

**Recommendations accepted by Botswana at her second cycle of the Universal Periodic Review (UPR) that was held at the 15<sup>th</sup> Session of the UPR Working Group in Geneva, in January 2013. The final report was adopted by the Human Rights Council at its 23<sup>rd</sup> Session in June 2013.**

1. Incorporate into domestic law the provisions of the treaties that Botswana has freely acceded (Chad);
2. Ensure that the provisions contained in the international human rights instruments which Botswana has ratified are transposed into national law (France);
3. Complete the process of fully implementing its obligations under the Rome Statute into domestic law, in particular by adopting provisions that allow for full cooperation with the International Criminal Court (Liechtenstein);
4. Ensure full alignment of its national legislation with all obligations under the Rome Statute of the International Criminal Court (Slovakia);
5. Continue to implement national laws in accordance with its treaty obligations (Lesotho);<sup>1</sup>
6. Envisage increasing the budget allocation to the Office of the Ombudsman in order to enable it to efficiently investigate human rights matters, and create a National Human Rights Institution in line with the Paris Principles (Morocco);
7. Prioritise the establishment of a national human rights institution, in line with the Paris Principles and ensure the allocation of necessary human and financial resources to this institution (South Africa);
8. Accelerate its efforts with a view to creating an independent national human rights institution in line with the Paris Principles (Togo);
9. Accelerate its efforts to effectively set up a national human rights institution in line with the Paris Principles (Tunisia);
10. Accelerate actions to establish a national human rights institution (Chile);
11. Continue working towards the establishment of a national human rights institution in accordance with the Paris Principles (New Zealand);
12. Accelerate the process towards establishing a national human rights institution in accordance with relevant international standards (Kenya);
13. Form a national human rights institution in compliance with the Paris Principles (Turkey);
14. Put in place an independent national human rights institution, in accordance with the Paris Principles (Burundi);

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<sup>1</sup> The recommendation made during the interactive dialogue was as follows: “Continue to implement national laws in accordance with the universally agreed human rights norms and principles (Lesotho).”

15. Intensify its efforts to make effective the work to establish a national human rights commission in compliance with the Paris Principles (Burkina Faso);
16. Intensify efforts to establish a national human rights commission conforming to the Paris Principles (Djibouti);
17. Accelerate the creation of an independent national human rights institution conforming to the Paris Principles, or extend the mandate of the mediator to human rights (France);
18. Expedite efforts to establish a national human rights institution and a national human rights strategy (Australia);
19. Continue efforts to further promote human rights, democracy and rule of law (Turkey);
20. Adopt a national human rights action plan (Mexico);
21. Consider prioritizing the stated objective of developing a comprehensive national action plan for human rights (South Africa);
22. Formulate a national plan of action for the implementation of accepted recommendations (Turkey);
23. Enhance capacity-building in its pro-poor and results-based development planning policy and programmes (Zimbabwe);
24. Continue implementation of the National Monitoring and Evaluation Plan for the National Operational Plan for HIV and AIDS (2012-2016) (Algeria);
25. Continue implementation of the National Strategy for Poverty Eradication (Algeria);
26. Carry out efforts in the area of poverty eradication (Senegal);
27. Continue to implement its National Strategy for Poverty Eradication and ensure access to quality education for all (Singapore);
28. Continue its efforts to promote social and economic development and prioritize poverty reduction in its national development, to enable its people to enjoy human rights on a solid economic foundation (China);
29. Continue implementing the National Strategy to Eradicate Poverty and continue with its actions aimed at improving the health care coverage (Cuba);
30. Continue to implement the National Strategy to enable further poverty reduction in Botswana (Indonesia);
31. In assistance with its Development Partners, continue its fight against poverty (Bangladesh);
32. Continue implementing its national youth development programme as one of the means to alleviate poverty in the country (Malaysia);
33. Continue implementation of the National Operational Framework for HIV and AIDS for the period 2012-2016 and the National Strategic Operational Plan for HIV/AIDS 2011-2016 (Angola);
34. Accelerate the implementation of the National Action Plan for Children for 2006-2016 (Romania);
35. Include a gender perspective into its policies and programmes to combat HIV/AIDS, taking into account what has been pointed out by CEDAW (Chile);

36. Continue to promote human rights education (Armenia);
37. Continue to raise awareness on harmful cultural norms and traditional practices as well as human rights education in primary school system (Ethiopia);
38. Seek support and assistance from international institutions in dealing with the challenges that constrain the effective realization of certain rights, particularly the right to education and the protection of refugees (Burkina Faso);
39. Accelerate the implementation of the Action Plan to enable targeted programming and interventions for the welfare and protection of the most vulnerable children in Botswana (Indonesia);
40. Continue to seek the necessary assistance from civil society to reach the goals of the Vision 2016 (Kuwait);
41. Continue reviewing and reforming Government programs, as needed, to ensure that they do not discriminate against particular groups (Palestine);
42. Provide human rights training on an on-going basis for the disciplined forces (South Africa);
43. Strengthen the Women's Affairs Department located within the Ministry of Labour and Home Affairs by providing it with authority, decision-making power, and human and financial resources (Slovenia);
44. Continue to implement agreed recommendations and other domestic and international obligations such as treaty body reporting (Zimbabwe);
45. Continue to cooperate with the Human Rights Council and its mechanisms (Guatemala);
46. Take the necessary measures to combat discrimination against women, strengthen its domestic legislation on the rights of women and adequately enforce CEDAW provisions (Italy);
47. Continue strengthening the necessary policies to promote gender equality, with a focus on education, on adopting awareness campaigns for the population against gender violence, and on putting in place specific legislation that criminalizes violence against women (Spain);
48. Use temporary special measures in accordance with article 4 paragraph 1 of the CEDAW to achieve substantive equality of women (Palestine);<sup>2</sup>
49. Continue its efforts in order to reduce stereotypical approaches to the roles and responsibilities of women (Armenia);
50. Continue repealing discriminatory laws and to allocate adequate budget for the implementation of its National Gender Programme to ensure non-discrimination against women (Thailand);
51. Intensify its efforts aimed at modifying or eliminating the negative cultural practices and stereotypes which are the source of certain forms of discrimination against women (Tunisia);
52. Further consolidate on important fields of rules of law, gender equality, and social welfare to better overall conditions for vulnerable groups such as women, children and youth (Viet Nam);

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<sup>2</sup> The recommendation made during the interactive dialogue was as follows: "Use temporary special measures to achieve substantive equality of women (Palestine)."

53. Consider continuing to strengthen the rights of women, particularly in the family setting (Namibia);
54. Aligning traditional laws and procedures with principles that protect particularly the balance of socio-economic rights of men and women both in the family and in the society, as well as the rights of the child (Cape Verde);
55. Continue to pay special attention to the needs of rural women ensuring that they participate in decision-making processes and have full access to justice, education, health services and financial facilities (Egypt);
56. Pay special attention to the needs of rural women and women heads of households, ensuring that they participate in decision-making processes and have full access to justice, education, health services and credit facilities; and eliminate all forms of discrimination against women with respect to ownership and inheritance of land (Liechtenstein);
57. Continue focusing efforts to improve the situation of women, especially in rural areas where many head families, with regard to access to educational services, justice and credit mechanisms (Paraguay);
58. Disseminate information to the population of Botswana on ways and means to avail themselves of available judicial remedies relating to discrimination against women (Guatemala);
59. Hold a public debate on the death penalty, in which all aspects of the issue should be highlighted in a holistic manner (Uruguay);<sup>3</sup>
60. Meanwhile, provide information to concerned families, so that they can know in advance the date of execution of their relatives (Uruguay);<sup>4</sup>
61. Intensify efforts to combat violence against women (Congo);
62. Fight efficiently against rape and domestic violence (Togo);
63. Continue to fight against sexual violence (Djibouti);
64. Urgent implementation of measures to improve the reporting rate of gender based violence, where the NGO Genderlinks estimates only 1 in 24 incidents were currently reported; and to increase the prosecution of perpetrators (United Kingdom);
65. Actively combat all forms of gender-based discrimination and violence, in particular domestic and sexual violence (France);
66. Draft implementation instructions and provide police and public training on the Domestic Violence Act (United States);
67. Continue to take steps towards eliminating gender-based violence, including through strengthening domestic laws and policies to protect women (Australia);

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<sup>3</sup> The recommendation made during the interactive dialogue was as follows: “Hold a public debate on the death penalty, in which all the aspects of the issue should be highlighted in a holistic manner, in order to repeal it from the domestic legal order and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay).”

<sup>4</sup> The recommendation made during the interactive dialogue was as follows: “Meanwhile, Provide information to concerned families, so that they can know in advance the date of execution of their relatives and ensure that the executed persons’ bodies are handed over for private burial (Uruguay).”

68. Consider enacting specific legislation on domestic violence to hold perpetrators accountable for their behaviour (Brazil);
69. Take the necessary measures to ensure sexual assault perpetrated by a spouse is explicitly covered by the criminal code and educate chiefs and other customary law practitioners so that their decisions are in line with constitutional law, particularly with respect to marriage and property rights (Canada);
70. Enact specific legislation on marital rape (Ireland);<sup>5</sup>
71. Take concrete measures to ensure a safer environment for both women and girls (Netherlands);
72. Take efficient steps to secure the protection of women, also when abuse happens within the family (Norway);
73. Strengthen national frameworks and mechanisms to effectively address and combat violence against women and girls (Sri Lanka);
74. Take measures to improve the conditions in prisons (Norway);
75. Increase its efforts to raise awareness of a woman's entitlement to request the transfer of a case from a customary court to a common law court, as recommended by CEDAW in 2010 (New Zealand);<sup>6</sup>
76. Strengthening the efficiency of the judicial system, while making sure the rights of everyone to a fair trial is not compromised (Norway);
77. Continue to take the necessary measures to make sure that all the population has easy access to free birth registration for newborns (Mexico);<sup>7</sup>
78. Implement specific and concrete measures with a view to increasing women's participation in political and corporate life in the country (Brazil);
79. Pursue on-going efforts to ensure the adoption, in the near future, of a list identifying types of hazardous work prohibited to persons under the age of 18 years (Egypt);
80. Continue addressing the HIV/AIDS impact on women and children as a priority, in particular, the mother-to-child transmission (Thailand);
81. Further develop measures to combat HIV/AIDS, with special focus on reducing infant and child mortality (Sri Lanka);
82. Continue to implement its HIV/AIDS prevention, care and treatment programmes to further reduce the prevalence (Singapore);
83. Strengthen the promotion and protection of the rights of the elderly (Senegal);
84. Continue efforts to provide comprehensive primary education (Kuwait);

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<sup>5</sup> The recommendation made during the interactive dialogue was as follows: "Enact specific legislation on marital rape to ensure that all violence against women and girls constitutes a criminal offence, that victims have access to immediate means of redress and protection; and that all perpetrators are prosecuted (Ireland)."

<sup>6</sup> The recommendation made during the interactive dialogue was as follows: "Increase its efforts to raise awareness of a woman's entitlement to request the transfer of a case from a traditional court to a constitutional law court, as recommended by CEDAW in 2010 (New Zealand)."

<sup>7</sup> The recommendation made during the interactive dialogue was as follows: "Adopt the necessary measures to make sure that all the population has easy access to free birth registration for newborns (Mexico)."

85. Continue to ensure full access to education for children (Egypt);
86. Continue its efforts to ensure full access to education (Bangladesh);
87. Redouble efforts to increase women's participation in education, including tertiary education (Timor-Leste);
88. Continue efforts aimed at enhancing the welfare of peoples with disabilities, including taking the appropriate steps to ratify the Convention on the Rights of Persons with Disabilities (Malaysia);
89. That the Government has a continued focus on the situation of the San people and their rights in Botswana (Norway);
90. Take appropriate measures to protect and promote the rights of disadvantaged groups (Congo);<sup>8</sup>
91. Consider the possibility to seek further international cooperation in order to find sustainable solutions in the area of refugees law (Paraguay);
92. Intensify its efforts to create awareness regarding the primacy of constitutional law with respect to customary laws and practices (Uruguay);<sup>9</sup>
93. Ensure that the decisions of the customary courts may be challenged before common law courts (Uruguay);<sup>10</sup>
94. Consider ratifying the International Covenant on Economic, Social and Cultural Rights to strengthen the rights of the citizens of Botswana to economic development (Namibia);
95. Consider acceding to the International Covenant on Economic, Social and Cultural Rights (Kenya);
96. Consider the ratification of the International Covenant on Economic, Social and Cultural Right, as well as the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Cyprus);
97. Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities, as well as the ILO Conventions 169 and 189 (Costa Rica);<sup>11</sup>

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<sup>8</sup> The recommendation made during the interactive dialogue was as follows: "Take appropriate measures to protect and promote the rights of indigenous populations (Congo)."

<sup>9</sup> The recommendation made during the interactive dialogue was as follows: "Intensify its efforts to create awareness regarding the primacy of constitutional law with respect to customary laws and practices; ensure that the proceedings of customary courts are in line with the domestic courts and that its decisions may be challenged before such courts (Uruguay)."

<sup>10</sup> The recommendation made during the interactive dialogue was as follows: "Intensify its efforts to create awareness regarding the primacy of constitutional law with respect to customary laws and practices; ensure that the proceedings of customary courts are in line with the domestic courts and that its decisions may be challenged before such courts (Uruguay)."

<sup>11</sup> The recommendation has made during the interactive dialogue was as follows: "Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as well as the ILO Conventions 169 and 189 (Costa Rica)"

98. Explore the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);
99. Consider the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);
100. Complete the harmonization of domestic legislation with the provisions of the Rome Statute, and consider the possibility of ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Tunisia);
101. Consider signing the SADC Protocol on Gender and Development (Norway);
102. Speed up the process towards ratification of the Convention on the Rights of Persons with Disabilities (Rwanda);
103. Consider the ratification of the new third Optional Protocol to the Convention on the Rights of the Child on a communication procedure (Slovakia);
104. Raise the minimum age of criminal responsibility (Togo);
105. Raise the age of criminality (Turkey);
106. Raise the age of criminal responsibility, which is currently set at 8 years (France);
107. Raise the minimum age of criminal responsibility to an internationally accepted level, and in line with the Convention on the Rights of the Child, the Beijing rules and Riad guidelines (Uruguay);
108. Raise the minimum age of criminal responsibility in accordance with international standards, which should allow Botswana to withdraw its reservation to article 1 of the Convention on the Rights of the Child (Hungary);<sup>12</sup>
109. Consider extending a standing invitation to all the special procedures mandate holders of the Human Rights Council (Latvia);
110. Continue its engagement with improving the rights of refugees (Uganda);
111. Improve the reception conditions, health care, access to water and sanitation, adequate housing and food, for refugees; Make sure that refugees are not repatriated in case that their lives are in danger in their country of origin, and promote, through public policies, their total integration into the society out of the refugees camps (Ecuador);
112. Maintain the positive efforts aiming to find durable solutions by way of repatriation, reintegration and resettlement of refugees (Egypt);

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<sup>12</sup> The recommendation made during the interactive dialogue was as follows: “Harmonize the minimum age of criminal responsibility, which currently is 8 years, with international standards, which should clear the obstacle to withdrawing its reservation to article 1 of the Convention on the Rights of the Child (Hungary)”