

**PERMANENT MISSION OF NORWAY**

**15th session of the Universal Periodic Review Working Group
Geneva, 21 January to 1 February 2013**

Statement from Norway:

UPR of Botswana

Thank you Mr. President,

Norway welcomes the delegation of Botswana and would like to thank the delegation for the presentation of the National Report.

Norway welcomes the focus on the situation of indigenous groups, the judicial system and the general situation for women since the last report in 2008. We note as positive that the traditional rights of the San people seem to have been strengthened. Norway recommends that the Government has a continued focus on the situation for the San people and their rights in Botswana.

There are reports on severe delays in the judicial system and on poor conditions in prisons. Norway recommends strengthening the efficiency of the judicial system, while making sure the rights of everyone to a fair trial are not compromised. Norway further recommends that the government takes measures to improve the conditions in prisons.

Violence and discrimination against women is a challenge in Botswana, including domestic violence. "Spousal rape" is exempted from the constitutional laws protecting women against violence. Protection of women is often subject to customary law. Though we are encouraged by the ruling of the Botswana High Court last year declaring the Ngwaketse tribe's customary inheritance law as discriminatory against women, and thus unconstitutional, Norway is still concerned that the prevalent use of customary law does not ensure women the same degree of protection as men, both with regard to physical and economic protection.

Norway recommends that the Government takes efficient steps to secure the protection of women, also when abuse happens within the family. Norway further recommends that the Government consider signing the SADC Protocol on Gender and Development.

Finally, Norway recommends that Botswana takes steps to abolish the death penalty.

I thank you Mr President