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Agenda Item 6 – Human Rights Council - Twenty-third Session – Oral intervention on 6 June 2013 at the UPR Second Cycle Session for Botswana. Presented by Alice Mogwe, DITSHWANELO – The Botswana Centre for Human Rights / Friedrich-Ebert-Stiftung, Geneva Office

I speak on behalf of DITSHWANELO – The Botswana Centre for Human Rights, The Botswana Council of Non-Governmental Organisations (BOCONGO), Lesbians, Gays and Bisexuals of Botswana (LeGaBiBo) and Rainbow Identity Association. We welcome the adoption of the Final Botswana Second Cycle UPR Report.

We appreciate the commitment of the Government of Botswana to the production of a *Comprehensive Human Rights Strategy and National Action Plan*. We also recognise the positive steps taken by the Government together with civil society, since the adoption of the Outcome Botswana UPR Document in January 2013, through the establishment of the Joint Task Force and holding of the significant April 2013 Workshop, which marked the beginning of this process. We also remain committed to working together on this process together with the Government of Botswana, using a people-centred, consultative, participatory, Botswana-driven, 'bottom-up' approach led by the priorities of Botswana and linked to Vision 2016 and our National Development Plans.

We however regret the rejection of the deferred recommendation to ensure that the bodies of executed prisoners are handed over for private burial. On Monday 27 May 2013, Mr Orelesitse Thokamolelo was executed, following the rejection of his appeal by the Court of Appeal, in April 2013. Neither his lawyer nor his family were notified about the date and time of the execution. We nevertheless note that the Government has committed itself to 'undertake educational awareness campaigns before it can consider abolition of the death penalty'; consultations with relevant stakeholders before consideration of the ratification of the Optional Protocol of the Convention Against Torture and before consideration of the prohibition of corporal punishment of children in all settings.

We also regret the rejection of the deferred recommendation for the reform of customary law to eliminate restrictions on women's access to property. Serious consideration should be given to consultation with all stakeholders on this matter.

We encourage the Government of Botswana to seriously consider extending a standing invitation to all mandate holders of the Human Rights Council. This will be in keeping with Botswana's reputation for full cooperation with the Special Procedures of the Human Rights Council.

We regret the rejection of the deferred recommendation to engage in dialogue concerning discrimination of consensual adult same sex relations. We however, note the observation that 'it will be necessary to conduct educational campaigns on this issue' before legal reform. This should include engagement in meaningful, constructive dialogue.

In conclusion, we appreciate the serious engagement of the Government of Botswana with the Universal Periodic Review process and its commitment to ensuring that there is meaningful consultation and participation within Botswana's own stated commitment to a people-centred approach to development. We also appreciate the implementation process of Botswana's commitment, as stated by Minister Seretse in January 2013, *to remain fully engaged on the implementation of Botswana's human rights obligations, through the production of a Comprehensive Human Rights Strategy and National Action Plan*.

I thank you.