towards complete abolition of this practice (Australia);
- 8.28. Establish and implement a moratorium on executions as a first step towards the abolition of the death penalty (Belgium);
- 8.29. Establish a moratorium on the use of the death penalty, with a view to its abolition in law and practice (Chile);
- 8.30. Establish a moratorium on executions with a view to fully abolishing the death penalty, as previously recommended (Estonia);
- 8.31. Consider a moratorium on the death penalty with a view to its legal and practical elimination (Ecuador);
- 8.32. Repeal the death penalty and consider a moratorium pending its complete abolition (Canada);
- 8.33. Hold public consultations on the use of the death penalty and consider ratifying the second Optional Protocol to the International Covenant on Civil and Political Rights with a view to abolishing the death penalty (Uruguay);
- 8.34. Consider initiating a public inclusive discussion on implementation of a moratorium on the death penalty with the aim to abolishing it. (Angola);
- 8.35. While welcoming the public debates on the death sentences, Namibia encourages Botswana to consider placing a moratorium on executions, commute all death sentences to other sentences and consider ratifying the Second Optional Protocol to International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Namibia);
- 8.36. Promote a national debate on the death penalty with a view to establish a moratorium on executions (Italy);
- 8.37. Abolish the death penalty definitively, hold a public debate to that end, and in the meantime, humanize the process to mitigate the suffering of the persons sentenced and his/her family (Spain);
- 8.38. Take measures to eliminate all forms of sexual and gender-based violence, including through criminalizing marital rape, investigating and prosecuting all acts of sexual violence and providing training to law enforcement officials on sexual and gender-based violence (Canada);
- 8.39. Take urgent steps to address gender-based violence, including the creation of an Act that makes marital rape illegal in Botswana (United Kingdom of Great Britain and Northern Ireland);

- 8.40. Enact specific legislation on marital rape and ensure that all violence against women and girls constitutes a criminal offence, as previously recommended (Ireland);
- 8.41. Abolish practice of corporal punishment by introducing appropriate changes to the legislation (Russian Federation);
- 8.42. Explicitly prohibit corporal punishment of children in all settings, including in the home, school and in penal institutions (Estonia);
- 8.43. Outlaw corporal punishment in all settings (Kenya);
- 8.44. Take legislative measures to prohibit all forms of corporal punishment against children and to conduct awareness-raising campaigns to ensure that non-violent forms of discipline are administered in a manner consistent with the child's dignity (Liechtenstein);
- 8.45. Decriminalize consensual, same-sex sexual acts (Sweden);
- 8.46. Decriminalize same-sex sexual activities and ensure non-discrimination in accordance with Botswana's domestic and international human rights obligations (Iceland);
- 8.47. Repeal laws that criminalize consensual same-sex conduct between adults and ensure all legislation, policies and programs do not discriminate on the bases of sexual orientation or gender identity (Canada);
- 8.48. Decriminalize consensual sexual relations between people of the same sex and act to stop the discrimination suffered by the people because of their sexual orientation (Spain);
- 8.49. Analyse modifying the legislation that criminalises sexual relations between adults of the same gender in order to guarantee the rights of LGBTI persons (Argentina);
- 8.50. Repeal the law repressing homosexuality (France);
- 8.51. Build upon recent court decisions upholding the human rights of transgender persons and take action to decriminalise LGBTI status or conduct (United States of America);
- 8.52. Provide sustainable solutions to alleviate poverty and reduce high unemployment rates, 20 per cent of the total of those able to work (Syrian Arab Republic);
- 8.53. Widen the scope of the poverty eradication programmes and increase the budget assigned for them (Turkey);
- 8.54. Constitutionally guarantee the right to education of children and adolescents (Chile);
- 8.55. Enshrine the right to education in its Constitution (Timor-Leste);
- 8.56. Ensure that the right to education, which is a fundamental human rights, is enshrined in its constitution and that the right to basic and further education for all, is protected (State of Palestine);
- 8.57. Ensure education and equal rights for all citizens in its Constitution (Syrian Arabic Republic);
- 8.58. Lift its reservations on the 1951 Convention on the Status of Refugees with a view to amending the policy of holding asylum seekers and refugees in camps and providing them with work permits and decent job opportunities (Honduras).
9. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Botswana was headed by Hon. Edwin J. Batshu: Minister of Nationality, Immigration and Gender Affairs and composed of the following members:

- H.E. Athaliah L. Molokomme: Permanent Representative of Botswana to the United Nation Office at Geneva;
  - Mr. Dittah Legomela Molodi: General Council, Ministry for Presidential Affairs, Governance and Public Administration;
  - Ms. Benetia Chingapane: Director, Department of Multilateral Affairs, Ministry of International Affairs and Coopération;
  - Ms. Ruth Radibe: Director, Department of Social Protection, Ministry of Local Government and Rural Development;
  - Ms. Thapelo Phuthego: Director, Department of Gender Affairs, Ministry of Nationality, Immigration and Gender Affairs;
  - Mr. Phologo J. Gaumakwe: Deputy Permanent Representative of Botswana to the United Nations Office at Geneva;
  - Ms. Chipso Petlo: Acting Director, Department of HIV/AIDS Prevention and Care;
  - Mr. Madoda Nasha, Deputy Manager-Trafficking in Persons, Ministry of Defence, Justice and Security;
  - Ms. Gwiso Dube, Legal Advisor, Ministry of International Affairs and Cooperation;
  - Mr. Bolokang Motshwane, First Secretary, Permanent Mission of Botswana to the United Nations Office at Geneva;
  - Ms. Bokani Sesinyi, First Secretary, Permanent Mission of Botswana to the United Nation Office at Geneva.
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