

ADVANCE QUESTIONS TO BOTSWANA- ADDENDUM

DENMARK

- Reliable reports indicate [widespread] use of torture and ill treatment. What further steps are you taking to prevent and eliminate torture? When do you intend to ratify OPCAT?
- Do you intend to abolish capital punishment – perhaps initially by adopting a moratorium on executions – in accordance with the general trend in this direction?
- Does Botswana's reliance on customary law in some areas hamper women's equal rights? If so, what are the most pressing issues and how are they addressed by the Government of Botswana?
- What actions is the Government of Botswana taking to fight the persistent unemployment among youth people?

GERMANY

- Documentation relating UN Stakeholders and NGO suggest that there seem to be deficits in regard to the promotion and implementation of women's rights in Botswana. What are the measures taken against discrimination of women in marriage, especially in those the Abolition of Marital Power Act does not apply to and thereby discrimination on grounds of customary practice is common?

LATVIA

- According to the information by the Office of the UN High Commissioner for Human Rights, 63 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering the cooperation of Botswana with the special procedures (visit of Special Rapporteur on the right to education in 2005) - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

NETHERLANDS

- What other steps than the Domestic Violence Act, provisions to both customary and common law, and government actions have been taken and is the Government of Botswana planning to take to prevent domestic violence and societal abuses against women in Botswana?
- Civil society organizations in Botswana that advocate for the rights of the LGBT community have been denied legal status. The Netherlands is also concerned that same-sex sexual activities between consenting adults is criminalized in Botswana. Is the Government of Botswana prepared to amend its constitution to recognize the rights of homosexuals?

- The General Assembly has called on states to abolish the death penalty in resolution 62/149 on 18 December 2007. In its national report to the 2008 Universal Periodic Review, the Government of Botswana states that it retains the death penalty with justifiable circumstances for the deprivation of life. However, the imposition of the death penalty for any crime is in violation of article 6, paragraph 2, of the ICCPR, of which the Republic of Botswana is a signatory. Is the Republic of Botswana prepared to create the necessary provisions within domestic law and its Constitution to change it accordingly?
- A recent National Labour survey conducted in 2005-2006 revealed that 9 percent of all children aged 7-17 were employed. What action is the Government of Botswana taking to tackle the problem of child labour both in domestic law and government programs?
