

**REPUBLIC OF BOTSWANA**

**SUPPLEMENTARY STATEMENT TO SUPPORT THE MINISTER’S STATEMENT**

**BOTSWANA’S THIRD CYCLE**

**UNIVERSAL PERIODIC REVIEW**

**29TH SESSION OF THE UNIVERSAL PERIODIC REVIEW**

**17 January 2018**

**Geneva, Switzerland**

**Mr. President,**

1. The Government of Botswana is committed to ensuring the protection of all children, as shown by the domestication of the UN Convention on Right of the Child (UNCRC) and African Charter on the Rights and Welfare of the Child (ACRWC). The Children’s Act of 2009 makes provision for the protection and care of children; for the promotion and protection of the rights of the child; for the establishment of structures to provide for the care, support, protection and rehabilitation of children.
2. Botswana has also ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children and Child Prostitution, and the Optional Protocol on the Involvement of Children in Armed Conflict. These instruments were taken into consideration in the enactment of the Children’s Act. To this end, Botswana submitted a combined 2nd, 3rd and 4th Report to the UNCRC Committee in October, 2017, which comprehensively outlines progress made on the implementation of this statute and challenges encountered.
3. The Bill of Child Rights in the Act, amongst others spells out the ‘***right to a nationality from birth,’ ‘the right to protection against sexual abuse and exploitation’ and ‘the right to protection from involvement in armed conflict‘.*** All these provisions prescribe penalties for their violation.
4. Botswana has ensured that: **‘*Every child has a right to a nationality from birth’*** through Section 12 of the Act. The birth registration function is a computerised real-time system linked to the national identity system to issue a child with a unique number, which will also be used as an identity number at the age of sixteen. The unique identity number identifies the person from birth to death.
5. The Registrar of Births, Deaths and Marriages has the mandate for birth registration. and has decentralized district registration offices across the country. Regarding administrative measures, currently all major hospitals including private hospitals have a Births and Deaths registration desk. These are complemented by mobile field visits of teams to reach out to children in remote areas.

**Mr. President,**

1. The Children’s Act has also established functional structures that ensure that children are protected at both national and local levels. These include the National Children’s Council [NCC] whose mandate is to coordinate, support and monitor sectoral Ministries’ activities relating to children. This Committee comprises seven independent members appointed by the Minister responsible for children, and four officials, namely: the Attorney General, Permanent Secretaries for Basic Education, Local Government and Rural Development and Nationality, Immigration and Gender Affairs.
2. The Village Child Protection Committee is another structure whose mandate is to educate the communities on child neglect, ill-treatment, exploitation or other abuse of children, and the laws and conventions governing them. These comprise of the Kgosi (Village Chief) who is also the Chairperson of the Committee, the area Social Worker (Secretariat), adult male and female from the community and two children, male and female.
3. Child participation as an important aspect of child development is also captured in the Act, hence the establishment of the Children Consultative Forum (CCF) whereby 160 children from all the 16 districts meet to elect their child representatives every two (2) years and collectively discuss matters that are of concern in their different regions. This structure is advisory to the NCC on policies and programmes affecting them.
4. Botswana held the 4th CCF in December, 2017, where a girl aged 14 years was elected as a Chairperson while a 15 year old boy with a disability was elected as Vice-Chairperson for the CCF. Earlier in November 2017, the CCF Chairpersons had held an inaugural meeting with political parties to sensitise them on children’s issues, and lobby them to mainstream children’s issues in their manifestos as they prepare for elections in 2019.

**Mr. President,**

1. Child abuse and neglect are prohibited under Section 7(b) of the Children’s Act, which states that **‘every child shall be cared for and protected from harm.’** Neglect or ill-treatment of children is criminalised under Section 56 of the Act.
2. Botswana has not been spared the challenge of sexual abuse of children. To that effect, Botswana has just completed the Violence Against Children Survey with the support of USAID and UNICEF to establish the magnitude of this problem.
3. The results of this survey and its Response Plan will be finalized and disseminated by March, 2018. The Plan will assist to bring together all relevant stakeholders to intensify efforts in eradicating this heinous practice.
4. The Child Protection Protocol has been completed and will be disseminated to all stakeholders by March, 2018. Its main objective is to define roles and responsibilities for various stakeholders in child protection services. It must also be noted that Government has ensured that parents have common responsibilities towards their children. In particular, Sections 27-29 of the Children’s Act provide for parental duties and rights.

**Mr. President,**

1. Government has undertaken legislative measures to prohibit all forms of detrimental practices, including, but not limited to, refusal to immunize children and take them for health interventions, early and forced marriages. In particular, Section 62 of the Children’s Act prohibits detrimental social, cultural and religious practices. Every child has a right not to be subjected to social, cultural and religious practices which are detrimental to his or her well-being.
2. Education and capacity building of different stakeholders implementing the Children’s Act continues through Kgotla meetings and workshops. A child friendly version of the CRC has been developed and widely distributed to children. Human Rights Education has been incorporated into the school curricula, at pre-school, primary and secondary school levels.
3. Efforts have also been made to disseminate information on the UNCRC and Children’s Act through various ways. These include the Botswana Police Service TV drama program known as *Itshireletse;* the Ministry of Local Government and Rural Development Batho Pele TV and Radio programs as well as Talkback TV program by the Ministry of Basic Education. In addition, an independent, national weekly newspaper, *Mmegi*, has been helpful in publishing the simplified version of the CRC in their paper.
4. The Situational Analysis for Orphans and Vulnerable Children (OVC) is also ongoing, data collection was completed in November, 2017 and the study will be completed by end of 2018. It will inform the review of the National Plan of Action on OVC of 2010-2016, the development of the National Policy for OVC and the review of National Plan of Action on Children 2006-2016.

**Mr. President,**

1. Botswana has in place a comprehensive people- centered social protection system targeting vulnerable groups which currently supports about **212,360** people on a monthly basis and expending about 4.4% of GDP annually. The aim is to protect vulnerable people from risk and vulnerability as well as empower them to mitigate the impact of shocks in their livelihood systems.
2. Some of the social protection programmes include monthly cash transfers for all older persons aged 65 years and above’ people with severe and profound disability; World War II veterans or their surviving widows; and monthly food and cash transfers for poor households, all orphans and community home based care patients who are terminally ill. These form part of the broader poverty eradication initiatives of the Government.
3. The vulnerable group feeding program is one of the oldest social protection programs for children and vulnerable groups. Beneficiaries of this program are pregnant and lactating mothers, nutritionally at risk, under-five children and TB patients. During drought years, supplementary feeding is provided to all under-fives as well as food rations for lactating mothers.
4. School feeding is another long standing program in all public primary and secondary schools in Botswana, the objective of which is to provide prepared nutritionally balanced food to children. In some remote rural areas, school feeding has considerably increased school attendance and retention.

**Mr. President,**

1. Botswana has entered a reservation on Article 1 of the UNCRC and Article 2 of ACRWC, regarding the definition of a child. Having enacted the Children’s Act in 2009 that brings its definition of a child in line with that of the Convention, we are working towards lifting this reservation.
2. Currently, Government is in the process of amending laws to adopt a definition of the word child’ in line with the CRC and ACRWC. Once this process is completed, Botswana is confident that these reservations will be lifted
3. The Affirmative Action Framework for Remote Area Communities (2014) was conceived to accelerate implementation of the Revised Remote Area Development Programme of 2009, which underscores intensive implementation of programmes and projects aimed at promoting equity in Remote Area Communities. Through the Remote Area Programme, children from Remote Area Communities are assisted to access education from primary to tertiary level. Students sponsored in various educational institutions are assisted with transport to schools; food, toiletry, bedding, fuel and rentals are also provided where necessary.
4. Botswana has retained corporal punishment in its Children’s Act (2009) as one possible criminal punitive measure in case of child offenders because during consultations on the Bill, communities insisted that corporal punishment should not be abolished but rather be monitored and regulated.
5. The Government is exploring reformative measures to change mindset on this subject. To this effect, public education on the issue of corporal punishment are ongoing with the support of UNICEF to engage the former Minister of Local Government and Rural Development who is the UNICEF Advocacy Champion to discuss with the traditional leaders and communities the importance of other alternative uses of disciplinary measures for children with anti-social behaviours through the media and kgotla meetings

I thank you.