Home Office

Country Policy and Information Note
Botswana: Women fearing gender-based violence

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Executive summary

Men and women are equal before the law, with some exceptions in customary law. Gender-based violence (GBV) in most of its forms is prohibited. Successive governments have adopted and implemented policies to promote, support and protect women. Women's socio-economic status as compared to men has significantly improved though they are under-represented in the political sphere. Despite progress towards equality, Botswana remains a patriarchal society with women having a secondary role to men in family and community life, increasing their vulnerability to abuse.

GBV is widespread. The most up to date comprehensive data (from 2017) indicates that more than one in three women experience some form of GBV at least once in their lifetimes.

The government considers tackling GBV a priority. The Botswana Police Service has established a Gender and Child Protection Branch to improve the handling of GBV cases. The judiciary has established courts specialising in GBV cases and treats these as a priority. Although the UN and others have raised concerns about the effectiveness of the criminal justice system, GBV offenders continue to be arrested, prosecuted, convicted and imprisoned.

Women are able to move freely within Botswana. Essential public services, including education and healthcare, are available in places of relocation. Lone women do not face discrimination or stigma, their main challenge is having the financial means to relocate.

A woman who fears GBV from a rogue state actor or a non-state actor:

- does not belong to a particular social group within the meaning of the Refugee Convention
- is unlikely to face persecution or serious harm
- is likely to obtain protection from the state
- is likely to be able to relocate

Where a claim is refused, it is likely to be certified as 'clearly unfounded'.

All cases must be considered on their individual facts, with the onus on the woman to demonstrate they face persecution or serious harm.

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Assessment

Section updated: 29 January 2026

About the assessment

This section considers the evidence relevant to this note – that is the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of **whether**, **in general**:

- a woman is likely to face a real risk of persecution/serious harm by non-state actors because of her gender
- can obtain effective protection from the state (or quasi state bodies)
- can relocate within a country or territory to avoid persecution/serious harm
- if a claim is refused, it is likely to be certified as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

The note considers risks of gender-based violence and discrimination faced by women including domestic and from strangers generally. It does not, however, specifically consider risks resulting from trafficking or modern slavery or those faced by lesbian, bisexual or trans women.

Decision makers **must** consider all claims on an individual basis, taking into account each case's specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on Assessing Credibility and Refugee Status and Gender identity issues in the asylum claim.

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

1.1.3 Decision makers must also consider making an international biometric data-sharing check, when one has not already been undertaken (see Biometric data-sharing process (Migration 5 biometric data-sharing process)).

1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis).

Official – sensitive: Not for disclosure – Start of section

1.1.5 The information in this section has been removed as it is restricted for internal Home Office use only.

1.1.6

Official – sensitive: Not for disclosure – End of section

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1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons to apply one (or more) of the exclusion clauses. Each case must be considered on its individual facts.

1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

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1.2.4

1.2.5 The information in this section has been removed as it is restricted for internal Home Office use only.

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2. Convention reason(s)

2.1.1 Women do not form a particular social group (PSG) in Botswana within the meaning of the Refugee Convention. This is because while they do share an innate characteristic, or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it – their sex and/or gender – they do not have a distinct identity in Botswana because the group is perceived as being different by the surrounding society.

2.1.2 Women have the same civil, legal and political rights as men, albeit they face some discrimination in customary law. Women have parity to men in education and health outcomes and have made progress in other public and private areas of life. Although patriarchal attitudes persist and there is some societal discrimination this is not to the extent that as a group they are perceived as being different by the surrounding society (see Legal rights; Policy, programmes and campaigns; Social, economic and political status; and Social and cultural attitudes).

2.1.3 In the absence of a link to one of the 5 Refugee Convention grounds necessary for the grant of refugee status, the question is whether the particular person will face a real risk of serious harm sufficient to qualify for Humanitarian Protection (HP).

2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, Assessing Credibility and Refugee Status and Gender issues in the asylum claim.

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3. Risk

3.1.1 A woman is unlikely to face gender-based violence (GBV) that amounts to persecution or serious harm from non-state actors.

3.1.2 While just over one in three women reported to have experienced some form of abuse in their lifetimes at least once, it varies in frequency and nature ranging from public shaming to rape and murder. Not all such treatment will by its nature and/or repetition amount to persecution or serious harm. The onus will be on the woman to demonstrate such a risk.

3.1.3 The Government of the Republic of Botswana (GOROB) is party to the principal international and regional instruments that support gender equality and protect women from discrimination and GBV (see International instruments). The Constitution provides for equality between women and men, although there remains a clause that allows exemptions from this for customary law and personal law (see Constitution). The Penal Code criminalises various forms of physical and sexual violence, including rape but not spousal rape (see Penal Code). The Domestic Violence Act 2008 protects women and girls from this form of GBV and includes provision to issue a range of protection orders although the Ministry of Youth and Gender Affairs (MYGA) acknowledged gaps in this legislation. The Children's Act protects girls from abuse including cultural practices such as child marriage and female genital mutilation (FGM). Other laws protect women from discrimination, including in the workplace, and from being trafficked. The GOROB has also introduced legislation creating a sexual offenders registry and to ensure women have equal access to land ownership (see Gender-specific legislation and Protection and maintenance orders).

3.1.4 Botswana has a dual legal system encompassing common law (see above) and customary law, which is based on tribal practice and commonly applied in rural areas. Some customary law discriminates against women, for example with regard to property rights or by allowing child marriage. Discrimination can also include treating married women as minors within a marriage and using corporal punishment against wives and children. The World Bank suggested that there had been some developments that strengthened women's rights under customary law, and an official of the Ministry of Labour and Internal Affairs thought that the customary judicial system had become more progressive (see Customary law).

3.1.5 While the government has made progress in adopting laws that protect women's rights and person, the UN Committee on the Elimination of Discrimination Against Women commented in July 2025 that the country lacks a comprehensive legal framework on GBV (see Gender-specific legislation). In response, the GOROB states it is developing gender equality and anti-GBV bills to address gaps in existing legislation (see Gender-based violence (GBV) and gender equity bills).

3.1.6 President Doko, elected in October 2024, has stated that combating GBV is a government priority (see Government position). The MYGA has the principal responsibility for mainstreaming gender equality across government and ensuring that priorities such as GBV are adequately resourced and addressed. Other public bodies including the Inter-Ministerial Committee on GBV and the National Gender Commission assist in co-ordinating activities on gender issues including GBV from the national to district levels (see Departmental responsibility and other public bodies).

3.1.7 Successive governments have adopted and implemented policies to promote, support and protect women. These include the National Policy on Gender and Development and the National Gender-Based Violence Strategy first published in the 2010s, which are both under review at the time of writing (see Policies, strategies and programmes). There have also been a series of awareness raising and educational campaigns run by the government at a national and community level against GBV involving various stakeholders, including the First Lady (the president's wife), dikgosi (tribal leaders), religious groups and civil society organisations (CSOs). The police, Legal Aid Botswana, and CSOs also run regular educational campaigns about women's rights and GBV (see Awareness raising, Legal aid and Civil society organisations).

3.1.8 Botswana has made significant progress in addressing socio-economic inequalities faced by women but falls short in achieving equal representation in the political sphere. Positive achievements include parity in school and university enrolment, the broad uptake of family planning, high rates of female entrepreneurship, wage equality for similar work and strong female representation in leaderships roles in the public sector. However, female-headed households account for a disproportionate number of the country's poor, while women are more likely to be unemployed, earn less and work in the informal sector than men. Women also have a low representation in politics with only 6 out of 69 seats in parliament, 14% of cabinet positions and 15% of local government positions. Traditional leadership structures are also male dominated, with 2 women out of 33 sitting tribal leaders in the Ntlo ya Dikgosi (the House of Chiefs which advises parliament on tribal law and custom) (see Economic context and Social, economic and political status).

3.1.9 Societal attitudes generally support equality between men and women. In a study undertaken by Afrobarometer in 2022, the large majority of Batswana agreed that women should have the same rights as men to own or inherit land, in hiring for jobs and in voting. Around 60% of people consider GBV the most important issue related to women's rights that the government must tackle. Despite the progress in law and attitudes towards equality, Botswana continues to be a patriarchal society with women having a secondary role to men in community and family life. Practices such as 'bogadi' (also 'lobola') or 'bride price', where a man's family will pay a dowry to a woman's parents to marry her (and bring expectations of matrimonial obedience), continue. These cultural inequalities increase women's vulnerability to abuse (see Social and cultural attitudes).

3.1.10 There is limited current, comprehensive and reliable statistical data on the prevalence of GBV. The most recent systematic study is the Botswana National Relationship Study 2018 (BNRS 2018), largely based on information gathered in 2017. The BNRS 2018, however, may no longer reflect the current occurrence of GBV. Factors such as changes in the law and policy, women's increased awareness of their rights and greater focus on GBV in the criminal justice system may have altered this. There are also police reports of GBV, Statistics Botswana data of magistrate and high court cases, data gathered by CSOs which engage with victims of GBV, and media reports. But this data does not provide a comprehensive description of the current levels of GBV. Sources expressing a view of the level in GBV in 2025 are basing this on a mixture of the BNRS 2018, police reports, media

reports, small scale CSO studies or records, and their own experience, rather than systematic population studies (see Limited statistical information, Levels of GBV, Police reports, Convictions and sentencing and Civil society organisations). Additionally, women are likely to under-report GBV for a variety of reasons. These include stigma linked to patriarchal norms and expectations, family pressure, lack of access to first-responders, police not providing a separate space from the perpetrator to report the abuse, lack of trust in the criminal justice system, and economic dependency on the perpetrator of abuse (see Under-reporting).

3.1.11 GBV includes physical, sexual, emotional (psychological) and economic harm in public or private life. Such violence as documented by sources can range from making a woman 'feel bad', belittling her in front of other people, or withholding money for household use, to beating, threatening her with a weapon, rape, or murder/femicide by her partner. The severity and frequency of such violence is likely to vary (see Definitions of GBV).

3.1.12 Sources refer to GBV being pervasive, widespread, or having a high prevalence. The BNRS 2018 puts this into numbers, finding that 37% of women surveyed had experienced some form of GBV in their lifetimes at least once (slightly higher than the global average). Of the women surveyed 37% of women experiencing some form of intimate partner violence (IPV), 11% of women reporting sexual harassment either at school or work, and 5% stating that they had been raped by a non-partner. The most common form of IPV was emotional (30.8% of women experienced this), followed by physical (20.5%), economic (11.4%) and sexual (5.4%). Violence was most commonly committed by intimate partners, family members and then strangers. Sources interviewed by the Home Office (HO) in July 2025 generally agreed GBV was widespread but varied on whether they thought it was increasing. Some noted that women's increased awareness of their rights and willingness to report may account for the rise in reports of GBV (see Levels of GBV).

3.1.13 The Botswana Police Service (BPS) publishes annual statistics of the number of reported crimes, including those defined as GBV offences and affecting children. The number of offences reported in 2024, the latest available at the time of writing, was 13,802, a 30.3% fall from 2023. Of the GBV-linked offences, these included 172 murders (a 30.3% rise on 2023), 2,018 cases of rape (a 12.1% fall), 3,773 cases of common assault (a 55.2% fall) and 1,162 cases of common nuisance (a 167.7% increase). However, BPS officials interviewed by the HO in July 2025 considered GBV cases were increasing in 2025 (see Police reports).

3.1.14 Factors that affect the likelihood of GBV include:

- age (women between 18 and 24 appear most vulnerable)
- having been abused in childhood
- whether the partner drinks alcohol
- having more than one sexual partner
- quarrelling with partners
- level of education (see Factors affecting likelihood of violence)

These are individual / relationship level factors which were found by Botswana National Relationship Study, 2018.

3.1.15 Sources interviewed by the HO in July 2025 agreed that traditional harmful practices, such as FGM or ritual killings, are unlikely to occur in present day Botswana (although they may have occurred in the past). No source was aware of a verified case (see Traditional harmful practices).

3.1.16 For further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status and Gender issues in the asylum claim.

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4. Protection

4.1.1 A woman who fears a rogue state actor and/or a non-state actor is likely to obtain protection from the state.

4.1.2 The GOROB has taken reasonable steps to protect women by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution or serious harm and which is accessible to them. This includes:

- establishing a legal and policy framework to protect women from discrimination and GBV (see Legal rights and Risk above). Although a number of sources indicated that the DVA 2008 needs to be updated, sources also indicated that laws and policies have not been effectively implemented (See State protection).
- establishing, maintaining control over and adequately funding a competent law enforcement agency – the Botswana Police Service (BPS) – which is present throughout the country, including in small settlements and rural areas (see Botswana Police Service and Access to the police)
- mandating that GBV cases cannot be withdrawn from police investigation to counter withdrawals that may arise for various reasons including pressure from a woman's family or economic dependency on the perpetrator (see Botswana Police Service)
- developing BPS standard operating procedures for handling GBV cases and training all police officers on gender-sensitive approaches to policing (see Gender-specific guidance and training and Gender and Child Protection Branch)
- conducting GBV public awareness and outreach exercises, and developing community-led prevention programmes (see Gender and Child Protection Branch)
- establishing a Gender and Child Protection Branch (GCPB) within the BPS to improve the effectiveness and efficiency of how GBV cases are handled. GCPB officers are posted in all 84 police stations across the country (but not in all police posts, of which there are over 380). GCPB officers are specifically trained to deal with GBV cases and work collaboratively with CSOs to support victims. CSOs interviewed by the HO in July 2025 noted that police stations with the GCPB officers have improved how GBV cases are handled (see Gender and Child Protection Branch)

- establishing 8 child-friendly police centres which are also able to handle GBV cases and can provide additional services, such as counselling (Gender and Child Protection Branch)
- introducing a toll-free number for victims of GBV to ring for assistance (see Gender and Child Protection Branch)
- issuing protection orders and maintenance orders to support victims of domestic violence, although a number of sources note that restraining orders (a type of protection order) are not effectively or consistently implemented (see Implementation of protection orders)
- arresting and prosecuting perpetrators of GBV. While there are no official figures for the number of arrests and prosecutions of offenders, sources interviewed by the HO in July 2025 acknowledge that perpetrators (who are almost always men) are arrested, detained and prosecuted. The US State Department (USSD) observed that in 2023 the authorities effectively enforced the law in rape cases when victims pressed charges (the USSD does not comment on women's rights in its report for 2024) (see Arrests and prosecutions and Directorate of Public Prosecution)
- operating an independent and effective judicial system with most GBV cases handled in the lower (magistrates') courts. However, sources note that the time taken for a case to be disposed of - including convictions and acquittals - can be lengthy, in some cases several years (see Structure and jurisdiction; Fair trial and independence; and Convictions and sentencing)
- establishing courts specialising in GBV cases, albeit sources are unclear if this pilot, originally set up during the COVID pandemic specifically in Molepolole, continues. The MYGA observed that the Chief Justice has instructed magistrates to prioritise GBV cases (see Gender-specific courts)
- convicting and sentencing GBV offenders. Although there are no recent statistics on the number of GBV cases handled by the courts, the latest published by Statistics Botswana relate to 2020. During that year, over 7,000 cases of all types of offences were recorded mainly in magistrates' courts, about half the number processed in 2019. The fall in the number of cases was because of the suspension of hearings during lockdowns imposed to control the spread of COVID. Of the 7,000+ cases,
    - more than 40% were withdrawn, reasons are not identified
    - 9% related to sexual offences, of these about 33% resulted in a conviction
    - 11.9% for attempts/threats to murder, assaults and harassment, of these about 23% resulted in a conviction
    - 6% for homicide, of these about 26% resulted in a conviction
    - the remainder of cases were variously disposed including being withdrawn, resulting in acquittal, referrals to the High Court, not heard, referrals back to another magistrate (NB an allegation of GBV reported to the police does not mean that offence has occurred (see Convictions and sentencing).

- working collaboratively with CSOs which provide support to GBV victims, including referring cases to secure shelters, 2 in Gaborone and Francistown operated by the Botswana Gender Based Violence Support Centre (BGBVC) and one in Maun run by Women Against Rape (WAR) (see Shelters)
- making legal aid and advice available to the poor provided by LAB, the accessibility of legal aid was highlighted as a challenge by several sources (see Legal aid)
- maintaining oversight of the government by establishing the Office of the Ombudsman with the remit to investigate allegations of public sector maladministration and human rights abuses. However, sources note that while the Office investigates complaints it lacks staff (see Office of the Ombudsman)
- operating an effective prison system in which there is specific provision to rehabilitate GBV offenders (see Prison system)

4.1.3 The UN and various CSOs have raised concerns about the effectiveness of the implementation of protection for women. Sources note:

- the slowness of the police to respond to crimes generally and their lack of resources. Attitudes, which sometimes justify GBV, under react, or blame the victim, police sometimes try to reconcile a victim and perpetrator (see Effectiveness)
- inconsistency in how GBV cases are handled by the police, with a lack of private spaces for victims to report abuse at police stations and posts (see Effectiveness)
- difficulties in accessing police assistance, particularly for women in remote rural areas (see Access to the police)
- the ineffectiveness of restraining orders at preventing perpetrators of GBV contacting further and abusing their victims. (see Implementing protection orders)
- Police indicated that they are not always aware when a restraining order is in place (see Implementing protection orders)
- weaknesses in the bail system with GBV suspects reportedly often released on bail. These suspects then go on to abuse their female victims including sometimes killing them. The government, in response, introduced the Bail Act in March 2024 which tightened the criteria for releasing suspects on bail. This included giving victims an opportunity to provide evidence to a court as to why a suspect should not be released. The full impact of the act remains unclear, with sources stating that test cases are needed to set precedence for how the law is to be applied (see Bail Act, 2024 and Implementation of bail)
- cases that are handled by the customary courts often result in attempts at reconciliation rather than prosecution. The government has changed the law to allow any person the right to transfer GBV cases from the customary courts to the magistrates' courts. The BPS officials interviewed by the HO in July 2025 observed that GBV cases are usually heard in the magistrate courts (see Customary law)

- low prosecution and conviction rates (see Arrests and prosecutions and Convictions and sentencing)
- the length of time taken to process cases through the criminal justice system (see Convictions and sentencing)
- the high number of GBV cases withdrawn from the criminal justice process. There are a variety of reasons for this, including difficulties in investigating and identifying the perpetrator, pressure from families and economic dependency on the perpetrator of abuse. However, the BPS state that they no longer allow GBV cases to be withdrawn once raised with them (but these case may be withdrawn in the court system) (see Botswana Police Service and Withdrawal of cases)

4.1.4 Botswana has a well-developed civil society ecosystem which is able to provide various forms of support to women including GBV victims. The government provides funding and is generally co-operative with and responsive to these organisations. CSO resources are, however, limited and some organisations, such as the Botswana Network on Ethics, Law and HIV/AIDS (BONELA), have experienced a significant drop in funding following cuts in overseas aid introduced by the US administration in 2025 (see Overview of organisations and services).

4.1.5 The 3 main CSOs providing support to women are BGBVC, BONELA and WAR. The organisations provide a variety of services including counselling, psychosocial support, medical assistance, legal advice and referrals, empowerment programmes and community education (see Botswana Gender Based Violence Support Centre; Botswana Network on Ethics, Law and HIV/AIDS; and Women Against Rape). Other CSOs operating nationally and locally providing assistance to women include Gender Links, the Ratong Centre, Men and Boys for Gender Equality, Love Botswana and the Botswana Christian Health & AIDS Intervention Program. CSOs are not able to protect women but they are able to help them access protection from the state and provide them with secure spaces to stay temporarily (see Overview of organisations and services and Shelters).

4.1.6 There are weaknesses in the location, organisation, operation and administration of the criminal justice system which reduce its effectiveness and accessibility for some women. However, there is also clear and robust evidence that the state does not tolerate serious discrimination or other offensive acts against women and is both willing and able to provide protection.

4.1.7 For further guidance on assessing state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status and Gender issues in the asylum claim.

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5. Internal relocation

5.1.1 A woman is likely to be able to relocate to avoid persecution or serious harm from a non-state actor.

5.1.2 This is because in general there are parts of Botswana - such as Gaborone, Francistown or Maun - where it will be reasonable to expect a woman to relocate.

5.1.3 Botswana is about the twice the size of the UK but with a relatively small population of around 2.3 million. Gaborone, the capital, has a population of around 250,000. Other significant urban areas are Francistown (with a population of just over 100,000), Mogoditshane (88,000), Maun (85,000) and Molepolole (74,000). The population is largely young (under 35), mostly urban and dominated by the Tswana ethnic group. Around 44% of households are headed by women, most of whom are not married (see Geography).

5.1.4 Botswana is an upper middle-income country. Successive governments have used the country's diamond wealth to improve the economy and living conditions, putting significant resources into education, healthcare and social protection. However, high rates of unemployment, poverty and inequality persist (see Economic context).

5.1.5 People are legally free to move within Botswana (see Legal right to move). Many people, including women, migrate to the cities and towns, such as Gaborone, seeking employment and economic opportunity (see Lone women). Women are able to access free public services, such as education and healthcare, throughout the country (see Accessing public services). Single female or female headed households do not face stigma or discrimination in urban areas, but attitudes might be different in conservative smaller settlements and rural areas (see Lone women).

5.1.6 Sources interviewed by the HO in July 2025 generally agreed the main barrier to a woman relocating within the country was financial – whether a woman would be able to support herself. As long as a woman has the means to support herself, relocation is possible (see Lone women). However, a couple of sources noted that it might be difficult for a woman to 'disappear' if an abuser was intent on finding her because Botswana has a small population (see Tracing and locating people).

5.1.7 For further guidance on internal relocation and factors to consider, see the Asylum Instruction on Assessing Credibility and Refugee Status and the Gender issues in the asylum claim.

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6. Certification

6.1.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. This is because a woman is able to obtain effective protection and internally relocate within the country.

6.1.2 For further guidance on certification, see Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

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Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment which, as stated in the About the assessment, is the guide to the current objective conditions.

The structure and content follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI includes information obtained during a Home Office fact-finding mission (FFM) to Botswana conducted between 5 and 17 July 2025. Background about the FFM including its purpose, methodology and terms of reference, as well as notes of interviews with sources, are included in the annexes. While the focus of the FFM was the treatment of women generally, the mission also obtained information about situation of LGBT+ people which is documented in the notes in the annexes.

The COI included was published or made publicly available on or before **29 December 2025**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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7. Glossary

7.1.1 The table below includes commonly used abbreviations and terms in this note:

Term	Definition
Batswana	People of Botswana
	Motswana (singular)
BHC	British High Commission
Bahumagadi	Wives of chiefs
BGBVC	Botswana Gender Based Violence Prevention and Support Centre
BNRS	Botswana National Relationship Study 2018
Bogadi	Bogadi (Tswana) means ‘bridewealth’ or ‘bride price’. Traditionally cattle given to the parents of a woman in order to secure her hand in marriage.
	See also lobola below.
BONELA	Botswana Network on Ethics, Law and HIV/AIDS
BPS	Botswana Police Service
BWA	Botswana

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CofEDAW	Committee on the Elimination of Discrimination Against Women
DVA	Domestic Violence Act
GBVISB	Gender Based Violence Indicators Study 2012
GBV	Gender-based violence
GOROB	Government of the Republic of Botswana
IPV	Intimate partner violence
Kgosi	Traditional tribal chief or hereditary leader (plural – Dikgosi)
Kgotla	Community meeting place for discussion or dispute resolution (customary court)
LEGABIBO	Lesbians, Gays, and Bisexuals of Botswana
Lobola	Bridewealth
	Xhosa/Zulu word – same as 'bogadi' (see above)
MOJCS	Ministry of Justice and Correctional Services
MYGA	Ministry of Youth and Gender Affairs
	Formerly Ministry of Youth, Gender, Sport and Culture and Ministry of Nationality, Immigration and Gender Affairs
UKHO FFM	UK Home Office Fact Finding Mission
UN OCHA	UN Office for the Co-ordination of Humanitarian Affairs
UNPFA	United Nations Population Fund
USSD	United States Department of State
WAR	Women Against Rape

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8. Geography

8.1 Demography

8.1.1 Botswana is just over 580,000 square kilometres, about the twice the size of the UK[1].

8.1.2 Statistics Botswana, a public body which collects and shares official statistics in Botswana[2], in its 'Population and Housing Census 2022 Population Distribution, Structure and Density in Botswana', noted the country has a population of:

'… 2,359,609 … comprising of 1,150,615 males (48.8%) and 1,208,994 females (51.2%) … Botswana … tends to have a youthful population, with 1-in-3 people … under-15 … The national population density has risen to 4.1 in 2022 compared to 3.6 people per sq. KM in 2011 … The Southeastern region, including [Gaborone] … boasts the highest density. The West

[1] US CIA, World Factbook (Area), no date
[2] SB, Introduction, no date

remains the least populated ... The Eastern region continues to hold the largest share of the population.'[3]

8.1.3 Around two-thirds of the population live in urban areas (cities, towns and urban villages), one-third in rural areas[4].

8.1.4 Based on the 2022 census, the largest urban areas including 'large villages' are (in brackets - name of area and population):

- Gaborone City – the capital city (246,325)
- Francistown City (103,417)
- Mogoditshane (88,004)
- Maun (85,350)
- Molepolole (74,861)[5]

8.1.5 Around 80% of the population are ethnic Tswana. Other ethnic groups include 'Kalanga 11%, Basarwa 3%, other, including Kgalagadi and people of European ancestry 7%'.[6]

8.1.6 The census 2022 provided data that specifically relates to or is about women, including noting:

- 44.4% of households were headed by women
- 16.4% of people were married, 70.4% never married, 9.4% were living together
- 9.7% of women aged 20 to 24 had been married before the age of 15
- 12.5% of women aged 20 to 24 had been married before the age of 18[7]

8.1.7 Professor Neil Parsons in an entry updated 27 December 2025 in the Encyclopaedia Britannica (Parsons 2025) noted: 'The national language, Tswana (Setswana, Sechuana), is widely spoken. The official language is English. The Khoisan speak languages characterized as Khoe, or Khwe, and San. Several other languages are also spoken in the country, including Kalanga, Sekgalagadi, Herero, Mbukushu, and Yei.'[8]

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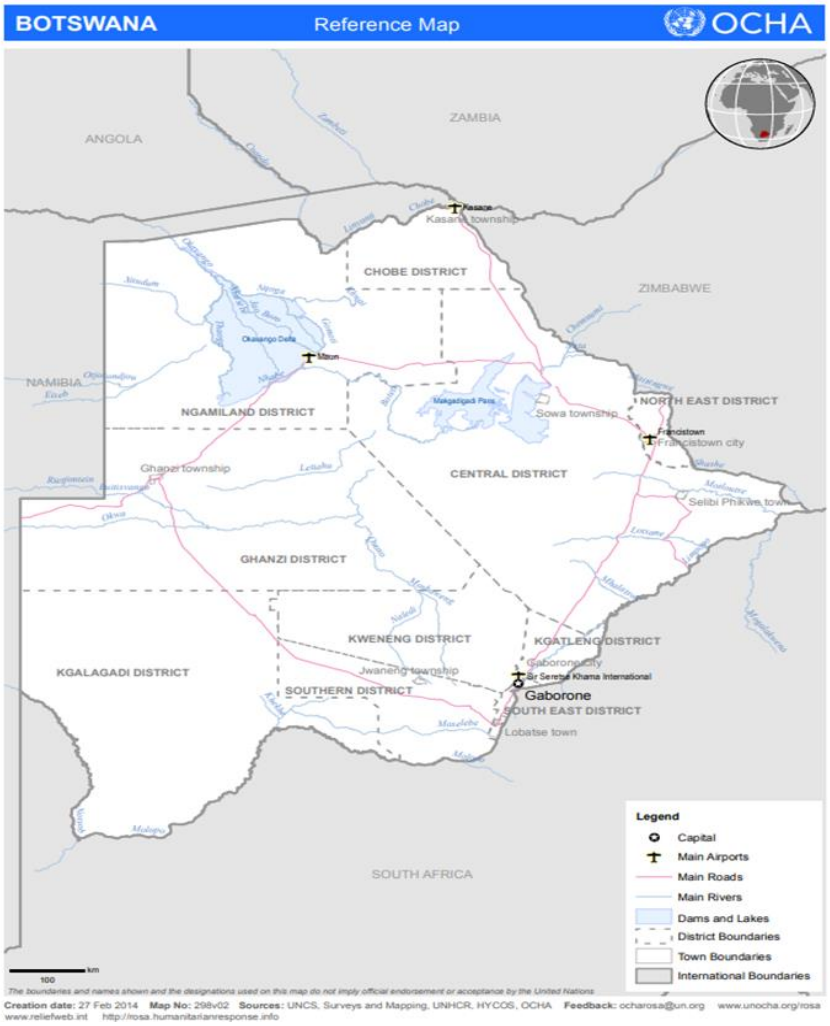
8.2 Map

8.2.1 The UN Office for the Co-ordination of Humanitarian Affairs (OCHA) produced a map of the country in 2014 showing the country's districts, main cities and towns, roads, and rivers[9]:

[3] SB, Population and housing census 2022 … (Executive summary), March 2024
[4] SB, Population and housing census 2022 … (page 11), March 2024
[5] SB, Population & Housing Census 2022 (Population of Cities, pages 2, 5 and 9), December 2022
[6] US CIA, World Factbook (Botswana), updated 16 December 2025
[7] SB, 'Population Housing Census 2022: Key Demographics …' (pages 2 and 3), December 2023
[8] Parsons, Encyclopaedia Britannica, Botswana (Languages), updated 27 December 2025
[9] OCHA, Botswana: reference map, February 2014



NOTE: The map in this section is not intended to reflect the UK Government's views of any boundaries.

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9. Economic context

9.1.1 The World Bank noted in an undated entry:

‘Once among the world’s poorest nations, well-managed diamond wealth has improved [Botswana’s] … economy and people’s living conditions … it is now an upper-middle-income country (UMIC). However, poverty and inequality persist at levels higher than in comparable middle-income countries … [gross domestic product per person was estimated to be US$7,695 (about £5,590) in 2024[10] [11]] Living conditions have steadily improved since independence as the wealth from diamond discoveries has helped lay the foundations for growth and development and fund major advances in social service delivery, expanding broad access to clean water, electricity, and sanitation. Basic education and health outcomes have also steadily improved. However, the extractives-driven growth model is reaching its limits and ability to further sustain poverty reduction and inclusive growth.

‘The government has invested significant resources in human capital

[10] World Bank, Data (Botswana), no date
[11] Xe.com, USD to GBP exchange rate, conversion date 6 December 2025

development through education, health, and social protection. Government spending as share of GDP on health is 4.8%, education 7.1%, and social protection 2.6%, very high compared to neighbours in the region. Nevertheless, human capital outcomes are not consistent with spending levels.'[12]

9.1.2 The World Bank also stated:

'Botswana's economy faced significant challenges in 2024, contracting by 3%, due to a slump in the diamond sector, which dominates export earnings and government revenue. Growth forecasts for 2025 remain subdued, with expectations of negative growth as diamond demand stays low ... Inflation eased to about 2.1% in 2025 … Employment remains skewed toward low-productivity sectors, with unemployment at 27.6% reflecting structural labour market issues and limited private sector opportunities and extreme inequality … Inequality is persistent, and human capital outcomes require enhancement through better education, healthcare, and social protection reforms.'[13]

9.1.3 A World Bank press release of 15 July 2025 referring to an assessment of gender dynamics in Botswana dated March 2025 provided an overview of the economic disparities between men and women in the country:

'"Women now account for 57% of university graduates, and Botswana has significantly expanded access to maternal health services, with most births taking place in health facilities. However, persistent gaps in women's economic participation limit the country's growth potential," says World Bank Country Director for Botswana, Satu Kahkonen …

'The assessment identifies gender disparities in three key areas: human capital (health, education, social protection), economic inclusion, voice and agency. Boys face higher rates of childhood stunting and lower early childhood education access [than girls], while 1 in 10 girls becomes pregnant before the age of 20, making it the leading cause of school dropout for young women … HIV continues to disproportionately affects [sic] women, with a 26% prevalence - nearly twice that of men.

'Despite educational gains, women in Botswana have lower labour force participation (63% vs 73% for men), earn less, and are concentrated in informal, vulnerable jobs. The COVID-19 pandemic worsened these disparities, with women accounting for over half of all job losses. Rural and informal women workers are especially vulnerable to climate and economic shocks, underlining the need for inclusive, resilient economic systems. Despite advancements in the legal framework for gender equality, social norms and informal barriers still limit women's full economic inclusion. Women are more likely to run informal businesses, have less access to finance …'[14]

9.1.4 The World Bank and International Monetary Fund provide statistics on the economy and society including gender specific data:

- Economy | Botswana | World Bank Data360

[12] World Bank, Botswana (Overview), no date
[13] World Bank, Botswana (Economy), no date
[14] World Bank, World Bank Report Highlights Gender Dynamics …, 15 July 2025

- Botswana | World Bank Gender Data Portal
- Botswana and the IMF

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10. Legal rights

10.1 International instruments

10.1.1 The Government of the Republic of Botswana (GOROB) has ratified the following UN conventions which include provision to protect equality generally and women's and girls' rights specifically:

- International Covenant on Civil and Political Rights
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities[15]

10.1.2 The GOROB also acceded to the UN International Covenant on Economic, Social and Cultural Rights in October 2025. This convention has provision to protect and promote social and cultural rights without discrimination on various grounds including sex[16] [17].

10.1.3 The UN Botswana website in an undated entry noted '… the Government and the UN in Botswana pledge to work closely together … [to achieve] national implementation of the [UN's] 2030 Agenda for Sustainable Development.'[18] This includes goal 5 on gender equality which aims to 'Achieve gender equality and empower all women and girls.'[19]

10.1.4 Botswana is also party to regional instruments which promote and protect women's rights. The GOROB in their national review of implementation of the Beijing Platform for Action, a programme to assess progress on women's rights, submitted to UN Women in June 2019 (GOROB national review 2019) stated: 'Botswana is … Party to … the Southern African Development Community Protocol on Gender and Development (SPGD) among others.'[20]

10.1.5 A GOROB representative in discussions with the CEDAW on 27 June 2025 about the GOROB's reports submitted to the committee (CEDAW discussions report 2025), dated 8 August 2025, stated: 'In December 2023, Botswana had ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), demonstrating the Government's ongoing commitment to promoting women's rights and gender equality. Steps had been taken to enact gender-sensitive laws to promote the rights of women and other vulnerable groups.'[21]

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[15] UN OHCHR, UN Treaty Body Database (Botswana), no date
[16] UNHCR Africa, Botswana takes steps to accede …, 16 October 2025
[17] UN OHCHR, Human Rights Instruments (International Covenant on Economic …), no date
[18] UN Botswana, Sustainable Development Goals, no date
[19] UN Botswana, Sustainable Development Goals (Gender Equality), no date
[20] GOROB, National Review For Implementation Of The Beijing … (Background), June 2019
[21] CEDAW, Consideration of reports submitted by States Parties … (paragraph 6), 8 August 2025

10.2 Constitution

10.2.1 Article 3 of the Constitution protects the fundamental rights of all citizens. Article 15 protects people from discrimination including on grounds of sex[22]. However, subsection 4 of article 15 allows for exemptions from equal treatment for customary law, marriage, divorce and others matters of personal law[23].

10.2.2 The UKHO FFM 2025 interviewed officials from the Ministry of Justice and Correctional Services on 9 July 2025 (MOJCS officials 2025) who noted:

'… the constitution promotes equality and non-discrimination. However, [comments] from the [UN] human rights treaty body reviews with regard to women [have noted that] we have a discriminatory element in section 15 of the BWA Constitution. The President has said that his government will be human-rights-centric. He has explained that human rights should be placed at the centre of development. One of the ways this will be realised is through a constitutional review which commenced in 2022, but this government is going to ensure is finalised. Therefore, we are sure that section 15(4) [of the Constitution] will be looked into.'[24]

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10.3 Penal Code

10.3.1 The Penal Code criminalises rape (of either sex), 'defilement' of persons under 18 years and various non-gender specific acts of harm[25]. The Code was amended in 2021 to 'enhance and make stiffer penalties for sexual offences'[26].

10.3.2 The US State Department's 2024 Country Reports on Human Rights Practices: Botswana (USSD HR report 2024), covering events in 2024, does not comment on the rights or protections of women specifically[27]. However, the USSD HR report for 2023 which covered a broader range of human rights issues noted that the law criminalised rape (under the Penal Code) but did not recognise spousal rape[28]. Similarly, Freedom House in their report covering events in 2024 (FH report 2024) noted 'Spousal rape is not considered a crime'[29].

10.3.3 The GOROB's Botswana 2022 Voluntary National Review Report dated June 2022, submitted to the United Nations Development Programme (UNDP) (BVNRR 2022), noted 'the Penal Code was amended to align it with the Children's Act towards protecting children from sexual offences. The amendment increased the age of consent from sixteen (16) to eighteen (18) years while introducing a close-in age provision to protect consenting and experimenting adolescents …'[30]

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[22] GOROB, Constitution of Botswana, last amended 2024
[23] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 12), 11 July 2025
[24] MOJCS, HO interview, 9 July 2025, Annex F
[25] GOROB, Chapter 08:01 Penal Code, no date
[26] GOROB, Republic of Botswana: 4th and 5th Combined Period… (paragraph 106), September 2023
[27] USSD, HR report 2024, 12 August 2025
[28] USSD, HR report 2023 (section 6), 23 April 2024
[29] FH, Freedom in the World 2025 - Botswana, 26 February 2025
[30] GOROB, Botswana 2022 Voluntary National Review Report (section 6.2), June 2022

10.4 Gender-specific legislation

10.4.1 The BVNRR 2022 noted: 'Botswana has extensive laws … that constitute an enabling environment for elimination of all forms of discrimination against women and girls including … the Criminal Procedure and Evidence Act, the Public Service Act, Marriage Act and abolition of Marital Power Act.'[31]

10.4.2 The USSD HR report for 2023 noted that amongst other things the law:

- prohibited domestic and other violence against women and girls
- prohibited discrimination in work based on gender[32]

10.4.3 Generis Global, an international legal service provider, noted in an article dated 9 November 2024:

'Botswana has established a legal framework aimed at combating domestic violence, most notably through the enactment of the Domestic Violence Act of 2008 [DVA]. This legislation represents a significant commitment to addressing the pervasive issue of domestic violence within the nation. The Act defines domestic violence comprehensively, covering not only physical abuse but also emotional, psychological, and economic forms of violence. This broad definition ensures that various facets of domestic violence are recognized and can be acted upon under the law, thereby facilitating effective intervention measures.

'The Domestic Violence Act emphasizes the importance of protection for victims, outlining various remedies that can be sought. It empowers individuals to apply for protection orders, which serve to restrict the actions of the perpetrator and safeguard the victim's personal safety … Furthermore, the law mandates that police and other authorities take domestic violence complaints seriously by ensuring prompt investigations and appropriate actions, which underscores the critical role of law enforcement in protecting victims.

'This legal framework also reflects an understanding of the socio-cultural dynamics surrounding domestic violence in Botswana. It recognizes the need for a victim-centric approach, offering support services such as counseling and shelters for those affected. Additionally, the Act promotes public education about domestic violence, aiming to change societal attitudes and increase awareness about the repercussions of such behavior. By fostering an environment where victims feel empowered to report incidents of violence, Botswana's legal structure works towards dismantling the stigma associated with domestic abuse.' [33]

10.4.4 However, the UN Committee for the Elimination of Discrimination Against Women (CEDAW) in their concluding observations on the fifth periodic report of Botswana, based on submissions and discussions between 2023 and 2025, dated 11 July 2025 (CEDAW report 2025), noted a '… lack of alignment of the Domestic Violence Act with the Convention [on the Elimination of All Discrimination Against Women (CEDAW)] and its limited implementation, particularly regarding protection orders and access to victim support services, as well as the reliance on mediation by customary courts in

[31] GOROB, Botswana 2022 Voluntary National Review Report (section 6.2), June 2022
[32] USSD, HR report 2023 (section 6), April 2024
[33] Generis Global, Domestic Violence Protection Measures in Botswana … 9 November 2024

domestic violence cases …'[34]

10.4.5 The UKHO FFM interviewed representatives of the Botswana Network on Ethics, Law and HIV/AIDS, a Botswanan NGO focussing on health and human rights including GBV, on 16 July 2025 (BONELA representatives 2025). The representatives commented they 'would like the DVA to have more punitive measures or provision to prosecute from a criminal perspective [the Act defines domestic violence and provides for various orders to help protect victims but does not set out penalties for acts of domestic violence].'[35]

10.4.6 For more information on the various protection orders, see Protection and maintenance orders below.

10.4.7 The Children's Act, 2009 makes 'provision for the promotion and protection of the rights of the child; for the promotion of the physical, emotional, intellectual and social development and general well-being of children; for the protection and care of children; for the establishment of structures to provide for the care, support, protection and rehabilitation of children'[36]. This includes protecting male and female children from:

- being encouraged, allowed or forced into cohabiting with any person in a sexual relationship
- torture or other cruel, inhuman or degrading treatment or punishment
- being subject 'to social, cultural and religious practices which are detrimental to his or her well-being … A child shall not be subjected, by any person, to —
  - '(a) a forced marriage;
  - '(b) a child betrothal;
  - '(c) genital mutilation or female circumcision; or
  - '(d) any other cultural rite, custom or tradition which may inflict physical, emotional or psychological pain or harm to the child, or otherwise violate or endanger his or her bodily integrity, life, health, dignity, education or general well-being.'[37]

10.4.8 The UN CEDAW report 2025 '… welcomed … the following legislative reforms [which relate directly to women] …

- 'The Anti-Human Trafficking (Amendment) Act in 2024;
- '… The Sexual Offenders Registry Act, in 2021;
- '… The Revised Land Policy, granting married women and men equal access to land ownership, in 2020.'[38]

10.4.9 An article in the Botswana Gazette, a Botswanan newspaper, of 30 May 2025 noted: 'The primary objective of the Sex Offenders Registry Act is to establish a centralised and secure database of individuals convicted of sexual offences … The registry will serve as a tool for law enforcement

[34] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[35] BONELA, HO interview, 16 July 2025, Annex R
[36] GOROB, Children's Act (Arrangement of sections), 2009
[37] GOROB, Children's Act (Articles 59, 61 and 62), 2009
[38] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 5), 11 July 2025

agencies, schools and childcare institutions, allowing them to conduct background checks and safeguard vulnerable groups – particularly women and children – from known sex offenders.'[39]

10.4.10 However, the UN CEDAW report 2025 observed there was a 'lack of information on the effectiveness of the Sexual Offenders Registry'[40]. The UKHO FFM interviewed officials in the Ministry of Youth and Gender Affairs on 11 July 2025 (MYGA officials 2025) who 'explained that there is an act [Sexual Offenders Registry Act, 2021] which is yet to be operationalised, but it has been assented into law ... the debate had been that the police are the ones to implement it, and the police say they would rely on judgments from the courts [in order to flag a sex offender's conviction for a particular offence] ... they were still trying to work out an end-to-end system that could facilitate that.'[41]

10.4.11 The UN CEDAW report 2025 was also concerned by '[t]he lack of a comprehensive legal framework … on gender-based violence [and] … the absence of legislation specifically criminalizing sexual violence …'[42]

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10.5 Gender-based violence (GBV) and gender equity bills

10.5.1 The GOROB delegation noted in the CEDAW discussions report 2025 '… the Government was considering drafting a bill on gender equality that would incorporate all the standards established in the [CEDAW] … and institutionalize gender mainstreaming across all sectors.'[43]

10.5.2 The MYGA officials 2025 noted '… users of the Domestic Violence Act [2008] have pointed to a number of gaps in the act. We are currently [working on] a GBV [bill] to keep closing the gaps to ensure that people are safe and that perpetrators are adequately dealt with.'[44]

10.5.3 The MOJCS officials 2025 when asked about the GBV bill noted:

'… the MoJCS could not comment on the full scope of the bill as it is the purview of the … MYGA. The general objective of the Bill is to make concrete the various measures discussed: shelters, education [public campaigning against GBV], the roles of stakeholders – government and civil society – to domesticate international human rights instruments BWA is party to – including the UN Convention on the Elimination of Discrimination against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), and the Southern African Development Community's (SADC) Protocol on Gender and Development – to ensure that there is adequate protection [for women].'[45]

10.5.4 An article by Africa Press, an African media platform, dated 11 October 2025, reporting on comments made by the minister of the MYGA to parliament, noted: 'A Gender-Based Violence Bill is currently in development, focusing on prevention, protection, care, and support. The bill

[39] Botswana Gazette, No Hiding for Sex Offenders, 30 May 2025
[40] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[41] MYGA, HO interview, 11 July 2025, Annex I
[42] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[43] CEDAW, Consideration of reports submitted by States Parties … (paragraph 10), 8 August 2025
[44] MYGA, HO interview, 11 July 2025, Annex I
[45] MOJCS, HO interview, 9 July 2025, Annex F

targets [the] root causes of gender-based violence and provides comprehensive measures for addressing these challenges.'[46] Another Africa Press article dated 14 November 2025 reported the comments of the MYGA's permanent secretary, who 'explained that the legislation will enhance survivor protection, strengthen law enforcement responses, and improve access to healthcare, psychosocial support, and safe shelters.'[47]

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10.6 Customary law

10.6.1 The USSD HR report 2023 noted that 'under customary law based on tribal practice … restricted women's property rights and economic opportunities, particularly in rural areas.'[48] Similarly the FH report 2024 noted 'customary law, commonly applied in rural areas, often discriminates against women … Child and forced marriages [of girls and women] still occur under customary law.'[49]

10.6.2 The World Bank, Botswana: Trends and Opportunities to Advance Gender Equality, dated 31 March 2025, which assessed gender gaps in the economy (WB report 2025), noted:

'Under Botswana's pluralist legal system, customary and common law can come into conflict in the area of the protection of women's rights. Both the Customary Law Act (1969) and Customary Courts Act (1961) prioritize the application of customary law for most civil cases within tribal groups. Customary law is not codified, and its content varies between tribal groups within Botswana. Although the Customary Law Act requires that customary law should be compatible with the Constitution, in practice customary courts do not always interpret the law so as to protect women's rights (United Nations Botswana 2021). For instance, under the customary law of some tribal groups, women are treated as legal minors within marriage, unmarried women are considered under the guardianship of their fathers, husbands may use corporal punishment against their wives and children (who are considered a father's property), and inheritance has traditionally been conferred through the male lineage (Botswana Court of Appeal 2012; Nkhata and Kalunga 2015). However, there have been some encouraging legal developments strengthening women's rights under customary law. For example, in the case of Mmusi and Others v. Ramantele and Another, the High Court of Botswana ruled that customary law provisions restricting women's inheritance rights were unconstitutional, and the case was subsequently upheld in the Court of Appeal.'[50]

10.6.3 The GOROB's reply to the CEDAW dated received 28 April 2025, document dated 13 May 2025, stated: 'The Customary Courts Act was amended in 2017 to confer to any person the right to transfer a case from [a] Customary Court to [a] Magistrate Court. On this note, Legal Aid Botswana in partnership with Non-Government Organisations (NGOs) continue to provide legal assistance to women who desire to transfer their matter from

[46] Africa Press, Botswana Advances Gender and Development Initiatives, 11 October 2025
[47] Africa Press, Botswana Strengthens Gender-Based Violence Legislation, 14 November 2025
[48] USSD, HR report 2023 (section 6), April 2024
[49] FH, Freedom in the World 2025 - Botswana, 26 February 2025
[50] World Bank, Botswana: Trends and Opportunities to Advance … (page 42), 31 March 2025

Customary Courts to Common law courts.'[51]

10.6.4 The UKHO FFM 2025 interviewed an official in the UN Population Fund on 8 July 2025 (UNPFA official 2025) who noted,

'… that [there] are [equal rights] on paper [for women], but there is a dual legal system: customary law and modern [statutory or common] law. The customary law is where the chiefs preside over matters … [The dual system] has its own challenges. When there's an issue, let's say in the family, it would usually start at the customary setting, where it goes to the chiefs. It may end there, and [when] cases [do] end there – maybe it's a case of GBV – the family or the husband and wife would in most cases be told to reconcile. That's the customary side. They tend to prioritise [reconciliation].'[52]

10.6.5 The UNFPA official 2025 also noted:

'… modern [statutory/civil] law recognises that women have equal rights to property, [including in matters of] inheritance … customary law is in most cases trying to conform to that as well, in terms of recognising that women have equal rights. But in practice, you still find cases where, for example, there's a fight over inheritance or [over who should become] the next chief if a chief [dies leaving only daughters]. It's not always a very smooth transition to say the eldest daughter automatically becomes the chief [even though] it's recognised on paper now that daughters of chiefs can be chiefs. In practice, it's not always that easy; it's always contentious.'[53]

10.6.6 The UNFPA official 2025 also noted '… customary law leads more to [a victim being told] that it's a family matter and they should go and talk to their uncles and so forth … customary law has no power to enforce a restraining order.'[54]

10.6.7 The UKHO FFM interviewed representatives of the Feminist Alliance Botswana, a 'gender-centred organisation', on 9 July 2025 (FAB representatives 2025). The FAB representatives 2025 noted:

'… it's important to highlight that because of the way BWA society is structured, more of the population only have access to traditional courts than civil courts, so unless tradition and traditional law change, women will continue to be disenfranchised in terms of enforcing their rights. This is because whereas civil law prohibits discrimination, in traditional courts judgments are made with clear gender biases.

'… explained that it costs money [to go through the civil courts], and it's multi-layered because you start off with a small mediation court, which is the traditional setting, before you go to a major customary court, and then after the customary court, they need to take it to the customary court of appeal. And if you're still not happy with it, that's when you take it to the High Court, which is governed by civil law. But all of that involves money, time and frustration.'[55]

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[51] GOROB, Replies of Botswana to the list of issues and questions in… (paragraph 13), 13 May 2025
[52] UNFPA official, HO interview, 8 July 2025, Annex D
[53] UNFPA official, HO interview, 8 July 2025, Annex D
[54] UNFPA official, HO interview, 8 July 2025, Annex D
[55] FAB representatives, HO interview, 9 July 2025, Annex E

10.7 Protection and maintenance orders

10.7.1 The Domestic Violence Act, 2009, provides for the issuance of 4 types of protection order by a court to victims of domestic violence depending on the circumstances and needs of the case. These are:

- an interim order
- a restraining order
- a tenancy order
- an occupancy order[56]

10.7.2 An application for a protection order to a court is accompanied by an affidavit (a written statement of facts for use as evidence in court) from the applicant (the victim of domestic violence). An 'application may be brought on behalf of the applicant by a counsellor, health service provider, member of the Botswana Police Service, Local Police, social worker, teacher, District Commissioner or any other person, with leave of the court.'[57]

10.7.3 An interim order may be issued by a court 'where it is satisfied that -

'(a) domestic violence has occurred;

'(b) there is a serious risk of harm being caused to the applicant or child; or

'(c) the order will ensure immediate protection of the applicant.'[58]

10.7.4 The MOJCS officials 2025 noted: 'There are restraining orders, and if these are violated a perpetrator can be imprisoned. [T]he Domestic Violence Act … provides for safety measures for incidents [in] the home. The court can be approached to issue a restraining order.[59]

10.7.5 The UKHO FFM interviewed the chief executive officer of the Legal Advice Board on 9 July 2025 (LAB CEO 2025). The CEO noted:

'The forms for restraining orders are built into the [Domestic Violence] Act. The police will assist the victim to go to the magistrate's court and be assisted by the office of the Registrar to complete the necessary forms and get [the relevant order] without the need for counsel … [but] it would be the person who actually submits [the restraining order] ... [the police may also sit] there with [the victim] … and the form is busily being filled in, or the police escort (protect) the person to the court so that they can fill in the form at the registrar's office and get it all signed.'[60]

10.7.6 The FAB representatives 2025 confirmed that restraining orders are issued by the authorities, adding '… there is an act called the Deserted Wives and Children Protection Act. Under that you can get speedy maintenance orders [which provide] financial support for the spouse and children.'[61]

10.7.7 The executive director War Against Rape, a non-government organisation based in Maun which supports victims of GBV, interviewed by the UKHO FFM on 14 July 2025 (WAR executive director 2025) noted a woman can

[56] GOROB, Domestic Violence Act (Article 7), 2008
[57] GOROB, Domestic Violence Act (Article 7), 2008
[58] GOROB, Domestic Violence Act (Article 7), 2008
[59] MOJCS, HO interview, 9 July 2025, Annex F
[60] LAB, HO interview, 8 July 2025, Annex G
[61] FAB representatives, HO interview, 9 July 2025, Annex E

obtain a restraining order by going to a court, which the police have to enforce. The police also notify the perpetrator of violence of the restraining order. The executive director considered that if the terms of a restraining order were breached the police should enforce this by, for example, by arresting the offender. However, the executive director did not know whether the police enforced restraining orders[62].

10.7.8 See also Implementation of protection orders below.

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10.8 Bail Act, 2024

10.8.1 The FH report 2025 noted: 'In March 2024, [the Bail Act] … introduced stricter bail regulations and granted victims of rape and other serious offenses a say in bail proceedings came into effect.'[63]

10.8.2 The MYGA officials 2025 observed:

'The Bail Act was amended [in 2024] to ensure that if a perpetrator applies for bail, the survivor should have a say before the decision is taken as to whether or not bail is granted ... [adding] that the reason why the Bail Act was adopted last year [2024] was because there was an outcry from the public that people who are released on bail tend to re-offend, particularly for GBV where they have threatened to kill … they are arraigned, and they will eventually be released on bail and go on to commit the offence.'[64]

10.8.3 The MYGA officials 2025 agreed with the UKHO FFM's summary of the interview discussions that the Bail Act 2024 tightened the criteria for releasing a suspected 'but there's no case law [yet] to determine how it's going to be applied [by the courts].'[65]

10.8.4 The WAR executive director 2025 commenting on the Bail Act 2024 explained that law had been changed so that '… the victim should have a say, should come to court and convince the court why they shouldn't give this person bail. So, if the person is [the victim's] … husband or … partner and has threatened to kill [her] …, and now they are going to apply for bail, then [the victim] … ha[s] … to go to court and convince the court why they shouldn't be. That's the change. So, it's not that they can't get it, but the victim has to come and plead.' The UKHO FFM questioned whether by giving the victim the opportunity to provide evidence this would improve the process by increasing the likelihood that the GBV offender would not get bail. The executive director hoped it was an improvement but 'thought no one had tested it yet and … hadn't yet heard of a case [of the new measures being applied].'[66]

10.8.5 The UKHO FFM interviewed senior officers in the Botswana Police Service on 11 July 2025 (BPS officers 2025). The officials noted,

'… the issue of bail is a big concern for all residents … Citizens generally praise the police for arrests in GBV offences however they complain that unfortunately following the arrest, the perpetrators are then let out on bail.

[62] WAR executive director, HO interview, 14 July 2025, Annex K
[63] FH, Freedom in the World 2025 - Botswana, 26 February 2025
[64] MYGA, HO interview (Annex I), 11 July 2025
[65] MYGA, HO interview (Annex I), 11 July 2025
[66] WAR executive director, HO interview, 14 July 2025, Annex K

According to Botswana laws, one is presumed innocent until found guilty in court, hence the reason why bail is given whilst awaiting trial. This unfortunately leads to a lot of reoffending in GBV. The issue is being discussed in many platforms in attempts to find a lasting resolution. Furthermore, the Bail Act 2024 has also narrowed the existing gaps … with GBV, it depends on the seriousness of the offence. If it's common assault, normally the police would arrest [the suspect] and detain them for 48 hours, then they'd release them on what's called police bail. For serious offences, they might be held until [the case was heard before a] court. In the past, there used to be that problem of bail being granted. Now there's a new Bail Act, which is [tougher] … there was no such Act before.'[67]

10.8.6 See also the Implementation of bail below.

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11. Policy, programmes and campaigns

11.1 Government position

11.1.1 The MOJCS officials 2025 noted: 'The police are mindful of GBV; government is mindful of GBV … the government is now very much aware of the problem of GBV. The president, Duma Boko, has gone on record that [Botswana] BWA cannot countenance GBV, and interventions are being put in place … The President has said that his government will be human-rights-centric. He has explained that human rights should be placed at the centre of development.'[68]

11.1.2 The UKHO FFM interviewed officials at the Ministry for State President on 9 July 2025 (MSP officials 2025), who observed:

'GBV is a priority for government … [it is an issue] that needs to be dealt with very seriously and [is] now reflected in resourcing. The police [are] resourced to ensure that child friendly centres … protect [children] and that within the police … we are developing strategic partnerships with the other organisations - civil society organisations - that take care of the victims of GBV. Measures have been put in place by the police to ensure safety generally, which is an issue … We are trying to, especially as we work with churches and civil society, to ensure that as a government [GBV] is a very high priority.'[69]

11.1.3 A GOROB representative told the UN CEDAW in June 2025:

'The Government was committed to promoting gender mainstreaming in policies and programmes and to eliminating harmful gender norms in order to empower women. In that connection, the Human Rights Strategy and National Action Plan had been developed, and a commitment had been made to establishing gender parity in the legislature by 2030. A committee responsible for overseeing the implementation of the Human Rights Strategy and National Action Plan had been established …

'The Government was developing a broad range of measures to prevent and combat gender-based violence. At the grassroots level, community leaders campaigned against gender-based violence and civil society organizations

[67] BPS, HO interview, 11 July 2025, Annex U
[68] MOJCS, HO interview, 9 July 2025, Annex F
[69] MSP officials, HO interview, 9 July 2025, Annex M

provided practical training. The Government had committed to establishing one-stop centres that would provide a comprehensive range of services relating to gender-based violence, including law enforcement and judicial services, healthcare and psychosocial services, and shelters. A national action plan to combat gender-based violence was being developed on the basis of the regional strategy established by the Southern African Development Community (SADC) for the period 2020–2030. Under the plan, coordinated psychosocial, legal and shelter services would be provided for survivors.'[70]

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11.2 Departmental responsibility and other public bodies

11.2.1 A GOROB representative told the UN CEDAW in June 2025:

'… the Government had established a ministry of youth and gender affairs [MYGA] as part of its efforts to build a supportive and protective system of governance that respected the rights of all citizens, irrespective of their socioeconomic, cultural or political status. Recognizing that gender inequality impeded development, the Government had intensified its efforts to mainstream gender across all sectors and to institutionalize gender-responsive budgeting to ensure that priorities, such as efforts to combat gender-based violence, were adequately resourced.'[71]

11.2.2 The GOROB in its submission to the African Commission on Human and Peoples' Rights that covers the period from 2018 to 2023, dated September 2023 (GOROB ACHPR submission 2023), noted the '… Government established the Inter-Ministerial Committee on Gender Based Violence in 2020 to provide strategic direction and coordination of the national response to GBV. The committee comprises Ministers of Youth, Gender, Sport and Culture [now the MYGA], Local Government and Rural Development, Defence, Health, Justice, Education and Skills Development, Labour and Home Affairs and … [the] Minister for State President. The committee is supported by a multi-sectoral team of experts at technical level.'[72]

11.2.3 The GOROB in its submission to the CEDAW dated 1 November 2023 (GOB CEDAW submission 2023) noted

'… [The] Government reconstituted membership of the National Gender Commission in 2022 to strengthen gender mainstreaming across all sectors. An Inter-Ministerial Committee on GBV was also established in 2020 to provide strategic guidance on the national response to Gender Based Violence as well as put in place mechanisms for monitoring the implementation of these efforts. At [a] local level, 28 District Gender Committees were established and trained to lead implementation of the National Policy on Gender and Development.'[73]

11.2.4 The MYGA officials 2025 noted,

'… the government has also established oversight institutions … the National Gender Commission, which looks broadly at gender issues in the country, including GBV. Above that, we also have a high-level structure, the Inter-

[70] CEDAW, Consideration of reports submitted by States … (paragraphs 8 and 11), 8 August 2025
[71] CEDAW, Consideration of reports submitted by States Parties … (paragraph 2), 8 August 2025
[72] GOROB, Republic of Botswana: 4th and 5th Combined Perio… (paragraph 109), September 2023
[73] GOROB, Submission to the CEDAW (paragraph 38), 1 November 2023

Ministerial Committee on GBV, which is now … a sub-cabinet committee because it comprises of 8 ministers, and that body is chaired by the minister responsible for youth and gender affairs … there are also District Gender Committees, which are responsible for coordinating the gender response at district level. There has been keen interest [in this]: [some] districts have cascaded it to village gender committees.'[74]

11.2.5 The MSP officials 2025 observed the 'core mandate and co-ordination of gender-related matters lies with the Ministry of Youth and Gender Affairs (MYGA) … in every ministry there will be a liaison person with the MYGA, with programmes that are trying to stop GBV mainstreamed through the ministries.'[75]

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11.3 Policies, strategies and programmes

11.3.1 Bertlesmann Stiftung, a German private foundation, in its Transformation Index 2024, Botswana country report based on the views of country experts, covering events between 2021 and January 2023 (BTI 2024), stated: '… [the previous] administration has intensified efforts to promote youth and women's empowerment through targeted policies and programs. These initiatives include substantial investments in tertiary education financing, a national service scheme, a youth development fund, and an internship program.'[76]

11.3.2 Afrobarometer, a non-profit company conducting research across Africa, noted in its survey about gender equity in Botswana based on a nationally representative sample of 1,200 adult Batswana between July and August 2022, published 12 January 2023 (Afrobarometer findings 2023):

'The government of Botswana has shown commitment to ending gender-based violence (GBV) and discrimination by formulating policies, strategies, and programmes such as the National Policy on Gender and Development [in March 2015] (with a National Gender Commission to monitor implementation), the National Gender-Based Violence Strategy 2015-2020, and the Women's Economic Empowerment Programme (Republic of Botswana, 2017; UN Women, n.d.).'[77]

11.3.3 The GOROB national review 2019 noted:

'… the Government of Botswana adopted Vision 2036 [in September 2016] … [this] … calls for the elimination of gender discrimination and gender-based violence in Botswana society … Working towards this Botswana has developed the National Strategy towards ending Gender Based Violence in Botswana (2010-2020). This strategy has articulated the guiding goals and objectives of the national multi sectorial approach to GBV response. [The] Government in Botswana GBV Strategy focuses on (i) GBV prevention, (ii) protection, Care and Support of GBV victims and survivors, (iii) National capacity development for the GBV Response, (iv) GBV Strategic information and knowledge management and (V) Coordination and management of the

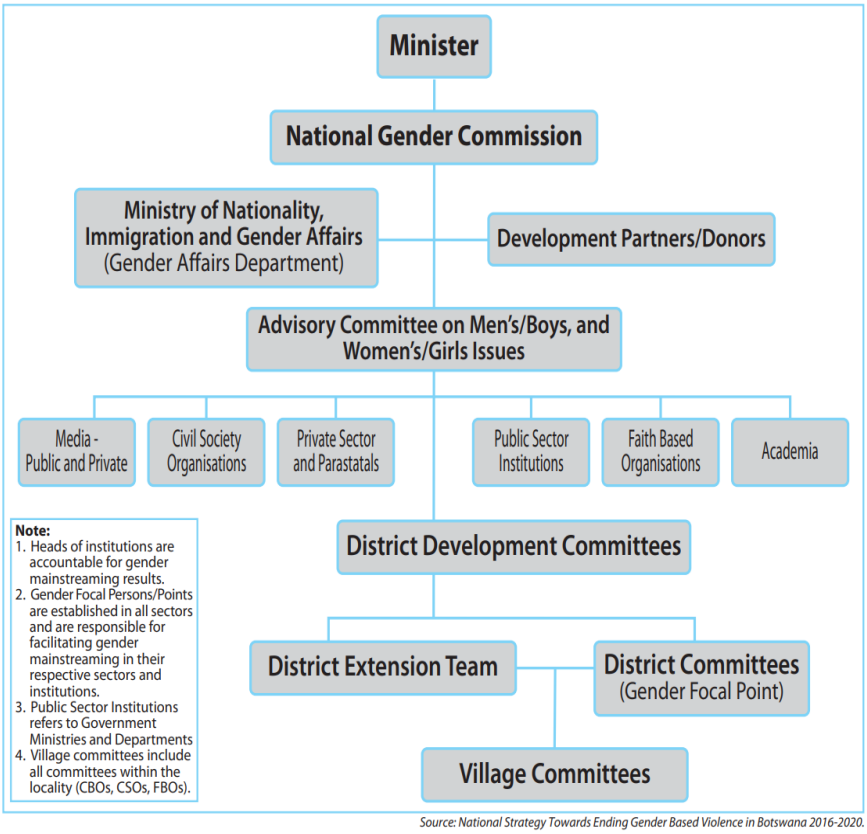
[74] MYGA, HO interview, 11 July 2025, Annex I
[75] MSP officials, HO interview, 9 July 2025, Annex M
[76] BTI, 'Botswana Country Report 2024' (Political and social integration), 2024
[77] Afrobarometer, AD589: Batswana support gender equity …, 12 January 2023

national Response.'[78]

11.3.4 The GOROB ACHPR submission 2023 noted:

'[The] Government adopted the National Policy on Gender and Development which has amongst its five (5) priorities: Access to Justice; Protection of Human Rights and Freedom from Violence. The National Towards Ending Gender Based Violence (GBV) on the other hand provides concrete guidance on the National GBV Response. The Strategy is multi-sectoral and multi-pronged, and it mainly focuses on Prevention, Protection, Care and Support with clear actions for each development sector.'[79]

11.3.5 The GOROB's (then named) Ministry of Nationality, Immigration and Gender Affairs (MNIGA) Botswana National Relationship Study, a comprehensive study of GBV published in 2018, (BNRS 2018). The study including the following infographic[80] showing the structure and relationships of multi-sectoral mechanism introduced as part of the NSTEGBV to enhance co-ordination:



Source: National Strategy Towards Ending Gender Based Violence in Botswana 2016-2020.

11.3.6 The GOROB CEDAW submission 2023 noted:

'… [the] Government [has] intensified efforts to mainstream gender through active engagement of various sectors as evidenced by the Gender Strategy in Agricultural Sector; development of Climate Change Policy and the current mainstreaming of gender into the Justice System … To facilitate effective implementation and strengthened monitoring of the National Policy on Gender and Development, the second National Gender Commission was

[78] GOROB, National Review For Implementation Of The Beijing… (section 1) June 2019
[79] GOROB, Republic of Botswana: 4th and 5th Combined … (Paragraph 102) September 2023
[80] MNIGA, Botswana National Relationship Study (pages 30 and 31), 2018

appointed in 2022. In addition, the Inter-Ministerial Committee on GBV was established in November 2020 to provide strategic direction on the National Response on GBV.'[81]

11.3.7 The GOROB CEDAW submission 2023 also noted:

'The National Policy on Gender and Development continues to guide Gender Mainstreaming across sectors which has resulted in the improvement of the quality of life for vulnerable groups. Botswana has made notable progress in mainstreaming gender in the economic and social sectors, and these include land ownership by married women and youth, access to Agricultural Programmes such as Livestock Management and Infrastructure Development (LIMID) which has a deliberate window to promote increased women's access to productive resources including small stock and boreholes. The Citizen Economic Development Entrepreneurial Agency has also developed a programme designed for improved financial access to women. There is also preferential treatment for women, youth and people with disability on Government procurement. In 2021 Botswana adopted the Citizen Inclusion Act which aims to promote effective participation of targeted citizens in the economic development of the Country. The Industrial Development Policy also establishes industries in rural areas which are mostly women owned small scale businesses.'[82]

11.3.8 Africa Press reporting on the minister of the MYGA's comments to parliament in October 2025, noted: 'The National Policy on Gender and Development as well as the National Strategy Towards Ending Gender Based Violence are both under review …'[83]

11.3.9 The UKHO FFM interviewed a on 8 July 2025 International diplomatic source- 2. The source noted,

'… the new government and the Ministry of Gender and Youth Affairs which is supposed to focus primarily on building policies protecting women. But … [the policy officer] hadn't seen in practice any of these [policies] institutionalised in an efficient way. Not able to speak on their current status … [laws and policies were not] … sufficient but only because their implementation hasn't been effective. It is hard to give credit to policies that are not actualized in in an efficient way. [The official] … did not mean policies were not working but instead putting in place more policies perhaps work needs to be done in improving their efficiency.'[84]

11.3.10 The MYGA officials 2025 noted:

'After the 2012 study, we then decided [to come up with] a strategy to address GBV. Those documents we can readily share. We then adopted a GBV strategy, which was a 5-year strategy. That strategy was looking at prevention, protection, and care and support, trying to holistically address GBV. Also, after the 2012 study, we wanted to address perceptions, which are mostly culturally based. In 2012, we started engaging our traditional leaders, the dikgosi, because we believe they are fundamental to addressing issues of GBV, particularly as they also play a mediation role. So 2012, we

[81] GOROB, Submission to the CEDAW (paragraph 8), 1 November 2023
[82] GOROB, Submission to the CEDAW (paragraph 27), 1 November 2023
[83] Africa Press, Botswana Advances Gender and Development Initiatives, 11 October 2025
[84] International diplomatic source 2, HO interview, 8 July 2025, Annex C

engaged them; 2015, they developed their action plan in terms of how they are going to deal with gender-based violence. That's the one part.

'The second layer of that is that we developed a training manual for the same leaders because they are very close to the people, and also some tools that they can use to track gender-based violence cases within their communities. There has also been engagement with civil society organisations, who are critical [in addressing] gender-based violence, in [recognition] of the fact that they reside in communities.

'The third layer again was also to train the faith-based sector. Every religion has its own sacred text and we had also realised that sometimes they are gender-biased. So we trained the faith leaders, and I would say all religions in Botswana have been reached. That exercise continues, of course, with the civil society organisations [CSOs]. Beyond that, we also acknowledge the CSOs who are capacitated regularly on GBV, and we also track the emerging complications around gender-based violence and we have dialogues around those and how we can actually adjust our programmes to address those specific cases … from the study, GBV manifestations differ per locality. What would … [pertain] in the North would not … [pertain] in the South because of the diversity of the groups. So our programming is community-specific because it targets a particular community based on the issues that prevail in their communities.'[85]

11.3.11 The MYGA officials 2025 also noted,

'… they were currently reviewing the gender policy and that they had recently appointed a consultant. There is the gender strategy, and the World Bank is helping with that. We are very alert to ensure that we keep up with the unfolding situation. Another thing we are looking into is coming up with a gender equality bill because some of these things are really emanating from stereotypes.

'So, there's a need to intensify education and change norms that may be harmful so that increasingly everybody, starting from a young age – formation – should just understand that women have all equal opportunities in life. That way, we feel respect and recognition that no one is entitled to end anyone's life or harm anyone.'[86]

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11.4 Awareness raising

11.4.1 The GOROB national assessment 2019 noted,

'… Measures have also been put in place to intensify GBV prevention through awareness raising and educational campaigns at national and community levels through cultural and community dialogues, television and radio discussions, seminars and campaigns including international commemorations. Government has led national consultative fora for Dikgosi/Chiefs and for leaders of faith-based organisations as partners in the fight against GBV.'[87]

11.4.2 The GOROB ACHPR submission 2023 noted:

[85] MYGA, Interview with the HO, 11 July 2025, Annex I
[86] MYGA, Interview with the HO, 11 July 2025, Annex I
[87] GOROB, National Review For Implementation Of The Beijing Platform… (section 1) June 2019

‘The First Lady of the Republic of Botswana prioritises the empowerment of women and adolescent girls especially those living in rural areas. To this end, the First Lady is working in close collaboration with the public and private sector, as well as civil society to raise awareness on GBV, sexual reproductive health and HIV/AIDS prevention.

‘As a member of the Organisation of African First Ladies for Development (OAFLAD), the First Lady in May 2021 was awarded a grant for a project aimed at promoting advocacy on GBV related issues. The First Lady’s campaign is currently being carried out in six (6) Districts, where incidences of GBV are most prevalent. The intervention is meant to increase knowledge and skills on GBV prevention and to intensify the involvement of men in mitigation efforts. The project targets community leaders, including Dikgosi (Traditional Leaders), Bahumagadi (Spouses of Traditional Leaders), Religious Leaders, People with Disability, Orphans and Vulnerable Children, Women and Girls, Men and Boys as well as Civil Society Organisations.

‘There is continuous awareness raising on gender-based violence through community outreach through kgotla meetings. Including commemoration of the 16 Days of Activism Against Violence on Women and Children.’[88]

11.4.3 The GOROB CEDAW submission 2023 noted:

‘In an effort to address gender stereotypes and negative cultural practices, there are ongoing programmes geared towards mobilising male involvement into family and societal matters such as the Men Care Programme, Men in the Kitchen and Monna Tia. These are implemented by Government and Civil Society Organisations (CSOs) and aimed at promoting positive male masculinity, role models and to curb absent fathers. In addition, different sectors continue to implement Abolition of Marital Act which abolishes men as the head of the family as well as restrictions which the marital power places on the legal capacity of a wife. Furthermore, Botswana continues to strive for promotion of positive aspects of culture through the engagement with relevant actors, including tribal chiefs, religious and community leaders on the negative impact of discriminatory stereotypes on the enjoyment of women's human rights. Government recognises the importance of traditional leaders (Dikgosi) as custodians of culture and continues to engage them. In November 2020, Government in partnership with UNDP developed a Training Manual on GBV to standardise capacity building of Dikgosi on GBV.’[89]

11.4.4 The MOJCS officials 2025 noted:

‘… the MYGA has undertaken public awareness campaigns. Last year, for example, there were workshops, through focus group discussions, through commemoration, and the media is also engaged, especially on gender sensitive reporting. We have a dual legal system [customary and secular courts], the nearest place of safety will [often] be the dikgosi (tribal chiefs). There are customary courts in every village, so there have been workshops for traditional / community leaders as well as for faith-based organisations and women themselves. Faith and religion have had an impact - in some religions people have been told that women should be submissive which can

[88] GOROB, Republic of Botswana: 4th and 5th … (paragraphs 112 and 113), September 2023
[89] GOROB, Submission to the CEDAW (paragraph 15), 1 November 2023

sometimes be misconstrued to mean women can be treated anyhow.'[90]

11.4.5 The MYGA officials 2025 noted

'… there has been engagement with the wives of chiefs, the Bahumagadi, who are also leaders, so that they also participate in the GBV response. The Former First Lady also had a programme around addressing GBV where she has engaged with different community leaders. The targeting of the programme considered the results of the surveys mentioned [above] plus statistics from the police, so that the interventions were specific to communities that presented a high prevalence of rape.'[91]

11.4.6 The MYGA officials 2025 also

'… explained that mostly there are CSOs in different districts, but we also have gender offices and the Ministry of Local Government and Traditional Affairs, where we have social workers, and also the Ministry of Health. They also raise awareness on GBV. So really, we have stakeholders in collaboration with the faith-based organisations, with the traditional leaders, the dikgosi, that have been trained on GBV. They're also doing something because they have an extra plan that they're implementing. At the village level, you'll find it's more about awareness raising.'[92]

11.4.7 The BPS officials 2025 noted,

'… there is an organisation called the Organisation of First Ladies of Africa. All of our first ladies belong to that organisation – the previous one and the current one – and they've been targeting GBV. The police work with the First Lady together with other stakeholders across the country, and generally what we see is that as soon as we have been doing a campaign in a certain place, the reporting goes up.

'… [The BPS] have intensive campaigns that are specific to GBV coming up. In November every year, there's an annual 16 days of activism against GBV, where it's just the BPS. There's also an annual 60-days of action on Crime and Road Safety Campaign Coded Operation Pabalesego where GBV is among the targeted crimes. Both operations are held across the country.

'… The police collaborate with village leadership in what they call Pitso where they call all stakeholders to come and talk about GBV … they just had a Commissioner's Run against GBV in March [2025], and many others yet come.

'… [The] BPS also conducts operations with neighbouring countries, operations that are co-ordinated: Operation Thunder, Operation Basadi – an operation that was led by police officers in the region. These operations target specific offences such as human trafficking, drug trafficking, GBV related offences and so on

'… [The regional campaigns] are held annually in some cases more than once a year.'[93]

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[90] MOJCS, HO interview, 9 July 2025, Annex F
[91] MYGA, Interview with the HO, 11 July 2025, Annex I
[92] MYGA, Interview with the HO, 11 July 2025, Annex I
[93] BPS, HO interview, 11 July 2025, Annex U

12. Social, economic and political status

12.1.1 For background on the economic situation of women, see Economic context above.

12.1.2 The BTI 2024 noted:

'Despite government efforts to achieve gender parity in education and employment, gender inequality remains a significant issue in Botswana's economy. A 2021/2022 Afrobarometer study revealed that fewer than half of Batswana approve of the government's performance in promoting equal rights and opportunities for women, with a majority calling for more action. Moreover, the 2021/2022 Human Development Report indicates that Botswana's Gender Inequality Index stands at 0.468, with the country ranked 117th in the world in this regard [Botswana was ranked 127 out of 172 countries in the 2023 index with a value of 0.490[94]]

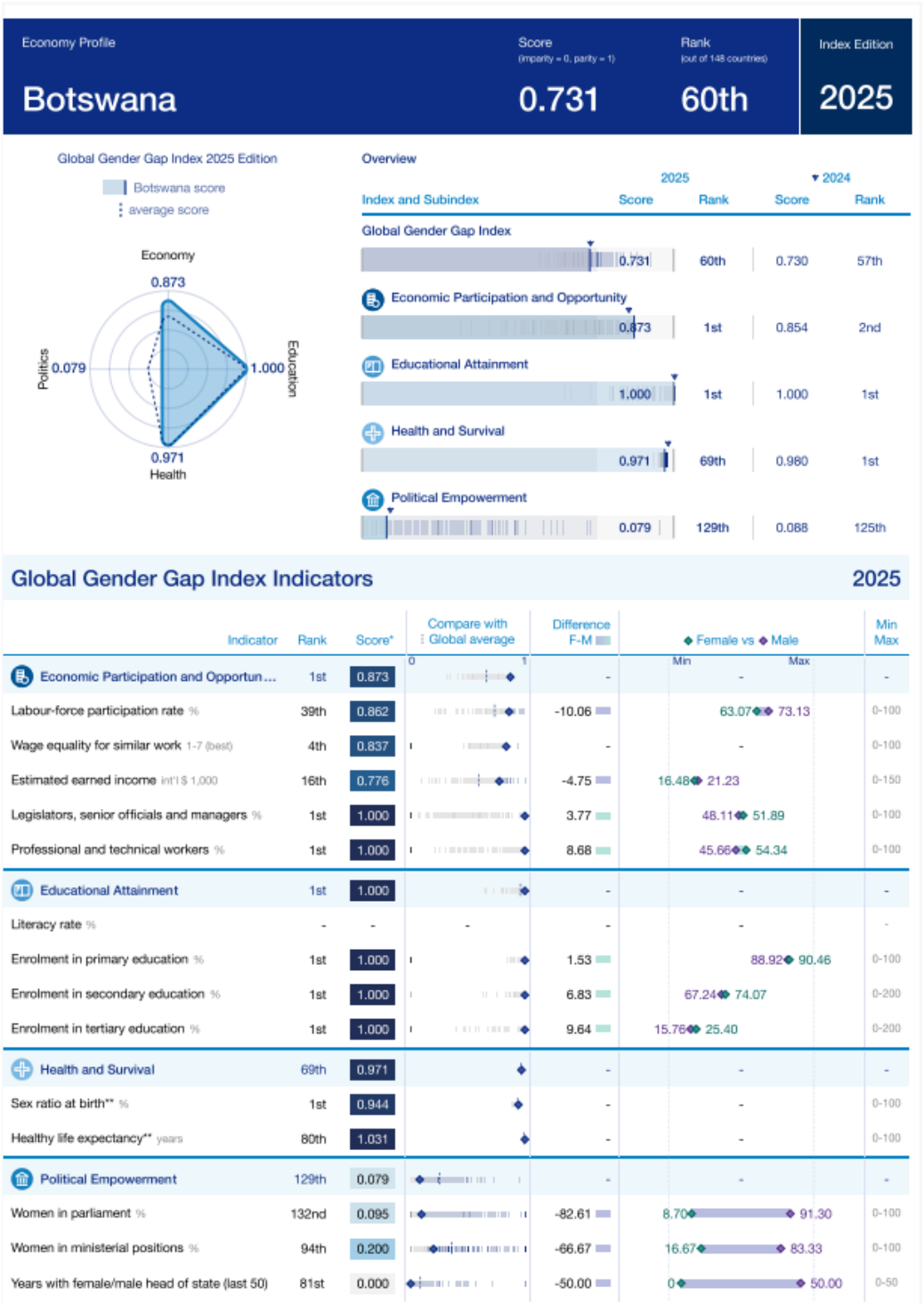
'… citizens are granted equal access to educational and employment opportunities …

'The female literacy rate is at 88.01%, while males have a slightly higher rate of 88.93%. The Gender Parity Index [for education], as reported by the World Bank in 2021, stands at 0.98159 [0 = no gender parity; 1 = gender parity], further indicating a relatively balanced gender distribution in education. Additionally, World Bank data shows that in 2021, women made up 47.7% of the labour force in Botswana. This aligns with the government's commitment to women's empowerment, as is reflected in the increasing number of women occupying senior public positions.'[95]

12.1.3 The World Economic Forum, an international advocacy non-government organisation and think tank, in its Global Gender Gap Report 2025 (GGG 2025) 'based on a methodology integrating the latest statistics from international organizations and a survey of executives'[96], dated June 2025, looked at women's 'Economic Participation and Opportunity, Educational Attainment, Health and Survival, and Political Empowerment' compared to men in 148 countries[97]. Botswana was ranked 60th overall (a high ranking indicating greater gender parity). This was, however, primarily because of being ranked 129th in the category of political empowerment and 80th in the sub-category of healthy life expectancy. In the categories of economic participation and opportunity and educational attainment, and the sub-category of sex ratio at birth, the country was ranked top in the world[98].

12.1.4 The GGG 2025 included the following infographic[99] of Botswana's performance in the index including values and rankings for all categories and sub-categories:

[94] UN Development Programme, Human Development Reports (Botswana), updated 6 May 2025
[95] BTI, Botswana Country Report 2024 (Welfare Regime), April 2024
[96] World Economic Forum, Global Gender Gap Report 2025 (Terms of use …), June 2025
[97] World Economic Forum, Global Gender Gap Report 2025 (page 5), June 2025
[98] World Economic Forum, Global Gender Gap Report 2025 (page 125), June 2025
[99] World Economic Forum, Global Gender Gap Report 2025 (page 125), June 2025



12.1.5 The WB report 2025 citing other sources noted:

‘Botswana … continues to struggle with high rates of inequality and persistent gender gaps. Inequality in the distribution of wealth has increased over time and Botswana is now one of the top 10 most unequal countries in the world, as measured by the Gini index … Less than half of all households in Botswana are headed by women but female-headed households account for more than half of the poor …

‘There has nonetheless been significant progress in addressing several gender challenges in Botswana, notably parity in school enrollment, broad uptake of family planning, high rates of female entrepreneurship, and strong

leadership of women in the public sector … However, important challenges remain, including low levels of women's political representation in the National Assembly, a significant gender gap in labor force participation, and high rates of maternal mortality … While Botswana performs well on several gender-related human development indicators relative to the averages for Sub-Saharan Africa, it generally ranks poorly in comparison to the averages for upper-middle-income countries … Inequalities in key poverty and human development indicators between language groups and regions result in significant marginalization of some groups. These groups tend to reside in the poorest and most rural areas of the country. In general, women and girls in rural areas have lower levels … [of] education and experience higher levels of unemployment. Those from marginalized groups, women and girls living with disabilities, and lesbian, gay, bisexual, transgender, queer, intersex, and other gender diverse (LGBTQI+) persons face additional challenges.'[100]

12.1.6 The GOROB CEDAW submission 2023 noted:

'[The] Government made deliberate efforts to address low representation of women in political office … [and the president] made a conscious decision to appoint 67% of the specially elected Members of Parliament as females [there are 6 indirectly elected members[101]]. Furthermore, His Excellency the [then] President appointed the first female finance Minister, first female President of the Court of Appeal, First Permanent Secretary to the President and the Deputy Permanent Secretary to the President are also females. The Commissioner of Prisons and Commissioner General for Botswana Unified Revenue Service (BURS) are also females. At local level 34% of women were appointed as Councillors.'[102]

12.1.7 The BTI 2024 stated '… women continue to encounter obstacles when seeking political representation due to various constraints that hinder their participation in politics. Notably, the absence of quotas reserving a proportion of seats for women remains a challenge in advancing the agenda of women's empowerment.'[103]

12.1.8 A GOROB representative told the CEDAW in June 2025: 'Despite the progress made, women's representation in political life remained limited. In the National Assembly, women currently held only 6 out of 69 seats, which was fewer than in previous years. Women occupied 14 per cent of positions in the cabinet and 15 per cent of positions in local authorities.'[104]

12.1.9 The WB report 2025 citing other sources also noted:

'Traditional leadership structures are heavily male dominated. In addition to the National Assembly, Botswana also has the Ntlo ya Dikgosi (House of Chiefs), made up of 35 traditional leaders, which acts as an advisory body to Parliament. Although it has no legislative or veto powers, all bills affecting tribal affairs, customary law, and the administration of customary courts must go through the Ntlo ya Dikgosi [the House of Chiefs, which advises

[100] World Bank, Botswana: Trends and Opportunities to Advance… (page 38), 31 March 2025
[101] IPU Parline, Botswana, no date
[102] GOROB, Submission to the CEDAW (paragraph 14), 1 November 2023
[103] BTI, Botswana Country Report 2024 (Welfare Regime), 2024
[104] CEDAW, Consideration of reports submitted by States Parties … (paragraph 2), 8 August 2025

parliament on tribal law and custom[105]] before being discussed in the National Assembly. The House of Chiefs must also be consulted when the Constitution is being reviewed or amended. Of the 33 chiefs currently sitting in the Ntlo ya Dikgosi, only two are women after a third recently stepped down to allow her brother to take her seat … At the local level, tribal chiefs and community councils (kgotla), which have significant influence over community life, are also heavily male dominated …'[106]

12.1.10 The UKHO FFM 2025 interviewed an official in the UN Population Fund on 8 July 2025 (UNPFA official 2025) commented on the position of women:

'Economically, it's been challenging, but … there were areas where progress has been made. We have a lot of women in the informal sector. That's a sector that they find it easier to operate in because there's a lot they initiate – starting an enterprise, running a project. The informal sector generally has less bureaucratic processes and requirements and often has the flexibility that allows women to run their businesses and still do family care work. There are also limited employment opportunities with the employment rate at around 28%, which further pushes women to the informal sector. That's where most of women are. We've seen some improvements over time with women getting access to positions of leadership in the private sector, namely management, leadership and being [chief executive officers] CEOs, and [serving] on some boards of directors and so forth. But in the political space, we're seeing regression right now. We only have 6 women in Parliament, which is a drop from 11 [in the last Parliament]. So in terms of the targets we've set ourselves on gender equality as far as women's representation and leadership is concerned, [the situation is] not so great. And then, of course, women are still also doing a lot of the care work when it comes to raising children, and even in some of the roles that involve a lot of care work, like teaching, day care, nursing … [with regard to the public sector] there weren't many issues there. She explained that she didn't have the exact numbers but that a number of women hold the position of permanent secretary [in government departments]. But [representation] varies according to the sector. We still have some male-dominated sectors like mining, which is still very much male-dominated from lower positions all the way up …'[107]

12.1.11 The FAB representatives 2025 noted:

'… more girls are doing better than boys in school and are finishing school in larger numbers. In [small and medium enterprises] SMEs or small businesses, there are a lot of women, yet in more established businesses, there are a lot of men [in leadership roles]. So, where there's structure, it's men, and when there's less structure, it's mostly women-led businesses. Recent studies have also shown that even in corporates [large companies], there are more women in management positions. If you were to look currently at the banks' structure, Absa [Bank Botswana], the CEO is a woman and then there was a woman at Barclays [Botswana], and the other 3 are men. More women are advancing to senior management positions. However, it is important to note that only 6 members of Parliament are women [out of 69], of the 6 female MPs, 3 were elected by the electorates, whilst 4 are specially nominated by the President, which means they weren't

[105] Parsons, N, EB, Botswana (Constitutional framework), updated 29 December 2025
[106] World Bank, Botswana: Trends and Opportunities to Advance… (page 41), March 2025
[107] UNFPA official, Interview with the HO, 8 July 2025, Annex C

elected by the people. In fact, we've regressed in terms of numbers as regards representation of women in political office.'[108]

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13. Social and cultural attitudes

13.1.1 The BNRS 2018 undertook a comprehensive survey of, amongst other things, the prevalence of GBV and gender attitudes based on qualitative and quantitative research. This included interviews with 4,224 women and 3,696 men (a total of 7,920) over 18 undertaken between June and September 2017. The BNRS 2018 noted:

'Men generally held less gender equitable views than women. For example:

- 'More than half of the men and only 43% of women think that a woman should obey her husband.
- 'Fifty-two percent of men and a third of women agreed that if a woman works, she should give her money to her husband.
- 'Fifty-nine percent of men and 36% of women believe that a man should have the final say in all family matters.
- 'Fifty-three percent of men and 36% of women professed that a woman needs permission from her husband to do paid work.
- 'Almost equal proportions of men (41%) and women (43%) expressed that a woman cannot refuse to have sex with her husband.
- 'Forty-five percent of men and 24% of women equate paying of lobola ['bride price' or dowry to their wife's family] to wife ownership.'[109]

13.1.2 The BNRS 2018 also documented male and female attitudes towards rape:

- 'Forty-one percent of men compared to only 16% of women expressed that in any rape case there is need to ask if the victim was not promiscuous
- 'Thirty-four percent of men and 19% of women affirmed that in some rape cases women want it to happen
- 'Forty-one percent of men and 17% of women believe that if a woman does not fight back, it is not rape
- 'A fifth of men and 9% women blame the rape victim for putting themselves into the situation'[110]

13.1.3 The Afrobarometer findings 2023 noted:

- '… more than three-fourths (77%) of Batswana endorse gender equality in hiring, rejecting the idea that when jobs are scarce, men should be given priority … Men are less likely than women to support gender equality in hiring (72% vs. 82%). Support for women's equal right to a job increases as respondents' education level rises, ranging from 58% among citizens with no formal schooling to 86% among those with post-secondary qualifications.

[108] FAB representatives, HO interview, 9 July 2025, Annex E
[109] MNIGA, Botswana National Relationship Study 2018 (page 11), 2018
[110] MNIGA, Botswana National Relationship Study 2018 (page 12), 2018

- ‘An even greater majority (91%) of Batswana “agree” or “strongly agree” that women should have the same rights as men to own and inherit land … Men (91%) and women (92%) are about equally likely to support this attitude …
- ‘[There is] overwhelming popular support for gender equality at the ballot box. Almost nine out of 10 Batswana (86%) “agree” or “strongly agree” that women should have the same chance as men to be elected to public office; only 13% say that men make better political leaders and should thus be elected instead of women … Women are somewhat more likely than men to endorse equality in politics (89% vs. 84%), while 26- to 45-year-olds express the highest levels of support (88%-89%) for this view …
- ‘Fewer half (42%) of Batswana say the government is doing “fairly well” or “very well” in promoting equal rights and opportunities for women, while a majority (56%) disapprove of its performance on this issue …
- ‘When asked what they consider the most important issue related to women’s rights and gender equality for their government and society to address, six in 10 Batswana (59%) cite gender-based violence … Far fewer would prioritise the lack of women in influential government positions (14%), unequal opportunities or pay in the workplace (13%), unequal property rights (6%), and unequal access to education (4%). Women and men offer the same prioritisation of these issues.’[111]

13.1.4 The UN CEDAW report 2025 noted:

‘The Committee positively notes some initiatives aimed to engage men and boys in challenging patriarchal attitudes and stereotypes, and the partnership of the Ministry of Youth and Gender Affairs with Ntlo ya Dikgosi (traditional leaders) and representatives of faith-based movements to address gender imbalances in power relations and structural barriers to gender equality. However, it remains concerned at:

‘(a) Persistent discriminatory cultural norms, including in customary law, which negatively affect women and girls, promote male dominance and female subordination, reinforce unequal power relations and unequal access to economic opportunities and legitimize gender-based violence against women and girls.

‘(b) The lack of effective targeted outreach programmes for religious leaders, youth, men and boys and community leaders to challenge gender stereotypes and foster non-violent masculinities.

‘(c) The need for a comprehensive strategy to engage the private sector, including the film industry and creative arts, in addressing and countering gender stereotypes, the culture of silence around and the underreporting of gender-based violence against women.’[112]

13.1.5 The UKHO FFM interviewed an International diplomatic source- 1 who noted: ‘Women have come a long way in terms of [legal] … recognition … but culturally, BWA is a patriarchal society and there's a conservative element … The main human rights situation threat to women in BWA is

[111] Afrobarometer, AD589: Batswana support gender equity … (pages 4, 5, 7 and 9), 12 January 2023
[112] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 22), 11 July 2025

GBV… In Botswana's traditional system - the Kgotla - which is like the traditional gathering point for every tribe in every village, women are still discriminated in terms of how they're allowed to show up. For example, they're not allowed to wear pants [trousers] to the traditional gathering, which puts off some women. There are legal protections, but the conservative nature of the society puts women on the back foot.'[113]

13.1.6 The international diplomatic source 2 – 2025 noted:

'Botswana is a patriarchal society - women are socialised to behave in a certain way, men are dominant. For example, marriage is an institution in which women are expected to be obedient and respectful; there is still a 'bride price'. Women's place in society frames how they are treated, their experience of gender-based violence. Women are not all treated horribly – too general a statement. But they face discrimination in the home and in the workplace. They are paid less. The law prescribes equality of men and women but in practice it does not occur.'[114]

13.1.7 The UKHO FFM interviewed managers at the Botswana Gender-Based Violence Prevention and Support Centre (BGBVC), a non-profit organisation which aims to respond to and raise awareness about GBV, on 10 July 2025 (BGBVC managers 2025). The BGBVC managers 2025 noted:

'Botswana has a relatively good legal framework to address the rights of women. However, there is still a need for a mindset change to appreciate these from the traditional and cultural perspectives. Culturally, women lack power compared to men, so they are usually on the lower receiving end of anything that protects them. There have been efforts [to address this] for quite some time now … women are still treated as a minority, or they are subservient to men generally because of cultural beliefs and practices. We can have beautiful rules like we have but when you get home, you don't pull out a [legislative] act and say, "This is how you're supposed to treat women according to the law." At home, people mostly live according to the customary practices.'[115]

13.1.8 The BGBVC managers 2025 also noted '… there's a culture of silence in BWA because all of these things [abuses of women] happen, but some are not reported … there's also the stigma that's attached to GBV because it's always, "Why did he do this to you?" If it goes there, it means it's [the woman's] fault. So, there's a stigma that comes with intimate partner violence, with [being expected to] stay in a marriage that is dysfunctional. leaving is associated with a number of things, including "being a failure".'[116]

13.1.9 The FAB representatives 2025 noted:

'… our culture is based on a patriarchal system where men are more elevated. That permeates how we treat and ascribe rights, whether it's socioeconomic rights - not in terms of the civil law - but culturally. For example, if you're born to a local chief and your father passes away, it's more likely that instead of a female first-born child succeeding, the [chieftainship] will probably be given to a male child, and in the absence of a

[113] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[114] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[115] BGBVC, HO interview, 10 July 2025, Annex H
[116] BGBVC, HO interview, 10 July 2025, Annex H

male child the father's brother will then take over.

'However, … more and more women, especially in that space [tribal chiefs], have been enforcing their rights, their rights to inherit and succeed their fathers' thrones.'[117]

13.1.10 The International diplomatic source 1 - 2025 noted: 'There's a distinct difference between rural and urban areas [in attitudes]. The majority of the population lives in urban areas, but there are still some tribes – because BWA is divided according to tribal territories – that are much more liberal than others. But in some places, you'll see that women are still very far behind in how they're recognised and how they're treated.'[118]

13.1.11 The WAR executive director 2025 noted:

'… in Botswana, traditionally, women – like women in the Old Testament in the Bible – are considered minors to men, and it's considered that they should listen to men. ['Minor'] … meant "less than a man". It's only nowadays that the young generation, the current generation, is talking about equality and doing things in a manner that whether you are a woman, whether you are a man, whether you are LGBT+, you are a person, full stop.

'… her generation and those older than her who are still in the workplace are from that crop of traditionalists. So even when you go to the police and you find an elder person who reports that [her] husband is beating [her], they will ask you, "Have you talked to your uncles? Have you talked to your aunts?" But you're coming to the police to help you. The police will ask, "Have you talked to them?" because that's the culture, that's the tradition. And the victim has been abused so many times before they go to the police because they've been going around the village to their uncle, to their aunt, who have been saying, "No, we'll talk to him. It will be fine." By the time they go to the police, they've been to all these people, so that also delays and escalates the violence. So the community as well needs to get that education, needs to understand that they need to be protecting this woman.

'… when you're in the rural areas, you are more vulnerable because of the vulnerabilities that you are living under.'[119]

13.1.12 The BONELA representatives 2025 commenting on martial rape noted:

'… as a woman who is raped in a marriage faces a lot of challenges in reporting such an incident and dealing with the issue. There's one's own stigma and external stigma. Also, we have something called "bride price" – "lobola" – which a family pays [for a wife], say 8 cows, 12 cows, that instils the idea that when somebody has paid – that token - then they own you. When people count their properties, a woman is included … this was an issue behind GBV because men have a sense of entitlement for women. This is a challenge for a woman because the family has paid lobola so in her mind she has an obligation to provide conjugal rights regardless of what the context is. We cannot then say existing laws will help us deal with that [the traditional practice of bride price/lobola or how women are traditionally perceived].'[120]

[117] FAB representatives, HO interview, 9 July 2025, Annex E
[118] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[119] WAR executive director, HO interview, 14 July 2025, Annex K
[120] BONELA, HO interview, 16 July 2025, Annex R

13.1.13 The UKHO FFM interviewed members of Mosaditia Women in Tourism, a non-government organisation in Maun focussing on women in the tourist industry, on 14 July 2025 (MWT representatives 2025). The representatives noted 'In rural areas, women are being oppressed as the culture they still believe in won't allow women [to be equal to men/do the same work as men].'[121]

13.1.14 On the reasons why a woman may not report an incident, the MWT representatives 2025 'thought [women] cannot express [what happens]. For example, maybe my husband is violating my daughter, I'll know. Because he is the provider, I'll decide to keep [quiet] … because of the economic situation. [Other reasons] … maybe culture. Some cultures don't allow women to have a say. Even some churches don't allow women to have a say. Women should just keep quiet when a man talks. A woman should just follow what a man says.' The MWT representatives 2025 added that they did not consider women were aware of their rights in rural areas[122].

13.1.15 See also subsections on Under-reporting and Withdrawal of cases for discussion of the societal pressures and cultural reasons why women do not report incidents of GBV or withdraw cases of GBV from the criminal justice system.

13.1.16 The LAB Communications, media and public relations officer noted, '…[women in rural areas] don't have access to where they could report, for instance, WAR. The first responders aren't close to them. There's also a community mindset, so if someone's abused by their uncle or their parents, they don't disclose it.'[123]

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14. Prevalence of GBV

14.1 Limited statistical information

14.1.1 There are 2 comprehensive studies of GBV:

- the Gender Based Violence Indicators Study Botswana 2012 (GBVISB 2012), Women's Affairs Department, Ministry of Labour and Home Affairs, and Gender Links, published September 2015
- The Botswana National Relationship Study 2018 (BNRS 2018). This
  - '… measured GBV experience and perpetration, gender attitudes, selected health-related behaviour and exposure to prevention campaigns among women and men.
  - 'The study used a mixed method approach that includes both qualitative and quantitative methodologies.
  - 'A cross sectional household survey measured GBV prevalence, HIV risk behaviour, pregnancy history, mental health, and help seeking behaviour after experiences of GBV. [This consisted of interviews with a total of 7,920 people over 18 - 4,224 women and 3,696 men - between June and September 2017]
  - 'Researchers analysed administrative data from the police,

[121] MWT representatives, HO interview, 14 July 2025, Annex O
[122] MWT representatives, HO interview, 14 July 2025, Annex O
[123] LAB, HO interview, 8 July 2025, Annex G

shelters, health, and courts to triangulate survey data.'[124]

14.1.2 Various sources noted the lack of recent or current statistics on GBV. The USSD HR report 2024 does not comment on GBV[125] but the USSD HR report 2023 stated: 'Although statistics were unavailable, media widely reported on cases of violence against women, including several high-profile murder cases.'[126] The UN CEDAW report 2025 similarly noted the lack of statistics on GBV[127].

14.1.3 The World Bank report 2025 stated:

'Recent and gender-disaggregated data are lacking in several key areas. Updated demographic household survey data are needed, as the latest available information comes from the 2017 Botswana Demographic Survey and the 2018 National Relationships Study. Furthermore, these surveys do not provide the full range of information collected through a standard Demographic and Health Survey … which would provide updated information on adolescent pregnancy, GBV attitudes and behaviors, family planning, women's health-seeking behavior, women's decision-making within the household, and other indicators. Gender analysis of data collected in the 2023 Enterprise Surveys (World Bank 2023) is needed as there is a general lack of disaggregated data on firm productivity, growth, and access to financial services. More gender-disaggregated data on time use, agricultural productivity, and climate change impact would enable closer gender analysis in these areas. Finally, gender disaggregation of data by region, language group, disability, and other dimensions of vulnerability are not readily available, making it challenging to assess the gender gaps and barriers facing these populations.'[128]

14.1.4 The International diplomatic source 1 – 2025 noted '… the only authority [to publish statistics] would be the police [see Police reports below] and they're quite inconsistent in what they release, what the information documents. But there was a study [the BNRS 2018], from 2018, that's the one referred to a lot. That's the one that says that 67% of women [experienced GBV].'[129] NB the GBISB 2012 refers to 67% of women experiencing GBV, the BNRS 2018 refers to 37% of women reported some form of GBV, see Levels of GBV below.

14.1.5 The UNPFA official 2025 confirmed that the BNRS 2018 was the most recent comprehensive study of GBV noting that the 'UNFPA had been trying to support [the government] … to update it because it's quite dated, but it's the latest national study [adding] … there may be smaller ones – [the] Botswana Gender-Based Violence Prevention and Support Centre also recently did something but on a smaller scale.'[130]

14.1.6 The MYGA officials 2025 'noted that [the government] … hadn't done any new study [since the BNRS 2018], but that there were systems [for checking] occurrence … data … from civil society organisations ... from shelters and …

[124] MNIGA, Botswana National Relationship Study 2018 (pages 35 and 38), 2018
[125] USSD, HR report 2024, 12 August 2025
[126] USSD, HR report 2023 (section 6), 22 April 2024
[127] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 25), 11 July 2025
[128] World Bank, Botswana: Trends and Opportunities to Advance… (page 10), 31 March 2025
[129] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[130] UNFPA official, HO interview, 8 July 2025, Annex D

crime statistics from Statistics Botswana. So, in the interim, those are our reference [data for GBV].'[131]

14.1.7 The MYGA officials 2025 also noted:

'… people don't always report to the authorities, but they report to different organisations. The Ministry receives a few walk-in GBV clients who are often referred to Service Providers based on their needs. These include District Commissioners, Counsellors, the Police, Legal AID and Shelters. So, you will have, for example, the Ministry of Local Government and Traditional Affairs because that's where social workers are and those mostly deal with children's matters, plus other civil society organisations that deal with children's matters, so they will have statistics of the cases they handle. It could be per week, it could be per month, per quarter. The Shelters also receive walk-in clients who report their cases. The Social Workers at the Shelters assess them to determine whether they can be referred to appropriate service providers or whether they need to be housed for their protection. The Shelters can also assist clients to apply for a Restraining Order where their life is at risk. And then we also have the CSOs. Those are the people that would share data in terms of the cases they have dealt with and [documented].'[132]

14.1.8 The WAR executive director 2025 noted:

'Botswana doesn't have a central point where all this data [about GBV] can be entered, so that if [WAR] … sees a person, Love Botswana [a Maun-based NGO] sees them and the police see them, they don't count the person three times. They see that this person went there and there and there. Now she needs to go to the hospital or somewhere, but there is no central record … The only figures are the 2018 relationship study and the 2012 [Gender Based Violence Indicators Study - Botswana] survey. The 2012 survey said 67% of women had been abused … Then the numbers were released [for the 2018 study], and then it came to 37% [in the BNSR 2018], which is … almost what the global picture looks like. But those figures are only for the survey that was done. There is no daily administrative collection from different service providers, and no central point where the data is collected.'[133]

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14.2 Definitions of GBV

14.2.1 The World Health Organisation in its factsheet on violence against women of March 2024 (WHO VAW factsheet 2024) referred to the UN's definition of GBV as '"any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"'[134].

14.2.2 The BNRS 2018 defined GBV as:

- 'Physical, sexual, psychological [emotional] and economic intimate

[131] MYGA, Interview with the HO, 11 July 2025, Annex I
[132] MYGA, Interview with the HO, 11 July 2025, Annex I
[133] WAR executive director, HO interview, 14 July 2025, Annex K
[134] WHO, Violence against women, 24 March 2024

partner violence.

- 'Rape and sexual assault by a partner, stranger, acquaintance or family member, experienced by adults and in childhood; and
- 'Sexual harassment.'[135]

14.2.3 The BRNS study 2018 provided further explanations of the different forms of intimate personal violence (IPV) committed by a partner or former partner:

- **emotional IPV** identified by acts classed as '… controlling, frightening, and intimidating, or those that undermined the participant's self-esteem. Researchers asked participants if a partner had ever insulted them or made them feel bad; belittled or humiliated them in front of other people; threatened to hurt them; stopped them from seeing friends; done things to scare or intimidate them; or boasted about or brought home girl/boyfriends. To assess perpetration of violence, researchers asked them if they in turn had done any of these things to their partners …
- 'Acts of **economic IPV** … include withholding money for household use, prohibiting a partner from earning an income, taking a partner's earnings or forcing a partner and children to leave the house in which they live ...'
- 'Researchers assessed **physical IPV** by asking five questions about whether participants had been slapped, had something thrown at them, had been pushed or shoved, kicked, hit, dragged, choked, beaten, burnt or threatened with a weapon. Similarly, researchers asked them if they had perpetrated any of these acts ...'
- 'The study assessed **sexual IPV** experienced using three questions … if their current or previous partner had ever physically forced them to have sex when they did not want to; if they had had sex with him or her because they feared what he or she might do; and whether they had been forced to do something sexual that they found degrading or humiliating.' [136]

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14.3 Under-reporting

14.3.1 See also Social, economic and political status and Social and cultural attitudes for context on the societal status of women generally.

14.3.2 The BNRS 2018 found that of women who had reported some form of GBV in their lifetime:

'26% of women … physically abused and injured by an intimate partner sought medical attention because of the injuries. Twenty-seven percent of women physically injured reported the abuse to the police … Three percent of women reported rape to the police … The extent of reporting of rape to the police was even lower than that of physical IPV implying that women … do not report rape cases more often than they do physical abuse cases. A slightly higher proportion (4%) of women compared to 2% men sought medical attention after rape.

'Different stakeholders interviewed including the police cited the following

[135] MNIGA, Botswana National Relationship Study 2018 (page 37), 2018
[136] MNIGA, Botswana National Relationship Study 2018 (pages 49 and 50), 2018

potential reasons why women and men do not report:

- ‘The response and support services do not deal with women experiencing violence in a sensitive manner and worse for men who often face ridicule when they come to report.
- ‘Culturally it is a taboo for women to expose their husbands. Women who experience violence do not want to jeopardise their relationships.
- ‘Women view men as weak if they report abuse by a woman.
- ‘Women do not want to lose their homes and support.
- ‘Communities and families often handle relationship matters and few women and men report cases.’[137]

14.3.3 The BNRS 2018 also found that for women who had experienced GBV in the 12 months prior to the survey:

‘Generally reported rape less than they reported physical IPV. This could point to the stigma attached to rape in the community. One in six of the women reported experiencing physical IPV injuries and reported this to the police … Nineteen-percent of women reported physical abuse or threats to the police … As is in the lifetime experience of violence, few women (2%) … reported rape to the police. Less than one percent women … sought medical attention in the past 12 months for rape related problems.’[138]

14.3.4 The UN CEDAW report 2025 was concerned about: ‘The stigmatization of women who report gender-based violence, particularly rape, due to deeply entrenched patriarchal norms that seek to legitimize domestic violence and the underreporting of cases due to stigma, family pressure or lack of trust in the justice system …’[139]

14.3.5 The BGBVC managers 2025 noted: ‘GBV is mostly underreported … because of the fear of being exposed … we've been in communities [where] … there are lots and lots of cases that don't get reported.’[140]

14.3.6 The UKHO FFM interviewed representatives of Love Botswana, a faith-based NGO based in Maun which provides support to communities in the local area including women, on 14 July 2025 (LB representatives 2025). The representatives explained that ‘for example, with emotional abuse, not all cases are reported. Some of the individuals who have been wronged will say that they have forgiven the person, and they are no longer interested in pursuing the case, so cases might be dropped.’ The representatives also noted ‘that [women in rural areas] don’t have access to where they could report, for instance, [the NGO War Against Rape] WAR [in Maun]. The first responders aren’t close to them. There’s also a community mindset, so if someone’s abused by their uncle or their parents, they don’t disclose it.’ [141]

14.3.7 The WAR executive director 2025 noted: ‘there are a number of issues why people don't report, because there’s poverty and this person is the only one who's looking after me. I live in his house. He's looking after my children. If he goes to prison, what am I going to do? So it's also mixed with bread-and-

[137] MNIGA, Botswana National Relationship Study 2018 (page 102), 2018
[138] MNIGA, Botswana National Relationship Study 2018 (page 103), 2018
[139] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[140] BGBVC, HO interview, 10 July 2025, Annex H
[141] LB representatives, HO interview, 14 July 2025, Annex J

butter issues.'[142]

14.3.8 The FE officials 2025 noted that they see 'a lot' of censorship, self-censorship (women not speaking out/reporting an incident). 'We also hear that there is the tradition of fixing household problems in private, at the Kgotla, which is the local village. So, before things escalate, they gather at the Kgotla and try and sort it out without it being everyone's business.'[143]

14.3.9 The MWT representatives 2025 noted: 'In rural areas where there are high numbers of GBV [cases], people don't report. Some women suffer in silence, because they are being oppressed.'[144]

14.3.10 The UKHO FFM interviewed the acting Deputy Commissioner of North-West District (Ngamiland) on 15 July 2025 (ADC 2025), who noted 'Many people are victims, but they don't come out, there are many unreported issues about GBV. Women who depend on a man, if they report they lose a source of income.'[145]

14.3.11 The UKHO FFM interviewed representatives of the Botswana Network on Ethics, Law and HIV/AIDS (BONELA), a Botswanan NGO focussing on health and human rights, on 16 July 2025 (BONELA representatives 2025), who noted the GBV being reported in the media 'is only the tip of the iceberg because many of these issues are not reported, some happen in rural areas which are not reported or do not reach mainstream media.'[146]

14.3.12 The BONELA representatives 2025 further noted that in Botswanan

'… culture, when a woman gets married there is a tradition of older women providing counsel, asking the bride to put a blanket over her shoulders and telling her that everything that happens in your household must stay under this blanket. So, this is socialising a woman not to say anything if she has issues [problems within the marriage]. That's exactly what happens, people experience GBV and don't tell anyone …[but] the main reason [women do not report issues] is the economic situation of women [their economic reliance on men].'[147]

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14.4 Factors affecting likelihood of violence

14.4.1 The BNRS 2018 found that

- '… age is a significant factor in both experience and perpetrating GBV in lifetime by women and men: for women the highest incidence is 18 to 24; for men, 25 to 34.
- 'Abuse in childhood was a significant determinant of both GBV experience and perpetration by women and men …
- '… having a partner who did not drink alcohol reduced the odds of experiencing IPV.

[142] WAR executive director, HO interview, 14 July 2025, Annex K
[143] FE officials, HO interview, 10 July 2025, Annex L
[144] MWT representatives, HO interview, 14 July 2025, Annex O
[145] ADC, HO interview, 15 July 2025, Annex Q
[146] BONELA, HO interview, 16 July 2025, Annex R
[147] BONELA, HO interview, 16 July 2025, Annex R

- ‘Having more than one sexual partner increased the risk of experiencing IPV.
- ‘Quarrelling within intimate relationships was significantly associated with perpetration of IPV.’[148]

14.4.2 The table below from BNRS 2018[149] shows the societal level gender attitude towards women

Table 4.8: Gender attitudes

	Women strongly agree/agree	Men strongly agree/agree
I think people should be treated the same whether they are male or female.	83.7	82.3
I think that a woman should obey her husband even if she disagrees with him.	42.9	55.4
I think that if a woman works she should give her money to her husband.	31.0	52.4
I think that a man should have the final say in all family matters.	36.3	58.8
I think that a woman needs her husband's permission to do paid work.	35.7	52.5
I think that a woman cannot refuse to have sex with her husband.	40.9	42.8
I think that if a man has paid lobola for his wife, he owns her.	24.0	44.9
I think that if a man has paid lobola for his wife, he must have sex when he wants it.	23.9	31.4
It is important for a man to show his wife/partner who is the boss.	38.2	47.8

14.4.3 The International diplomatic source 1 - 2025 commented when asked about factors that affect treatment of women:

‘… education … [is] the top [factor] … and then of course economic background … if a woman comes from a well-off family, then the prospects of her rising up in society are much higher and how they're treated also corresponds to that. But the Official did not think … [relatively wealthy women] can avoid gender-based violence, it affects all women – but [they] didn’t think economic background matters that much. The Official had heard and seen examples of women who are well-educated still experiencing GBV.’[150]

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14.5 Levels of GBV

14.5.1 As context, GBV affects about one in 3 women globally (see also Definitions of GBV above). The WHO VAW factsheet 2024 noted:

‘Population-level surveys based on reports from survivors provide the most accurate estimates of the prevalence of intimate partner violence and sexual violence. A 2018 analysis of prevalence data from 2000–2018 across 161 countries and areas, conducted by WHO on behalf of the UN Interagency working group on violence against women, found that worldwide, nearly 1 in 3, or 30%, of women have been subjected to physical and/or sexual violence by an intimate partner or non-partner sexual violence or both …’[151]

14.5.2 A number of publicly available sources stated that GBV was widespread in Botswana but these statements either rely on the GBVISB 2012 and BNRS 2018 or do not refer to specific data sets to support these statements. These include:

[148] MNIGA, Botswana National Relationship Study 2018 (page 65), 2018
[149] MNIGA, Botswana National Relationship Study 2018 (page 75), 2018
[150] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[151] WHO, Violence against women, 24 March 2024

- The USSD HR report 2023 stated:

  'According to the World Population Review, the incidence of rape was extremely high, at 92.93 per 100,000 persons (2010 data). According to a 2022 report by the Women's Affairs Department in the Ministry of Labour and Home Affairs, 67 percent of women experienced some form of gender-based violence in their lifetime including partner and nonpartner violence. A smaller, but still high, proportion of men (44 percent) admitted to perpetrating violence against women … domestic violence remained a serious problem during the year.'[152] [CPIT was not able to find this report. The data, however, appears to be from the GBVISB 2012]

- The FH Botswana report 2025 which stated '[g]ender-based violence, including domestic violence and rape, is pervasive … Women can experience harassment for not dressing conservatively.'[153]

- Amnesty International in its annual report for 2024 noted:

  'Gender-based violence remained widespread and continued to rise. Women Against Rape [based in Maun, Ngamiland] … reported an increase in cases from 2023 … In June, the UN Population Fund identified violence against women as a major public health concern in Botswana. In September, Tonota District Council reported a rise in sexual abuse cases. The police service recorded 47 threats to kill, 25 murders, 30 sexual abuse cases, and 93 rapes and attempted rapes against women over the Christmas holiday period.'[154] The source does not however provide context to the rise – from when, over what time period and if there were particular reasons that may explain it.

- The UN CEDAW report noted 'with concern the high prevalence of gender-based violence against women and girls …'[155]

14.5.3 As noted above, the BNRS 2018 is the most recent comprehensive and systematic study of the prevalence of GBV. It found:

- 'Thirty seven percent of women reported experiencing some form of GBV [including economic, emotional, physical and sexual violence] at least once while 30% men conceded to perpetrating GBV in their lifetime …

- 'Thirty seven percent of ever-partnered women … experienced some form of intimate partner violence.

- 'Eleven percent of women … experienced sexual harassment either in school or at work or in public places.

- 'Five percent of women … reported experiencing rape at the hands of a non-partner.

- 'The most commonly experienced form of IPV is emotional IPV followed by physical, economic, and sexual IPV.

- 'Fourteen percent of women and 17% of men reported perpetrating some form of abuse against their partner in the past 12 months.

[152] USSD, HR report 2023 (section 6), April 2024
[153] FH, Freedom in the World 2025 Botswana (section G), March 2024
[154] AI, The State of the World's Human Rights - Botswana… (Gender Based Violence), 29 April 2025
[155] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025

- ‘Fifteen percent of women who had ever been pregnant reported experiencing abuse at some point during their pregnancy….’[156]

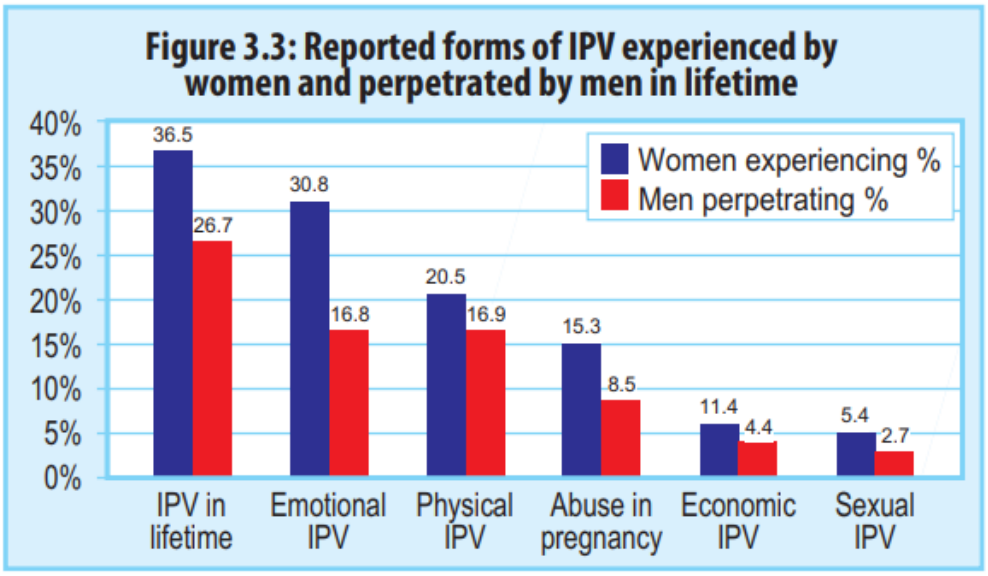
14.5.4 The BNRS 2018 created the following table of prevalence of GBV amongst men and women in their lifetimes and 12 months prior to the survey[157]. This includes IPV, sub-categories of IPV, non-partner rape, abuse in pregnancy, sexual harassment, sexual harassment at school, sexual harassment at work and sexual harassment:

Table 1: Extent of GBV

Criteria	Ever in lifetime				Past 12 months			
	Women's experience (%)	Men's perpetration (%)	Men's experience (%)	Women's perpetration (%)	Women's experience (%)	Men's perpetration (%)	Men's experience (%)	Women's perpetration (%)
Prevalence of GBV	37.1	30.1	20.8	12.3	28.1	17.4	9.6	6.1
Prevalence of IPV	36.5	26.7	17.6	18.3	26.2	17.1	15.4	14.4
Prevalence of emotional IPV	30.8	16.8	13.7	13.6	21.2	10.0	10.8	9.9
Prevalence of physical IPV	20.5	16.9	4.7	7.8	14.0	9.5	3.5	4.9
Prevalence of economic IPV	11.4	4.4	6.3	4.3	7.7	2.9	3.2	2.4
Prevalence of sexual IPV	5.4	2.7	2.2	1.8	2.9	1.6	1.5	1.2
Prevalence of non-partner rape	4.7	7.8	1.2	1.1	2.3	2.9	0.5	0.3
Prevalence of abuse in pregnancy	15.3	8.5	-	-	7.4	-	-	-
Prevalence of sexual harassment	10.9	-	8.9	-	3.1	-	5.3	-
Prevalence of sexual harassment at school	4.5	-	2.2	-	1.1	-	2.3	-
Prevalence of sexual harassment at work	6.0	-	5.1	-	0.2	-	1.8	-
Prevalence of sexual harassment in public	3.3	-	0.9	-	-	-	-	-

Source: Botswana Relationship Survey Statistics 2017.

14.5.5 The BNRS 2018 also presented the data on IPV experienced by women and perpetrated by men broken down by emotional, physical, economic and sexual IPV plus abuse in pregnancy in the bar graph below[158]:



Source: Botswana Relationship Study 2017.

[156] MNIGA, Botswana National Relationship Study 2018 (page 47), 2018
[157] MNIGA, Botswana National Relationship Study 2018 (page 8), 2018
[158] MNIGA, Botswana National Relationship Study 2018 (page 50), 2018

14.5.6 The BNRS 2018 additionally provided information on the socio-demographic characteristics of people who had experienced and those who had perpetrated intimate partner violence (IPV) over a person's lifetime:

- 'Experience of IPV in women decreased with increase in age.
- 'Age was significantly associated with both experience and perpetration of IPV except in perpetration by women (p>0.05).
- 'Although not statistically significant it is worth noting that most (59%) of the IPV perpetration was recorded by women aged 29 years and below. (This could point to increased assertiveness).
- 'Men aged between 18-39 years recorded the highest levels of both IPV perpetration and experience while in women these were observed among women aged 18-29 years.
- 'Women between the ages of 18-29 reported experiencing more violence (8%) than any other women aged 30 and above.
- 'There are more men (5%) than women perpetrating IPV below the age of 34.
- Women and men aged 40 and over reported experiencing lower levels of IPV in their lifetime compared to younger women and men.
- Men aged 45 and over reported perpetrating lower levels (3%) of IPV in their lifetime compared to the younger men.
- 'Women with a secondary education reported experiencing higher levels (20%) of IPV than women with lower levels (4%) of education.
- 'Similarly, men with higher levels of education reported perpetrating higher levels (13%) of IPV than men with lower levels (3%) of education.
- 'In the 12 months prior to the survey, 15% of the women in the sample were employed as compared to a fifth of the sample who were unemployed but reported experiencing violence.
- 'In the same period, 17% of men and 7% of women in the sample who were employed reported perpetrating violence compared to 10% and 11% of men and women respectively who were unemployed.'[159]

14.5.7 The International diplomatic source 1 – 2025 noted:

'The main [type of GBV] … would be intimate partner violence (IPV). That's resulted in a lot of cases. Murder … [although the official] did not have the numbers off [hand] but there was a particular period during the festive season [Christmas 2024] … when the police reported the number of cases of murder, incest or molestation were in their hundreds nationally in that period alone. [The government has released statistics on GBV] … more recently, but it's not consistent. It will be attached to a particular period. For example, they report a lot during the holiday period.'[160]

14.5.8 The International diplomatic source 1 – 2025 was also aware of rape:

'Where the woman is walking on the street and raped by a stranger, for

[159] MNIGA, Botswana National Relationship Study 2018 (pages 9 and 10), 2018
[160] International diplomatic source 1, HO interview, 7 July 2025, Annex B

example. That happens quite a lot, especially in rural areas … The International diplomatic source had heard of traditional doctors assaulting their purported patients or clients, like a client for a consultation. And they're sexually assaulted by the traditional doctor … [but] [i]t's not as prevalent as other forms of violence.

International diplomatic source 1 – 2025 also indicated it is not documented like other forms of GBV: '… Also, because of the stigma associated with people going to traditional doctors, people don't tend to report it. And then in addition to that, a lot of assault that's been reported is from religious leaders, for example, especially the more modern type of churches. The pastors would occasionally lure [victims] them into private spaces. There has been a proliferation of these new churches, they are called "fire churches" or "prosperity gospel churches".'[161]

14.5.9 The International diplomatic source 2 – 2025 'was not able to give specific numbers but observed that every week the source gets Botswana (BWA) newspapers and reads about incidents of GBV, not a week has passed that an incident is not reported. For example, there was report from 2 weeks ago about the murder of a female employee at the University of Botswana (UofB) who was stabbed during the day in her office at the university by her partner.'[162]

14.5.10 The UNPFA official 2025 noted the most prevalent form of GBV is sexual assault, noting:

'… rape statistics for BWA are the second highest in the world, so [the number of] sexual assaults is quite high – physical [violence], like beating, which is quite high; and economic [violence]. Economic [violence] is particularly in cases where the man is working but the woman isn't, [so] she's dependent on the partner. Sometimes [the man withholds funds] because the women are dependent on them. That also leads to the pattern that has been observed [where] a lot of reported cases of GBV are withdrawn because the woman says that this person is the breadwinner and the caretaker, and if you take him to prison then the family has no means of sustenance.'[163]

14.5.11 The UNFPA official also noted that men are the main perpetrators of GBV and most violence 'is intimate partner violence, but when you look at the data, there's a lot perpetrated by family members – a brother having raped his sister or an uncle having raped a niece. It's intimate partners, then family members, then others – just general strangers.'[164]

14.5.12 The BGBVC managers 2025 noted:

'[Types of GBV include] … sexual violence, physical violence, emotional violence and economic violence … this mostly happens within the domestic arena, so it's mostly domestic violence. There's a high [prevalence] of domestic violence and intimate partner violence … [but] it's a disadvantage that we don't have data. Usually, we rely on police data, but GBV is mostly underreported. The situation might be higher. We've been getting a lot of

[161] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[162] International diplomatic source 2, HO interview, 8 July 2025, Annex D
[163] UNFPA official, HO interview, 8 July 2025, Annex D
[164] UNFPA official, HO interview, 8 July 2025, Annex D

reports of GBV, including femicide. There are frequent reports of GBV/femicide cases in media …

'… Now that the police have a special unit that deals with GBV (Gender and Child Protection Branch) we want to believe that reporting has increased a lot. Police statistics show that the total number of reported cases to the police in 2024 only was 32,172. This is the total number of all cases of all types [of crime] reported to the police. Out of that, the total number of what the police say was recorded as GBV is 11,287. What is important is that this is just what is reported … BGBVC cannot confidently say cases [of GBV] are increasing …'[165]

14.5.13 The BGBVC managers 2025 also noted that technology 'is playing a role, especially in intimate relationships, especially ex-partners where one is trying to move away from the other and they don't want to explicit details to be shared, whatever they shared during the relationship, either videos or pictures. [Their ex-partner says,] 'It's either we get back together, or I share this material in public.' It has happened a lot so that people end up living in this situation. SOCIAL CARE OFFICER explained that he had read that, and that some people actually end up committing suicide or contemplating it because of the shame.'[166]

14.5.14 For more detail on police reported GBV, see Police reports below.

14.5.15 The BGBVC managers 2025 commenting on changes in the levels of reporting, noted:

'… when you look at the trends, it shows that … [GBV is] increasing … [but] what has increased is mostly the reporting. More people, as they become aware [of GBV], are starting to talk more than they used to. But what we can confidently say is that GBV is [at its] highest now … [reporting of GBV had] especially increased with [the creation of the police's Gender and Child Protection Unit, see Gender and Child Protection Unit (GCPU) below] … but also BGBVC are going out and explaining what GBV is [to communities]. When [BGBVC] started some years ago, people didn't know, but even now there are still people that think that it's only GBV if it's physical. So [BGBVC] are trying to create awareness as to what GBV looks like, because a lot of times it can present itself in different ways. If my boyfriend or my husband keeps calling me every 30 minutes, I might interpret it as love, when it's actually control. So, they're trying to get people to understand things like that.'[167]

14.5.16 The BGBVC managers 2025 further noted: '… there is a clear suspicion that [GBV] cases are increasing, but what they mostly see is that people are [bringing cases to light] because of greater awareness. They keep on seeing an increase in the number of cases they deal with every year, but they cannot confidently conclude that this is because there's an increase in prevalence.'[168]

14.5.17 The BGBVC managers 2025 on whether social media helps with the reporting of GBV considered that it did, noting: '… culturally, people stay [in

[165] BGBVC, HO interview, 10 July 2025, Annex H
[166] BGBVC, HO interview, 10 July 2025, Annex H
[167] BGBVC, HO interview, 10 July 2025, Annex H
[168] BGBVC, HO interview, 10 July 2025, Annex H

relationships where there is GBV]. It's normal; some things have been normalised. As we create awareness through social media, through media, through workplace presentations, people begin to say, “Oh, so this is actually not normal. Actually, there are people who are talking about it. So that means that I can also talk.”' They also noted: ‘BGBVC has centres in urban areas, and that this may also go to the fact that in urban areas, there’s more sensitisation and awareness of GBV.’[169]

14.5.18 The FAB representatives 2025 acknowledged that data on the prevalence of GBV is limited and referred to police reports of GBV as indicating a rise (see Police reports). The representatives claimed:

‘GBV is on the rise in BWA – [it includes] femicide by intimate partners, whether current or previous intimate partners, sexual assaults ranging from homosexual assaults to defilement, rape, physical abuse, financial abuse, emotional abuse and verbal abuse. But there’s a lack of awareness of what constitutes verbal abuse, so you find that it's under-reported … with financial abuse, you'll find the most vulnerable women are those who are unable to find employment and/or earn less than their partner in the relationship. Because they end up needing to come to the man to say, ‘We are short of this’, then they experience financial abuse in that way.’[170]

14.5.19 The LB representatives 2025 considered that women were mostly affected by physical and sexual violence, which affected many women and was a ‘pandemic’. They also noted that the main perpetrators are partners, husbands and parents. Some cases of GBV by strangers but they are rare[171]. However, the LB representatives 2025 acknowledged that they did not have statistics on the numbers of GBV cases. The representatives provided data from LB’s cases ‘… in the last quarter [source did not confirm but likely to be April to June 2025], they had 13 women coming for counselling sessions … the problem with the numbers is that most of [the GBV victims] come and then they don't go to the police station, so it's hard for us to track them. But the previous quarter [January to March 2025], we had 18, so it’s dropped … they deal with different [types of] cases and that there were 213 cases [of people supported for any type of reason] overall.’[172]

14.5.20 The LB representatives 2025 explained that they came across GBV cases ‘through self-referrals; [people] come to [LB’s] offices. LB hasn’t had agency referrals. Most of them are just members of the community or self-referrals.’ On whether they had referred GBV cases to the police, the representatives noted ‘that they had referred them to [War Against Rape] WAR, but then once they end up in WAR, most of the women go to the police.’ The LB representatives 2025 thought that 2 women had been killed in the previous months, 5 in the previous 6 months in the Maun area[173].

14.5.21 The WAR executive director 2025 noted:

‘Gender-based violence against women … it’s quite rife today … if [they] … gave the FFM team her numbers, they would be much, much lower than what they would get from the police, and the police numbers would be much

[169] BGBVC, HO interview, 10 July 2025, Annex H
[170] FAB representatives, HO interview, 9 July 2025, Annex E
[171] LB representatives, HO interview, 14 July 2025, Annex J
[172] LB representatives, HO interview, 14 July 2025, Annex J
[173] LB representatives, HO interview, 14 July 2025, Annex J

lower than what they would get from the hospital. Each stakeholder has their customers, has their numbers. People will go to the hospital, and they know that the hospital will not go to the police. Those who go to the police are the ones who feel threatened that this person might kill them. But if they feel it's something that you can put a bandage on or look after, then they'll go to the hospital. Those who come here [to WAR], they also want WAR to take them through the system. So, everyone gets their people. If you go to, say, faith-based organisations, they will get people who believe in God and want to be prayed for or pray for the perpetrator. So, each one of us gets their own kind of people.'[174]

14.5.22 The WAR executive director 2025 noted that the organisation collected data on the numbers of cases it handled but could not identify a pattern over the previous 4 to 5 years,

'… that they had looked but there is no pattern. Some years it goes up, then it comes down, then it goes up, then it comes down … the numbers are high because people are now aware that GBV is wrong. It's like talking about child marriages. In Botswana, if you search anywhere, you'll find that Botswana doesn't have child marriages because we're not reporting child marriages, we are not even defining them as child marriages. It's just that this child is living with this man. But there's no certificate that says they're married, so technically they're not married because the chief didn't marry them. The magistrate didn't marry them. Nobody married them, even though they're in a marriage set-up. So, we can easily hide child marriages because the chiefs will tell you, "I never marry anyone below the age of 18," which is true. You go to the records, you won't find anything, but the children will be there.

'… similarly, with GBV, people choose when to report and when not to report, so you can't really say the numbers are low or they're increasing. If people are resorting to violence, others in similar situations will also resort to violence because they hear it. [Another reason is that] Batswana are [now] more aware of their human rights. They are more aware of the laws that are there to protect them, like the Domestic Violence Act, the Penal Code, the sexual assault register. There's more publicity when the laws come out. There are a lot of NGOs coming up. There are a lot of lawyers … coming up to say, "We want to help." When we publicise the law, when an act comes up, it will be discussed on the radio … So there's more access to information now. People are now recognising, "This is wrong. There's something I can do about this." So it's quite hard to tell if it's changed since the 2018 study. We don't know if it's gone up or down. We can't know until we do a survey.'[175]

14.5.23 The UKHO FFM interviewed 2 officials at the French Embassy who led on gender related programmes on 10 July 2025 (FE officials 2025). They noted 'women die every day, we know it happens quite often [but do not have the numbers].' The FE officials were not aware of statistics on levels of domestic violence. They also noted 'since the new current government [came to power] there has been more talk about GBV in the press as people are urging the government to pass an anti-GBV law and to declare a national

[174] WAR executive director, HO interview, 14 July 2025, Annex K
[175] WAR executive director, HO interview, 14 July 2025, Annex K

state of emergency. So, there is more [reporting and commentary on GBV] in the press but no data on it.'[176]

14.5.24 The UKHO FFM interviewed representatives of Bana Ba Letsatsi, a non-government organisation that assists children in Maun and surrounding areas, on 14 July 2025 (BBL representatives 2025). While BBL did not focus on GBV, the representatives noted 'that the number of GBV cases in Maun is high. Kids are being abused by their caregivers, the people who are supposed to protect them. Most of it is where the parents work on safaris in the deltas. Their uncles take care of them and there are some cases of rape, defilement, teenage pregnancy, usually because of the absence of the parents.' However, the representatives did not have any data to support this observation[177].

14.5.25 The BONELA representatives 2025 noted:

'We have reached crisis levels looking at the numbers that are reported on a daily basis ... It is a national crisis for us, a national problem. We are seeing skyrocketing cases of sexual violence

'… there is evidence of an increase in number [of GBV cases]. [But they] wouldn't say the awareness raising doesn't have an impact in getting people to report. The sad reality is that the cases which are mostly documented are those which have reached a vital stage, where somebody has lost their life. It's not like we are seeing more people in GBV relationships reporting more because we only see GBV cases at the end, when nothing can be done.'[178]

14.5.26 The ADC 2025 noted that they did not have statistics on the number of GBV cases reported to the district Gender Committee but 'thought the number of cases was going up.' The data reported to the Gender Committee was provided by the police (including the Gender and Child Protection Branch), the Directorate of Public Prosecutions, the government social and welfare office and Women Against Rape. The cases included assault, rape and other forms of violence[179].

14.5.27 The UKHO FFM interviewed representatives of the Lesbians, Gays and Bisexuals of Botswana, a non-government organisation that advocates for and supports lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people), on 16 July 2025 (LEGABIBO representatives 2025). The representatives focussed on the experiences of LGBT+ people but thought GBV generally was getting 'worse', noting 'there's been a rise in violence and the law is not doing anything to hold people accountable.'[180]

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14.6 Police reports

14.6.1 The BPS Annual Crimes Statistics Report 2024 covering the period 1 January to 31 December 2024 (BPS 2024 annual report) noted:

'Over the past eight years, crime has shown a slight but consistent

[176] FE officials, HO interview, 10 July 2025, Annex L
[177] BBL representatives, HO interview, 14 July 2025, Annex P
[178] BONELA, HO interview, 16 July 2025, Annex R
[179] ADC, HO interview, 15 July 2025, Annex Q
[180] LEGABIBO representatives, HO interview, 16 July 2025, Annex S

downward trend, with an overall decrease of 0.6%. In 2024, the BPS registered 146,529 offences, representing a significant reduction of 13,151 cases (8%) compared to the previous year. A further analysis revealed that Penal Code offences accounted for the majority of recorded crimes, among which, offences against property were the most prevalent, constituting 50% of the total … The report further analysed 5,929 victims under offences with which the person was targeted such as robbery, murder, threat to kill, rape and defilement of persons under the age of 18 years. The analysis generally proved that women were disproportionately affected, representing 85% (5,040) of the victims. Conversely, a total of 5,766 individuals identified as perpetrators were analysed in regard to all the selected offences, with 98% of them being male. Worthy of note is that the perpetrator numbers relate to only those were dealt with by the time of reporting.'[181]

14.6.2 The BPS 2024 annual report also noted:

'The data highlights a strong correlation between unemployment and victimisation, with 65% of victims and the majority of perpetrators being unemployed and unmarried. The most common victim-perpetrator relationships involved romantic partners, strangers, and acquaintances, while a few incidents involving friends and relatives were registered.

'A distinct analysis of cases shows that jealousy (33.8%) and arguments (26.4%) were the most common motives in murder cases. Also, the most frequently used weapons in aggravated offences, such as murder and robbery cases, are knives. Geographically, most incidents of rape, threats to kill, defilement, murder, and motor vehicle theft occurred within the victims' residences. However, defilement was most prevalent in perpetrators' homes, while human trafficking incidents predominantly happened on the streets.'[182]

14.6.3 The BPS 2024 annual report, the most recent report available at the time of writing, noted:

'The prevalence of Gender-Based Violence (GBV) and offenses involving children has been a significant concern, highlighting various forms of abuse, including physical, sexual, and psychological violence, as well as deprivation. Notably, there has been a commendable reduction in overall cases, decreasing by 30.3%, from 19,440 cases recorded in 2023 to 12,490 in 2024.

'Specifically, incidents of physical harm, which constitute the majority (54.0%) of cases, experienced a significant decline of 46.5%. Similarly, sexual harm, the second most prevalent category (at 29.2%), saw a reduction of 8.5%. However, it is concerning to note that the category of deprivation increased dramatically by 97.2%, alongside a rise of 13.0% in psychological harm cases.

'These trends indicate both progress in certain areas and the urgent need to address rising issues, particularly in deprivation and psychological harm, to ensure continued improvement in safeguarding the well-being of vulnerable populations.'[183]

14.6.4 The BPS 2024 annual report included the following table of cases involving

[181] BPS, Annual Crimes Statistics Report 2024 (page 7), no date
[182] BPS, Annual Crimes Statistics Report 2024 (page 7), no date
[183] BPS, 2024 Annual Report (page 21), no date

GBV and child abuse[184] (the report does not distinguish between the 2):

Table 6: Number of Reported Cases Involving GBV and Child Abuse

Offence	Year 2023	Year 2024	Growth (%)
Physical harm			
Murder	132	172	30.3%
Attempted Murder	13	26	100.0%
Assault Occasioning Actual Bodily harm	3,723	1,649	-55.7%
Assault Common	8,418	3,773	-55.2%
Unlawful Wounding	1,155	575	-50.2%
Grievous Harm	46	90	95.7%
Common Nuisance	434	1,162	167.7%
Sub Total	**13,921**	**7,447**	**-46.5%**
Sexual harm			
Rape	2,296	2,018	-12.1%
Attempted Rape	72	64	-11.1%
Defilement of persons under the age of 18 years	1,753	1,666	-5.0%
Defilement of Imbeciles	54	32	-40.7%
Incest	4	4	0.0%
Indecent Assault	218	240	10.1%
Sub Total	**4,397**	**4,024**	**-8.5%**
Psychological harm			
Threat to Kill	635	546	-14.0%
Use of Insulting Language	74	255	244.6%
Sub Total	**709**	**801**	**13.0%**
Deprivation			
Neglect of Children	383	634	65.5%
Cruel treatment of a child	164	254	54.9%
Failure to supply child necessities	27	65	140.7%
Failure to comply with court orders	202	577	185.6%
Sub Total	**776**	**1,530**	**97.2%**
Total	**19,803**	**13,802**	**-30.3%**

14.6.5 Detailed data on GBV offences are provided in the BPS' annual statistics reports covering 2022 to 2024. Summaries of the GBV offences are available in the BPS' annual reports from 2016 to 2024.

14.6.6 The BGBVC managers 2025 explained that: 'Police statistics show that the total number of reported cases to the police in 2024 only was 32,172. This is the total number of all cases of all types [of crime] reported to the police. Out of that, the total number of what the police say was recorded as GBV is 11,287.' The BGBVC managers 2025 explained that: 'Now that the police have a special unit that deals with GBV (Gender and Child Protection Branch) we want to believe that reporting has increased a lot.'[185] See also the Gender and Child Protection Branch (GCPB) for discussion of the activities and impact of this specialised police unit below.

14.6.7 The WAR executive director 2025 noted: '[reporting of GBV had] especially increased with … [with the GCPB's creation], but also BGBVC are going out

[184] BPS, 2024 Annual Report (page 22), no date
[185] BGBVC, HO interview, 10 July 2025, Annex H

and explaining what GBV is [to communities].'[186]

14.6.8 Africa Press, in article dated 14 November 2025, noted: 'The Botswana Police Service recorded 31,975 cases against persons last year, of which 10,747 were GBV-related, highlighting the urgent need for stronger prevention and response measures.'[187]

14.6.9 The BPS officials 2025 noted that GBV offenses,

'… are documented. Every year, the police compile reports. The recent GBV statistics indicate an increase in GBV statistics. This, however, does not in itself indicate an increase in GBV crime. Factors that could explain this trend include increased reporting resulting from increased awareness creation. Another possible reason is the improvement in the handling of GBV victims thus leading to victims generally feeling safer within the police stations. Therefore, generally speaking, the numbers are going up, but this doesn't necessarily indicate a worsening crime situation.'[188]

14.6.10 The FAB representatives 2025 noted '… that there has been an increase in terms of cases being reported … to the police. And sometimes, there are some victims who feel uncomfortable reporting to the police, so they report to shelters or organisations that specifically work with GBV. [The NGOs] … are the link between [the victims] and the law enforcement agencies.'[189]

14.6.11 On the reasons for the rise, the FFM team asked if this was because the population is increasing, and women are aware of their rights so are reporting more. The FAB representatives 2025 noted it is,

'… also, because there is knowledge now, knowledge of the interventions where people feel like they'll get justice, which is a very important step … people are now leveraging the power of social media. A lot of cases, just like the MeToo movement, are talked about and people are bravely posting their stories online. That is how other people get the courage to come forward with their stories. And sometimes those are not reported. It's just somebody coming out and saying, "This is also my story." It's a form of healing just to speak about it.'[190]

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14.7 Traditional harmful practices

14.7.1 The FAB representatives 2025 noted '… that there haven't been a lot of [cases of ritualised abuse or traditional harmful practices] recently ... culture had been dynamic in terms of trying to eliminate abusive practices such as genital mutilation. [FAB] … haven't [seen any cases]. They're just seeing an increase in more modern types of abuse that you would get anywhere else. Also, there is online abuse [harassment].'[191]

14.7.2 The LAB CEO 2025 noted:

'… cases where body parts are used for traditional medicine [ritual killings] are really not rife in the country – they are in fact few … thought that in the

[186] BGBVC, HO interview, 10 July 2025, Annex H
[187] Africa Press, Botswana Strengthens Gender-Based Violence Legislation, 14 November 2025
[188] BPS, HO interview, 11 July 2025, Annex U
[189] FAB representatives, HO interview, 9 July 2025, Annex E
[190] FAB representatives, HO interview, 9 July 2025, Annex E
[191] FAB representatives, HO interview, 9 July 2025, Annex E

year before the general elections [2023] and the year of the general elections [2024], it appeared from the newspapers – … [but] personally [the CEO] had no specific knowledge of this – that there were a number of people who disappeared, and when they were found, they had body parts missing. But it was not such a number as to raise a hue and cry … it would therefore be irrational for people to leave Botswana seeking asylum because of ritual killings … there used to be a lot [of these cases] when [the CEO was a child, now in their 50s], so it's a long time ago … more of normal parlance [then], but not so now. [In the past], they were typically the cases that would attract capital punishment.'[192]

14.7.3 The LAB CEO 2025 did not consider female genital mutilation (FGM) occurred in Botswana and was not a national tradition. The CEO also noted:

'… not sure about the issue of incest. Again, it would be notorious in certain areas more than other areas, and that's where it is one of the customs of a particular tribe. People practise these things without necessarily knowing they are wrong in terms of the law, and that's where public education has to come through and is very important in making sure that people move away from some of these practices. [Asked if such practices would not occur Gaborone or other main towns but may still in rural areas, the CEO agreed.] … incest is an offence under the Penal Code.'[193]

14.7.4 The BGBVC representatives 2025 noted: '… you hear about [ritual killings and traditional harmful practices] … but … couldn't say how many cases there are … confirmed that it's not [in] urban [centres] … a person will disappear or not be found, and suspicion is generally directed towards someone, but it's never substantiated.' With regard to FGM, the representatives noted 'that it's not a tradition that's documented. It's not a traditional practice in BWA. Maybe up north, maybe some communities, but even if it was there … thought it had been lost, or that maybe we don't know.'[194]

14.7.5 The LB representatives 2025 noted '… that there are ritual practices that go on in the country as well …[but] that would be more a matter of perception. There are not many of those … more hearsay and … more speculation and rumours than fact-based examples.'[195]

14.7.6 The UKHO FFM 2025 interviewed officials from Ministry of Labour and Internal Affairs, Botswana, on 10 July 2025, (MLIA officials 2025), who '… explained that there are a lot of myths around witchcraft … witchcraft was highly unlikely to be a reason for a person to flee to the UK … Bowono was known as the centre of witchcraft [in Botswana]. [If a person needed to leave], it would be best to go to Gaborone or Francistown. They did not need to go to the UK …'[196]

14.7.7 The MWT representatives 2025 did not consider there were incidents of witchcraft or ritual killings. 'Can't say it doesn't happen but not aware of cases … this may have happened in the past, maybe in 1960s and 1970s but now this doesn't happen. We have stories of this happening, but we

[192] LAB, HO interview, 8 July 2025, Annex G
[193] LAB, HO interview, 8 July 2025, Annex G
[194] BGBVC, HO interview, 10 July 2025, Annex H
[195] WAR executive director, HO interview, 14 July 2025, Annex K
[196] MLIA officials, HO interview, 10 July 2025, Annex N

haven't seen cases. Christianity was not as practised as much as today, ritual practices were there but most people are now Christian, so we don't see this happen.'[197]

14.7.8 The BBL representatives 2025, commenting on cases of witchcraft or ritual killings among children, noted 'these happened in the old days, but not nowadays, or if they do happen, there are only a few [cases].' The representatives had not heard of or witnessed such activities[198].

14.7.9 The BBL representatives 2025 also noted that female genital mutilation 'happened back in the day [but] thought that this doesn't happen in [towns …], but it did for … girls in the bush … a group of girls were called. They would go. It was not in the community, but they were taken to a place.' However, this 'had [stopped] because of the rights in … the 2009 Children's Act, which … recognises that the lives of children are precious. [The Act also criminalises FGM – see Gender-specific legislation above.]'[199]

14.7.10 The BPS officials 2025 noted '… that there are no [reports of] mutilations [FGM] in BW[A] ... definitely not [FGM] … if [FGM] happens here, we're not aware of it. There's definitely no case reported to the police.'[200]

14.7.11 On witchcraft and ritual killing including where some of the victims' body parts are removed, the BPS officials 2025 noted:

'… calling someone a witch is an offence … regarding ritual killing … didn't know whether it's a perception [that body found with parts missing was a victim of a ritual] by Batswana because at times, maybe the person will be reported as missing, then they'll later be found dead, maybe in the bush with some body parts missing. The assumption by the Batswana might be that it's a ritual killing, whereas [it might have been] scavengers [animals] … it is not completely unusual for body parts to go missing. This, however, in many cases is attributed to other factors such as anger by the perpetrator, scavengers, etc, rather than ritual killings.'[201]

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15. State protection

15.1 Botswana Police Service

15.1.1 The Overseas Security Advisory Council (OSAC), 'a public-private partnership between the U.S. Department of State's Diplomatic Security Service (DSS) and security professionals from U.S. organizations operating abroad'[202], noted in its security report for US citizens travelling to Botswana dated 4 April 2025 (OSAC report 2025): 'The Botswana Police Service is responsible for providing law enforcement service. The Botswana Police College outside of Gaborone hosts the U.S.-led International Law Enforcement Academy (ILEA), a focal point for education and development for law enforcement agencies across Africa … The Botswana Police Service is professional, although limited in numbers and essential services to lessen

[197] MWT representatives, HO interview, 14 July 2025, Annex O
[198] BBL representatives, HO interview, 14 July 2025, Annex P
[199] BBL representatives, HO interview, 14 July 2025, Annex P
[200] BPS, HO interview, 11 July 2025, Annex U
[201] BPS, HO interview, 11 July 2025, Annex U
[202] OSAC, About us, no date

crimes occurring in and around populated and rural areas.'[203]

15.1.2 The BPS officials 2025 noted:

'[The] Botswana Police Service is mandated to ensure the safety and security of the people of Botswana and the residents of Botswana by section 6 of the Botswana Police Act … The mandate of the Botswana police is to prevent and detect crime, repress internal disturbances, maintain security and public tranquillity, apprehend offenders and bring them to justice, and to enforce all written laws with which it is directly charged to generally maintain peace. Therefore, as a result, the Botswana Police Service has prioritised the fight against gender-based violence in its policing agenda …'[204]

15.1.3 The BPS officials 2025 noted that there about 12,200 police officers of whom approximately 30% are women adding that they are now recruiting an equal number of men and women. The officials noted that the police are divided into 5 divisions and 17 districts across the country, with 84 police stations and 384 police posts[205].

15.1.4 However, the BPS' annual report 2024 provided slightly different data from the BPS officials on the number of staff, stating: 'The BPS has a total labour pool of 13,892 officers, encompassing 11,553 police officers, 1,732 Special Constables and 607 civilian cadre. A decision has been taken to discontinue.' Additionally, the BPS annual report 2024 provided different figures for the number of police stations and posts, referring to 83 police stations and 412 police posts[206].

15.1.5 The government in its submission to the UN Human Rights Committee as part of Botswana's Universal Periodic Review (UPR), dated 17 March 2023, (government UPR report 2023) set out:

'The following measures are implemented by the Botswana Police Service in the fight against GBV:

- Developing competencies of police officers in handling cases.
- Provision of psycho-social support and counselling to victims.
- Collaboration with other stakeholders and referral systems.
- Use of informers.
- Appointment of Gender Focal Point Persons.
- Community Policing (bringing on board the community to assist in policing.
- Community out-reach programmes (public education).
- Anti-GBV campaigns.'[207]

15.1.6 The International diplomatic source 1 – 2025 noted when asked about police resourcing '… They're not underfunded. When you look at the budget allocation every year for government, the security sector gets probably the second biggest or the third biggest … though, there will be issues of no

[203] OSAC, Botswana Country Security Report, 4 April 2025
[204] BPS, HO interview, 11 July 2025, Annex U
[205] BPS, HO interview, 11 July 2025, Annex U
[206] BPS, 2024 Annual Report (page 7), no date
[207] GOROB, National Report Submitted Pursuant to … (paragraph 120), 17 March 2023

accommodation for police officers or pay issues. But in terms of resources, I think they're relatively good.'[208] While the BPS officials 2025 noted: 'we can never say we have enough resources, but we do … the government puts a lot of resources into supporting the police to do their work.'[209]

15.1.7 The BPS officials 2025 explained that police operate

'… the CCRS, the Crime and Criminal Recording System. However, the Gender and Child Protection Branch has also developed their database which they use to record GBV, and child involved offences. There's a lot of other communications that is shared between police stations on criminals including digital platforms on criminal/wanted person particularly those that are on the run thus increasing police capability to catch criminals … in addition to the CCRS and the manual recording in the registers, there is an office at police headquarters responsible for the collation of statistics. On a quarterly basis, they do the crime returns and that is done online. We also have the strategy department and monitoring branch, which produces the annual reports. So that's where you get all the statistics for all reported cases … if you file [a case] at the central police station in Gaborone, then it's in an automated data centre and you can find it in that database …'[210]

15.1.8 The GOROB ACHPR submission 2023 also noted:

'To reduce the rate of withdrawal of GBV cases, Botswana Police Service undertakes the following actions: bringing charges against any person who is obstructing the cause of justice either through intimidation or coercion; and conducting public awareness on consequences of GBV case withdrawals. In order to ensure that gender-based violence cases are handled in a timely manner, with effect from 1st December 2020, all GBV cases are treated as urgent applications and given expedited management and disposal.'[211]

15.1.9 The BPS officials 2025 similarly noted '… we've taken a stance to say that we will not withdraw any GBV cases. But they can still be withdrawn at the magistrate level in court ... So, the police made a decision to disallow withdrawal of GBV cases at investigation (police) level and register all GBV cases with the courts.'[212] The MOJCS officials 2025 also commented on the withdrawal of cases, noting:

'… Maybe in the past the handling of GBV cases may not have been effective but nowadays these cases are prepared for trial. Where a person alleges [a GBV offence] their case is facilitated because they have to prove that case before a court of law. But there are instances where a person who has registered a case chooses to withdraw their case … with regard to effectiveness, the country realised that cases were being reported to the police, then due to a variety of situations victims would withdraw their cases, saying they had reconciled their situation, or the family advised them to step down. But following reconciliation the GBV would escalate, sometimes leading to the death of the victim. So, it was decided that the police will no longer accept the withdrawal of cases. It can only be done at court.'[213] (see

[208] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[209] BPS, HO interview, 11 July 2025, Annex U
[210] BPS, HO interview, 11 July 2025, Annex U
[211] GOROB, Republic of Botswana: 4th and 5th Combined … (paragraph 114), September 2023
[212] BPS, HO interview, 11 July 2025, Annex U
[213] MOJCS, HO interview, 9 July 2025 Annex F

withdrawal of cases for more information)

15.1.10 The GOROB ACHPR submission 2023 noted: 'In an effort to promote reporting, the Botswana Police Service undertakes continuous improvement of investigations to secure convictions and thereby win public trust. Furthermore, public awareness and outreach on GBV have been intensified. The community policing approach to promote participation of the public in identifying potential threats/ crime, and community dialogues on Gender Equality and GBV prevention continue to be implemented.'[214]

15.1.11 The GOROB ACHPR submission 2023 further noted, 'The Botswana Police Service (BPS) continues to employ science and technology in strengthening its response and interventions to GBV and its emerging complexities, through the introduction of Standardised Forensic Evidence Collection Kits in Sexual Assaults, Use of DNA and DNA databases for cold cases, Use of Digital Forensics for online sexual exploitation cases.'[215]

15.1.12 The BPS officials 2025 noted:

> 'Over the years, the BPS has continually employed various measures and interventions to ensure prompt response to GBV reports, safety of parties involved and protection of the vulnerable ... during the Covid era, we recorded an increase in the number of GBV cases. There was a very sharp increase in the number of GBV-related offences during the lockdowns imposed from April 2020 as well as offences against children. This has not only raised awareness on the prevalence of GBV issues but also served as an urgent demand for a change in the BPS responsiveness towards combatting GBV and child-related offences.'[216]

15.1.13 The BPS officials 2025 also noted:

> 'In terms of prevention, the BPS mission is to provide professional policing services and partnership with the community. This was formulated in the quest to bring the community on board to assist in policing and prioritising prevention. So, we have got the promotion of community-led prevention programmes or strategies. There are also programmes geared towards empowerment of men, as we believe that men are the agents of change. There is also use of science and technology in GBV investigations. Furthermore, it is important to coordinate and cooperate with partners, therefore the BPS continues to collaborate with key stakeholders in the fight against GBV and child abuse.
>
> 'The BPS has also benefited from development partners such as UNICEF, SADC [Southern African Development Community] Debswana, who continuously support our efforts in providing quality and comprehensive services for all victims of GBV, including children. Future efforts to improve our operational efficiencies include promoting community-led prevention programmes, enhancing reporting and support systems, and prioritising the establishment of the GBV one-stop service centre. We're also developing the caring for the carers programme to support officers that are involved in the investigation of GBV and child involved offences. We are also going to expand the victim- and child-friendly spaces that we already have and lastly

[214] GOROB, Republic of Botswana: 4th and 5th … (paragraphs 112 and 113), September 2023
[215] GOROB, Republic of Botswana: 4th and 5th … (paragraph 108), September 2023
[216] BPS, HO interview, 11 July 2025, Annex U

integrate the restorative and reformative approach to policing.'[217]

15.1.14 The BPS officials 2025 noted:

'… adults are generally attended in normal police stations but in what are called victim-friendly spaces. The police haven't always had them; they're a new development. All the new police stations that are being built come with victim-friendly spaces. But the thing they feel is more important is the knowledge within the police officers themselves in terms of what the victim needs, in terms of privacy, in terms of proper risk assessment. That's why they concentrate on the police officers, so that even if there's no space to hold an interview, they realise that the victim still needs privacy. So even if there's no office, the victim can be taken aside somewhere, and they'll still be able to have a private space where they can be interviewed.

'… it's possible that some victims may not have been afforded privacy because many of these victim friendly efforts are a new development. However, the BPS is doing its best to close the gaps. A lot of effort is put into training police officers to understand victim centred approaches so as to provide sensitive handling and response to GBV ... wouldn't be surprised if at one or 2 stations there could be a situation where somebody may not have been given the right treatment, but in general, police officers are trained to understand that if somebody – anybody – comes into a police station and needs to be attended to, they will be afforded the necessary assistance.'[218]

15.1.15 The BPS officials 2025 additionally noted:

'… the issue of affording victims privacy dates back to 2001. Police officers have been instructed to afford [victims] the privacy that they need. So, if a rape victim comes to the office, they'll not be interviewed in a Community Service Centres (CSC) where there are lots of complainants. They will be taken out of the CSC to a safe private room, so they are not interviewed in the presence of other complainants. This has been in place since 2001. But we can't dispute that someone could say, "I was interviewed in the presence of so many officers." The other arrangement that we practise is for female victims to be interviewed by female police officers so that they are comfortable. But sometimes a rape victim might feel more comfortable to be interviewed by a different gender and if that aids the case, they are afforded that choice.'[219]

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15.2 Gender-specific guidance and training

15.2.1 The GOROB ACHPR submission 2023 noted:

'… The Botswana Police Service (BPS) has deployed trained Gender and Child Protection Focal Persons to deal with Gender Based Violence matters in a gender sensitive manner. To date, a total of 2248 police officers have received training on GBV and human rights through the BPS in-service programmes ... To ensure professional response to GBV issues, the Government, through BPS also developed a set of guiding principles aimed at ensuring that officers are committed to gender mainstreaming into their

[217] BPS, HO interview, 11 July 2025, Annex U
[218] BPS, HO interview, 11 July 2025, Annex U
[219] BPS, HO interview, 11 July 2025, Annex U

work and adequately skilled to do so. The following have been carried out in that regard, Standard Operating Procedures (SOPs) were developed as a standard tool for dealing with GBV and child related cases, to ensure comprehensive, coordinated, and synchronised interventions.'

15.2.2 An article in Botswana youth, a Botswanan online magazine, dated 2 April 2025 reported:

'In a significant step towards addressing Gender-Based Violence (GBV), the Botswana Police Service (BPS) and the Directorate of Public Prosecutions (DPP) have commenced a three-day "Training of Trainers" workshop in Gaborone. The training, which began on April 1, 2025, is organised by the United Nations Office on Drugs and Crime (UNODC) to enhance the capacity of law enforcement officers in handling GBV cases effectively.

'… [The BPS] Commissioner Marathe expressed gratitude to UNODC for its ongoing support, acknowledging the importance of multi-sectoral training initiatives in strengthening case referrals and streamlining case management. She also recognized past contributions from partners such as UNICEF, SADC, and the EU, which have led to the establishment of Child-Friendly Centres and the development of Standard Operating Procedures. Additionally, she stated that such training programs would contribute to the development of a localized multi-sectoral training framework within the BPS.'[220]

15.2.3 The MYGA officials 2025 noted '… that Botswana Police Service is aware of GBV that affects persons with disabilities, and they have trained officers that deal with such cases. However, we note that there are still gaps in terms of specifics looking at the particular disability of an individual, but it's an issue that they are very much alive to.'[221]

15.2.4 The BPS officials 2025 noted:

'In term of training or capacity of police officers, the BPS has developed some training programmes in achieving best evidence-based practice in interviewing children. Officers have been and continue to be capacitated with appropriate competencies and skills for preventing acts of violence and providing the needed care to survivors of violence and abuse. Hence developments brought by the organisation facilitated effective and comprehensive provision of medical and psychological care to GBV survivors and children exposed to any form of abuse or harm. In order to protect victims, we also have the virtual juvenile courts. The BPS collaborated with the Ministry of Justice and Correctional Services, and they have adopted video teleconferencing. Equipment is fitted in the child-friendly centres to enable virtual hearings in children's cases. The new model is being heralded as a groundbreaking, making court more accessible and convenient for the children. The BPS in its efforts has a strategic approach for promoting gender equality across all sectors and levels of policymaking, development and organisational practices. This is to ensure the integration of the gender perspective into the design, implementation, monitoring and evaluation of all the policies, programmes and processes within the BPS.'[222]

[220] Botswana youth, Botswana Police and DPP Launch GBV …, 2 April 2025
[221] MYGA, Interview with the HO, 11 July 2025, Annex I
[222] BPS, HO interview, 11 July 2025, Annex U

15.2.5 The BPS officials 2025 further noted:

'… all police officers are trained on gender-sensitive approaches to policing. There are a select few officers who are then deployed to the Gender and Child Protection Branch, and those officers are given even more specialised training and investigative tools to deal with GBV as a whole. That includes human trafficking and child protection issues. But all police officers are trained to adequately be able to provide assistance should there be an issue of GBV.'[223]

15.2.6 The BPS officials 2025 also explained that '… they work closely [with customary courts] because there are some cases that are handled by the customary court, and the police officers take those cases to the court. In some instances, the police are housed at the customary court; they have an officer at the customary court in the same building where their offices are.'[224]

15.2.7 However, the CEDAW report 2025 was concerned by 'The absence of comprehensive capacity-building for law enforcement officers on gender-sensitive investigation and interviewing methods in gender-based violence cases …'[225]

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15.3 Gender and Child Protection Branch

15.3.1 The BPS officials 2025 noted:

'… in April 2021, the Gender and Child Protection Branch [GCPB] was established as a strategic initiative towards efficient and effective tackling of [GBV] … crimes. The mandate of the branch is to provide investigative support in cases of GBV and crimes involving children in all environments they are in, including offences which are facilitated by the use of the Internet. The formation of this branch was necessitated by a number of factors, such as the prevalence of GBV-related offences and also compliance with international and regional instruments and protocols … Furthermore, recommendations from various studies and reports … and the 2004 CRC reports placed a demand on the police for specialised and focused services, specifically tailored on GBV victims and vulnerable groups such as children. Since its inception, the branch has been working progressively towards improving response and handling of GBV cases, integration of child-friendly policing concepts to our processes, strengthening partnerships for a seamless and comprehensive service, improving the experience of victims on reporting cases and ensuring that police officers are equipped with the necessary training to respond to GBV and all crimes against children.'[226]

15.3.2 The BPS officials 2025 noted: 'The Gender and Child Protection Branch has officers across all the 84 police stations in the country.' They added that 'there are more female than male officers deployed in the GCPB, to deal with such issues surrounding cases of GBV.'[227]

15.3.3 The BPS officials 2025 also noted:

[223] BPS, HO interview, 11 July 2025, Annex U
[224] BPS, HO interview, 11 July 2025, Annex U
[225] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[226] BPS, HO interview, 11 July 2025, Annex U
[227] BPS, HO interview, 11 July 2025, Annex U

'… after the establishment of the branch itself. We have seen improved access to services. We have the GBV toll-free number [0800 600 144] where victims can call from the comfort of their homes at any time. We also have created safer spaces for reporting. Furthermore, we make case follow-ups from social media platforms. There['s] … also the integration and child-friendly policing concept. The BPS established victim- and child-friendly spaces as a measure to eliminate disparities in accessing of justice for all victims, including key populations and those in vulnerable situations. We have 8 child-friendly centres across the country. These centres were developed to strengthen child-friendly and age-sensitive procedures for children in contact with the law. The objective of establishing these facilities was to create a justice system which is more aligned with children's specific and development needs and to facilitate child participation. This is a step in the right direction to attain improved access to justice. The BPS has also developed a set of guiding principles aimed at ensuring that officers are committed to integrating GBV into their work and are adequately skilled to do so. We have also developed the standard operating procedures [SOPs] for the reception, interviewing and referral of cases involving children at police stations. These are the tools that deal with GBV and child-related cases to ensure that interventions are well-coordinated, comprehensive and synchronised.'[228]

15.3.4 The BPS officials 2025 explained that GCPB staff 'receive, investigate and provide referrals [of GBV cases from healthcare or social workers], and look at the safety measures that are needed for the victims, like shelters in cases where you can't take the victim back to the same environment that they come from … officers are from different professional backgrounds such as social work, psychology, investigations, early child development, counselling, etc.'[229]

15.3.5 The BPS officials 2025 confirmed that GCPB officers operate the standard operational procedures and train other officers in handling GBV cases. 'GCPB is responsible for cascading all of its training, all the specific techniques that are needed to attend to GBV cases, to all police officers, so that at any point in time when somebody comes with an issue, they'll be attended to.'[230]

15.3.6 The International diplomatic source 1 – 2025 noted:

'… the police have established the Gender and Child Protection Unit; this is a department that's mandated to deal with GBV cases and issues of child abuse. The unit was established in 2021 - it was a big thing. The president announced it as a way for them to deal with issues of domestic violence. They train every police officer [on handling GBV cases] because you'll find that a police officer or some of them will be first responders. They'll sit at the reception desk. So, they make sure that they train that one, they make sure they train the sergeant, the station commander. And from what we understand, since we've been supporting them with this work, they've incorporated that within the police college curriculum. Every new police officer that comes into the force is trained on how to deal with GBV and child abuse … [the official] did not know how many police officers are in the unit,

[228] BPS, HO interview, 11 July 2025, Annex U
[229] BPS, HO interview, 11 July 2025, Annex U
[230] BPS, HO interview, 11 July 2025, Annex U

but they're around the country … [the official] did not think every single police [officer] has been trained so far. But there's been efforts to incorporate it into the retraining of police officers who are already in service and then training of the new ones as well.'[231]

15.3.7 The UNFPA official 2025 commented that it was too early to tell if the GCPU was effective, noting:

'… It's a relatively new unit, which is a step in the right direction towards recognising that we have a problem that needs a specific response, but it's still too new. It's not even countrywide ... some police stations … have specific GBV units, with resources, with training, police officers and cars and everything to respond to cases like that. So, it's still too new to see the impact, but we see the effort, one of them being that at least nowadays where such units are in these police stations when a woman comes to report, we've seen a difference in the way the case is handled. Initially, we'd come in and somebody would be shouting, "How can we help you?" But this thing has had a positive change even just in the way the reporting is being handled. The big question is beyond the reporting because you have the report and then you do an investigation and then the person goes to court … We now have the police saying they've done their job; they've investigated and handed [over] the evidence [to the Directorate of Public Prosecutions and the courts]. But then the magistrate is saying to grant bail or not – the loopholes – or if there's insufficient evidence, they'll still have to investigate better. Those are some of the challenges.'[232]

15.3.8 The UNFPA official 2025 also noted:

'The GBV [unit] in the police station is under the police. They are in charge of GBV cases reported at the Police station. They are provided with specific training to handle GBV cases. The training is done as part of their police training, but then we also have specialised training where different organisations come and train them and so forth. Just a few weeks ago we had a session with the traditional leaders we are collaborating with, the [Directorate] of Public Prosecutions and the police. So, they'll have that as part of their pre-service training and then have specialised training specifically [provided by] that unit, but not necessarily [given] by the unit. I think the unit mainly does service provision [handling GBV cases] within police stations.'[233]

15.3.9 The BGBVC managers 2025 noted:

'[The police] have about 8 child-friendly police stations, or child-friendly centres, which are trying to facilitate children to go [to the police]. Whether that's working is another story, but they have developed those, they have created those in 8 districts so far, in collaboration with UNICEF. In Gaborone, at least, we do refer to them if we have cases of children, and they also refer cases to us … that BGBVC has a good relationship with the child friendly centre[s] and the police in general in Gaborone. They are usually responsive when we call for them.

'… the branch is responsible for GBV cases plus children. In the past, the

[231] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[232] UNFPA, HO interview, 8 July 2025, Annex D
[233] UNFPA, HO interview, 8 July 2025, Annex D

reporting system was stigmatising. There were issues of confidentiality in receiving cases, which deterred people from taking action. Now they've allowed for confidentiality, and that's one of the reasons GBV cases are now not reported in the normal setting of the police station. The 8 branches have a separate space for GBV cases. They mostly hire psychologists, social workers and those who are trained to provide counselling as well. So, they're not just dealing with cases; they can also provide counselling. [The BGBVC managers confirmed a lone woman could go to the child-friendly centres as well as children] … [and were aware of centres in] Kasane, Ghanzi, Francistown and Gaborone.'[234]

15.3.10 The BGBVC managers 2025 commenting on the impact of the GCPB noted:

'… the feedback they got from people is that, particularly generally on the police around GBV, there's still a lot to be done. What the police have now done is that at the police college itself they have a module where they are trying to teach the police about GBV and sensitive reporting and such things. But BGBVC still gets people that come and say they went to the police, but they weren't assisted or that this and that happened. [The police] should actually be sensitive and have a clear understanding of GBV. Recently, the police also attended online training on working with perpetrators [of GBV]. They attended in large numbers.'[235]

15.3.11 The LB representatives 2025 agreed with the UKHO FFM that there was more reporting of GBV cases to the police. On whether this increased reporting indicated that the police had improved their handling of GBV cases, the representatives noted '… that the improvement had resulted from the creation of the GBV unit, so that the people dealing with these cases are trained and know how to improve them ... [The police] are not yet at a place where they are sufficient, but they are at a place where they can handle cases and make referrals.'[236]

15.3.12 The BGBVC managers 2025 noted:

'… the police have the gender units for children, and then in the police stations, they have what they call gender desk officers or gender-focal persons. If that gender-focal person is not there, that means any other police [officer will deal with the matter]. In the Domestic Violence Act there are provisions [to the effect that] when someone comes into report [a GBV case], they cannot be assisted in the community service centre [of the police station]. But a lot of people just come in and [report in front of everyone], and no effort is made [to provide a private space] … that there's a lot that compromises the safety and the security of people who are experiencing GBV, coupled with the attitude of the community.'[237]

15.3.13 The WAR executive director 2025 commenting on the GCPB noted:

'… it's a very good initiative, something that, if they had resources, would work. But what we see now is, like the one in Maun specifically, they only deal with children. It's their children's unit, it's not gender-based violence. We still go to the main police office. There's a child-friendly unit. Only that is

[234] BGBVC, HO interview, 10 July 2025, Annex H
[235] BGBVC, HO interview, 10 July 2025, Annex H
[236] LB representatives, HO interview, 14 July 2025, Annex J
[237] BGBVC, HO interview, 10 July 2025, Annex H

separate from the main place, separate from the main police station. So, from that [perspective] of looking after children, it's fine. There's GBV-specific [support] at the police station; you still have to queue. I take people, then I have to sit and wait while they are attending other issues … [the police] say [they have specially trained officers], yes. Specially trained officers are probably there … GBV is now part of … [the police training] curriculum … [the police station in Maun] do[es] have private rooms because GBV is attended by CID, the Criminal Investigation Department. Those CID officers are the ones who work on GBV … [but] when you go to the police anytime, you'll be handled by the police or any police officer. The CID work during the day, but after hours, any police officer would be there to help. Officers in the special unit are there, they are trained, but they do other things as well. They're in the CID, criminal investigation. So, they're part of that system, and they only work during the day. If I go to the police after hours, I will be assisted by the person who's there, not – or not necessarily – a GBV person … [but a woman would regardless of who was working be taken into a private room].'[238]

15.3.14 The WAR executive director 2025 also acknowledged the police had improved. '[T]here had been more training, more interaction with WAR and more interaction from government as well. Setting up the Gender and Child Protection Unit [in Maun] had helped, even though they're still working on children, not everyone. But at least it's something that's there. There's intent.'[239]

15.3.15 The MWT representatives 2025 noted that the GCPB, set up around April 2025 in Maun, makes a difference. Women 'are free to speak, [previously] when people coming and going [a woman] would not be able to express themselves [at a police station]. When indoors [in private] a woman is able to say anything. It's safe, definitely it's good.'[240]

15.3.16 The BONELA representatives 2025 noted:

'… what the police have done, which is innovative, it just needs to be scaled up, is create gender desks in police stations [the GCPB]. These help in terms of expediting access to justice for victims and in terms of dealing with cases from a gender lens, which is critical. Unfortunately, not every police station has these desks, but it's long overdue that each police station should have such a desk … when we know there is a gender desk [at a police station] we report cases directly to them and it makes life very easy. The officers don't take GBV issues lightly. They act on the cases fast, more so than other police officers.'[241]

15.3.17 The UKHO FFM observed that the police had said cases would he handled sympathetically, that if an officer from GCPB was not present other police trained to handled GBV cases are, and a woman would be offered a private space to report an incident. The LB representatives 2025 noted there are '… some survivors of violence who will testify to that. But the majority of them would say that is not how it is. The improvement is not the standard way. But

[238] WAR executive director, HO interview, 14 July 2025, Annex K
[239] WAR executive director, HO interview, 14 July 2025, Annex K
[240] MWT representatives, HO interview, 14 July 2025, Annex O
[241] BONELA, HO interview, 16 July 2025, Annex R

the police are doing their best with GBV cases.'[242]

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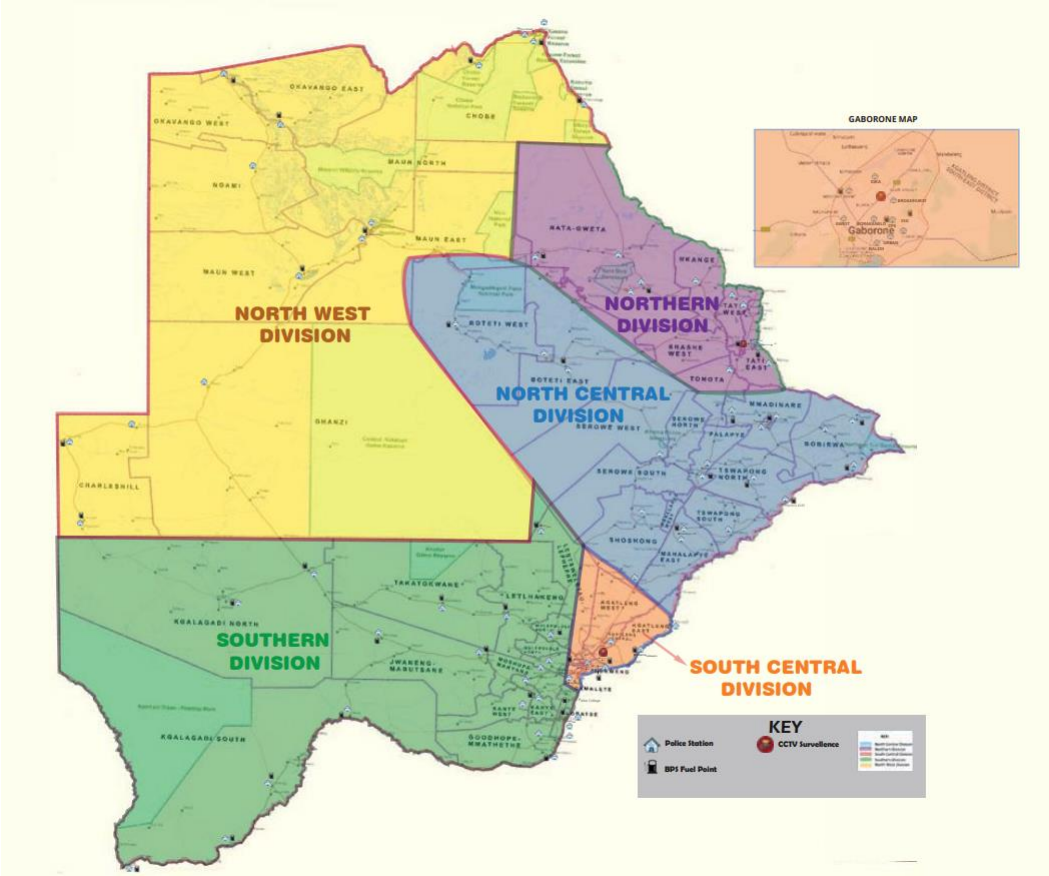
15.4 Access to the police

15.4.1 The BPS annual report 2024 provided a map showing the police divisions and police stations across the country:



[243]

15.4.2 An undated entry on the BPS website lists the districts, the police stations in those districts and the addresses of the police stations[244].

15.4.3 The police operate:

- a general emergency telephone line – 999[245]
- a toll-free telephone line for GBV cases – 0800 600 144[246]

15.4.4 The BPS officers 2025 noted 'accessibility to police services is quite good in Botswana. Even the smallest villages would have access to at least a Police Post … even in posts, they try as much as possible to have the representation of both female and male officers … there are also customary courts, and that at every customary court, there's a police office. Customary courts are in almost every village.'[247]

15.4.5 The UNFPA official 2025 considered,

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[242] LB representatives, HO interview, 14 July 2025, Annex J
[243] BPS, 2024 Annual Report (page 7), no date
[244] BPS website, About us, no date
[245] OSAC, Botswana Country Security Report, 4 April 2025
[246] Guardian Sun, GBV red zones, 15 January 2025
[247] BPS, HO interview, 11 July 2025, Annex U

'… it would be relatively easy [to contact the police]. You can pick up the phone and call. But the question would be whether they'd be there when you needed them, because sometimes you call in the middle of the night – a woman has been beaten, or sometimes you even call as a neighbour when a woman has been beaten next door, or your colleague – but the police tell you to come back [later], right now they don't have a car. So, the reporting part is easy; you just call 999 or you can physically go to the police station. The response is a different matter.'[248]

15.4.6 The WAR executive director 2025 agreed with the UKHO FFM observation that in a rural area, a police station might be small, people know each other, but in a city, there may be younger police who are better trained and the person is not part of the local community meaning more access to justice. The director added 'that greater accessibility in the cities even included access to information – just knowing where you can go, who can help you.'[249]

15.4.7 The FE officials 2025 also considered it was 'probably hard, but did not know, for women in a rural area as there is less infrastructure to go to a police station but assume [this is the case]. The women on our projects, for instance, had difficulties in going to a place as there's no transport and it was hard for them to move around the city. This would be an obstacle when trying to reach out for help. Economic means are very dire - complicated. There is a lot of poverty in the villages.'[250]

15.4.8 The International diplomatic source 1 – 2025 indicated that

'Women feel more able to seek assistance from the police than a few years ago, but stated: 'it's relative. Depends on which part of the country. [Think it is better] in more urban areas, the police are much more proactive in terms of encouraging women to consult them. Whereas in rural areas, I think they would be much more hesitant because they are in smaller communities. If you go to a police officer, they most likely know you or your family… The first avenue would probably be the village chief, because they also play a role in mediation of family conflicts in most instances. Actually, people would prefer to go to the chief than the police because the chief would just be mediation. There's no punishment.'[251]

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15.5 Directorate of Public Prosecution

15.5.1 The GOROB website in undated entry noted:

'The Directorate of Public Prosecutions is headed by the Director of Public Prosecutions appointed in terms of Section 51A of the Constitution. Our primary mandate is the prosecution of criminal cases before all courts of the land, criminal applications and appeals arising from criminal litigation.

'The Directorate operates from the main office in Gaborone and also has satellite offices in Francistown, Maun, Palapye, Lobatse and Selibe Phikwe.

[248] UNFPA official, HO interview, 8 July 2025, Annex D
[249] WAR executive director, HO interview, 14 July 2025, Annex K
[250] FE officials, HO interview, 10 July 2025, Annex L
[251] International diplomatic source 1, HO interview, 7 July 2025, Annex B

'Primary Statutes – The primary penal statutes used by the Directorate in criminal prosecution are the Penal Code, Criminal Procedure and Evidence Act which gives guidance on general matters of procedure in criminal litigation. However, the prosecutorial mandate extends broadly to all such other legislation except where statute provides for trial by court martial. In executing his/her mandate, the Director is constitutionally obligated to consult with the Attorney General on matters considered by the latter to be of national importance.'[252]

15.5.2 However, the Botswana Guardian Sun, a Botswanan newspaper, in an article dated 7 February 2025 noted:

'The Office of the Director of Public Prosecution (DPP) continues the process of taking over the prosecutorial functions from the Botswana Police Service as directed by Presidential Directive of 2006 … since the inception of the project, the DPP has extended its offices to Maun, Selibe Phikwe, Palapye, Kasane and Tsabong.

'[However, the Attorney General Mmako Abram said] … we still need to have [DPP] footprints in other parts of the country and as a result require more resources to do so … We have however, noticed that the project has brought about additional workload as it uses the existing resources … In this connection, we have been discussing this with the Minister as well as Permanent Secretary in the Ministry of Justice and Correctional Services and have agreed to request Cabinet that we put the Project on hold until it is properly resourced" …

'[The Attorney General] … pointed out that the provision of IT equipment and access to reliable internet facilities is essential for purposes of research when officers within the justice ecosystem carry out their respective mandates, be it investigation, prosecution or adjudication … revealing that the DPP has been engaged … in the process of digitising its processes. Abram said as a primary step, the electronic Case Management System has been rolled out to all DPP offices for utilisation.'[253]

15.5.3 An article in Botswana youth, a Botswanan online magazine, dated 2 April 2025 noted '… the Director of Public Prosecutions, Ms. Nomsa Moatswi, acknowledged the challenges faced by the DPP, including case withdrawals, victims' reluctance to report, and failure to follow court procedures. To address these issues, she noted that a strict policy has been implemented, preventing the withdrawal of certain cases, including GBV-related matters, without the complainant's written consent.'[254]

15.5.4 The BPS officers 2025 noted 'police officers take cases to the customary courts. In [the] higher courts, [the] Director of Public Prosecutions (DPP) takes charge. A police officer may be delegated responsibility to prosecute at Magistrate's Court by DPP.'[255]

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15.6 Effectiveness

[252] GOROB, Attorney General's Chambers, no date
[253] Guardian Sun, DPP takeover of prosecution functions put on hold, 7 February 2025
[254] Botswana youth, Botswana Police and DPP Launch GBV …', 2 April 2025
[255] BPS, HO interview, 11 July 2025, Annex U

15.6.1 The OSAC report 2025 stated:

'The police are well-intentioned and active in their efforts to prevent and combat crime. However, personnel and resource shortages limit operational effectiveness. Vehicle and foot patrols in residential and commercial areas are infrequent. Mobile response capability is limited ...

'The Botswana Police is [sic] responsive to emergency calls, but response time to the scene of the incident is slow compared to the United States. In response to shortfalls, there are community policing programs in many neighbourhoods in Gaborone and other major cities such as Maun and Francistown. Community Policing programs have been effective at deterring criminal elements when there is active support of private citizens, who report crimes through social media platforms, the Botswana Police Service monitor. The Botswana Police Service also uses CCTV to monitor neighbourhoods and major intersections through a program called the "Safe City Project." The government has installed more than 500 surveillance cameras in Gaborone and Francistown to supplement police services. The program is effective, and the Government of Botswana has called for additional surveillance cameras to be installed.'[256]

15.6.2 The International diplomatic source 1 – 2025 noted when asked by the UKHO if the police would intervene in a GBV case:

'[The police will] … take a sworn statement from the victim, and then they'll open a case, investigate the perpetrator, and they'll ask the victim, "Do you want to press charges?" Then if they say yes, then they'll press charges, they'll detain them, and the perpetrator will have to wait for a date to see the magistrate. And if they want to apply for bail, they'll apply for bail. Then they'll wait for a court date and the trial will start. Sometimes, especially if it's married people or long-term partners, the woman will drop the charges or the family will intervene and say, "We'll deal with this at a family level", and then they'll drop the charges. But yes, if the prosecutor tried, they'll get the punishment (usually a fine if found guilty).'[257]

15.6.3 The International diplomatic source 2 – 2025 noted

'… [the police] are active in implementing the law but there is a gap in terms of their capacity and their ability to intervene, a lot to be learned. There's some training in police stations to allow them to handle GBV cases, but they do interviews in an open space … it was police structures that perhaps are not equipped enough to handle sensitive matters in a proper way. If the police do not [handle these cases sensitively] this might disincentivise victims from approaching law enforcement.'[258]

15.6.4 The International diplomatic source 2 – 2025 considered that the police were willing to assist but

'… recounted how [they] … had asked the police about GBV during the field trip and that most of them had said sometimes it was OK to understand where the man, the perpetrator, was coming from, and that because most GBV related to infidelity, they felt it was justified. There's still a lot of unlearning to be done so that the police don't have bias in situations like that.

[256] OSAC, Botswana Country Security Report, 4 April 2025
[257] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[258] International diplomatic source 2, HO interview, 8 July 2025, Annex C

They tend to personalise it, thinking “if I was in this situation and I found that my partner was cheating and the child raised wasn't mine, I don't blame the guy for doing that”. So, because that's already a mentality that exists it is problematic in terms of whether or not they can sufficiently help a victim if they come reporting and access these services. ‘[259]

15.6.5 The UNFPA official 2025 considered:

‘… there are a lot of [loopholes in protection] … Just recently, about 2 to 3 weeks ago, we had a woman murdered at the University of Botswana [UB] in broad daylight at work. She had a restraining order against [the perpetrator]. Half the time, when a woman has a restraining order, no one knows about it. There are no first responders or anything to [step in to protect] her if the person who is subject to the restraining order violates it by approaching her. So, there are loopholes in the protection system.

‘[The FFM team queried of the UB case was a single example or representative of other women’s experiences] … it is very common, particularly with repeat offenders. People on bail, people with restraining orders are very common. That's why currently there's a bit of an uproar around bail. People feel like people perpetrate violence, they go to court, they are given bail, they come back, and they commit the same crime – or even worse, to the point of killing – because they're out on bail. We have repeat offenders who've been out on bail multiple times.… The first weakness is the investigation part because judges rely on the evidence presented before them. [The decision whether] to grant or refuse bail is dependent on what evidence they are dealing with. The second [weakness] is the protection mechanism, for instance, [implementation in the case of bail and restraining orders]. While the law can guarantee somebody whose life is under threat protection by means of a restraining order, the implementation of that is a problem because it seems like it's just a piece of paper that somebody's carrying around and enforcement is a big problem in terms of protection.’[260]

15.6.6 The UNFPA official 2025 added that the police

‘… have power in theory, on paper [to provide protection]. When people see the police, when I’m walking around at midnight and I see the police, I might get a sense that the police are here for protection. We have the police arresting somebody who is perpetrating violence. They do investigations and so forth. The whole process will go to a point where there’s a woman being given a restraining order. One then wonders where the police come in to make sure that that restraining order is enforced. Can a woman just call and say that the person I have a restraining order against is violating it, they’re following me or they’re in my vicinity? Half the time, the police are challenged – “We don’t have a car, we don’t have resources.” So, they may have the power, but are also limitations, particularly in terms of resources and other things.

‘… [the official] couldn’t confidently say [the police] have the willingness [to provide protection]. If you call to report, you get multiple interrogations [questions by the police] and things like that. One’s life is under threat [from the perpetrator] … therefore not sure about the willingness [of the police to

[259] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[260] UNFPA official, HO interview, 8 July 2025, Annex D

provide protection]. Maybe some [police officers are willing], but not all … they weren't all on the same page.'[261]

15.6.7 The FAB representatives 2025 also noted in regard to the police's approach to GBV cases:

'… there is an underreaction to the approach to abuse that often leads to either rape and/or murder by a partner. For example, if you say to the police, "I fought with my man or somebody on the street and they said they would kill me," they tend to underreact to that, or if you fought and it was almost physical, they'll tell you, "Go and talk it out." People don't just wake up and kill somebody; there's usually a lead-up to it, especially where intimate partners are concerned. But because the police tend to underreact to the lead-up, it begs the question again of just how effective is the training that they are getting? If I left my house to come and tell you somebody said to me, 'I will kill you,' you must take that seriously. There's a reason why I thought I'd report it.

'[Asked if it was a weakness in their training or investigatory processes the representatives agreed] … and that it's personal, cultural. Even cat-calling is normalised, when you're walking down the street. [Men] don't usually go as far as to grab you, which apparently happens in some countries, but just somebody saying unsavoury words as you walk by as an indicator that they could gain access to you without your permission, in the form of rape.'[262]

15.6.8 The MOJCS officials 2025 commented on the University of Botswana murder and when asked by the UKHO FFM team if it was representative of other cases noted:

'… thought it was subjective, also gave an example of a case of a female police officer who was stabbed by her partner outside of the police station. These cases are shocking and there has public discussion on how to make sure these don't happen again. But although not the first of its kind [this type of violence] is not prevalent. So, [this will be achieved] through the GBV bill [see Gender-specific legislation above], continuing with the death penalty [to act as deterrence] but there is a need to find the root cause. Even if [electronic] tags were used for restraining orders, if the woman is out at the mall or at work it will not be possible for the police to monitor these situations. As the president noted, it is not possible to monitor people in their home. Laws need to be made to work but there is also a need to change peoples' mindsets.'[263]

15.6.9 The FAB representatives 2025 noted the University of Botswana case of June 2025 referred above:

'… brought to the fore the weaknesses in both the judicial system and the police investigating system. If I commit a crime in Gaborone and I leave Gaborone with the case being opened against me and I've been charged in the magistrates' court here [in Gaborone] and then I go to Francistown and I commit a similar offence or a different offence, the police and the magistrates' courts in Francistown will not be able to pick that up because our systems operate in siloes. There is a lack of connectivity or systems that

[261] UNFPA official, HO interview, 8 July 2025, Annex D
[262] FAB representatives, HO interview, 9 July 2025, Annex E
[263] MOJCS, HO interview, 9 July 2025, Annex F

support magistrates courts, the DPP [Directorate of Public Prosecutions] which is the prosecuting arm [of the state criminal justice system], and the investigating unit of the Botswana Police Service. So in this instance, the restraining order … was obtained in Mochudi, which is outside of Gaborone, but not far. When systems don't speak to each other, there's no way of knowing that this person has a restraining order against them or has been accused of a similar offence. It is something that the Administration of Justice [the judiciary] has spoken about and the police service has thought about, but they need to meet to develop a system that would then allow them to interlink with each police department.'[264]

15.6.10 The FAB representatives 2025 also noted that there was

'… [a lack of a national database of reported crimes] … it's also a resource issue, because [the police's] resources are limited … although … the police are being trained, when you speak to individual station commanders of various police stations, they will tell you that it's very difficult to manage the resources. Transfers of police officers are not done by them, so you'll find that, [for example], in 2023, you have 10 police officers who were trained in GBV and gender mainstreaming, etc, and then in 2025, 10 of them are transferred to different units and your staff complement is not replaced with people who've undergone the training, so there's a lack of continuity in education of police officers and judicial officers.'[265]

15.6.11 The FAB representatives 2025 also had the view '… a GBV survivor … [is] often not protected from intimidation by the perpetrator and his family, which is a situation that one of their colleagues had faced. Even … the lawyer, was being harassed by the perpetrator and his family, and there was no protection.' One agreed that there was no witness protection system[266].

15.6.12 The LAB CEO 2025, in response to the UKHO FFM team observation that some sources had told them that the police's investigatory processes could be improved, agreed this was the case:

'This observation was also made by one police officer at a certain conference, that not only in matters of GBV but in a lot of cases where the investigation is prosecutor led, the police are more likely to know what evidence to collect and how to collect it properly to ensure that the prosecution is successful … the police prosecute in the name of the DPP [Director of Public Prosecutions] or on behalf of the state … – a legacy situation. There was a project previously for the DPP to take over all prosecution to provide quality prosecution and ensure things were done in the best interests of the judicial system … However, there were obstacles. The police have a footprint in every corner of the country, and in most areas there's a magistrate. But there will not be a DPP [office in all areas] because the DPP was predominantly in the big cities and towns. Expanding in order to take over the function of prosecuting means you need a presence there. When you've been detaining someone and 48 hours elapses, a DPP representative ought to be there to go to court about the person's detention, and there were just not enough lawyers to do that. There was not enough budget to hire that many lawyers. They had to amend the scope of the

[264] FAB representatives, HO interview, 9 July 2025, Annex E
[265] FAB representatives, HO interview, 9 July 2025, Annex E
[266] FAB representatives, HO interview, 9 July 2025, Annex E

project of taking over prosecution from the police, so the police are still prosecuting and the DPP is prosecuting in areas where it has a footprint and resources.'[267]

15.6.13 The LAB CEO 2025 in reference to whether a victim of GBV in Gaborone would be assigned a lawyer from the DPP explained:

'… they would not: a GBV case will have aspects of civil law and aspects of criminal law, so where the matter is under the DVA the DPP would not be involved and an entity such as LAB or certain NGOs, if approached by the victim, might represent them to access remedies under the DVA. But if somebody has been physically harmed criminal law would come to play and the DPP would be involved to represent the State in prosecuting the accused and where allowed by its precepts, LAB might represent such an accused person. Cases must be disposed quickly otherwise there is a negative impact on the victim, having to relive their experience over a protracted period of time and their healing process disrupted.'[268]

15.6.14 The BGBVC managers 2025 noted '… what they know is that the whole criminal justice system needs to do better. It's not just the police, because it starts with the police, but it goes to the Directorate of Public Prosecutions (DPP), it goes to the courts and then the prisons, because prisons have a different role. For them, it's when somebody has already been convicted, or when someone is waiting to go for trial.'[269]

15.6.15 The BGBVC managers 2025 also noted

'…as regards safety, there is an issue they are trying to address: it's confrontation, which is traumatic to survivors… They're trying to improve it for the children to not have it face to face… But for adult survivors and victims, there's still confrontation in front of the police. It's complicated because the police say if they don't do that, they won't have heard the other side of the story in the presence of the other person. But the other person who is being asked to come and confront [the alleged perpetrator] is obviously already traumatised. How are they going find courage in the presence of [the perpetrator]?[270]

15.6.16 However, the Love Botswana representatives acknowledged they did not have statistics for the GBV cases generally. LB had assisted 213 cases between January and March 2025 of which 13 involved some form of GBV. The representatives added that 'the problem with the numbers is that most of them [GBV victims] come and then they don't go to the police station, so it's hard for us to track them. But the previous quarter [October to December 2024?], we had 18, so it's dropped … [The cases handled were … through self-referrals; [people] come to [LB's] offices. LB hasn't had agency referrals. Most of them are just members of the community or self-referrals.'[271]

15.6.17 The Love Botswana representatives 2025 also noted, referring to the GCPB over the previous 3 to 4 months, that the police have '… tried to mediate [in GBV cases] because they've been very prepared in mediation. But with the recent outcomes [the police have] … seen with GBV, the danger that women

[267] LAB, HO interview, 8 July 2025, Annex G
[268] LAB, HO interview, 8 July 2025, Annex G
[269] BGBVC, HO interview, 10 July 2025, Annex H
[270] BGBVC, HO interview, 10 July 2025, Annex H
[271] LB representatives, HO interview, 14 July 2025, Annex J

are facing, they've come from mediation to questioning whether what they typically do in this situation is working, and they've tried to move more towards action.' The representatives 'thought [the GCPB] … was making a difference but very slowly because the culture has already been instilled around GBV. [The change] is not immediate even once the laws are in place.'[272]

15.6.18 The LB representatives 2025 also thought

'… things were improving in terms of legislation, but that the impact is not there. Even cases that are reported, that are legitimate, will stay [in the criminal justice system] for a very long time without being judged. There are a lot of loopholes within the system itself. If there are 10 cases of rape, only one case will have been tried in 3 months and the other cases will still be under investigation or information will still be missing. The system is there, but because this system is not utilised fully … whether this is because of the people that are dealing with the system or the community that utilise the system – there are a lot of gaps within the system itself. Even when legitimate cases are admitted to the system, the system is just not dealing with them to bring out the result.'[273]

15.6.19 The LB representatives 2025 in comparing the effectiveness of the criminal justice system in handling criminal cases generally and GBV cases specifically, considered

'… less time and effort goes into GBV. Compared to common murder cases or theft, she thought GBV had less priority, although more of a spotlight had been shone on it now … explaining that with cases of GBV, the justice system is not responding as it should. In Maun, there is only the High Court, and it's not handling most of the cases. There is a massive crisis, and the justice system is just not that responsive. For some time, they [the government] have wanted to improve the justice system. There were mobile courts, but they weren't really the answer … confirmed that there are [mobile courts] but explained that [they] … had never experienced one ...'[274]

15.6.20 The LB representatives 2025 considered that there was more reporting of GBV incidents to the police than in the past, noting 'that the improvement [in handling cases] had resulted from the creation of the GBV unit, so that the people dealing with these cases are trained and know how to improve them. They are not yet at a place where they are sufficient, but they are at a place where they can handle cases and make referrals [to healthcare and social services].'[275]

15.6.21 On how the police handled GBV cases, including if a woman who had experienced GBV could report this in a private room, at the police station in Maun the LB representatives 2025 noted 'it is still a challenge in that regard because … the [GCPB] … is outside the police station, some distance away. It's not always that you will find an appropriate person from the GBV unit in the main police station, only in their satellite office. When you go to the main police, what you will find are just general police and they may still investigate in front of everyone … people come [to the main police station] without

[272] LB representatives, HO interview, 14 July 2025, Annex J
[273] LB representatives, HO interview, 14 July 2025, Annex J
[274] LB representatives, HO interview, 14 July 2025, Annex J
[275] LB representatives, HO interview, 14 July 2025, Annex J

knowing about the [GBV] unit.'[276]

15.6.22 The LB representatives 2025 added '… when you go to the police, you find nice GBV billboards [outside the police station explaining how cases will be processed]. But the system itself within [the station], when you go there with a GBV case, is not quite a scandal but is nowhere near the way it should be even at a district level.'[277]

15.6.23 In response to the UKHO FFM's summary that the police had shown some willingness to provide protection and there was a general government willingness to make things better, but implementation could be better, the WAR executive director 2025 'confirmed that yes, it could be better.'[278] The WAR executive director went on to describe the negative impact of tradition on the ability of the police to provide protection.

15.6.24 The FE officials 2025 noted 'that women can report [incidents of GBV] to the police, but they were not separated [from the perpetrator or other people in the police station] when disclosing information about what happened to them. This does not encourage them to report if they cannot ensure safety and privacy.'[279]

15.6.25 The MWT representatives 2025 noted 'normally if a woman is sexually molested/harassed/beaten, they go to the police who take them to the shelter [in Maun].' The representatives further noted the police 'do protect [women] but they do not have enough resources, to go to rural areas. If ask, they may come after 2 hours or say they do not have a car by which time the incident has happened … [a woman] would be treated fairly [at a police station] although did not know that much [about this]. Had not come across any woman who said that [they had not been treated fairly] but it takes forever to solve [cases].'[280]

15.6.26 The MWT representatives 2025 commented on the experiences of women. 'It depends on the type of … police officer [they report their case to]. Some are willing to help but others might [blame the woman], saying she [spent the perpetrator's money on alcohol]. Most of the cases where women are killed, they reported to the police once or twice. The police don't follow up or question the perpetrator but let him go free.'[281]

15.6.27 The BBL representatives 2025 noted 'the police have youth-friendly, child-friendly policies. BBL don't refer them to the main police; they take them to a special police station … the police there wear ordinary clothes, and there are TVs … [There are] about 4 [police officers].' The child friendly police station is not open 24hours a day but 'BBL work with WAR [Women Against Rape]. If there's a case that requires urgent attention, they refer it to WAR, and WAR refers it to the police in the morning, or you can refer it to the main police.'[282]

15.6.28 The LEGABIBO representatives 2025 agreed with the statement put them that 'there are quite strong anti-GBV laws to protect women, but

[276] LB representatives, HO interview, 14 July 2025, Annex J
[277] LB representatives, HO interview, 14 July 2025, Annex J
[278] WAR executive director, HO interview, 14 July 2025, Annex K
[279] FE officials, HO interview, 10 July 2025, Annex L
[280] MWT representatives, HO interview, 14 July 2025, Annex O
[281] MWT representatives, HO interview, 14 July 2025, Annex O
[282] BBL representatives, HO interview, 14 July 2025, Annex P

implementation is the problem'[283].

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15.7 Implementation of protection orders

15.7.1 See Protection orders above for information on their legal basis and the different types of orders including restraining orders.

15.7.2 The International diplomatic source 1 – 2025 noted that women can get restraining orders '… but recently we found that the police are not very effective at enforcing restraining orders. I think 2 or 3 weeks ago there was an unfortunate incident [at the University of Botswana where a female employee was murdered by her former partner] where this woman got a restraining order against her partner, and a few days later, the man followed her to work at the university [of Botswana] and stabbed her in open space … Not a lot of people take out restraining orders. That's when the case has escalated …'[284]

15.7.3 The UKHO FFM observed that the University of Botswana case of June 2025 referred to by the official may not be representative of all cases. The International diplomatic source 1 – 2025 noted 'Yes, true. But the magistrate who presided over the case was quite vocal in criticising the police about how they let the deceased woman down … Well, I don't think [the case referred above reveals how effective the police are] … that would be unfair on the police. I don't think it paints a bad picture of the police. I think the police, of course, do the best that they can to enforce restraining orders and so.' [285]

The FAB representatives 2025 confirmed that the police can arrest people (men) who breach restraining orders, noting 'it does happen and that there have been cases where restraining orders were breached and people were arrested, but that after about 7 days they were released.'[286]

15.7.4 The LAB CEO 2025 noted when asked about the police's willingness to be involved in restraining orders '… she'd got the sense that there had been great improvement in this space over time. Times past, the police used to encourage the parties to resolve the matters between themselves but with the increase of advocacy for women rights and against GBV, with the incidence of GBV increasing over time, particularly during the COVID era, the police responsiveness and treatment/interaction with victims vastly improved …'[287]

15.7.5 The LAB CEO 2025 'explained that the police out of mere practice would then help the person enforce [a restraining order] … although it is not their duty to do so.'[288]

15.7.6 A BPS officials confirmed that the police is not always aware when restraining orders are in place, stating 'we have to realise that the issue of restraining orders is outside the police because the police are not necessarily involved in

[283] LEGABIBO representatives, HO interview, 16 July 2025, Annex S
[284] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[285] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[286] FAB representatives, HO interview, 9 July 2025, Annex E
[287] LAB, HO interview, 8 July 2025, Annex G
[288] LAB, HO interview, 8 July 2025, Annex G

getting the restraining order.'[289]

15.7.7 The MYGA officials 2025 noted: 'The other gap we have identified is that when restraining orders are issued, enforcement can be problematic because [the woman] who has applied for the restraining order is the one who has to sound the alarm when the perpetrator is within her radius. If he [, the perpetrator, approaches] unnoticed, that is dangerous. So we see the need to start using technology and modernising our services for effectiveness.'[290]

15.7.8 The FE officials 2025 commenting on the murder of the woman at the University of Botswana in June 2025 ,

'… thought it [had gained public interest] because the woman had taken [several] measures to protect herself – she had gone to the police, had got a restraining order …had talked about [her concerns] with colleagues, and that it happened inside the university where there's security at the entrance and people around (it's not just a domestic case) – but it still happened. It's a perfect case study of a [woman doing everything she could to protect herself but still being murdered].'[291]

15.7.9 The FE officials 2025, on being asked if they were of similar cases, noted 'there [was the case of the woman murdered] inside BGBVC in 2023. A similar case [to the UofB incident] of a woman reaching out for help from specialists and it happened inside the [woman's] shelter.'[292] This case was also referred to by the BGBVC managers 2025[293] and the WAR executive director 2025[294].

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15.8 Implementation of bail

15.8.1 See also the Bail Act, 2024, for discussion of the changes to the bail process for the introduction of the law.

15.8.2 The UNFPA official 2025 noted:

'… there's a public outcry around the bail system. We have a lot of these repeat offenders out there. Bail is part of the legal system. You can't necessarily deny people bail simply because the public is saying these are repeat offenders. [Courts] say to grant or not grant bail, they consider the evidence that is presented before them, and the facts and merits of the case. In some cases, you hear that the investigators will be saying they're still investigating, and in that case then the magistrate will say they can't keep somebody incarcerated while [the investigations are ongoing] … the fact that there are a lot of perpetrators of GBV, particularly repeat offenders, who are out on bail because the investigations are still ongoing, says a lot. These are some of the things we're observing, but we don't have data from the police or the courts. But if you speak to the police and ask them how many perpetrators of GBV are repeat offenders, how many of them have been granted bail and committed similar or even worse offences while out on bail,

[289] BPS, HO interview, 11 July 2025, Annex U
[290] MYGA, Interview with the HO, 11 July 2025, Annex I
[291] FE officials, HO interview, 10 July 2025, Annex L
[292] FE officials, HO interview, 10 July 2025, Annex L
[293] BGBVC, HO interview, 10 July 2025, Annex H
[294] WAR executive director, HO interview, 14 July 2025, Annex K

[it would be] quite a lot. Even the perpetrator of the [University of Botswana] UB murder [referred above] was out on bail. So, a lot of them are repeat offenders and they commit most of these while they're out on bail.'[295]

15.8.3 The MWT representatives 2025 commented '… sometimes [the government does] fail us. Most women who are killed, they will have reported the case to the police, the perpetrator is arrested but later is released and kills the woman … there are many cases … they knew the women. On that, the government has failed us. Some perpetrators are given bail then [kill a woman]. Some perpetrators kill one person then, after bail, will kill the witness.'[296]

15.8.4 The LAB CEO 2025 noted:

'LAB … assist in getting restraining orders and protection orders and we work closely with NGOs, particularly WAR [Women Against Rape] in Maun. We're actually in the same compound as WAR, leasing one of the offices there, so we get a lot of referrals from them and are singing from the same hymn book in terms of the Maun area … in Gaborone, informally we also work with BONELA, but they deal with the demographic [victims of GBV] within their mandate whether there's indigence [state of poverty] or not. But they will talk about it further on their side and if [an indigent] is coming to them and has an issue that doesn't fall within their focus area – for instance, you are gay, but the issue that you're coming for help for, from BONELA is inheritance which they do not deal with – they will refer such person to us because our focus includes succession and inheritance laws or property issues ... They have their objectives and demographics that they're focused on, so we complement each other.'[297]

15.8.5 The BGBVC managers 2025 noted:

'There are lots of people on bail for murder, and then they commit crimes again. Even when there are restraining orders, they break them. BGBVC knew "a whole lot of cases" where a person hadn't been arrested again for [violating] a restraining order. It's a serious problem and it means that the victims, the survivors, their families are suffering and are not safe at all.

'… [Also] noted that in the case where the woman was murdered at the University of Botswana [in June 2025], one of the things the magistrate said was that the police failed in their duty because the man was subject to a restraining order. He had defiled the woman's daughter years ago. They had withdrawn the case but the woman had a restraining order against him. They had been to court that day, the same day that he murdered her. He followed her afterwards because he was given bail even though there was a restraining order. So cases go through the criminal justice system, but another thing the High Court judge said – and this magistrate also – is that it's very important that when you bring a case [before the court], you bring the history. Where a person has repeatedly committed crimes, it cannot be [just] a single incident … this showed that there is negligence – either negligence or a certain level of ignorance, but she suspected more likely negligence.

[295] UNFPA official, HO interview, 8 July 2025, Annex D
[296] MWT representatives, HO interview, 14 July 2025, Annex O
[297] LAB, HO interview, 8 July 2025, Annex G

'[Asked if this was negligence, the CEO] … confirmed this, noting that the magistrate had been very frustrated – how had the restraining order been missed, and how could we find ourselves granting bail when we shouldn't have, to someone who was already in our system? And then he leaves and goes and commits murder the same day.'[298]

15.8.6 On whether the University of Botswana case was representative of GBV cases generally, the BGBVC managers 2025 noted:

'… it's very recent, and very sensational [but] …it's [not] the only one. The week before, another woman had just been murdered, and that same week, a man had driven a truck into a house and killed a child of his ex-girlfriend. So maybe it's because of the sensitisation around the case, but there are other cases … that BGBVC have their own case of a woman who was murdered here [at BGBVC in Gaborone]. It has not even made its way to court. It happened in May 2023. She was murdered by her husband in our office, our counselling room … he wasn't given bail. He's still in prison. But just a few weeks later, a man murdered his wife and girlfriend, and he was given bail. Security and safety of survivors is a big problem. BGBVC have bars on their windows and there are people where they need to say to their security guard, 'Here's a picture. When this person comes, it's not safe.'[299]

15.8.7 The LB representatives 2025 noted:

'… they had heard [of the Bail act 2024 which had tightened requirements for the release of individuals suspected of committing crimes including GBV] … but that they hadn't seen it at the community level. They hadn't seen the strengthening of the system because the cases are there, the incidents are there. People don't get it at the community level and survivors might not understand why this person isn't being held in jail, but that is the law. The person can't be kept in jail because they haven't been found guilty. As service providers, they are still saying that even though the bail system has been strengthened, it is not actually serving the process.'[300]

15.8.8 The BONELA representatives 2025 noted: 'We also think bail needs to be reconsidered for domestic violence cases - we do not consider bail should be given in domestic violence cases until the state has established there is no risk for victims. We are seeing perpetrators get bail and recommit offences.'[301]

15.8.9 The LEGABIBO representatives 2025 noted 'you can do something [today] and get bailed tomorrow. The bail laws are really lenient to perpetrators. You could kill someone today and then tomorrow you'd be out on bail … the other thing is that laws were being passed [such as the Bail Act 2024] but were not being implemented, so you could have a bail law passed by Parliament but not effectively put into place.'[302]

15.8.10 The BPS officials 2025 acknowledged:

'… the issue of bail is a big concern for all residents of BW. Citizens generally praise the police for arrests in GBV offences however they

[298] BGBVC, HO interview, 10 July 2025, Annex H
[299] BGBVC, HO interview, 10 July 2025, Annex H
[300] LB representatives, HO interview, 14 July 2025, Annex J
[301] BONELA, HO interview, 16 July 2025, Annex R
[302] LEGABIBO representatives, HO interview, 16 July 2025, Annex S

complain that unfortunately following the arrest, the perpetrators are then let out on bail. According to Botswana laws, one is presumed innocent until found guilty in court, hence the reason why bail is given whilst awaiting trial. This unfortunately leads to a lot of reoffending in GBV. The issue is being discussed in many platforms in attempts to find a lasting resolution … the Bail Act 2024 has also narrowed the existing gaps.

'[The criteria for releasing a GBV offender under the Bail Act 2024] … depends on the seriousness of the offence. If it's common assault, normally the police would arrest [the suspect] and detain them for 48 hours, then they'd release them on what's called police bail. For serious offences, they might be held until [the case was heard before a] court. In the past, there used to be that problem of bail being granted. Now there's a new Bail Act, which is [tougher]. It passed last year [2024] … there was no such Act [legislating bail procedures] before.'[303]

15.8.11 The BPS officials 2025 confirmed that the Bail Act 2024 provided clearer guidelines on when to provide bail,

'… they should be followed before the accused can be released. All necessary process should be followed involving the victim and the [police] station commander of the area, and any other person who is involved in the matter should also be involved. [They considered it had had an impact] because the accused in the University of Botswana case has been refused [bail] …[The suspect in that case] continues to be remanded in prison and that stakeholders were called to come and show why he should or should not be bailed, in accordance with the new Bail Act.

'… on paper, as a country, there are lots of efforts to try and fix all these problems. However, in terms of effectiveness in cascading new initiatives such as this one [the use of bail], we have a challenge as a country because of resource limitations. The way the Bail Act is set, we shouldn't really see a lot of people being granted bail.'[304]

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15.9 Arrests and prosecutions

15.9.1 There are no official figures for the number of GBV cases which are arrested or prosecuted in the sources consulted (see Bibliography). The UKHO FFM asked sources in Botswana, including the BPS, for this data but none had been provided at the time of writing (December 2025).

15.9.2 The GOROB ACHPR submission 2023 stated 'The prosecution rate [of GBV cases] improved from 51% in 2021 to 68% in 2022.' However, the submission did not provide the source of the information, what offences fell within the definition of GBV, what was the absolute number of cases prosecuted and through which courts[305].

15.9.3 The USSD HR report 2023 noted: 'Authorities effectively enforced laws against rape when victims pressed charges, although police noted victims often declined to press charges against perpetrators.'[306] However, the FH report 2024 stated without referring to underlying evidence or statistics that

[303] BPS, HO interview, 11 July 2025, Annex U
[304] BPS, HO interview, 11 July 2025, Annex U
[305] GOROB, Republic of Botswana: 4th and 5th Combined … (paragraph 107), September 2023
[306] USSD, HR report 2023 (section 5), April 2024

'Perpetrators are rarely prosecuted.'[307]

15.9.4 The UNFPA official 2025 was not aware of data on arrests or prosecutions[308].

15.9.5 The FAB representatives 2025 referring to the GOROB's representations to the CEDAW in May 2025 '… a man from the Ministry of Justice mention[ed] how a few cases that were reported were successfully prosecuted in terms of abuse, and the number was just appalling. [FAB] … recalled him saying 3 were successful, but there was no context of 3 out of how many.'[309]

15.9.6 The MOJCS officials 2025 stated that GBV cases do not go through the customary courts, noting

'… There is no longer mediation [by the police] because people used to reconcile at the Police stations after which the other party will kill the other, and the Police were blamed for not doing their mandate. Whenever a case is brought to the police, it is investigate[d] and submitted to the Directorate of Public Prosecutions for consideration to prosecute … However, with customary law, the person is not marrying an individual, they are marring the whole family. So, whenever there's a conflict, the family considers it is in the best interests of the parties to mediate. But of course, the couple can make whatever decisions they feel are necessary in the circumstances.'[310]

15.9.7 The MOJCS officials 2025 also noted '… the police are very effective at receiving cases and preparing these for trial but the challenge they face is that sometimes the couple reconciles. There is also the issue of economic livelihoods, especially for women. Sometimes the man is the caregiver and the provider, so a woman has to consider the economic costs/benefits [of pursuing a case]. That's when cases are closed – unfortunately the police cannot force a victim to give evidence.'[311]

15.9.8 The MOJCS officials 2025 also suggested there are social and cultural pressures why a couple might stay together rather than for the victim to press charges:

'… there is still customary law. Parents are guardians of a marriage and often by virtue of customary law the expectation is for the couple to fight for the marriage even in tough situations. Sometimes the man can be the monster, but in spite of that, the couple cannot just walk away. There is also the practice of bogadi - dowry - where a man provides a 'gift' [of cattle, for example, to the wife's family]. So, if there is a marriage breakdown the wife's family has to return the cattle [the gift]. So [there] sometimes [is the expectation] to hold on to the marriage and walk the course even if it's uncomfortable.'[312]

15.9.9 The LB representatives 2025 provided the following views on the BPS' handling of GBV, but this information was anecdotal and not supported by empirical data and statistics:

- The LB representatives 2025 further noted '… that there had been a

[307] FH, 'Freedom in the World 2025 Botswana' (section G), April 2025
[308] UNFPA official, HO interview, 8 July 2025, Annex D
[309] FAB representatives, HO interview, 9 July 2025, Annex E
[310] MOJCS, HO interview, 9 July 2025, Annex F
[311] MOJCS, HO interview, 9 July 2025, Annex F
[312] MOJCS, HO interview, 9 July 2025, Annex F

problem recently – or in fact as an ongoing culture – where the victim would go and report the case, then the police would oversee a meeting between the victim and the perpetrator and say that it was a family matter. Instead of filing a report … [the police] mostly try to resolve it, so it tends to die out before it becomes a case. The rare times when the victim insists that they want to take it further, the perpetrator does get apprehended and there's a trial, and then after a few months they get released on bail or get early release and they go out and perpetrate the same thing. In most cases, this leads to the death of victims.'

- The LB representatives were of the view that 'even if the culprit [who had committed GBV] gets apprehended, they are released back to the community again and they repeat the same thing.'
- The LB representatives 2025 also thought there was a high reoffending rate, noting '… there's a high number [of such cases] but that the FFM team would need to check that with Statistics Botswana. It's a high number, like a pandemic of re-perpetrating.'[313]

15.9.10 The LB representatives 2025 expressed the view on the effectiveness of the police's investigations, '… that they write up the investigation, [and sometimes the people involved in the investigation processes do not provide the police with enough information] but when it goes to the [Directorate of Public Prosecution] DPP, the cases carry little or no weight to proceed to the courts and end up taking a long time to be resolved … something [the representatives have heard] … from the DPP in the District Gender Committee.'[314]

15.9.11 The LB representatives 2025 also noted that they thought the local District Gender Committee, which included a variety of government and non-government stakeholders, had reported '5 cases brought into the [criminal justice] system in the last quarter, from January to March [2025], but only one was being tried [in court]. The other cases lacked information and were still being investigated [by the police].' However, there no other information was stated to provide context such as the total number of reported incidents of GBV or how this compared to previous quarters[315].

15.9.12 The WAR executive director 2025 noted '… it takes time for a GBV case to be heard. WAR have had cases that have taken up to 2 years before they appear in court.'[316]

15.9.13 The MWT representatives 2025 when asked if perpetrators of GBV had been arrested, prosecuted and put in prison noted 'yes, some are. But many are on bail.'[317]

15.9.14 The ADC 2025 noted 'the police file the cases and undertake investigations [but the ADC] could not say if these cases went to the court, the DPP would have this data. [Adding] the reason the various organisations come together in the Gender Committee is to discuss cases going to court. There is a trend

[313] LB representatives, HO interview, 14 July 2025, Annex J
[314] LB representatives, HO interview, 14 July 2025, Annex J
[315] LB representatives, HO interview, 14 July 2025, Annex J
[316] WAR executive director, HO interview, 14 July 2025, Annex K
[317] MWT representatives, HO interview, 14 July 2025, Annex O

for women to withdraw cases [from being investigated/go to court]. Currently, the ADC understood that [the police] no longer allow [GBV] cases to be withdrawn [from investigation].'[318]

15.9.15 The BPS officials 2025 noted that 'all activities such as report, arrest, bail, investigation, and trial are documented.' The BPS officials agreed to provide the UKHO with some or all of data but had not done so at the time of writing in December 2025[319].

15.9.16 The BPS officials 2025 also noted that there is a general problem in prosecuting and convicting rape cases:

'It's an issue of … the general justice system in BWA. Conversion of cases from report to prosecution takes a bit long. But it's across all … cases, it's not specific to rape cases. Now we are trying to move to electronic courts because most of our courts are still manual [paper-based]. If everything is being captured manually, it's tedious, so it takes a bit of time. So what we are trying to do is that process of digitalisation of everything, which includes the court system itself, so that even with the records, it makes the process more efficient. Then justice will be served, on time.

'… there are different kinds of rape: gang rape, stranger rape, date rape. So depending on the type of rape that has been committed the difficulty of detection varies. For example, if it's stranger rape, it's not going to be easy to arrest the perpetrator. It will take time looking for the perpetrator, unless they're habitual offenders. For example, in the recent past the Forensic Science Laboratory was able to link old rape cases with the offenders though DNA analysis. In all cases of rape, samples or specimens are taken to the lab, which are analysed to help detect the perpetrator.'[320]

15.9.17 The BPS officials 2025 also explained that because the age of consent for sexual intercourse is 18 'the number of persons that experience defilement (statutory rape) will generally look higher in Botswana [than compared to, for example, the UK where consent can be given at 16] thus inflating the crime statistics in Botswana.'[321]

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15.10 Withdrawal of cases

15.10.1 The BNRS 2018 based on police statistics from 2015 and 2016 noted that out of almost 24,000 reported GBV cases over 5,400 were withdrawn. The study noted:

'… the number of cases withdrawn by women survivors is about twice as high as that for men. For both women and men, physical abuse constituted the highest number of cases withdrawn. A significant number of rape cases are also withdrawn. There are several push factors that compel survivors of abuse to withdraw cases …

'During interviews, the Botswana Police cited the following reasons for withdrawal of cases:

- 'Insufficient evidence because cases are reported too late and without

[318] ADC, HO interview, 15 July 2025, Annex Q
[319] BPS, HO interview, 11 July 2025, Annex U
[320] BPS, HO interview, 11 July 2025, Annex U
[321] BPS, HO interview, 11 July 2025, Annex U

medical proof.

- ‘Some withdraw cases when they feel they have been dragging for too long before the courts.
- ‘Reconciliation between victim and perpetrators within intimate relationships.
- ‘Some perpetrators show remorse and others promise to give victims compensation for withdrawing the case. Some victims prefer out of court resolutions. This may include dealing with the matter at home or before the Headman of Arbitration. Most parties have been reconciled at the Customary Courts.
- ‘Fear of victimisation by the alleged perpetrator.’[322]

15.10.2 The UNPFA official 2025 noted ‘A lot of women tend to withdraw cases of GBV due to their economic dependence on the male perpetrators.’[323]

15.10.3 The International diplomatic source 2 – 2025 ‘considered families pressure women to [withdraw cases] [the official] … had attended 2 or 3 sessions run by … NGO where women have testified to being pressured to drop a case because it was with a family member - a cousin, an uncle - or with a neighbour.’[324]

15.10.4 The International diplomatic source 1-2025 noted ‘survivors eventually drop the charges. And there's a lot of interference from families - families of the perpetrators especially - especially if the perpetrator is considered to be a breadwinner.’[325]

15.10.5 The MOJCS officials 2025 noted ‘… cases were being reported to the police, then due to a variety of situations victims would withdraw their cases, saying they had reconciled their situation, or the family advised them to step down. But following reconciliation the GBV would escalate, sometimes leading to the death of the victim ...’[326]

15.10.6 The MOJCS officials 2025 also noted:

‘… there are socio-economic issues, when the breadwinner is the accused and if imprisoned the family will suffer. There are also cultural issues as previously mentioned. People may feel regret after reporting an incident or the abusers reconcile themselves with the victim by offering an apology, maybe giving flowers or chocolates … a victim becomes the state witness as required by the regulation of standards for GBV cases. So, when the case is in the court, it is the state vs the perpetrator [not the victim vs the perpetrator]. Victims whose request to withdraw the case at the Police Station, usually refuse to testify in Court, leading to low conviction rates.’[327]

15.10.7 The MOJCS officials 2025 commenting that the police no longer allow the withdrawal of GBV cases, noted: ‘So, all cases received go to the Director of Public Prosecutions and end up in court. But in court, prosecution depends on evidence submitted by witnesses for the state. There are situations where

[322] MNIGA, Botswana National Relationship Study 2018 (pages 103 and 104), 2018
[323] UNFPA official, HO interview, 8 July 2025, Annex D
[324] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[325] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[326] MOJCS, HO interview, 9 July 2025, Annex F
[327] MOJCS, HO interview, 9 July 2025, Annex F

the victims refuse to give evidence, or they don't attend court, which affects the outcome of the case.' [328]

15.10.8 The MYGA officials 2025 noted:

'… because GBV happens mostly between intimate partners, [a woman] could report [her partner] and be given a protection order [restraining order], but because of their intimacy and the dynamics of their relationship, they could still violate the protection order. For example, if I'm given a restraining order [against the male partner], then because of the manner in which we relate, I can choose to still have contact with him despite that order. In reported cases, we have noticed that [women who have reported a male partner] can choose to drop the charges and the prosecution cannot continue in their absence. It's just one of the gaps we have realised, and it's mostly women who choose to drop the cases for various reasons. Some women drop cases at the police [station] thereby preventing them to continue with prosecution. This has been a major concern and efforts to educate and support women to stand for their rights continue … explained that the police attitude [protocol] is that they don't allow any dropping of cases [brought by women against male partners/perpetrators], but even though the police refuse to drop the case, when it goes forward to the magistrates' court, [the victim] can just choose [to drop the case]. I was the witness so I can just choose not to participate … She added that it's a complex situation [between the couple].'[329]

15.10.9 The MYGA officials 2025 noted:

'[A coupling separating is] … a complex issue because there's also societal pressure [in that] when you have reported your partner or husband, you have pressures from both [the woman's and man's] families. So sometimes we are dealing with that, but also economic pressures … Even if you have got a court order that says the man should be paying for the house and [the woman] can stay there, the man will stop paying rent and the landlord will chase you out because of the economic dependency of women, who are sometimes not working ... it's sometimes easy to put the legal systems [in place] to address this, but when it comes to [the] social [situation], that's another issue.'[330]

15.10.10 The LB representatives 2025 expressed the view that when 'most of these cases get to the courts, the victims withdraw the cases and there's no way you can stop them … [this] might be because of coercion at home or because of mediation, or [the victims] … get scared about leaving people [or because the majority of perpetrators are breadwinners]. It's a number of factors.'[331]

15.10.11 The BONELA representatives 2025 noted:

'… the perpetrator [of GBV] is in most cases the breadwinner, so a woman will drop the charges because they say to themselves "What am I going to do?", "What is the family going to say?". We've also had women say that the perpetrator is the father of my child/children, and she does not want to

[328] MOJCS, HO interview, 9 July 2025 Annex F
[329] MYGA, Interview with the HO, 11 July 2025, Annex I
[330] MYGA, Interview with the HO, 11 July 2025, Annex I
[331] LB representatives, HO interview, 14 July 2025, Annex J

deprive them of their father. There are also issues relating to societal stigma. There's this phenomenon where people want to maintain a certain facade which is not necessarily true. This especially happens for families who have a link to religious or Christian backgrounds where there's concern about what people say …'[332]

15.10.12 The BPS officials 2025 noted 'There are a lot of cases that are withdrawn … [and thought] these withdrawals are poverty related. So, there are many reasons that play into it. And it's not specific to GBV, it's across the board … [of] cases were being reconciled at family level so that the cases would be withdrawn.'[333]

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16. Judiciary

16.1 Structure and jurisdiction

16.1.1 Botswana has a 'mixed legal system of civil law influenced by the Roman-Dutch model, including customary and common law'[334].

16.1.2 The GOROB's website in an undated entry noted: 'The Judiciary is established by the constitution … Its pivotal role in the governance of the country is defined … as the adjudication of both civil and criminal cases involving citizens and the state. It comprises of the Court of Appeal and the High Court and the Magistrates Courts.'[335]

16.1.3 The GOROB website also noted:

'The Court of Appeal is the highest court in the country and is the final arbiter of all legal matters …

'The High Court is a superior court of record with unlimited jurisdiction … There are currently four locations of the High Court: Lobatse, Francistown, Maun and the headquarters in Gaborone. The High Court presides over matters beyond jurisdiction of the lower courts, and appeals emanating from the lower courts …

'The Industrial Court is a Court of Law and Equity … the Court has exclusive judgments in all labour disputes and ranks equal to the High Court in its status and power …

'The Magistrate court[s] are created by statute with power defined by the Magistrates Courts Act. They are subordinate to the High Court. Unlike the High Court, Magistrates Courts are not created by the Constitution. They are therefore controlled and supervised by the High Court, through reviews and appeals.' [336]

16.1.4 The GOROB website further noted:

'The Botswana Magistracy performs a very pivotal role in the judiciary of the nation. The Magistrates try the bulk of the offences committed and they handle the bulk of common disputes between ordinary citizens of Botswana.

[332] BONELA, HO interview, 16 July 2025, Annex R
[333] BPS, HO interview, 11 July 2025, Annex U
[334] US CIA, World Factbook (Botswana), updated 3 December 2025
[335] GOROB, Background of the Judiciary, no date
[336] GOROB, Hierarchy of the courts, no date

'The following services are available at the Magistrate Courts:

- Family related cases such as paternity and alimony orders.
- Adoption of children.
- Restraining orders in domestic violence cases.
- Civil suits ...
- Criminal trials - Magistrates Courts hear the bulk of criminal cases.'[337]

16.1.5 The Statistics Botswana Crime Statistics Report 2020 dated December 2022 (SB CRS report 2020), the most recent published dataset on the number, type and outcome of magistrate and high court cases, noted:

'Magisterial Courts are categorized into two regions as follows:

'1. The Southern region which comprises of the Broadhurst Magisterial Court, Village, Extension II, Ramotswa, Lobatse, Jwaneng, Mochudi, Kanye, Molepolole, Hukuntsi, Tsabong, and Gantsi Magisterial Courts.

'2. The Northern region includes the Francistown Magisterial Court, Selibe-Phikwe, Bobonong, Mahalapye, Serowe, Palapye, Letlhakane, Masunga, Maun, Gumare and Kasane Magisterial Courts.'[338]

16.1.6 Customary courts are recognised under the Customary Courts Act, which outlines their establishment, jurisdiction, composition, and appeal procedure[339].

16.1.7 The UN Working Group on Arbitrary Detention following a visit to Botswana in July 2022 published a report on 11 July 2023 (UN WGAD report 2023). This explained:

'Botswana has a dual legal system encompassing common law and customary law. In addition to common law magistrate courts, there are customary courts, presided over by Dikgosi (chiefs), with jurisdiction over civil and criminal matters, which are regulated by the Customary Courts Act. Dikgosi are not legal professionals, although they are provided with basic training on statutes. There are two customary courts of appeal in the country. Customary Courts apply the Penal Code and other relevant law. Except for the most serious crimes, they may hear a number of criminal matters and impose penalties, including imprisonment.'[340]

16.1.8 The MOJCS officials 2025, when asked if GBV cases in the customary courts could be switched to the common law courts, noted 'they can, ultimately [also they can go to] the customary court of appeal and then the [common law] High Court …'. The officials also noted '… there are customary courts in every village, but not every village has a police station. The customary courts have first contact with people. The police are usually stationed at customary courts.'[341]

16.1.9 The UNFPA official 2025 explained that sometimes GBV cases

'… would go through customary law [courts], like in the case of people in a

[337] GOROB, Hierarchy of the courts, no date
[338] Statistics Botswana, Crimes Statistics report 2020 (page 7), December 2022
[339] GOROB, Customary Courts Act, last amended 2014
[340] UN HRC, Report of the Working Group on Arbitrary Detention … (paragraph 11), 11 July 2023
[341] MOJCS, HO interview, 9 July 2025, Annex F

village. [Their] first point of contact with the legal system would be to go to the chief, the kgosi, who is the leader of the village and relies on customary law. But sometimes cases are removed from the customary [law system] to the [common law] magistrate[s'] [courts], and then it depends but maybe from the magistrate to the higher courts. Not all cases that are heard in the customary court will ultimately make it to the magistrates' court.

'… The customary law leads more to [a victim being told] that it's a family matter and they should go and talk to their uncles and so forth. Even where somebody has gone to the courts, like the magistrates' court, imagine being issued with a restraining order and then going back to the community. The customary law has no power to enforce a restraining order. If anything, a victim might face [comments from] people in the community about her having taken her own husband to court and obtaining a restraining order against him. So, the 2 [legal systems] are in a lot of conflict in terms of GBV cases.'[342]

16.1.10 A GOROB representative told the UN CEDAW in June 2025 that:

'[GBV] … cases transferred from the customary courts were referred to a magistrate's court or to the High Court. Any case involving assault required the involvement of the police to ensure that the victim received the protection of the law. The Ministry of Justice was responsible for training magistrates to take the gender perspective into account. Under the Bail Act [of 2024], victims of offences were interviewed by a magistrate, who could issue a detention order against the accused person, if necessary, in order to protect the victim.

'… Court rulings were deemed sufficient to repeal discriminatory legal provisions even before the relevant legislation had been Officially updated. Rulings handed down by lower courts and customary courts could be appealed in the higher courts. Legal aid was available to persons who required it. Judges had been provided with training on how to make courts friendlier places for children and other vulnerable groups.'[343]

16.1.11 The BPS officials 2025 noted:

'… the customary courts have 2 responsibilities: they try criminal cases as well as civil cases, the same as a magistrate [court] … Serious cases are taken to the higher courts and less serious cases are taken to the customary courts. Generally speaking, GBV cases go to the magistrates' courts … the victim doesn't decide [which court hears their case]; the determination is made on the basis of the nature of the case that's been reported … The prosecution decides where the case goes. In terms of GBV, those cases don't go to the customary courts.'[344]

16.1.12 The MLIA officials 2025 noted that 'kgotlas [customary courts] are very progressive nowadays. It's highly unlikely that someone would get away with GBV.'[345] However, regarding the traditional justice system, MWET representatives 2025 stated that 'the traditional system is not that effective.

[342] UNFPA official, HO interview, 8 July 2025, Annex D
[343] CEDAW, Consideration of reports submitted by … (paragraphs 21 and 23), 8 August 2025
[344] BPS, HO interview, 11 July 2025, Annex U
[345] MLIA officials, HO interview, 10 July 2025, Annex N

We have the dikgosi [traditional chiefs], we have their support.'[346]

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16.2 Fair trial and independence

16.2.1 The BTI report 2024 noted:

'Botswana is lauded for maintaining an independent judiciary capable of functioning and interpreting the law. The judiciary encompasses a range of courts, from lower-level ones to the High Court of Appeal.

'Judges, for the most part, operate independently when carrying out their judicial duties and are not unduly influenced by external factors, including the executive branch. However, the appointment of judges, the chief justice, and the judge president (i.e., the head of the highest court in the country, the Court of Appeal) by the state president remains a point of concern as it can potentially compromise the judiciary's independence. It's important to note that while the government is responsible for appointing judges, this does not imply that they can be arbitrarily dismissed by the executive. Therefore, the judiciary's independence is effectively safeguarded despite these appointment procedures.'[347]

16.2.2 The FH report 2024 noted: 'The judiciary is generally independent and free from interference. Judges have ruled against the government in several high-profile cases in recent years.'[348]

16.2.3 While the USSD HR report 2024 does not comment on the competence of the judiciary[349], the USSD HR report 2023 noted:

'The constitution and law provided for the right to a fair and public trial, and an independent judiciary generally enforced this right. Trials in civilian courts were public, although trials under the National Security Act could be held in secret. Defendants had the right to be present and to consult with an attorney in a timely manner. In capital cases, the government provided legal counsel or private attorneys to work pro bono for indigent clients. Courts tried those charged with noncapital crimes without legal representation if the defendant could not afford an attorney. As a result, many defendants were not aware of their procedural rights in pretrial or trial proceedings. Some NGOs provided free but limited legal assistance.

'A customary or traditional court system existed in addition to the formal court system. According to traditional practice, a tribal chief presided over most small villages. While customary (traditional) courts enjoyed widespread citizen support and respect, they often did not afford the same due process protections as the formal court system. Defendants did not have legal counsel, and there were no standardized rules of evidence. The quality of decisions reached in the customary courts varied considerably, and defendants often lacked a presumption of innocence. Tribal judges applied corporal punishment, such as lashings on the buttocks, more often than did formal courts.'[350]

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[346] MWT representatives, HO interview, 14 July 2025, Annex O
[347] BTI, Botswana Country Report 2024 (Rule of Law), April 2024
[348] FH, Freedom in the World 2025 - Botswana, 26 February 2025
[349] USSD, HR report 2024, 12 August 2025
[350] USSD, HR report 2023 (section 2d), April 2024

16.2.4 The MOJCS officials 2025 noted 'BWA has a well-functioning judicial system and when cases occur, they are reported to the police who prosecute the perpetrator (most are male) and action is taken.'[351]

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16.3 Gender-specific courts

16.3.1 The GOROB ACHPR submission 2023 noted 'Botswana has also established specialised Courts dedicated to gender-based violence cases and set them up at all Magistrates Courts with a Chief Magistrate.'[352] The UN CEDAW report 2025 noted the positive 'creation of specialized courts to expedite gender-based violence cases'[353].

16.3.2 The FAB representatives 2025 noted:

'… there had been training [for the judiciary] … thought training had been provided by several entities: UNICEF … [United Nations Development Programme] and even with other organisations like LEGABIBO and BONELA, local [non-government organisations] NGOs that work in the gender space. However, in terms of it translating into sensitivity and seriousness and the speed with which justice for GBV is meted out, there hadn't been any change.'[354]

16.3.3 The MOJCS officials 2025 noted: 'The courts are GBV-friendly, and the government has also piloted child-friendly justice system - children are also affected by GBV and sometimes they have to give evidence as they are molested. There are now child friendly police stations and evidence can even be given in camera if a child has to come before the court.'[355]

16.3.4 The LAB CEO 2025 noted '… the government … saw fit to … have courts that were designated for GBV cases so that they were dealt with quickly … she believe[d] they are continuing, but that the Administration of Justice should have that information.'[356]

16.3.5 However, the BGBVC managers 2025,

'… observed that following an upsurge of cases during Covid, the Chief Justice had announced that special GBV courts would be set up … [the representatives] thought these had been set up, but that it hadn't been possible to continue with them because they weren't necessarily planned; they were just a response to what was happening [at that time] ... [BGBVC] had received new information the week before the FFM interview [July 2025] confirming that these courts were no longer in existence, that they were tried but it was not happening again …' [357]

16.3.6 The MYGA officials 2025 noted: '[During] Covid, specialised courts that dealt with GBV were established to speed up the GBV cases, and also to get them moving there has been some training for magistrates to actually equip them

[351] MOJCS, HO interview, 9 July 2025, Annex F
[352] GOROB, Republic of Botswana: 4th and 5th Combined Periodic… (paragraph 107) 19 June 2025
[353] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[354] FAB representatives, HO interview, 9 July 2025, Annex E
[355] MOJCS, HO interview, 9 July 2025, Annex F
[356] LAB, HO interview, 8 July 2025, Annex G
[357] BGBVC, HO interview, 10 July 2025, Annex H

with the skills to be able to address gender-based violence cases.'[358]

16.3.7 The MYGA officials 2025 noted:

'… since Covid [2020 to 2022] there had been a directive from the Chief Justice to all magistrates to prioritise GBV cases, so that is the attitude. In Botswana, all cases start at Magistrate level and are elevated to the High Court based on their gravity such as murder or where an individual appeals the decision of the Magistrate Court, hence the Directive was to the Magistrates, who are more spread in the country than the High Court. Maybe here and there, there could be slippages, but they know that such cases need to be prioritised … special courts doesn't mean the facility, it doesn't mean a building where GBV cases are heard because there are mobile courts that move to where the cases are. They are specialised courts in terms of prioritising. But by travelling, they [ensure] that hearings are done where they are closer to the people. Furthermore, many times, GBV cases are heard after [usual work] hours or at weekends.'[359]

16.3.8 The WAR executive director 2025 noted: 'During Covid, the government piloted GBV courts … thought this was in Molepolole. In a 3-month pilot, they pushed so many cases, it showed that they really need a GBV court ... there are mobile courts for drinking and driving … but not for GBV. The executive director also thought that there are no longer GBV courts, '[i]t was just a pilot because GBV went up during Covid, so they piloted [in particular] spots (areas of the country – Molepolole) and they moved a lot of cases.'[360]

16.3.9 The BONELA representatives 2025 noted 'there was an attempt to create GBV courts, a pilot project in Molepolole, one of the epicentres of violence. We are yet to see whether that really improves access to justice ... [BONELA] thought the pilot in Molepolole was ongoing but were not sure.'[361]

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16.4 Convictions and sentencing

16.4.1 Statistics Botswana (SB) publishes crimes statistics which include the number of cases heard and disposed of at the magistrate and high courts. At the time of writing (December 2025) annual reports had been published covering the years 2009 to 2020 only – no more recent data was available.

16.4.2 On the quality of this data, SB included the following qualifier. It:

'… analyses secondary data on criminal cases from all Courts in Botswana. The Administration of Justice (AOJ) department through the Case Information Management System (CIMS) collects the data. All Magistrate Courts in the country are connected to the system that is housed at the Gaborone High Court and information on cases is entered directly into the system in real time. The data needed for statistical purposes is then extracted and given to SB in electronic format for analysis … Since the information in the Case Information Management System (SIMS) is meant largely for administrative purposes, some variables, crucial for statistical purposes, such as sex and age of the accused, date of initial filing, date of judgement are at times omitted leading to lack of conclusiveness in the

[358] MYGA, Interview with the HO, 11 July 2025, Annex I
[359] MYGA, Interview with the HO, 11 July 2025, Annex I
[360] WAR executive director, HO interview, 14 July 2025, Annex K
[361] BONELA, HO interview, 16 July 2025, Annex R

findings. In some instances, offences are not consistently entered into the system, leading to a lengthened and cumbersome process of data cleaning, classification and coding. Some variables which are used to calculate some key indicators such as disposal rates, conviction rates etc. are either not stated or not consistent with other entries making it difficult to calculate such indicators.'[362]

16.4.3 The SB CRS report 2020, the most recent dataset on case outcomes in the magistrates' courts, noted:

'[There was] … a steady increase [in court cases] from 6,830 cases in 2017 to 9,499 in 2019. This was followed by a huge decrease to 4,148 cases in 2020. The decrease can be attributed to the fact that in March 2020 [t]he World Health Organization (WHO) declared COVID-19 a global pandemic. In response, in April Botswana started to put measures in place to curb the spread of the virus; [sic] [t]he country went on Lock down in April and continued through May, as a result many activities including case hearings were suspended hence the decrease in cases disposed of in 2020.'[363]

16.4.4 The SB CRS report 2020 also noted:

'Offences recorded in 2020 were lower (7,386) compared to (13,906) offences recorded in 2019 for reasons earlier enunciated.

'The offence that ranked highest was theft and related offences accounting for 16.6 percent of all cases. The top four offences were sexual offences (9.0 Percent), Offences against Government, Justice Procedures and organizational crime (9.3 percent), Attempts/Threats to murder, assaults, Harassment and related offences (11.9 percent) and Theft and related offences. Cases involving use of force such as homicide, robbery, sexual offences were also high recording 6.0[%], 6.3[%] and 9.0[%] respectively. This is in the midst of a period when the country is grappling with a high prevalence of gender-based violence as well as femicide. The use of controlled drugs was also high accounting for slightly more than 5 percent of the offences committed.'[364]

16.4.5 The SB CRS report 2020 further noted that in the magistrates' courts 'a high proportion (42.6 percent) of the accused had their cases withdrawn, while about a quarter of the accused were found guilty and sentenced or fined. Only 14.5 percent were acquitted and discharged. About 5 percent of the cases were referred either to the regional office (1.2 percent) or committed to the High Court (3.8 percent).'[365]

16.4.6 The SB CRS report 2020 also stated that there were 116 cases heard in the 4 high courts of which:

- 28 were acquitted and discharged
- 6 were convicted but sentencing was postponed
- 2 were found guilty and fined
- 14 found guilty but were considered 'insane'

[362] Statistics Botswana, Crimes Statistics report 2020 (page 8), December 2022
[363] Statistics Botswana, Crimes Statistics report 2020 (page 9), December 2022
[364] Statistics Botswana, Crimes Statistics report 2020 (page 11), December 2022
[365] Statistics Botswana, Crimes Statistics report 2020 (page 12), December 2022

- 62 were withdrawn
- 4 were not started[366]

16.4.7 The SB CRS report 2020 lists 16 offences including those against the person as well as those against property, broken down by age and sex of perpetrator where this is known. There is no GBV category, but the offences of 'homicide', 'sexual' and 'attempts/threats to murder, assaults, harassments, and related' include cases related to GBV. Each of these broad criminal offence types includes a range of specific offences. For example, 'sexual' offences include:

- rape
- defilement (of a minor)
- sexual offences involving mentally impaired persons
- aggravated sexual assault
- sexual assault
- incest
- child pornography offences
- child pornography – obstruction of warrant
- gross indecency
- attempted rape[367]

16.4.8 The tables below include information on the number of magistrate cases and their outcomes in total and by sex for the offences listed in the previous paragraph. Since the SB CRS report 2020 does not include data on the sex of the victims it cannot be assumed that, for example, in cases of homicide the victim was a woman (or targeted because she was a woman). However, as context, police statistics indicate that of reported crimes in 2024 around 85% of victims of all crimes were women, while 98% of perpetrators of all crimes were men (see Police reports).

16.4.9 The table below shows outcomes in the magistrates' courts for cases of homicide by sex of the accused in 2020:

Outcome / sex	Male	Female	Sex not stated	Total
Acquitted and discharged	55	6	1	62
Case referred to regional magistrate	4	-	3	7
Cautioned	1	-	-	1
Committed to High Court	15	-	-	15
Convicted/sentenced	3	-	-	3

[366] Statistics Botswana, Crimes Statistics report 2020 (page 14), December 2022
[367] Statistics Botswana, Crimes Statistics report 2020 (Appendix B), December 2022

Outcome / sex	Male	Female	Sex not stated	Total
postponed				
Dismissed for want to prosecute	30	1	-	31
Guilty and sentenced/fined	85	3	3	91
Not guilty	2	-	-	2
Stay of proceedings	-	-	-	-
Withdrawn	123	5	-	128
Not started	20	1	3	24
Total	**338**	**16**	**10**	**364**

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16.4.10 The table below shows outcomes in the magistrates' courts for cases of sexual offences by sex:

Outcome / sex	Male	Female	Sex not stated	Total
Acquitted and discharged	57	4	-	61
Case referred to regional magistrate	4	2	3	9
Cautioned	1	-	-	1
Committed to High Court	15	2	-	17
Convicted/sentenced postponed	3	-	-	3
Dismissed for want to prosecute	30	1	-	31
Guilty and sentenced/fined	172	14	3	189
Not guilty	-	-	-	-
Stay of proceedings	1	-	-	1
Withdrawn	204	12	2	218
Not started	37	-	3	40
Total	**531**	**35**	**11**	**577**

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16.4.11 The table below shows outcomes in the magistrates' courts for cases of

[368] Statistics Botswana, Crimes Statistics report 2020 (page 31), December 2022
[369] Statistics Botswana, Crimes Statistics report 2020 (page 32), December 2022

attempts/threats to murder, assaults, harassments, and related offences by sex:

Outcome / sex	Male	Female	Sex not stated	Total
Acquitted and discharged	100	9	-	109
Case referred to regional magistrate	3	2	4	9
Cautioned	-	-	-	-
Committed to High Court	26	-	-	26
Convicted/sentenced postponed	4	-	-	4
Dismissed for want to prosecute	27	3	1	31
Guilty and sentenced/fined	179	18	4	201
Not guilty	2	-	-	2
Stay of proceedings	-	-	-	-
Withdrawn	385	14	5	404
Not started	57	-	5	61
Total	**783**	**49**	**19**	**851**

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16.4.12 The International diplomatic source 2 – 2025 stated 'that conviction rates are not great [but did] not have the data [for these].'[371] Similarly, the UNFPA official 2025 '… did not have those exact numbers [on arrests, prosecutions and convictions] …'[372]

16.4.13 The FAB representatives 2025 noted:

> 'Convictions are generally low … thought the last research that was done – … was a 2018 study [the BNRS 2018 – see above] – indicated a conviction rate in terms of these specific crimes of less than 0.5%. It is predominantly because of the manner in which cases are investigated, the manner in which evidence is obtained and handled, and kept and preserved. Also, in most instances, cases take about 5 years, from time of reporting to verdict / sentencing (if found guilty). So, you will report in 2025 and your case will most likely be heard or finalised – you'll get a conviction or an outcome – in 2030.'[373]

16.4.14 The BGBVC managers 2025 referring to comments made by a high court judge at a conference the Chief Executive Officer had attended noted '… the

[370] Statistics Botswana, Crimes Statistics report 2020 (page 33), December 2022
[371] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[372] UNFPA official, HO interview, 8 July 2025, Annex D
[373] FAB representatives, HO interview, 9 July 2025, Annex E

High Court judge … had said cases of murder, for instance, if they reach his court, have been on the table somewhere between the police and the DPP for a minimum of 5 or 6 years … this means justice is delayed, and because of bail, the person could actually be out, not only walking the streets but threatening the survivor and her family. There are restraining orders, but they [perpetrators] don't care about restraining [orders].'[374]

16.4.15 The BGBVC managers 2025 also noted the number of cases disposed of in the courts is 'very low, so there's a backlog.'[375]

16.4.16 The WAR executive director 2025 acknowledged that they were aware of GBV cases being progressed through the courts and resulting in a disposal, noting 'that the conviction rate is quite low in GBV [cases, including rape and femicide] but she thought that was a worldwide phenomenon.' The director also noted '… that they had had cases at the shelter that were thrown out of court. The perpetrator was set free … [but] they had some success, not all doom and gloom … 10% success … [WAR had] consulted someone to come and do [a survey of conviction rates] … for them between 2007 and 2009 and the conviction rate then was below 10%. It's still below 10% now.'[376]

16.4.17 The BBL representatives 2025 thought the police were sometimes helpful, 'perpetrators can be found guilty … getting prison sentences of] 10 to 15 years … [for] rape or defilement [abuse of a minor].'[377]

16.4.18 The BONELA representatives 2025 noted 'the Children's Act, 2009 (CA) is a good piece of legislation for protecting children against violations but there is need for resources to implement it. Cases relating to children can take a long time to be handled. For example, where a child is raped, it takes 5 years for them to get justice and in some instances the child says they don't want to deal with that, they just want to put the situation behind them.'[378]

16.4.19 However, the BONELA representatives 2025

'… were aware of cases of convictions [of GBV offenders] … [but] noted that what is concerning is that GBV cases where a woman is killed are reduced from murder to manslaughter [for a killing of a woman] because the law recognises "a crime of passion". There is a case we are using to raise this as an issue although we can do nothing about the case as it was decided by the Court of Appeal … A woman was killed by her boyfriend who was given a death sentence, but this was reduced to 25 years. The family came to us for help about this case and reduction in the sentence. So, we/our lawyer are looking at the case to see if there were loopholes that merited a reduction in sentencing.

'… we need better handling of GBV cases in the way the victims are prepared for evidence, the way that the prosecution handles evidence. Women feel that justice is not working for them. Even the language we use – "passion killing" - it's almost as if we are unnoticed.'[379]

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[374] BGBVC, HO interview, 10 July 2025, Annex H
[375] BGBVC, HO interview, 10 July 2025, Annex H
[376] WAR executive director, HO interview, 14 July 2025, Annex K
[377] BBL representatives, HO interview, 14 July 2025, Annex P
[378] BONELA, HO interview, 16 July 2025, Annex R
[379] BONELA, HO interview, 16 July 2025, Annex R

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16.5 Delays in the judicial process

16.5.1 While commenting on the situation in 2022, the UN WGAD report 2023 noted that there were delays in the trial process because of insufficient number of court reporters for producing records of proceedings. Cases were also adjourned because of the failure of lawyers and sometimes magistrates and judges to attend hearings. This had reportedly led a to a backlog of 2,000 cases and contributed to lengthy pre-trial detention[380].

16.5.2 See also Prison system for information on the proportion of the prison population held on remand.

16.5.3 The BONELA representatives 2025 confirmed that male perpetrators of GBV including rape and sexual assault have gone through the courts and resulted in a disposal (either acquittal or conviction). However, the representatives also not that the timeliness of processing cases in the criminal justice system

'… is a general problem … As there are many GBV cases it becomes even more evident that cases are taking longer than they should … [which is a problem for] the [criminal justice system] CJS more broadly. There is not a peculiar system for GBV cases, they follow the same route for being disposed as other cases … timeliness is a challenge. If GBV cases are handled in the same way as other cases, you create a bottleneck and that is when people are more likely to withdraw their case and thought this needed to be looked into. There is a propensity for victims to withdraw case[s] but the government should take these cases forward anyway, this would make a difference.'[381]

16.5.4 The LEGABIBO representatives 2025 commenting on GBV generally noted: 'It's taking a long time to litigate. If you were assaulted today, the litigation process of the case would be [concluded] after about 3 years.'[382]

16.5.5 The CEDAW report 2025 did not comment on number or rate of convictions and sentencing of GBV cases but was concerned by 'the prolonged nature of criminal proceedings'[383].

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17. Prison system

17.1.1 The Institute for Crime & Justice Policy Research, Birkbeck, University of London, noted in its World Prison Brief that as of December 2022 there were over 3,900 people incarcerated in the country's 23 prison establishments/institutions. Over 20% were foreign nationals and 22.5% were pre-trial detainees/on remand[384]. However, there is no data available in the sources consulted indicating the reasons for prisoners' incarceration, including how many or what proportion of the prison population was detained because of GBV-related offences (see Bibliography).

17.1.2 The USSD HR report 2023 noted:

[380] UN HRC, Report of the Working Group … (paragraphs 33, 40 and 41), 11 July 2023
[381] BONELA, HO interview, 16 July 2025, Annex R
[382] LEGABIBO representatives, HO interview, 16 July 2025, Annex S
[383] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[384] Institute for Crime & Justice Policy Research, World Prison Brief (Botswana), updated monthly

'There were no significant reports regarding prison or detention center conditions that raised human rights concerns … Authorities investigated credible allegations of inhuman conditions brought against prison officials … The government generally allowed international and local nongovernmental organizations (NGOs) to meet with prisoners, and it permitted independent human rights observers to visit prisons. The International Committee of the Red Cross visited prisons.'[385]

17.1.3 However, the GOROB ACHPR submission 2023 indicates some proportion of the prison population were GBV offenders, noting: 'The Botswana Prisons Service has also initiated the GBV Perpetrators programme in September 2021. This is a character moulding programme geared towards behaviour change of the offenders. It also raises awareness on the integration of offenders to curb them from being re-offenders. More integration and community engagements continue to be conducted across the country.'[386]

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18. Legal aid

18.1.1 The GOROB CEDAW report 2023 stated:

'The Legal Aid Act of 2013 established Legal Aid Botswana (LAB) which has branches in Gaborone, Francistown, Kasane, Tsabong, Maun and Palapye to provide access to justice by indigent persons in Botswana. The initial support offered was in respect of civil matters. However, Government is currently piloting the expansion of support to criminal matters. In ensuring that legal aid is available and accessible to all particularly indigent women, a total of 6 521 persons were supported between April 2019 and December 2022. Of these beneficiaries, 56% were women of whom 21% were from rural areas. The legal aid services include matters on access to identity documents, child maintenance and support, GBV and medical malpractice cases. These services are delivered through the React program supported by the Global Fund, an intervention which trains community reactors and paralegals to document human rights violations of identified key and vulnerable groups and provide information, education and linkage to services including legal aid and health services.'[387]

18.1.2 The LAB CEO 2025 explained that legal aid is means tested to determine if the person is poor (an indigent) and cannot afford a lawyer. The test is 'a very complex and complicated calculation' based on the person's tangible assets, 'a person's moveable and immovable property as well as revenue and revenue-generating activities.'[388]

18.1.3 The LAB CEO 2025 noted that '… probably 99% of legal aid is provided to adults … when we were established, we were directed to provide civil legal aid … LAB ran a criminal legal aid services pilot project from November 2023, ending 31st March [2025] … the government has embraced the idea, and we have been given a healthy budget for this financial year 2025/2026 to roll out criminal legal aid.'[389]

[385] USSD, HR report 2023 (section 1c), April 2024
[386] GOROB, Republic of Botswana: 4th and 5th … (paragraph 112), September 2023
[387] GOROB, 'Fifth periodic report submitted by Botswana …' (paragraphs 47 to 49), 1 November 2023
[388] LAB, HO interview, 8 July 2025, Annex G
[389] LAB, HO interview, 8 July 2025, Annex G

18.1.4 The LAB CEO 2025 noted that LAB had 32 lawyers nationwide with an approximate budget in 2024 to 2025 of 55 million pula (around £3million[390]) increasing to 65 million pula (around £3.5 million) in 2025 to 2026. This included an additional 10 million pula (around £540,000) for the criminal legal aid roll out (LAB has focussed on civil cases to date). LAB handled around 2,500 cases a year to disposal: settlement, through the courts, mediation or withdrawal. This included legal advice if a case had no prosect of success in court. LAB has run campaigns advertising their services on TV and radio, including covering GBV[391].

18.1.5 The LAB CEO 2025 noted that LAB is head-quartered in Gaborone with service centres in Gaborone, Palapye, Francistown, Maun, Kasane and Tsabong. Adding, '[w]e are very few and so we can't do both representation of the offenders and representation of victims, which is why you see us working very closely with the NGOs as they are better positioned to champion victim rights … it also [enabled LAB to have] a referral system. If a person is rejected under the means test, LAB can turn to an NGO which has a mandate that can receive [a person and provide legal advice].'[392]

18.1.6 The LAB CEO 2025 added:

'… people do just turn up [at LAB offices], but there is a Facebook page and a website, [on] both of which [you can] interact with [LAB] and make an appointment so that there's somebody to receive you when you arrive [at one of the offices]. A person can [also] phone in and be processed, means-tested and so on and then an appointment can be set up for them with counsel. The same thing would happen with those that reach out either via Facebook or the website – they would be processed by the same office, it's called Client Services Office[.] They are the bridge between those who reach out electronically, including [by telephone], and the actual centres throughout the country.'[393]

18.1.7 The LAB CEO 2025 noted:

'… in terms of criminal legal aid, for adults – an adult is 18 plus – we don't represent them at the lower courts, which are the magistrates' courts. If they are an adult, such a person will not have representation [as an] accused person or offender from LAB at such lower courts. If it's a child, which is a person who's 17 years and below, we will represent such a child who's in conflict with the law, even in matters of GBV at both lower and higher courts … If [the person is] an adult, we apply the means test and we do represent adults at the higher courts, meaning the High Court and the Court of Appeal. Most of these criminal matters are tried at the magistracy, which means that we rarely get involved at trial stage and only get involved at the appeal phase [at the High Court], from the convictions and/or sentencings or the judgments of the magistrate.'[394]

18.1.8 The UKHO FFM observed that LAB provided assistance to defendants (people who are accused of committing offences) but queried if victims of GBV would also get help. The LAB CEO 2025 noted:

[390] Xe.com, Converter BWP - Pula to GBP – Pound, 17 September 2025
[391] LAB, HO interview, 8 July 2025, Annex G
[392] LAB, HO interview, 8 July 2025, Annex G
[393] LAB, HO interview, 8 July 2025, Annex G
[394] LAB, HO interview, 8 July 2025, Annex G

‘[Victims] can come to us … if they came to us, we would assist. It is the nature of the assistance provided under the [Domestic Violence Act] … to a certain extent facilitates a victim to obtain remedies without the assistance of counsel. There are … various protective orders under the … Act, but if you are just a member of the public, you may not know. [GBV victims] do come, and LAB ascertains the facts and determines the correct order to apply for [a protection order]. If a woman has been cohabiting with an aggressor, the aggressor can be evicted from their home temporarily and the woman or partner is allowed to go on residing in that home. The orders include restraining order, tenancy order, occupancy order, eviction orders.

‘… [LAB] would facilitate whichever order needs to be made, but mostly people know only about restraining orders, which is regrettable because then you run away and the aggressor is stays in your house. There was a situation where a young lady was actually the owner of the property and the aggressor was in her house and wouldn't leave. This state of affairs carried on and on and she didn't know we could evict the person.’[395]

18.1.9 The LAB CEO 2025 provided data on the number of GBV cases they had assisted and could be directly identified for 2024 to 2025[396]:

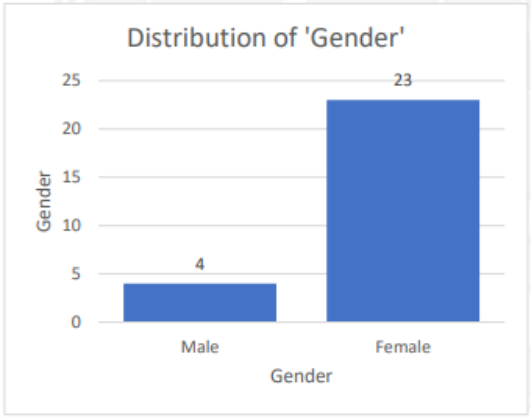
[395] LAB, HO interview, 8 July 2025, Annex G
[396] LAB, HO interview, 8 July 2025, Annex G

LEGAL AID BOTSWANA GENDER BASED VIOLENCE MATTERS FOR THE YEAR 2024/25

Disclaimer: Statistics Are not Accurate but indicative as we are still struggling with the case management system to enhance to capture granular fields such as new case matters eg gbv.

Table 1: Number Of GBV Cases & Gender of Clients Assisted

Gender	Count
Female	23
Male	4
Grand Total	**27**



Distribution Of The Cases Across our Centres

Center	Count of Center
Maun	19
Gaborone	5
Francistown	2
Kasane	1
Grand Total	**27**

18.1.10 The LAB CEO 2025 also noted that some NGOs refer cases to LAB:

> 'BONELA is typically one that they work with as well as Stepping Stones [International], although Stepping Stones is more focused on children … [LAB] do have to work a lot more closely with civil society, because civil society is an extension of – is part of – the legal aid system of the country … [civil society] also provide advocacy and representation by instructing attorneys in private practice to take on their identified cases … observed that there is a growing requirement for government to also fund [NGOs] … LAB helps indigents, not helping women [per se] or providing special treatment for women. A poor woman will get the same [access to legal aid services] as a poor man in terms of their focus, but somebody else is focussing on women somewhere out there, whether they're poor or not.'[397]

18.1.11 The LAB CEO 2025 noted '[LAB is] … working very well with other stakeholders in the environment - civil society, Botswana Prison Service, Administration of Justice, DPP, Ombudsman, Tribal authorities etc. She thought their service provision could significantly improve if there was a closer working relationship with Botswana police and the social workers, but

[397] LAB, HO interview, 8 July 2025, Annex G

that it is “not all gloom and doom”.’[398]

18.1.12 The FAB representatives 2025 noted

‘... Legal Aid … is normally [for] enforcement of civil rights. So if I'm violated, it's treated as a criminal case and I need to put it through the criminal system. Legal Aid won't prosecute the matter on my behalf. It has been mentioned that because of the length that it takes from the start to finalise a criminal matter, countries sue under civil law against the perpetrator, but that hasn't yet been tested … the Legal Aid [means test] threshold leaves a lot of people out … thought the maximum someone could be earning was about 2,500 pula a month [approximately £130[399]]. But for a person who earns from zero to even 10,000 pula [approximately £520], it would be very expensive to afford the services of a lawyer [FFM team comment: Statistics Botswana estimated that average annual nominal gross domestic product (GDP) per person in 2024 was just over 104,000 pula (around £5,700[400]) , about 8,600 pula (£470) a month. However, GDP per person is not necessarily the same as actual income per person].’[401]

18.1.13 The International diplomatic source 2 – 2025 noted there is legal aid, but accessibility is an issue:

‘There are 2 parts to accessibility: 1) there is a lack of education or knowledge that the provision exists to some communities. They don't know they have a right to legal aid (assistance); 2) proximity to those amenities is also an issue. Need to rethink how to make legal aid (assistance) more accessible to all. Language can also be a barrier – people assume that everyone speaks 2 languages, English and Tswana, but that is not the case if you move towards the northern part of the country. Some people there do not speak either. This makes it difficult for them to articulate when harm has been done and is even more of a barrier for someone to provide them with the legal assistance.’[402]

18.1.14 The UNFPA official 2025 commenting on the provision of legal aid, noted:

‘… there is Legal Aid Botswana, which provides legal aid to people who may not necessarily have the means, and there’s also Botswana Network on Ethics, Law and HIV/AIDS, BONELA, an NGO, which provides legal aid support. And those who can would just get a lawyer, legal representation. And then there’s even the UB legal clinic, at the University of Botswana. In terms of legal representation, even the law provides that where somebody is not able to afford [a lawyer], one will be provided for them by the state.’[403]

18.1.15 On accessing legal aid and/or support, the UNFPA official noted:

‘We may have legal aid, but to access it could be a challenge. And then BONELA, the NGO, the headquarters are here [Gaborone] and then they have project sites but they do a whole range of projects: HIV/AIDS, TB and stuff like that. But at least where you have a BONELA office, they may be able to facilitate with their headquarters, but where they are not, then that

[398] LAB, HO interview, 8 July 2025, Annex G
[399] Xe.com, Currency Converter, Pula – British Pounds, 9 September 2025
[400] Statistics Botswana, Gross Domestic Product Quarter 1 of 2025 (page 14), June 2025
[401] FAB representatives, HO interview, 9 July 2025, Annex E
[402] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[403] UNFPA official, HO interview, 8 July 2025, Annex D

would be a challenge in hard-to-reach areas where [these organisations] would not have their offices. But you could try to phone.'[404]

18.1.16 The MWET representatives 2025 noted that while there is legal aid in Maun 'some people don't know it is there.'[405]

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19. Office of the Ombudsman

19.1.1 The GOROB website in an undated entry stated that the Office of the Ombudsman

'… is part of the justice architecture with a focus on promoting administrative justice by investigating allegations of mal-administration within the public sector. As a dispute resolution mechanism alternative to the courts, the Office discharges its mandate by investigating complaints of improper administrative conduct and recommending remedial actions where, in the opinion of the Ombudsman, the complainant has suffered injustice arising from the administrative conduct.'[406]

19.1.2 The USSD HR report 2023 noted: 'An ombudsperson within the Office of the President handled complaints of maladministration, including some human rights abuses in the public sector, and the government generally cooperated with the ombudsperson. The Office of the Ombudsman, however, lacked sufficient staff.'[407]

19.1.3 Africa Press, a pan African news service, noted in an article dated 15 March 2025, referring to comments made by the Assistant Minister of Justice and Correctional Services, that:

'[The] Ombudsman was mandated by the law [Ombudsman Act, 2021] to investigate complaints of improper administrative conduct on the part of ministries, departments and government agencies … [as well as] investigating … human rights violations by ministries, departments and government agencies.

'… since [the human rights mandate came into effect] … in July 2023, the office received 35 cases of human rights violations, which were still under investigation … during the financial year 2024/2025, the Ombudsman registered 1 330 new complaints as at end of January 2025, compared to 695 in 2023/2024.

'Out of this total, 554 complaints were resolved … the Office of the Ombudsman continued to resolve cases, although it has not attained the desired high-resolution rate … a number of reasons were behind the shortcoming, including non-response and or delayed response by ministries, departments and government agencies.

'… the office currently had 37 legal investigators delivering on [the] core mandate posing a challenge of delivery as the mandate had expanded not only in the area of investigation but also on other functions such as public education and advocacy as well as protection and promotion of the

[404] UNFPA official, HO interview, 8 July 2025, Annex D
[405] MWT representatives, HO interview, 14 July 2025, Annex O
[406] GOROB, Office of the Ombudsman, no date
[407] USSD, HR report 2023 (section 5), April 2024

enjoyment of human rights.'[408]

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20. Civil society organisations

20.1 Overview of organisations and services

20.1.1 The FH report 2025 noted: 'Nongovernmental organizations (NGOs), including human rights groups, generally operate without restriction.'[409] Similarly, the USSD HR report 2023 noted: 'The small number of domestic and international human rights groups generally operated without government restriction, investigating, and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to domestic NGO views on most subjects. The government interacted with and provided financial support to some domestic organizations.'[410]

20.1.2 The GOROB ACHPR report 2023 noted:

'Civil Society Organisations such as Botswana Association of Local Authorities (BALA) in collaboration with Gender Links also continue to play a significant role in addressing gender and GBV issues through local government Centres of Excellence programme, which encompasses the appointment of Gender Focal Points in District Councils. For the reporting period, Government committed a total of USD1.5 million to support the housing of GBV survivors.'[411]

20.1.3 The GOROB ACHPR report 2023 additionally noted 'Civil Society also established Toll-Free lines for reporting GBV as well as offering on-line counselling.'[412]

20.1.4 The UNFPA official 2025

'… explained that when she was working for BOCONGO [Botswana Council of Non-Governmental Organisations] [where the official served as executive director up between November 2023 and April 2025] they had around 300 individual members across the country, but these were working in a wide array of areas. Less than 20 worked specifically with GBV. Members are divided into 6 thematic groups: gender, human rights and youth; economic justice; arts and creative industry; the environment and nature management; democratic governance and … social protection. The gender NGOs were part of the gender and human rights thematic working groups. [They included] Emang Basadi [Women's Association], Gender Links and BONELA. Because BONELA do law and a lot of human rights issues, they will take on GBV. So, [the number of] GBV [civil society groups]: about 20 to 30.'[413]

20.1.5 The UNFPA official 2025 also noted:

'… there are some NGOs providing economic empowerment support to women, for women to start, sustain or even scale up enterprises. But when

[408] Africa Press, Ombudsman Provides Remedies for Injustices, 15 March 2025
[409] FH, Freedom in the World 2025 Botswana (section E), April 2025
[410] USSD, HR report 2023 (section 5), April 2024
[411] GOROB, Republic of Botswana: 4th and 5th Combined … (paragraph 111), September 2023
[412] GOROB, Republic of Botswana: 4th and 5th … (paragraphs 112 and 113), September 2023
[413] UNFPA, HO interview, 8 July 2025, Annex D

NGOs have a service like that, they are usually donor-funded, as with Women Against Rape in Maun or Cynthia Childcare Trust. The official noted that Cynthia Childcare Trust was supported by the French Embassy specifically to run women's economic empowerment programmes. So a lot of these are donor-funded, but the government of BWA's gender affairs department also has a women's economic empowerment programme where there's usually a grant set aside so individual women can apply, those that are starting enterprises, those that are scaling up. It's about 500,000 pula [circa £26,870[414]] when it's a group of women or 100,000 pula [circa £5,360[415]] for an individual.' [416]

20.1.6 The UNFPA official 2025 added that:

'… there are other NGOs [supporting women with economic empowerment], for example, Ratong Centre and Botswana Gender-Based Violence Prevention and Support Centre (BGBVC). BGBVC offers support for women who are victims of GBV, and the second part [of its work] are economic empowerment programmes for victims of GBV. Women Against Rape in Maun also provide shelter[s] and while the women are there [they provide] economic empowerment programmes to try and help them self-sustain, so that they don't go back to the perpetrators. The Ratong Centre was actually set up by a woman who was a victim of GBV, so from her own experience now she helps other women by providing economic empowerment programmes. They also do therapy through the projects they do, like beadwork and things like that.'[417]

20.1.7 The FAB representatives 2025 noted:

'… there are various NGOs [that support women] …, for example Women Against Rape, an NGO in Maun. There is also the Ratong Centre, which is based in Gaborone, and Botswana Gender-Based Violence Prevention Support Centre, [also based in Gaborone]. They provide counselling and legal services, but not the full range [of services]. The services that one receives from the shelters is limited due to constrained resources. For example, though they can provide counselling services, this is not long-term counselling. If they provide you with legal services, it would be for immediate protection such as obtaining a restraining order, but unlikely that they will provide legal services to get a maintenance order or institute divorce proceedings, depending on the circumstances of the case. They'll probably start off with obtaining a restraining order and seeking a protection order (Protection Order is an all-encompassing phrase used to mean any of the orders listed under section 7 of the Domestic Violence Act, particularly restraining order, tenancy or occupancy order. It generally refers to orders given to protect the survivor and children if any and their interests against the perpetrator), enforcing maintenance orders, etc. They also provide a temporary shelter … thought the maximum stay [at a shelter] would be 3 months. However, [the NGOs] also [state] that they are not able to provide victims of GBV with start-up capital. More often than not, [victims] have to leave their homes and start life afresh, and for a lot of them, it's very difficult

[414] Xe.com, Converter (500,000 BWP to GBP) on 16 September 2025
[415] Xe.com, Converter (100,000 BWP to GBP) on 16 September 2025
[416] UNFPA, HO interview, 8 July 2025, Annex D
[417] UNFPA, HO interview, 8 July 2025, Annex D

to do that.'[418]

20.1.8 The BGBVC managers 2025 noted:

'… there are organisations such as Men and Boys for Gender Equality and others where their mandate isn't really around GBV, but they are doing their best to also try and create awareness in communities on ethics, law and HIV/AIDS. There's BONELA, there's the Human Rights Centre, there's also LEGABIBO. There are also Tebelopele wellness centres, [Source confirms Tebelopele wellness centres is still operating (as of 25 Sept 2025) however other sources suggests it stopped operating in February 2025 see Gov't confirms Tebelopele nationwide shutdown:: Mmegi Online] their main mandate is HIV, but they've also integrated GBV. Even the Botswana Christian Health & AIDS Intervention Programme have integrated some community work on GBV. BGBVC and WAR are providing both prevention and response services, while the other organisations were mostly doing prevention (awareness creation) and referring to us for response.'[419]

20.1.9 The BGBVC managers 2025 explained that the organisation worked with other NGOs

'… but that their collaboration in activities has reduced a little bit over the years. But they are all members of the Botswana Council of NGOs, BOCONGO, and under BOCONGO they are together within what is called the 'gender and human rights thematic group'. So they have conversations once in a while where they talk about what to do about what is happening. But … it hasn't been really as it used to be. There's also another organisation called Molao Matters. Their main mandate is legal support. They're also a member of the gender and human rights thematic group … they are in Francistown, but they have people in Gaborone. They mostly work with lawyers who volunteer their services, so wherever there's a lawyer who is willing, anywhere in the country, they become part of it.'[420]

20.1.10 The MOJCS officials 2025 noted '…There are also psychosocial organisations which are not necessarily in the shelters, some of which are supported by the government, but there is need for improvement in this area. Most people would go to their church or their parents rather than go to [publicly available] psychosocial services. There is a need to encourage people to trust the services and let them know where they are.'[421]

20.1.11 The MYGA officials 2025 noted:

'… several [NGOs/civils society organisations (CSOs)] and that they're doing different work, focusing on different areas. Most CSOs will be providing counselling. They will also be raising awareness [about] GBV … [BGBVC] also has other offices like Ghanzi where they are just providing services like other NGOs, raising awareness on GBV and [providing] counselling. There also faith-based organisations that are also providing the same, raising awareness and counselling, and may refer cases to the police. There are a lot of referrals, and people even go to the health sector, the Ministry of Health, those that need counselling, but those also who need care, medical

[418] FAB representatives, HO interview, 9 July 2025, Annex E
[419] BGBVC, HO interview, 10 July 2025, Annex H
[420] BGBVC, HO interview, 10 July 2025, Annex H
[421] MOJCS, HO interview, 9 July 2025, Annex F

care if they have sustained injuries. There's a lot of referrals between social workers, the police and the civil society organisations. You find that most of the work that is done is on raising awareness and then counselling, but there is really a need for more shelters … we've found that this is a critical need to make sure that people who need shelters can be provided within their own district, not far. Right now, we have 3 [shelters] and it's really limited.'[422]

20.1.12 The LB representatives 2025 noted:

'… there are several organisations dealing with the issue of GBV, and their approach to GBV is one of prevention, which means you get messaging around GBV. There is an organisation called BOCAIP [Botswana Christian AIDS Intervention Programme, also known as Botswana Christian Health & AIDS Intervention Program (BOCHAIP)] dealing with issues around GBV, giving out messages. We also have BONELA … [which] deals with issues around GBV, and they're dealing with it from a legal perspective, sending out legal organisations, dealing with barriers in the areas where people have no access to services. There's also an organisation called Silence Kills, dealing with GBV for the lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people) community. They also come into contact with GBV cases. [Love Botswana (LB)] also provides support there. LB also helps as an organisation, Just Hope [Foundation] too. They're dealing with counselling for people experiencing issues around GBV … BOCAIP is a national organisation, an NGO, and it has an office in Maun. BONELA also has an office here. Just Hope is a national organisation that has an office in Maun.'[423]

20.1.13 The FE officials 2025 noted:

'[Civil society organisations] CSOs play a big role in [providing] protection in the social and health sectors. CSOs have been complementary to public service and definitely do a lot in [supporting] these women [who experience GBV], for example WAR's shelter, and making sure they have a police officer to talk to. They provide the link between state services, like the police, and women in need/survivors [of GBV]. If they weren't there the situation would be very dire … [also thought CSOs provided legal advice] but not the CSOs' main function. It's more health and social support.'[424]

20.1.14 The ADC 2025 noted that in Maun CSOs included 'WAR, Red Cross – they provide psychosocial support – there are many [organisations]: LEGABIBO, Tshidilo Stimulation Centre, Love Botswana, Queen Esther. Also prisons and DPP, the tribal administration, the district health team, and the Department of Youth and Gender. These [address] GBV but also mainstreaming of gender.'[425]

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20.2 Botswana Gender Based Violence Support Centre

20.2.1 The BGBVC managers 2025 explained:

'[BGBVC is] an organisation that works on the prevention and response to GBV, their name sets out what they do: prevention and support. They work

[422] MYGA, Interview with the HO, 11 July 2025, Annex I
[423] LB representatives, HO interview, 14 July 2025, Annex J
[424] FE officials, HO interview, 10 July 2025, Annex L
[425] ADC, HO interview, 15 July 2025, Annex Q

in 3 districts [across Botswana (BWA)] on 3 sites: the one they're running here [in Gaborone], which is their head office, as well as Ghanzi and Francistown. BGBVC have existed for 27 years, working towards the prevention of GBV as well as response and protection, particularly of those that have experienced GBV. In the past, they have had conversations with UK organisations and even people leaving to go to the UK, to the US and other countries due to what they were experiencing … The organisation is run by a board of trustees that oversees everything they do. BGBVC is known by government and society [generally] because they mostly work in communities.'[426]

20.2.2 The BGBVC managers 2025 also noted:

'… they have a support programme … providing care and support to survivors of GBV together with their families. They have drop-in centres in Gaborone, Francistown and Ghanzi where clients can just walk in and seek their services. They also have mobile outreach, where BGBVC go where the people are because some people are not comfortable coming to their centres and being seen as survivors of GBV. The main reason for the mobile outreach is mainly to take the services to the people; to make accessibility easier for those who cannot reach our centres or even are not aware of the available service.

'… [the] BGBVC works with the police, government bodies and other entities. Under their support programme, there are different types of services that are provided, the first being counselling to deal with the trauma that comes with GBV and its effects. They have recently introduced [the option of] telephone counselling. Within the support programme, BGBVC provides legal support, some of it through legal volunteers. BGBVC is also able to provide clients with drafting of different [protective] orders, including restraining orders and protection orders, ('(a) an interim order; (b) a restraining order; … a tenancy order; or … an occupancy order.') or applications for divorce because of GBV. They introduce clients to the range of orders available and provide legal advice about other options open to them within the justice system.

'… also have a clinic on this site [their head office] … specifically for survivors of GBV. They provide it with the purpose of clinical care because some clients come in having sustained injuries, so they treat injuries here. Some of them are survivors of rape, so they provide post-rape care – HIV prevention, preventing unwanted pregnancy, through emergency contraceptive. They also provide STI [sexually transmitted infection] screening and treatment, as well as mixed method contraceptives.'[427]

20.2.3 The BGBVC managers 2025 also noted that the organisation

'… deploys different strategies to achieve the goal of making sure that people are aware of GBV, its prevalence and its context. They use the media space and the social media space – all the networks that are available, including Facebook and LinkedIn – to talk about the organisation. They use the mainstream media – TV, radio and newspapers – to disseminate information about GBV and for social marketing of services that are available at the organisation … they also do what they call mobile outreaches, where their community mobilisers accompany a nurse or clinical staff and

[426] BGBVC, HO interview, 10 July 2025, Annex H
[427] BGBVC, HO interview, 10 July 2025, Annex H

counsellors to go to communities. [Those in the community] will be screened for GBV, and if they're eligible, they get referred to the counsellors to access the service. Currently, BGBVC has a school-based programme called 'Connect with Respect' to address respect in schools, especially issues of bullying and GBV. Through this programme, they are trying to identify students who are somehow susceptible to, or who have been through, GBV situations, especially at home or at school. The idea is to take the students through different GBV topics, but before that, they are pre-assessed for GBV – that is, they're given a set of questions to share what they understand about GBV and their experiences. This is done in Ghanzi and Francistown only, for 7 schools in total.'[428]

20.2.4 The BGBVC managers 2025 added that they also do,

'… capacity-building exercises for frontline workers or those who are at the forefront of responding to and addressing GBV: nurses, police officers, social workers, teachers and the like. They also capacitate tribal leaders and take them through GBV education to enable them to identify GBV and how to better handle cases. These are the people who actually deal with very sensitive cases, and much as BGBVC is aware of traditional norms and perceptions, they need these people to align that to the current situation. They promote the organisation [BGBVC], its services and, by extension, other services that are available out there.'[429]

20.2.5 The BGBVC managers 2025 explained that their funding was mainly from the government, but they have also received funding from 'the US government, the Finnish Government and the European Union … [They own one property, but] for the 2 shelters that they are renting, [funding comes from] a private company, a private sector partner.'[430]

20.2.6 The BGBVC managers 2025 noted '… they … get support from the police, and some cases are referred to BGBVC by the police themselves. We're one of the 2 organisations in the country that have emergency shelters [the other is provided by Women Against Rape in Maun], so whenever they have a victim that needs protection from the perpetrator, they bring them to us … they also have referrals from government social workers.'[431]

20.2.7 The BGBVC managers 2025 explained the process for entering the centre in Gaborone:

'When [new clients] come here, the security officer checks them, and then they're ushered to the clinic. Our approach is that we don't know how critical it is for each of them to receive medical attention. So before they sit down with the counsellor, their [medical] vitals are taken, such as blood pressure. If they're injured, they're provided with medical attention. Then, with a counsellor, they do a screening to see whether they need the shelter or will be able to go home. If they need the shelter, they are transported to the shelter. It also depends on the counsellor because they will find out what's important for the client. For example, if they want to report to the police, we ensure that they reach the police safely. If they want to see a legal adviser to work out their options, legal advisers can come and see them here … the

[428] BGBVC, HO interview, 10 July 2025, Annex H
[429] BGBVC, HO interview, 10 July 2025, Annex H
[430] BGBVC, HO interview, 10 July 2025, Annex H
[431] BGBVC, HO interview, 10 July 2025, Annex H

lawyers don't work for them; they are volunteers who are called in when needed. Also, we have a Memorandum of Understanding [MoU] [since the beginning of 2025] with Legal Aid Botswana, and they can provide legal support.'[432]

20.2.8 The BGBVC managers 2025 that women can come to the centre for support, not necessarily to be housed at the shelter. Noting, 'we have the shelters particularly for those [women who need protection], and then there are those who come here for [other] services. They can come here for trauma counselling, come every week and then go home.'[433]

20.2.9 The chief executive of the BGBVC in an article in the Daily News, a Botswanan newspaper, summarised the services that the organisation provided in addition to operating a shelter in Gaborone. This included 'provided counselling, psychosocial support, medical assistance, legal referrals, empowerment programmes, and community education to address harmful gender norms and practices.'[434]

20.2.10 The BGBVC annual report covering 1 January to 31 December 2024 provided statistics on the type of support and numbers of people assisted in the year:

- tele-counselling to 69 people
- shelter to 274 people
- post GBV care to 717 people
- psychosocial care to 917 people
- prevention messaging against GBV and HIV to 5,152 people[435]

20.2.11 For information about the BGBVC shelter in Gaborone, see Shelters below.

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20.3 War Against Rape

20.3.1 War Against Rape (WAR) is, as noted by its executive director, a non-government organisation established in 1993, Maun, Ngamiland, with a vision to end violence in Botswana. WAR supports women who fear GBV by

'… providing psychosocial support, which is counselling, and public education. They do a lot of public education on prevention [of GBV], including prevention of re-victimisation for those who have experienced violence ... they provide services to those who have been affected, such as offering a shelter … Their first approach is to visit legal practitioners. They used to have their own legal practitioner but then because of funding they piloted [using] government [funded] legal aid … The government is renting space from WAR to run Legal Aid [through Legal Aid Botswana (LAB)] from their office, which is useful because WAR's clients just refer straight to the office … They have published a number of research papers on GBV and alcohol, and on children's understanding of sexual and reproductive health. This they did with Amplify Change, a British non-governmental organisation (NGO), and they have worked with the University of Rutgers in New Jersey

[432] BGBVC, HO interview, 10 July 2025, Annex H
[433] BGBVC, HO interview, 10 July 2025, Annex H
[434] Daily News, Japan donates over P1million to BGBVC, 24 October 2025
[435] BGBVC, 2024 Annual Report (page 4), no date

on the publication of findings from their work in schools. They also work with the University of Botswana. Their partners in the work they do are mostly government … the [Ministry of Youth and] Gender Affairs, social services, the dikgosi [traditional chiefs] and the police … WAR is also in a network of NGOs as a member of NCONGO [Ngamiland Council of Non-Governmental Organisations] in Ngamiland and BOCONGO [Botswana Council of Non-Governmental Organisations] in Gaborone.

'Currently, WAR's main funding comes from government, [the Ministry of Youth and] Gender Affairs, but they have had funding from a variety of funders including Oak Foundation, Raising Voices in Uganda, Amplify Change, Canada Fund for Local Initiatives, Stephen Lewis Foundation and embassies like the British [High Commission]. They worked with the British [High Commission] during Covid, just a short project with Men and Boys for Gender Equality. They have an ongoing relationship with the French embassy, which puts up calls for proposals and WAR responds. Currently, they are running a project with the French embassy, the [US] embassy and the [US] Peace Corps Volunteers. So WAR has a variety of donors and partners.

'… they currently have 25 staff members as well as 3 volunteers – 2 German volunteers and one American … all of their counsellors have done a Bachelors [degree in] Counselling or have done social work ... there are 6 counsellors and the shelter manager also has a degree in social work. They don't have a clinical psychologist, so for clinical psychology they refer to Letsholathebe II Memorial Hospital [in Maun] …'[436]

20.3.2 The WAR executive director 2025 also noted

'… they have a toll-free number and the WAR number, which is an emergency number that women can send a message or a WhatsApp message to. Women can ask for a "call me back" and the call is always with a counsellor or with the EXECUTIVE DIRECTOR … They have to respond if a woman sends them an SMS [text message]. So women can contact WAR directly and at this centre [the WAR office], and that number is 24 hours. [The] Toll free number is 0800 600 387 and the 24hr emergency number is +267 71 311 244. The toll-free number diverts to the emergency number if not answered immediately. The Executive Director and the Head of Counselling alternate in taking the emergency phone after hours and at weekends.'[437]

20.3.3 The WAR executive director 2025 noted the organisation works with 'work with the mohumagadi [wives of traditional leaders], counsellors, [social and community development officers] … social workers and other NGOs' social workers. They are all in a network. The police can call … WAR after hours or call the WAR number after hours, and they are always available.'[438]

20.3.4 For information about the WAR shelter in Maun, see Shelters below.

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20.4 Botswana Network on Ethics, Law and HIV/AIDS

[436] WAR executive director, HO interview, 14 July 2025, Annex K
[437] WAR executive director, HO interview, 14 July 2025, Annex K
[438] WAR executive director, HO interview, 14 July 2025, Annex K

20.4.1 Botswana Network on Ethics, Law and HIV/AIDS (BONELA), as noted by its representatives, was

'… formed in 2002 with the primary role of integrating ethics, law and human rights in national response to the HIV/AIDS crisis but works on health holistically. BONELA works with marginalised and vulnerable groups including women; children; migrants; sex workers; lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+) people; rural area dwellers; and prisoners – specifically in health and HIV/AIDs.'[439]

20.4.2 BONELA depends on funding from the government, international organisations - primarily the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund) - the European Union and overseas governments. However, the US administration's cuts to USAID and the Global Fund in the first half of 2025 have significantly reduced the organisation's income, leading it to reduce staff from 86 to 16 and close 11 offices outside of Gaborone[440].

20.4.3 BONELA's services and work include:

- free legal advice – one in-house lawyer (external lawyers kept on retainers)
- advocacy including working with the government to ensure laws and policies protect marginalised communities
- healthcare including HIV testing, provision of condoms and lubes, various service related to sexual and reproductive health
- community education and mobilisation raising awareness of the rights of marginalised groups
- research on marginalised groups - collecting information from community contacts[441]

20.4.4 The BONELA representatives 2025 noted it had:

'… an emergency fund to assist sex workers, who experience a lot of violence. When they experience violence they could notify us, we provide support and connect them to the police. If they needed immediate shelter, we would provide this. We also provided toiletries and medical supplies. This was a 3-year project that ended in 2024, funded by Dutch government. The same is needed for victims of GBV as most needs are not met at the time of reporting an incident. For instance, victims spend a lot of time at a police station before there can be any form of incarceration. There needs to be rapid response support from that point which would help facilitate access to the justice system in a more dignified way. Some might go to the police station not properly dressed or needing medication.'

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20.5 Shelters

20.5.1 The MOJCS officials 2025 noted '… there are no government shelters, but

[439] BONELA, HO interview, 16 July 2025, Annex R
[440] BONELA, HO interview, 16 July 2025, Annex R
[441] BONELA, HO interview, 16 July 2025, Annex R

the government subvents civil society to provide shelters and support.'[442]

20.5.2 The GOROB ACHPR submission 2023 noted:

'Government currently provides financial support to the two (2) shelters run by Non-Governmental Organisations. To strengthen support to GBV survivors, the shelters make referrals and provide transport to access services outside their facilities such as meetings with legal representatives and health care. Other support services include family counselling and reconciliation to ensure sustainability and lifelong benefits for survivors, involvement of men in violence prevention initiatives; and engagement of Religious Leaders in counselling services as preferred by survivors. Legal Aid Botswana in collaboration with shelters provides legal assistance.'[443]

20.5.3 The UN CEDAW report 2025 was concerned by limited access for survivors of gender-based violence to shelters and psychosocial counselling …'[444] The GOROB's reply to CEDAW May 2025 stated: 'Though Government does not operate and shelters, it continues to provide financial support to the ones run by [civil society organisations] CSOs. For the financial year 2024/2025, the shelters were allocated a total of USD580 thousand.'[445]

20.5.4 The MYGA officials 2025 noted there are 2 organisations that operate shelters:

- Botswana Gender-Based Violence Prevention and Support Centre in Francistown and Gaborone
- Women Against Rape in Maun[446]

20.5.5 The BGBVC managers 2025 noted:

'[The BGBVC] … also have the emergency shelters for those in imminent danger. A counsellor does a risk assessment and screens the client for eligibility for admission [to the shelters]. The [shelters] are primarily for those whose lives are in danger because of physical violence, threats to kill or sexual violence, especially for women and children who [need to be] removed from their homes. While [police] investigations are going on, a child can be removed from their home environment if necessary. While in the shelter they also receive other services. The shelters are in undisclosed locations for security – for the protection of clients and the BGBVC staff. Clients are admitted for a maximum of 3 months while BGBVC work around a discharge plan for ensuring their security once they leave the shelter. Shelter clients are mostly referred by the police and social workers, and BGBVC works with [these agencies] on a sustainable plan for ensuring each client's security beyond the shelter. If the intervention hasn't been completed after 3 months, this work continues, and depending on the security issues in the case, a client can stay for a year or more. BGBVC's shelters are only in Gaborone and Francistown, 2 in Gaborone and currently one in Francistown.'[447]

[442] MOJCS, HO interview, 9 July 2025, Annex F
[443] GOROB, Republic of Botswana: 4th and 5th Combined … (paragraph 111). September 2023
[444] UN CEDAW, Concluding observations on the fifth periodic … (paragraph 26), 11 July 2025
[445] GOROB, Replies of Botswana to the list of issues … (paragraph 40), 13 May 2025
[446] MYGA, Interview with the HO, 11 July 2025, Annex I
[447] BGBVC, HO interview, 10 July 2025, Annex H

20.5.6 The BGBVC managers 2025 on the capacity of the shelter explained,

'… they have 2 shelters in Gaborone. They can accommodate 16 to 18 people in one, and the other is for 8 people. The one in Francistown can also accommodate 16 to 18 people. There are many rooms inside that can accommodate families or individuals … they can never say they don't need any more [shelters]. The reality is, at this time, they need more shelters. However, the rationale behind it is the number [of people] coming to the shelter, and that is mostly dependent on sensitisation. There are still a lot of women out there who don't know that there [are] shelters despite the awareness [-raising efforts]. There's still more that needs to be done because there are women who still would rather stay in an abusive environment and risk their lives. However, we still need more shelters.'[448]

20.5.7 In an article in the Daily News, a Botswanan newspaper, the chief executive of the BGBVC observed that the shelter in Gaborone 'accommodates a maximum of 18 people, who typically stay for one to two weeks.'[449]

20.5.8 The WAR executive director 2025 noted that the organisation had one shelter in an undisclosed location in Maun, adding

'… the shelter could accommodate up to 20 people, but they limit it to 16. They went up to 16 during Covid, but the facility is not big enough to take 20 people because of the need for showers and [for] cooking – the kitchen is not so big. It's just a house. There is food and a bed and psychosocial support and everything that you get in a house. As well as the manager, there are 3 members of staff there who work on a rotational basis, so it's covered 24 hours. There's always a member of staff there and sheltered abused women and children, boys up to the age of 14 years. WAR doesn't know if that age limit will go down, but it's 14 for puberty, and before this age WAR considers that boys are not sexually active. Up until then, they can keep the boys with the girls, but once the boys are over 14, they can't take them in the shelter. Then either the boys are sent to SOS villages or social workers will find alternative housing for them.

'[On how long women may stay at the shelter] when WAR started the shelter, they said 3 months, but 3 months is just on paper. The women can stay up to maybe 6 months and then they leave. But the children can stay up to 2 years or even more. It depends on when the case gets concluded. Sometimes the adults will leave the shelter before the case is concluded because they have a life outside of the shelter and they feel this has been put on hold; it's been like they're now in prison when the men are out. The adults' way of thinking is different from children's, and you can't hold an adult in a shelter. So, adults can choose to say that they would prefer to be outside the shelter while they wait for the case to be concluded, whereas with children, because they are admitted with a court order and a social worker report, it's only the court that can remove the child from the shelter. If, for example, a child was placed in the shelter for a 6-month period initially, but the case was still not concluded after 6 months, the social workers would go back to court and get another court order for WAR to do an extension, and then the social workers have to support WAR in looking after the child

[448] BGBVC, HO interview, 10 July 2025, Annex H
[449] Daily News, Japan donates over P1million to BGBVC, 24 October 2025

until then. If children in the shelter are of school age, WAR makes sure that they go to school and takes them to school and picks them up again.'[450]

20.5.9 The WAR executive director 2025 also noted:

'The adult cases can be where a woman runs away and goes to the police and says, "My husband, my partner, is beating me. I'm scared of going home. There's nobody to talk to. Please help me." And then the police, assessing the situation, feel maybe they don't have a car to find this person, or they have looked around, but they can't find him. Then they will say, "Women Against Rape, can you hold on to this woman until we find the perpetrator? And once we've found that perpetrator and understood the situation, then we can take her out [of the shelter], or she will stay in if there is a case to be investigated." So, women can come in while the police are doing an investigation. They can also come in when there is a court case going on where they need protection, sometimes because of a threat to kill. If someone threatens to kill you in Botswana, you can be taken into protection. And then the perpetrator will be in a cell or they look for him and then they go to the magistrates' court to get a restraining order or something.'[451]

20.5.10 With regards to shelter security, WAR executive director 2025 stated:

'…if somebody was sitting here [pointing to one side of the desk] and she was sitting there [on opposite sides of her desk], it's a long way to go to that panic button. So, security is always an issue… at the counselling centre in Gaborone (at BGBVC in around 2023) … [a] perpetrator agreed to come for a counselling session but ended up stabbing [his wife]. The EXECUTIVE DIRECTOR explained that there was a security guard, there were panic buttons, there was everything, so sometimes you don't know what you could have done to prevent that. Security is always at the forefront of what WAR does.'[452]

20.5.11 On whether the BGBVC shelters were full at the time of the interview in July 2025, the BGBVC managers noted '… you can stay in a shelter for a maximum of 3 months, or more based on circumstances. In terms of new applications, there may not be too many at a time, but there will be those who are already in the shelter, so they are usually fully occupied.'[453]

20.5.12 The BGBVC managers 2025 also noted '… [the shelters] are available to women nationwide so they can get a referral from anywhere.'[454] Similarly, the WAR executive director 2025 noted the organisation

'… take[s] women from all over the country. They had a case of a couple where the woman was abused so much that she needed to be taken out of Maun. They felt that the husband knew where the shelter was and was capable of coming to threaten WAR or threaten WAR and the shelter, which he did. But they negotiated with the women's shelter in Gaborone to send the woman to Gaborone. She was assisted in … [Gaborone] and the man was here. Sometimes, [the women's shelter in Gaborone has] … cases where they feel the woman will be safer far away from the perpetrator. So

[450] WAR executive director, HO interview, 14 July 2025, Annex K
[451] WAR executive director, HO interview, 14 July 2025, Annex K
[452] WAR executive director, HO interview, 14 July 2025, Annex K
[453] BGBVC, HO interview, 10 July 2025, Annex H
[454] BGBVC, HO interview, 10 July 2025, Annex H

[WAR and BGBVC] … work together, they co-operate.'[455]

20.5.13 On access to support, the UNFPA official 2025 noted it was physically easy to access GBV support (where it is available): 'You can just walk in and they don't charge you anything. The challenge is that GBV is spread across the country, but BGBVC is only here in Gaborone with satellite offices and shelters. Women Against Rape is in Maun. In other places, particularly the remotest places, there are no shelters … But if a woman is able to get herself to a shelter, it's quite easy. These are open centres but most have very limited capacity.'[456]

20.5.14 The MYGA officials 2025, when asked what long term support is provided to women who have to go into shelters, noted that there are

'… several aspects to it, [the first being] that shelters themselves have training in terms of trying to equip [women] with skills to undertake income-generating activities – culinary, sewing, knitting, etc. And then there's a social inquiry report which goes to the ministers responsible for social services, who say this person needs to at least to be enrolled [with social services] because of their inability to be employed at a point in time. So that is now at a bigger level. There are those measures.'[457]

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21. Internal relocation

21.1 Legal right to move

21.1.1 The FH report 2025 noted: 'Most citizens can move freely within Botswana and travel internationally …'[458] The USSD HR report 2024 does not comment on freedom of movement[459] however, the USSD HR report for 2023, which covered a broader range of human rights issues, noted 'The law provided for freedom of internal movement … and the government generally respected these rights.'[460].

21.1.2 The WAR executive director 2025 noted 'movement is not restricted, in the simple way of can you get on a bus' and that there are no barriers to travel[461].

21.1.3 The MLIA officials 2025 noted when asked about freedom of movement: 'Every person in this country has the right of freedom of movement. If movement is restricted, there's something they can do. They can approach the authorities and report it. The basis of these provisions and the law is really to protect individuals.'[462]

21.1.4 The BONELA representatives 2025 thought the only barrier to for a woman to move with Botswana was financial[463].

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[455] WAR executive director, HO interview, 14 July 2025, Annex K
[456] UNFPA, HO interview, 8 July 2025, Annex D
[457] MYGA, HO interview, 11 July 2025, Annex I
[458] FH, Freedom in the World 2025 Botswana, (Section-G), April 2025
[459] USSD, HR report 2024, 12 August 2025
[460] USSD, HR report 2023 (section 6), April 2024
[461] WAR executive director, HO interview, 14 July 2025, Annex K
[462] MLIA officials, HO interview, 10 July 2025, Annex N
[463] BONELA, HO interview, 16 July 2025, Annex R

21.2 Accessing public services

21.2.1 The UNFPA official 2025 noted:

'… you can access healthcare anywhere; you don't have to be a resident of that locality. Women's economic empowerment programmes are usually tied to a district. There'll be a budget under the Ministry of Youth & Gender Affairs and then it will be allocated to the different gender offices across the district because they'll have a sense of roughly how many people qualify and anything like that. But they're generally accessible, so you can apply and try your luck anywhere, because in Botswana you can live anywhere.'[464]

21.2.2 The WAR executive director 2025 commenting on access to public services 'explained that [it also depends on] whether you are going to qualify for those government services, because it's not everyone who can. Even for poor people, it's not everyone who receives support.'[465]

21.2.3 The MWT representatives 2025 noted 'that education, health, everything is free, so everyone can access this. It's only [people's mistaken] beliefs that might prevent [them from relocating], for example a belief that their children can't go to school. [But] everyone has the right to education … the government takes responsibility for providing healthcare and education, including boarding schools.'[466]

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21.3 Lone women

21.3.1 The International diplomatic source 1 – 2025 noted it was common for women to move within the country for jobs / employment adding 'unless my view is biased, I think single women are not looked down on [in Gaborone].'[467]

21.3.2 The International diplomatic source 1 – 2025 also thought:

'… the majority of households are female-headed … It's quite normal ... [Asked what the reaction would be if a woman left her partner] Well, it depends. Some men will accept it, but I would presume it's a small majority … If the man is a lost cause, they wouldn't really care. They would just continue on with their life and let the woman, if she wanted to, have the responsibility for their kids and bear the cost of raising the kids. Some men will just let them be, but in some instances, family are often the first people to intervene and say, "No, you can't do that. Come back to your husband or to your partner, raise the kids together."'[468]

21.3.3 The International diplomatic source 1 – 2025 noted that '… in some instances nowadays, because men are becoming much more alive to their legal rights in terms of custody and stuff, they would challenge that to the courts and then in some unfortunate instances, we've heard of men following their partner, assaulting them and in some instances killing them or leaving them.'[469]

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[464] UNFPA official, HO interview, 8 July 2025, Annex D
[465] WAR executive director, HO interview, 14 July 2025, Annex K
[466] MWT representatives, HO interview, 14 July 2025, Annex O
[467] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[468] International diplomatic source 1, HO interview, 7 July 2025, Annex B
[469] International diplomatic source 1, HO interview, 7 July 2025, Annex B

21.3.4 The International diplomatic source 2 – 2025 did not consider a woman, including a single woman or single mother,

'… would face discrimination [from other people]. But if she was married and was being harmed within the marriage and she relocated with her kids there will be some backlash from her in-laws because there is a traditional belief you should work things out. That's what most women in abusive marriages explained to [the official]. The stigma [for moving away] might come from there. But … didn't think people would generally [discriminate against a woman] or judge her or [not] accept them in society [for being a lone woman].'[470]

21.3.5 The UNFPA official 2025 noted '… that a lot of people come to towns seeking employment opportunities or economic empowerment opportunities and that there is a lot of internal migration. If you don't find them [economic opportunities], that's when the challenges begin.'[471] The official also noted:

'…. [women] who have the economic means can [relocate], but it's tough because a lot of victims are economically dependent on their partners. The houses they live in were bought by their partners. If you need shelter, where are you going to go? [What is your] means of sustenance? That's why a lot of the cases are withdrawn, because they say these men are the ones who provide support, but those that have the economic means can [continue with a court case] … BWA is only small [in population]. There are cases in which perpetrators of GBV have travelled hundreds of kilometres [to find their victims] … even if a woman moves to a different village or town, it's very easy for [the perpetrator] to find them if they're determined to do so. It may be easy for a woman to get on a bus and decide she's moving from Gaborone to Francistown, but it's just as easy for the perpetrator to move and find her.'[472]

21.3.6 The FAB representatives 2025 noted 'that there would perhaps be more prospects for work and finding work [in Gaborone] than in most places in the country because most development has been centred here. Most companies are [in the city] … you find the headquarters of most companies here.' Also noting:

'… [for a woman] choosing to move away from a spouse means you're relying on your financial [means] to protect yourself. Often support will be from family members and/or friends, not from the state, in terms of setting you up. There is an unemployment rate of approximately 37% (for youth up to 35 years of age), so if you're leaving a city, for example Gaborone, your probability of getting a job there [in the new location] as opposed to [Gaborone] is very low. So, if you're moving, it means you're leaving your work … If you're entrepreneurial, then you can start doing some entrepreneurial undertakings. … [but] you are sacrificing your financial stability for your physical safety.'[473]

21.3.7 The FAB representatives 2025 commenting on societal attitudes to a single woman noted:

[470] International diplomatic source 2, HO interview, 8 July 2025, Annex C
[471] UNFPA, HO interview, 8 July 2025, Annex D
[472] UNFPA, HO interview, 8 July 2025, Annex D
[473] FAB representatives, HO interview, 9 July 2025, Annex E

'… there would be no shame because … there is a high percentage of single female-headed households in BWA so [it would not be unusual]. She thought that despite everything, Batswana are accommodating and understanding. They still have a communal sense of responsibility to each other, especially when it comes to sensitive issues like this [GBV, break up of families]. So you'd be able to start a life. You'd be able to find support where you are. A majority of women tend to rely on churches and social clubs for communal support.'[474]

21.3.8 The LB representatives 2025 noted:

'… relocation would be fairly easy depending on income and whether she's able to move jobs. There's a high level of unemployment, but … thought that in most cases, it would be very possible … there's no stigma [for a single woman], and healthcare is free. They also have a temporary rescue centre for children aged 0 to 5. Where there's been neglect or sexual abuse, the children are removed from their home and are sent to the centre while the case is before the courts. Cases can take a long time, so they do extended court orders.'[475]

21.3.9 The WAR executive director 2025 noted:

'… it's very, very difficult. You have to move from your place. To move from, say, Maun and go to Francistown, you must know somebody in Francistown, or you must have a job that you are going to that will sustain you. You first of all think, "Where am I going to stay? How am I going to sustain myself?" so that you must have found a job. There must be someone who says, "I will take you in." That "I will take you in" must happen before you can move and just go, because you can't just go into a shelter, you have to go through the police. They don't just come straight through the police, and you don't house them forever. The other option is going through social services. Social services have destitute programmes, and for you to qualify as a destitute we have to evaluate 1,2,3,4, and if you are found to be able to work, then you don't get that funding.'[476]

21.3.10 The UNFPA official 2025 on how society considers single women or mothers noted:

'… depend[s] where the woman moved to. A city like Gaborone is multicultural and there are different people who are here for different business. But society is very traditional in people's home villages because of the kgotla [customary court/community council] system, which means everybody knows everybody, everybody is tied to a kgotla and they have a traditional chief and they know each other by their family names. By moving from your home village to, say, another village, you're settling into an already established community, so obviously you're going to draw public attention. It depends on how traditional the place is that you're moving to, but ultimately people always get to know why you are there. In urban centres, it may not be so obvious.

'[The official did not consider a woman moving to Gaborone or Francistown would face societal backlash] … not really in urban centres … probably a

[474] FAB representatives, HO interview, 9 July 2025, Annex E
[475] LB representatives, HO interview, 14 July 2025, Annex J
[476] WAR executive director, HO interview, 14 July 2025, Annex K

woman moving would have the means to sustain herself because otherwise she would struggle and become stranded, and people might then ask where she had come from and make the connection to her history if she had been missing. If she has the means to move to an urban centre and self-sustain, it should be easy. But again, the fact that it's easy for a woman to move means it's very easy for the perpetrator to follow her.'[477]

21.3.11 The WAR executive director 2025 confirmed that a single or lone woman

'… can move and live in a rental. People have built houses. And if you've got children, the children will easily be admitted in a school because of the law that children must go to school. There's no school that can refuse your children going into a public school … Like the children who come to our shelter – when they come in, we insist that the social workers bring their school forms, they transfer them, then they come here, we find them a school as well, and there's no school that can refuse. So the issue is finding a place to stay and something to take care of yourself, and a job can do that.' [478]

21.3.12 The WAR executive director 2025 did not consider there was stigma for single women '… anymore – there are so many such women. She thought that in Botswana, the marriage statistics are going down. Single families are now everywhere, so there's no stigma around them. She didn't think so anyway.'[479]

21.3.13 The FE officials 2025 'thought there are multiple issues [for a woman relocating within Botswana]. There's still this big weight of community even if you have the economic means. There's a system around you - it wouldn't be seen in the right way by the family or the community, especially for women with kids.'[480]

21.3.14 The MWT representatives 2025 noted women 'are free as long as their finances allow, they can move. Some won't move because of their financial status, their beliefs and their culture. BWA is a free country, people can leave when they want and live where they want.'[481]

21.3.15 The ADC 2025 noted for a woman to relocate 'family may offer support, but there are not shelters to accommodate a large number. So, this is the challenge, the lack of shelters [but] … people can move anywhere [but] they will need money and somewhere to stay.'[482]

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21.4 Tracing and locating people

21.4.1 The International diplomatic source 1 – 2025 also noted 'BWA is a small country, and you can't disappear and live off the grid without somebody eventually finding you.'[483]

21.4.2 The UNFPA official 2025 noted:

[477] UNFPA official, HO interview, 8 July 2025, Annex D
[478] WAR, HO interview, 14 July 2025, Annex K
[479] WAR, HO interview, 14 July 2025, Annex K
[480] FE officials, HO interview, 10 July 2025, Annex L
[481] MWT representatives, HO interview, 14 July 2025, Annex O
[482] ADC, HO interview, 15 July 2025, Annex Q
[483] International diplomatic source 1, HO interview, 7 July 2025, Annex B

'There had been a case in which a woman had moved to the BGBVC shelter [in Gaborone] and [her husband] had followed her and killed her in front of others in broad daylight. Imagine if a woman moved to a different village and, instead of being in a shelter, she just lived on her own. Many women are financially dependent on their partners, but if a woman who [is financially independent] moves away, there are cases where the perpetrator follows her and ultimately either rapes her again or kills her.'[484]

21.4.3 The FAB representatives 2025 when asked if a person could 'disappear' noted: '… you can't disappear … Given our small population it is difficult to disappear and start life afresh in another part of Botswana … [perpetrators] will always find ways. If a person is intent [on] killing you, they'll track you down and kill you. Because there is such a small population, it's very easy for a perpetrator to find where their partner is … [Even Gaborone is] still quite small. Everybody knows everybody's business.'[485]

21.4.4 See also sections on Geography, Economic context, Social economic and political status, and Social and cultural attitudes for discussion of factors relevant to considering internal relocation.

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[484] UNFPA official, HO interview, 8 July 2025, Annex D
[485] FAB representatives, HO interview, 9 July 2025, Annex E

Annexes

Annex A - Botswana fact finding mission: background

Acknowledgement

The fact-finding mission (FFM) team are profoundly grateful to the British High Commission, Gaborone, our driver, and the many sources who spoke to them for their time, knowledge, support and patience. The FFM team returned to the UK with a much better understanding of Botswana and gender-based violence in the country.

Pula!

Purpose

Three officials from CPIT undertook a fact finding-mission (FFM) to Botswana between 6 and 17 July 2025 to gather information about gender-based violence (GBV) and the experiences of lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people). The team were supported by officials at British High Commission, Gaborone (BHCG). The FFM team visited Gaborone and Maun.

See Annex V for the FFM's Terms of Reference (ToR).

Research standards

The FFM was undertaken with reference to the EU [European Union] common guidelines on (Joint) Fact Finding Missions: a practical tool to assist member states in organizing (joint) Fact Finding Missions, November 2010 (EU Guidelines 2010), and CPIT's internal guidelines for conducting FFMs.

Identification of sources

The FFM team sought to interview a wide range of informed sources, including government officials, members of non-government organisations and international organisations, and western embassy officials. Sources were identified primarily by desk-based research and in consultation with the BHCG.

The sources contacted and interviewed are those that the FFM team and the BHCG identified as relevant to the mission's ToR. But, as with any FFM, factors including time constraints and availability of sources meant that the list of sources-consulted and information provided are not exhaustive.

That a particular source was interviewed and the notes of the interview have been included are not endorsement of that source or the information provided. Rather, all the information provided needs to be critically assessed and considered against other publicly available material.

Arranging and conducting interviews

The FFM team conducted 19 face-to-face interviews, and one video interview over Microsoft Teams, meeting a total of 56 people.

All interviews and subsequent correspondence with sources were conducted in English.

At the start of each interview the FFM team explained the purpose of the mission and the how the information gathered would be used. This included that the notes of the interview may be published in a report on the GOV.UK website and the sources would be able to review the notes before publication.

Sources were also given an introductory note explaining this (see Annex W).

Notes of interviews/meetings

The FFM team recorded all meetings using Microsoft Teams on their work mobile phones as well as taking written notes. Agreed notes of the meetings were subsequently sent by email to the sources for review and approval. Covering emails explained that if a source did not respond within a specific deadline CPIT would assume the source was content with the notes as sent to them.

Of the 20 interviews:

- Eleven sets of the notes were approved by sources with a number making amendments to the original drafts
- Nine sources did not respond to CPIT's emails but had given permission orally during the interview for the notes to be published

All sources are described/referred according to their preference as expressed at the interviews or subsequently in email correspondence.

The notes does not reflect the views or assessment of the Home Office. All opinions expressed are those of the sources interviewed only.

Terms of reference

A 'Terms of Reference' of the topics considered relevant to the FFM are at Annex U.

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Annex B - Interview with an International diplomatic source 1

Date	**7 July 2025**
Location	Gaborone
Attendees	Diplomatic source 1; 3 Home Office (HO) officials

The FFM team as if the International diplomatic source could you summarise the situation of women in Botswana in terms of their social and political rights. The International diplomatic source noted that the Constitution recognises everyone, women enjoy legal protections, and they're recognised in society as equals to men. Women have come a long way in terms of that recognition; it wasn't always the case. But culturally, BWA is a patriarchal society and there's a conservative element. There's still some progress to go in terms of political participation of women: only 9% of MPs in Parliament [who are women]. Women also enjoy some recognition in law on inheritance. Women can benefit from their parents' inheritance as much as their male counterparts. In the private sector, there's still low representation of women in senior leadership positions.

The main human rights situation threat to women in BWA is GBV, like that due to the lack of economic empowerment. They find themselves subject to mean[ness], whether it's their husbands, their boyfriends or their male relatives. So that puts them at a disadvantage economically and in terms of how society treats them. In Botswana's traditional system - the Kgotla - which is like the traditional gathering point for every tribe in every village, women are still discriminated in terms of how they're allowed to show up. For example, they're not allowed to wear pants [trousers] to the traditional gathering, which puts off some women. There are legal protections,

but the conservative nature of the society puts women on the back foot.

The FFM team asked if the new government has introduced any new legal protections for women, or had it shown intention to protection women further.

The International diplomatic source noted that there is strong rhetoric but not much political will and there haven't been any substantive changes to legislation, although the government has been in power for 7 months now so there have been limited opportunities. The government portray themselves as a human-rights based government, saying they want to put human rights at the centre of everything that they do. But BWA is still a patriarchal society which is quite conservative.

The FFM team asked if there is a difference in how women are treated Gaborone and Maun or for women in rural areas generally. The International diplomatic source said yes, very much. There's a distinct difference between rural and urban areas. The majority of the population lives in urban areas, but there are still some tribes – because BWA is divided according to tribal territories – that are much more liberal than others. But in some places you'll see that women are still very far behind in how they're recognised and how they're treated.

The FFM team asked if there are particular factors – age, tribe, where people live, education and the economic success of families – that affect treatment. The International diplomatic source considered yes, education, the top one and then of course economic background with the family. **The FFM team clarified, if they have more money what does that mean**. The International diplomatic source considered that if a woman comes from a well-off family, then the prospects of her rising up in society are much higher and how they're treated also corresponds to that. But the International diplomatic source did not think they [relatively wealthy women] can avoid gender-based violence, it affects all women – but didn't think economic background matters that much. The International diplomatic source had heard and seen examples of women who are well-educated still experiencing GBV.

The FFM team asked how the government and society treat lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+) people generally and for lesbians in particular. While we're on the topic we should address LGBT+ people and particularly lesbians and bisexual women. They're a subset of women. So first of all, how do government and society regard LGBT+ people and particularly that subset of women? What's their place and what's their experience? What's their protection first of all?

The International diplomatic source noted that the Botswana legal system approaches people as just being people. It does not draw distinctions between LGBT+ and other people. But of course, even though there are those legal protections how they're treated in law enforcement, for example, if they come in to report an issue and they say, 'I've been assaulted by my partner. I'm a lesbian woman, and I've been assaulted by my partner', the treatment that the official had heard of in these cases is quite different than that of a heterosexual woman. It will depend on the police officer that's handling the issue. The source had heard of male police officers, particularly, laughing at men: the man comes into the police station and they say they've been assaulted by a woman or by their gay partner and there was a slap, and they've (the police) undermined their complaint.

The FFM team asked whether the International diplomatic source had heard of cases where a gay man or lesbian has gone to the police, is it all negative? The International diplomatic source it's mostly been negative, from the reports

that I've heard. **The FFM team asked if these reports have been in the newspapers. The International diplomatic source** noted that there's a difference in how the media cover LGBT+ issues. Some [media] are more explicit - there are particular newspapers that are much more explicit how they cover issues, but some don't report them at all. **The International diplomatic source** didn't think lesbian women report as much that they've been assaulted - so there is under-reporting.

The FFM team asked what are the main types of gender-based violence? International diplomatic source: The main one would be intimate partner violence (IPV). That's resulted in a lot of cases. Murder. **Asked if husband or boyfriend, The International diplomatic source** thought mostly boyfriend, girlfriend.

Asked how many cases of murder, the International diplomatic source did not have the numbers off but there was a particular period during the festive season [Christmas] last year when the police reported the number of cases of murder, incest or molestation were in their hundreds nationally in that period alone. The FFM team asked if these were publicly available statistics. The **International diplomatic source** said yes, can pull the report from early January this year. **The FFM team asked if the government generally released data on reports of domestic assault and murder, the International diplomatic source said** yes, more recently, but it's not consistent. It will be attached to a particular period. For example, they report a lot during the holiday period.

The FFM team clarified what IPV equated to. The International diplomatic source physical and sexual assault. Did not hear a lot about emotional abuse, but it's mostly included as part of the physical assault. The FFM team asked if this has other forms too, like denying money, if the main is the main breadwinner. The **International diplomatic source:** agreed.

The FFM team asked what other types of GBV are there, non-intimate partner violence? The International diplomatic source: noted rape. Where the woman is walking on the street and raped by a stranger, for example. That happens quite a lot, especially in rural areas. The FFM team asked about other types, such as mentions of or links to traditional ceremonies and animist beliefs. The **International diplomatic source had** heard of traditional doctors assaulting their purported patients or clients, like a client for a consultation. And they're sexually assaulted by the traditional doctor.

The FFM team asked if that is media reports? The International diplomatic source: It's not as prevalent as other forms of violence. The FFM team clarified that it is not documented like other forms of GBV? International diplomatic source: No, not really. Also, because of the stigma associated with people going to traditional doctors, people don't tend to report it. And then in addition to that, a lot of assault that's been reported is from religious leaders, for example, especially the more modern type of churches. The pastors would occasionally lure [victims] them into private spaces. There has been a proliferation of these new churches, they are called 'fire churches' or 'prosperity gospel churches'.

The FFM team asked of women who experienced GBV had a particular profile.

International diplomatic source: No, there's never a particular profile. It could be anyone.

The FFM team noted that there appears to be limited systematic documenting of GBV. Was this source's understanding too - are there any other statistics, government Official studies or any other private or research studies?

International diplomatic source: the only authority would be the police and they're quite inconsistent in what they release, what the information documents. But there was a study [Botswana National Relationship Study], from 2018, that's the one referred to a lot. That's the one that says that 67% of women [experienced GBV].

The FFM team asked if there is data on the levels of violence experienced by LGBT+ people. International diplomatic source: Not that I'm aware of. **The FFM asked if the source knew what the general levels of violence and harassment are for that group at all? Is it documented? International diplomatic source:** No, not really. Because again, this is very much under-reported because it doesn't come very much from the mainstream media. Of course, NGOs talk about it, but they talk about it from anecdotal references.

The FFM team asked if the source knew of the size of the LGBT+ community? International diplomatic source: I don't think it's documented. **The FFM team further asked if communities exist, is there a more urban/rural split? International diplomatic source:** assumed they would be more concentrated in urban areas. And then there's an extension to that. The official thought there are specific LGBT+ healthcare services, for example, like for certain injuries. They're called drop-in centres for LGBT+ people. Those ones, I think, will probably have an idea of where the population is. These groups include LEGABIBO, Rainbow Identity Association, BONELA - the BWA network on ethics, law and HIV/AIDS, which is mostly public health. **The FFM team asked if these were in certain areas or across the country. International diplomatic source:** BONELA has different centres across the country, outside the city. **The FFM team asked if these provide healthcare only, or there's advice and treatment? International diplomatic source:** Yeah, drop in centres provide counselling services as well SRHR services. For treatments, clients must go to clinics and hospitals.

The FFM team asked if women are completely equal in the law to men? **International diplomatic source:** I'd say so. **The FFM team clarified this included inheritance rights? International diplomatic source:** That changed a couple of years ago. It was a court case. The woman challenged [the law] because she was basically skipped over for her father's inheritance, and she went to the judiciary and challenged them. **The FFM team asked about custody rights for children? International diplomatic source:** in practice, custody cases are usually more in favour of women than men. **The FFM team summarised: in general, the law and the government's policies are progressive and really equal. The issue is around implementation and the traditional position of women and that's manifest. International diplomatic source:** Somewhat but still have some way to go to achieve true equality.

The FFM team asked if women feel able to go to police for assistance. International diplomatic source: Yes, more recently as opposed to a couple of years ago. But it's relative. Depends on which part of the country. [Think it is better] in more urban areas, the police are much more proactive in terms of encouraging women to consult them. Whereas in rural areas, I think they would be much more hesitant because they are in smaller communities. If you go to a police officer, they most likely know you or your family. So, they will be quite hesitant to report it. **The FFM team asked of women in rural areas might feel able to go to the nearest big town and report it? International diplomatic source:** I don't think so. The first avenue would probably be the village chief, because they also play a role in mediation of family conflicts in most instances. Actually, people would prefer to go to the chief than the police because the chief would just be mediation. There's no

punishment.

The FFM team asked if traditional chiefs are they still present in, for example, Maun or Gaborone? Do they still have a place, a role to play? International diplomatic source: Yes. **The FFM team asked even when people have moved? International diplomatic source:** They do, but they're much less visible in cities and urban centres than in the villages.

The FFM asked if somebody had moved from a village to Gaborone, would there be a village chief to consult? International diplomatic source: Yes, that's right. It depends on the location. For example, if you're living in Gaborone in the west, there would be a customary court or local authority. **The FFM team clarified that the tribes are mostly Tswana. International diplomatic source:** Yes, the country's predominantly Tswana speaking, and then there's different tribes: for example the Kalanga tribe, the Bamangwato, Bangwaketse etc. source didn't know how many there are. **The FFM team asked if they are all Tswana speakers? International diplomatic source:** No, there are tribes that speak Tswana as their first language and then tribes that have a different first language, but they do speak Tswana as well. So, Tswana would be their second language. For example, in the north in Francistown, because it's near the border with Zimbabwe, they speak Kalanga, which is [similar to] Tswana. And then towards the west, near the border with Namibia, you find that they speak languages that are spoken in Namibia.

The FFM team asked if a person can go to any traditional chief or they have to go to their own tribe? International diplomatic source: noted that it depends on where you live. If you have moved, the majority of the time, you can go to the nearest chief [in Gaborone] [but who may be from a different tribe]. Tribal administrations fall under the Ministry of Local Government, so in essence, the public government service. **The FFM team clarified, that this is part of traditional justice system, which is overseen by the government and any person can use this system to mediate irrespective of their tribal background. International diplomatic source,** yes. Customary law exists in parallel with the common statutory law system, even though it doesn't have the same effect as common law.

The FFM team asked, can a person be arrested or go to prison under customary law? International diplomatic source: Yes, customary courts have authority to issue arrest warrants for defendants. They'd arrest you and then transfer you to the police. So, they [tribal chiefs] give you a punishment and if it's beyond their remit then they will transfer you to the police, to enforcement, or to that magistrate system. For example, if I've stolen cattle or somebody's animal or pet, they report me to the chief and the chief has the authority to deal with that. If it's murder, the chief can't deal with that, it's common law. **The FFM clarified, the chiefs could only had minor matters? International diplomatic source:** More like simple things. They could deal with mediation with families, but if a woman had been beaten by a partner, they'd have to go to the secular support system, the police, they couldn't deal with violence. So, people have a choice - if you'd like to press charges, then you go to the police. If you want mediation between you and your husband or you and your partner, then you can go to the chief or to a social worker.

The FFM team asked if a woman goes to the police, would they then intervene. International diplomatic source: They'll take a sworn statement from the victim, and then they'll open a case, investigate the perpetrator, and they'll ask the victim, 'Do you want to press charges?' Then if they say yes, then they'll press charges, they'll detain them and the perpetrator will have to wait for a date to see the

magistrate. And if they want to apply for bail, they'll apply for bail. Then they'll wait for a court date and the trial will start. Sometimes, especially if it's married people or long-term partners, the woman will drop the charges or the family will intervene and say, 'We'll deal with this at a family level', and then they'll drop the charges. But yes, if the prosecutor tried, they'll get the punishment (usually a fine if found guilty).

The FFM team asked if the police trained in handling GBV cases; are they independent and fair in how they go about these cases; what's their capability and training in managing these cases and how proactive are they? International diplomatic source: the police have established the Gender and Child Protection Unit, this is a department that's mandated to deal with GBV cases and issues of child abuse. **The FFM team asked when the GBV unit was established? International diplomatic source:** in 2021 - it was a big thing. The president announced it as a way for them to deal with issues of domestic violence. **The FFM team asked if there police officers from this unit in most police stations? International diplomatic source:** noted that they train every police officer because you'll find that a police officer or some of them will be first responders. They'll sit at the reception desk. Every new police officer that comes into the force is trained on how to deal with GBV and child abuse. But it's a new thing. Source did not know how many police officers are in the unit, but they're around the country. Source did not think every single police has been trained so far. But there's been efforts to incorporate it into the retraining of police officers who are already in service and then training of the new ones as well.

The FFM team summarised: the GBV unit's role is to set standards on how to approach gender-based and child-based violence cases, to train and be a focus, but there aren't specialist officers for GBV or child violence cases? **International diplomatic source:** not sure if there are specialist officers that only deal with GBV cases.

The FFM team asked if there is similar guidance for the police in handling LGBT+ cases? International diplomatic source: the director of the Gender and Child Protection Unit told us that [the police] don't classify LGBT+. If a LGBT+ person goes into [a police station] to report [an incident], that's just the person. **The FFM team summarised: there's recognition that gender is an issue in itself, but not that sexual orientation and gender identity are an issue. International diplomatic source:** Yes.

The FFM team asked if there is a parallel for LGBT+ people in the judicial process, where judges have been trained on gender-based violence cases and child-based violence cases? International diplomatic source: noted that magistrates and judges are more aware recently. But judges are not easy people to pull together in a training day or workshop, magistrates you can with luck. Magistrates, yeah, with some luck. You can finesse. Magistrates easier to convene and coordinate with than judges because judges tend to be busier. Recently, different international development partners, including the UK, have undertaken training sessions for magistrates, prosecutors and judges. I think international partners include the UNDP, UNICEF, and the UNFPA.

The FFM team asked if GBV training had been formalised into the judicial system. International diplomatic source: not sure how far they've gone to incorporate it because one of the things we encourage is ownership of training programmes.

The FFM team noted that during COVID in 2021 the judges had reportedly

introduced fast track courts for GBV, was International diplomatic source aware of these? International diplomatic source: Yes, aware of these, they would prioritise GBV cases and have specialised spaces. [But] that implementation has been slacking.

The FFM team noted that there are lots of reported GBV cases but the actual number resulting in convictions and sentencing is quite small, why is that? International diplomatic source: The main reason is that people drop charges. The victims or survivors eventually drop the charges. And there's a lot of interference from families - families of the perpetrators especially - especially if the perpetrator is considered to be a breadwinner. They're quite powerful within their families because of financial muscle.

The FFM team summarised, that culture and family are the most influential in cases being dropped but asked if it was also because the police and the judiciary were not effective or resistant to handling these cases. **International diplomatic source:** noted that even when the police do a fair investigation, collect all the evidence that they need to, I don't think we're there yet in terms of the legal system, where if a victim drops the charges, the state can continue the case – there are loopholes. **The FFM team queried what was meant by 'loopholes?'. International diplomatic source:** It's not strong enough in terms of enforcement. If a victim chooses to drop the charges, then the state won't continue. As in there's no legal foundation for the state to continue the case if the plaintiff drops the charges. **The FFM team queries whether that is a loophole or just how the justice system works [with investigations and evidentiary requirements]? International diplomatic source:** I know in other jurisdictions the state has authority to continue with the cases even if the victim has dropped the charges.

The FFM team checked that International diplomatic source was not aware of data on conviction and sentencing - there's no data on that, there's no surveys on that. International diplomatic source: No, not that I know of.

The FFM team asked if GBV victims and LGBT+ people are they able to get legal aid from Legal Aid Botswana, and support for the legal process? International diplomatic source: assumed they would. But there's that distinction that they [LGBT+ people] come to the legal system as just a human being. The legal system doesn't discriminate to say, 'No, just because you're a gay person, you can't access the legal system.' As far as I'm concerned they do, and there are NGOs that offer legal assistance specifically to key populations including LGBT+ people. BONELA has lawyers in that team - actually they outsource private practice lawyers to do that on an [individual] basis.

The FFM team if Lesbians, Gays and Bisexuals of Botswana (LEGABIBO) offer a legal aid support service? International diplomatic source: not sure. I think they have, but they don't have in-house lawyers, they outsource. **The FFM team asked if there many women's groups that provide legal aid? International diplomatic source:** Not that I'm aware of. Maybe the Botswana Gender Based Violence Prevention Centre (BGBVPC).

The FFM team asked if there was state support - financial, accommodation, shelters – for GBV victims? **International diplomatic source:** In fact, one of the issues that always comes up is severe lack of shelters. **International diplomatic source:** The state doesn't have any [shelters]. NGOs: I know the BGBVPC has one and I think Women Against Rape has one [in Maun]. I'm not sure if it's still there, I don't know. There are no state-run shelters. **The FFM team asked if the state**

provided any other forms of support for victims - counselling, healthcare, could be financial, some sort of payments. International diplomatic source: No, the Botswana police is in the process of setting up one-stop centres for GBV. where you come into a one-stop for the police, to report. It's a police officer, doctor, healthcare worker and a lawyer, but they're yet to operationalise it. **The FFM team asked if they have intention to operationalise the one-stop centres? International diplomatic source:** We're not sure. They've mentioned lack of resources and funding. I know it's something they're working on. On the child protection front, they do have child-friendly centres. There's about 8 of them across the country that we've helped fund and support help with operationalisation. There's a separate room where a child can come in and spend a couple of nights. There's a bed. There's a bathroom. There's a kitchen.

The FFM team asked if girls could go to these centres and girls who've had violence at home and if the centres were in Gaborone, Maun, Francistown …? International diplomatic source: Yes, Gaborone, Francistown, Palapye, Maun, Ghanzi, Lobatse, Letlhakane and Shakawe.

The FFM team asked which NGOs not mentioned already that support women who have experienced GBV. International diplomatic source: I think that's all of them, BGBVPC, Women Against Rape in Maun, Feminist Alliance, but they are more like the policy side. BOCONGO does some work as well, which is like the umbrella body for NGOs, and there's Men and Boys that deals with engagement with men. **The FFM team asked if this was to stop [men from] causing violence against women? International diplomatic source:** Yeah. But they do engagement with NGOs.

The FFM team asked that if there may be other NGOs that International diplomatic source was not aware of? International diplomatic source: Yes, there might be others that are much smaller and based on communities, smaller communities as well.

The FFM team asked if civil society was strong in Botswana generally? International diplomatic source: Of course, they're free to operate and they enjoy freedom of expression and freedom of association. But they're not quite strong in terms of their voice because Botswana is an upper-middle income country that doesn't attract a lot of NGO funding, so that if you compare it to South Africa, they're very, very weak. **The FFM team asked if funding was domestic, local. International diplomatic source:** They rely on the good will of people, donors.

NGOs are allowed to raise the funding from outside the country, but of course they have to comply with anti-money laundering [laws]. Of course, there's government funds [for] some portions of civil society, but it's mostly skewed towards public health.

The FFM team asked of the NGOs that support GBV cases if they all provide shelters, legal advice, counselling, healthcare support. International diplomatic source: The BGBVPC in Gaborone is the only one that has that sort of structure, like a one-stop centre. They have healthcare workers and volunteer doctors, so not there all the time. Legal [advice] is also outsourced, so it's not all days and times they have access to that.

The FFM team asked if International diplomatic source knew how many women the centre could accommodate? International diplomatic source: No, [don't know].

The FFM team asked about NGO support for LGBT+ people – International diplomatic source mentioned LEGABIBO and Rainbow Alliance. Are there others out there? International diplomatic source: Rainbow Identity Association, Success Capital. They work on both LGBT+ right issues and also women's issues. I think they have a blend and then they also include intersex and transgender people. **The FFM team clarified that LEGABIBO and the Rainbow Identity Association work with the whole of the LGBT+ plus community? International diplomatic source:** LEGABIBO more than others. Rainbow Identity are more transgender focused. Then there's a regional NGO, it's called the Southern African Litigation Centre (SALC). They have 2 people based here, but they mainly operate out of South Africa, more legal advocacy. SALC was the main NGO that funded the case in 2021 / 2022 that normalised same-sex relationship. Rainbow Identity Association focusses more on access to healthcare services for transgender and LGBT+ people. Success Capital are more policy advocacy. **The FFM asked if any of the NGOs can provide shelters or healthcare assistance? International diplomatic source:** not sure. I think they have some kind of patient space for people who need it for a short period.

The FFM team asked where the NGOs were located. International diplomatic source: Until recently, LEGABIBO had a small business outside of Gaborone. I think they have some presence in Francistown, but it wouldn't be a physical space - just people that work from there, doing outreach in those different communities. They were mainly USAID-funded, so that the aid pause has meant a drop in their funding. **The FFM team asked if LEGABIBO were they solely reliant on US money? International diplomatic source:** The majority I think, because they got funding from USAID and the Global Fund, which is also predominantly US-funded.

The FFM team asked if there been any Gay Pride events? **International diplomatic source:** Yes, there was a Pride march in June hosted by UNAIDS and LEGABIBO in Gaborone. **The FFM team asked how big the event was. International diplomatic source:** Not very big, mostly embassies, the UN and NGOs – less than 100 people. They marched from the LEGABIBO office to the UN building here. **The FFM team asked if the police were present. International diplomatic source:** Yes, a police presence is always there during peaceful protests and marches. That's because you have to apply for permission to march or protest from the police.

The FFM team asked if there was public reaction. International diplomatic source: They let them march peacefully. The only thing that you come across is snide comments on Facebook, Twitter, that's it. **The FFM team if the comments were against the march specifically, or any LGBT+ activity? International diplomatic source:** So, either people on social media generally or the Evangelical Fellowship of Botswana, a religious group, but they choose when they're vocal. In the past, they were vocal when the state repealed the law that criminalised same-sex relationships. The courts ruled the existing law was unconstitutional and then the attorney general went ahead and removed that section from the penal code, but then it was supposed to be tabled in Parliament to be Officially debated, which was just a formality. But the Evangelical Fellowship went on radio, TV, print media and threatened MPs that if they tabled the bill in Parliament, there would be consequences for the elections. But that was it. There was no violence or anything.

The FFM team asked if International diplomatic source was aware of documented cases of violence against LGBT+ people? International diplomatic source: Not murder but physical assault. **The FFM team asked if these were**

reported in the media? What kind of scale? And is it people being attacked and injured? International diplomatic source: In some cases it was people the victims' family members. Some cases it was a person walking in a mall and somebody would just hobble them and beat them up. **The FFM team asked how would the attacker know the person was LGBT+? International diplomatic source:** assumed it was the way that the person was dressed.

The FFM team asked if a man and woman would hold hands in public? International diplomatic source: Yes, of course. **The FFM team asked:** So could 2 men or 2 women hold hands? **International diplomatic source:** Two women can, because people would assume they're best friends.

The FFM team asked if people knew they weren't best friends? International diplomatic source: If there was PDA [public display of affection] on the hand holding, then maybe that's when people would react. But I've seen at drinking spots lately in Gaborone, gay men are becoming very free to express PDA. **The FFM team asked if there are other venues - is there a sense of community and spaces in Gaborone which are for LGBT+ people? International diplomatic source:** Not explicitly for them, but I've seen that some spaces have become much more liberal and even hold fried food, drinking events, social events. I've seen that in Gaborone now people don't really care. Just this past weekend I saw 2 men kissing. **The FFM team asked if this was in public? International diplomatic source:** Yes, in a nightclub. The FFM team asked if the experience of LGBT+ people was different in smaller towns, Maun or Francistown or the countryside. **International diplomatic source:** Yes, different.

The FFM teams asked if International diplomatic source had an idea of the number of attacks on LGBT+ people? **International diplomatic source:** No. **The FFM team asked if these are reported in the BWA press? International diplomatic source:** Some. There are 2 newspapers I would say would be the ones to typically pick that up: The Voice and the Midweek Sun. The FFM team asked if the newspapers were popular and what their position was on LGBT+ people? Yes popular. They're quite liberal in terms of how they report. **The FFM team asked if the reporting was sympathetic or negative? International diplomatic source:** Sympathetic. **The FFM team asked about other parts of the press. International diplomatic source:** There are some that are sensationalist, as opposed to trying to deliberately cause harm. It's just trying to sell a newspaper. It won't be explicitly anti-LGBT, but it would be like, 'Gay man does 1,2,3' just to sell a newspaper.

The FFM team asked about attacks on LGBT+ people, are these widespread and systematic or just random? International diplomatic source: Random. Especially in public places, nobody would just provoke anybody just out of the blue. I'll give an example of taxi drivers or public transport operators because those are usually the ones that provoke, in a taxi rank, for example. If they see a man dressed in some type of way then they would heckle them, and then people have the courage as a group. Otherwise, it wouldn't happen, just one person standing up and assaulting a person out of the blue. They usually do it because they are surrounded by other men who would be like, 'Let's beat him up.' **The FFM team observed that BWA does not appear to be generally a violent society. International diplomatic source:** No, Botswana is famous for resolving issues through dialogue. It's considered to be the foundation of its democracy. If you compare how BWA got its independence compared to South Africa, Botswana didn't get its independence from uprising. The story is the 3 chiefs [dikgosi] went to the UK, met with Queen Victoria and asked for independence back and they got it.

The FFM team summarised: there aren't particular venues or places or a part of Gaborone where LGBT+ people hang out? International diplomatic source: between 2011 and 2015 there used to be a nightclub that was considered to be a gay club, but it burned down by accident - it was just an electric fault. **The FFM team observed even 10 years plus ago, before the legislation was repealed. So it's been building up for some time, this move to decriminalise the same sex law, but there are no positive laws to protect LGBT+ rights. International diplomatic source:** Not yet.

The FFM teams asked if a LGBT+ person faced violence, which would often be from members of their family or community, or a random person, one option might be for them to move somewhere else within the country. How viable is that? Can a woman move from, say, Maun to Gaborone and get a job? Can they find accommodation? Can they get healthcare and other basic services? Are there any barriers to moving such as needing documents? International diplomatic source: People mostly move to have economic opportunities, employment. And some, I've heard, move to Gaborone because Gaborone is much more tolerant and liberal than, say, a random village in the north. So people do move to Gaborone because they feel like society is much more open-minded and accepting.

The FFM team asked if it is viable if the person is at school or a student, can they get into the education system, if they have a child, or if the woman is a single woman from a rural area? International diplomatic source: Yeah, it's quite easy, but of course Gaborone is much more expensive than other parts of the country. If they can move here, if they can get a job, they can afford rent, food, take their kids to school.

The FFM team asked if society accepts single women living by themselves? **International diplomatic source:** Yes. I would say the majority of households are female-headed. **The FFM team queried, so women with no partners? International diplomatic source:** Yes. It's quite normal. **The FFM team asked what happens if it's the woman who leaves? INTERNATIONAL DIPLOMATIC SOURCE:** Well, it depends. Some men will accept it, but I would presume it's a small majority. **The FFM team asked if a woman came to Gaborone from Francistown, how would other people react? International diplomatic source:** It depends. If the man is a lost cause, they wouldn't really care. They would just continue on with their life and let the woman, if she wanted to, have the responsibility for their kids and bear the cost of raising the kids. Some men will just let them be, but in some instances, family are often the first people to intervene and say, 'No, you can't do that. Come back to your to your husband or to your partner, raise the kids together.' And in some instances nowadays, because men are becoming much more alive to their legal rights in terms of custody and stuff, they would challenge that to the courts and then in some unfortunate instances, we've heard of men following their partner, assaulting them and in some instances killing them or leaving them.

The FFM team asked if someone is a single mother, coming to Gaborone from a rural area or a smaller city, would it be possible for the man to follow her here? International diplomatic source: BWA is a small country and you can't disappear and live off the grid without somebody eventually finding you. **The FFM team asked if that is because family links and communities are very strong? International diplomatic source:** Yes, very much. **The FFM team asked if the person could go to the police and get a restraining order? International diplomatic source:** Yes, you can, but recently we found that the police are not very

effective at enforcing restraining orders. I think 2 or 3 weeks ago there was an unfortunate incident where this woman got a restraining order against her partner, and a few days later, the man followed her to work at the university and stabbed her in open space. **The FFM team observed that's one example, but how indicative is that of restraining orders generally and police involvement? International diplomatic source:** Not a lot of people take out restraining orders. That's when the case has escalated. **The FFM observed one case does not necessarily represent a pattern. International diplomatic source:** Yes, true. But the magistrate who presided over the case was quite vocal in criticising the police about how they let the deceased woman down.

The FFM team asked what this reveals about how effective the police are? Is it illustrative of a wider concern? International diplomatic source: Well, I don't think it is because that would be unfair on the police. I don't think it paints a bad picture of the police. I think the police, of course, do the best that they can to enforce restraining orders and so.

The FFM team asked if the police are relatively well funded? And how big is the police force, do you know? International diplomatic source: Not sure, you have to ask this to the police. **The FFM team asked can they provide protection to the public as a whole? What resources do they have? International diplomatic source:** Yes, they can. They're not underfunded. When you look at the budget allocation every year for government, the security sector gets probably the second biggest or the third biggest. **The FFM team clarified that the police and the armed forces? International diplomatic source:** And the intelligence agency, and the wildlife rangers because poaching is an issue here. The police, though, there will be issues of no accommodation for police officers or pay issues. But in terms of resources, I think they're relatively good. **The FFM team suggested that effective law enforcement rated highly by the government? International diplomatic source:** Yes, very much.

The FFM team asked is common for women to move/relocate? International diplomatic source: Yes. For jobs or employment options. **The FFM team asked if it is not just for GBV, but for other reasons as well, they can move? International diplomatic source:** Yes, of course. I think it's quite easy. Also to be with family. **The FFM team asked if it would be possible to move from Gaborone to Maun or Francistown if you had a problem in Gaborone with domestic violence? International diplomatic source:** Yes, it's possible. The largest employer here is government, so if you feel like the city is too expensive, you can put in a request to be transferred to Maun or Francistown. **The FFM team asked if you're not a government employee? International diplomatic source:** You can just get a job. **The FFM team asked if those towns are not as tolerant socially as Gaborone? International diplomatic source:** Unless my view is biased, I think single women are not looked down on there.

The FFM team asked if a lesbian woman or bisexual woman moved to Gaborone from the village where she was born, would she be able to rent a room and get work if she was open about her sexual orientation? International diplomatic source: People don't tend to be open about their sexuality, especially women. Generally, only a small proportion of women would be open. **The FFM team as if someone found out that she was a lesbian? Would that be an issue? Would she be able to rent a place and get a job? International diplomatic source:** It depends. I've heard of some landlords who are super religious refusing to rent property to the person just because they think the person is gay. But a person

wouldn't volunteer their sexuality to just a random person or a stranger or a new person that they've just met. But it would mostly be on religious grounds that a person would respond. **The FFM team observed there might be landlords who'd have a problem with that and they would kick them out if they knew. But might there be other landlords who would be more tolerant? International diplomatic source:** Yes.

The FFM team asked in terms of healthcare, if the healthcare authorities found out about a person's sexuality, would that be an issue? International diplomatic source: Gay people have specific healthcare needs. I have heard of some healthcare workers being rude to LGBT+ people. But generally, public opinion has shifted over time and that has translated to healthcare institutions. A couple of years ago, sure, you'd hear that a lot LGBT+ people face discriminatory attitudes. That's why LEGABIBO set up separate drop-in centres outside of the public healthcare system. But those with more authority and knowledge on this can speak more. I think it has changed over time.

The FFM team asked if public healthcare free? International diplomatic source: Yes, it's free.

The FFM team summarised on education and public services generally, the government's position is neutral with regard LGBT+ people - except that all people are protected by the Constitution, regardless of race, sex or background

The FFM teams asked what is the presence of trans women in BWA and how are they viewed by the government? International diplomatic source: They're increasingly coming up and being much more assertive in terms of their identity. The government is not accepting – or the government system is not accepting – of trans people, if somebody wants to change the gender marker on their ID document. There's one famous case where a person wanted to gender transition and they did it in South Africa. But when they came to Botswana and tried to change the ID document, the government refused outright to do that because they were born a certain way. So they challenged that decision through the courts. They won, so now the procedure is that if somebody wants to do the same change their sex on their ID document, the only avenue is to get a court order and undergo a medical examination or assessment. I think they also undergo some psychological assessment.

The FFM team summarised: a person cannot simply ask to change their gender marker but it is possible through the courts. International diplomatic source: That's the only way to do it. There's no section of Constitution that is for people to change that gender.

The FFM team asked what documents would someone need to settle in Gaborone, to show a landlord for example? International diplomatic source: It depends. If it's private, somebody's ID and a surety that they'll be able to afford the rent, so people usually just ask for a payslip or bank statement. **The FFM team asked the name of the national ID card? International diplomatic source:** 'Omang', which is a Tswana word which in English translates to 'why'. The FFM team asked if it is digital? **International diplomatic source: No, it's a physical card. The FFM team asked how a card is obtained. International diplomatic source:** You go to immigration when you turn 16. They're yet to make it digital, but they're talking about making it digital. Every citizen when they turn 16 can apply for this, using their birth certificate. **The FFM team asked where a person goes to get**

a card. International diplomatic source: The Ministry of Labour and Home Affairs, Department of Immigration and Citizenship (DIC). There's an immigration office in almost every village. **The FFM team asked if is straightforward to get an ID card? International diplomatic source:** Yes, you just need your birth certificate. **The FFM team asked if the card can be replaced if lost. International diplomatic source:** Yes, you pay 100 bucks [pula], it gets printed right there and then and you can get that from any outpost of the DIC. it has a 'D' on it, which is a duplicate. If you move towns or cities or villages, you don't really need one. You just pack your bag. But nowadays, because people register their properties as a company, if you have a bunch of apartments, for example, and somebody comes to you and they want to rent an apartment, they'd need a bank statement or pay slip, that's it. And of course, your ID.

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Annex C - Interview with an International diplomatic source 2

Date	8 July 2025
Location	Gaborone
Attendees	Diplomatic source 2; 3 HO Officials

Gender-based violence (GBV)

The fact-finding team (FFT) asked international diplomatic source to summarise the situation for women. International diplomatic source observed that to understand women's position you need to understand their societal context. Botswana is a patriarchal society - women are socialised to behave in a certain way, men are dominant. For example, marriage is an institution in which women are expected to be obedient and respectful; there is still a 'bride price'. Women's place in society frames how they are treated, their experience of gender-based violence. Women are not all treated horribly – too general a statement. But they face discrimination in the home and in the workplace. They are paid less. The law prescribes equality of men and women but in practice it does not occur.

Asked about types of gender-based violence (GBV), international diplomatic source noted there is a lot of violence - every week a woman is killed. It's also in the form of rape, physical and emotional violence.

Asked about data on GBV incidents, international diplomatic source was not able to give specific numbers but observed that every week the in Botswana (BWA) newspapers the source reads about incidents of GBV, not a week has passed that an incident is not reported. For example, there was report from 2 weeks ago about the murder of a female employee at the University of Botswana (UofB) who was stabbed during the day in her office at the university by her partner.

Asked about the profile of women affected by GBV, international diplomatic source said it affects women across society. Previously people would think that it affected women in privileged places but this is an elitist way of looking at the issue. Now it happens to women indiscriminately. **Asked if there were differences between rural and urban areas**, international diplomatic source thought it occurred in both. International diplomatic source referred to the UofB case as an example of this happening in urban areas.

Asked who are the perpetrators, mainly partners – husbands or boyfriends. It can be a 'fight piece', extramarital affairs. This takes away from the conversation because GBV shouldn't happen in general. Statistically it's partners. **The FFM team asked if was correct to summarise** - perpetrators are mainly men who know the victims? **International diplomatic source** noted, absolutely, it is seldom strangers.

Asked what laws and policies the state has introduced to protect women, international diplomatic source commented that she would not speak on the laws but observed that there's now the new government and the Ministry of Gender and Youth Affairs which is supposed to focus primarily on building policies protecting women. But source hadn't seen in practice any of these policies institutionalised in an efficient way. Not able to speak on their current status.

The FFM team summarised – policies and laws exist to protect women, but these are not implemented? International diplomatic source agreed, absolutely. **Asked if the laws and policies are sufficient or more are needed**, international diplomatic source didn't consider these were sufficient but only because their implementation hasn't been effective. It is hard to give credit to policies that are not actualized in in an efficient way. International diplomatic source did not mean policies were not working but instead putting in place more policies perhaps work needs to be done in improving their efficiency.

Asked about police enforcement of the law, international diplomatic source thought they are active in implementing the law but there is a gap in terms of their capacity and their ability to intervene, a lot to be learned. International diplomatic source considered it was police structures that perhaps are not equipped enough to handle sensitive matters in a proper way. If the police do not handle these cases sensitively this might disincentivise victims from approaching law enforcement.

Asked if the police are willing to assist, international diplomatic source agreed. However, regarding willingness, international diplomatic source felt there's still a lot of unlearning to be done so that the police don't have bias in situations like that. They tend to personalise it, thinking 'if I was in this situation and I found that my partner was cheating and the child raised wasn't mine, I don't blame the guy for doing that'. So, because that's already a mentality that exists it is problematic in terms of whether or not they can sufficiently help a victim if they come reporting and access these services.

The FFT are aware that a GBV unit has been established in the police. Asked if international diplomatic source was aware of the unit and if had changed the way victims are treated, international diplomatic source wouldn't speak to whether it had brought a change – didn't think it had. International diplomatic source gave an example in Molepolole from a year and a half ago when a woman was murdered in front of the police [full circumstances not provided]. International diplomatic source thought that officers need proper training to join this unit. They need psychological or psychiatric training to handle a victim of such a gruesome crime. International diplomatic source didn't believe sufficient training had been done to provide them with the skills to deal with these sensitive cases.

Asked about what happens where cases are reported to the police, what is the conviction rate, do victims have a positive outcome. International diplomatic source said that conviction rates are not great. Describing these crimes as 'acts of passion' indicates an inherent sense of sympathy for the perpetrator. To say they had no intention of harming, they just acted out of passion because of the amount of emotion caused by the victim. So, because of this while a lot of perpetrators may not

get away with the crime, they don't get the sentence we would expect them to get for the crime they have committed. Using the term ‘crimes of passion’ normalises crime to the effect that perpetrators can get away with a slap on the wrist for something that they should not.

Asked for data on the number of convictions and an explanation of the difference between reporting GBV cases and convictions, international diplomatic source did not have the data.

Asked if GBV victims get legal aid, international diplomatic source thought some do [get legal assistance], but didn’t know how accessible it was to all. Botswana has a very small population of 2.4million but people are very scattered. You cannot assume that specific amenities are accessible to all. In specific areas legal service assistance do not exist. But where it does, it may come at a cost. There is not a lot of community knowledge of how to access legal assistance. There is an NGO, BONELA, which provides legal assistance or finds lawyers who can provide legal advice. But an NGO of their size and resources cannot sufficiently serve all people.

The FFM team summarised – there is legal aid/assistance provided by the government, but a lack of accessibility is an issue. International diplomatic source agreed. There are 2 parts to accessibility: 1) there is a lack of education or knowledge that the provision exists to some communities. They don't know they have a right to legal aid (assistance); 2) proximity to those amenities is also an issue. Need to rethink how to make legal aid (assistance) more accessible to all. Language can also be a barrier – people assume that everyone speaks 2 languages, English and Tswana, but that is not the case if you move towards the northern part of the country. Some people there do not speak either. This makes it difficult for them to articulate when harm has been done and is even more of a barrier for someone to provide them with the legal assistance.

Asked if the government is taking any steps to provide support, international diplomatic source did not think so, not enough steps. Last week the country had a week of prayer organised by the government against GBV. International diplomatic source is Christian, believes in prayer, but more is needed than just holding hands and praying. International diplomatic source didn’t see any tangible change, does not see that the government intends to change things.

Asked that apart from the police and the government legal assistance, what other support is there for the women, international diplomatic source noted that there are shelters where they can enrol and seek refuge. One of the lessons from COVID is that a lot of women have been systemically unsafe even in the home. Didn’t think there's enough capacity nor funding going from the state to support women and children.

Asked if there are other safe houses in other parts of the country (than Gaborone), international diplomatic source said no. The international diplomatic source noted that there have been cases previously where government Officials / ministers have been accused of defiling children. There was evidence that they did, but nothing really happened. The socio-economic situation of some parts is an issue, Botswana is unequal country. So, there is an example, based on a true story, where a minister defiled a young girl but because the family were paid off, they dropped the case. We've seen this happen many times. If there were not extenuating circumstances, where the family felt like we can get a payout out of it and improve their home, a lot of women end up not reporting or dropping their cases.

Asked about the financial aspect of abuse and if there is pressure to withdraw cases, international diplomatic source considered families pressure women to do this. International diplomatic source advised meeting a non-profit organisation, Change Africa, a section of which deals with young mothers. The NGO gives support to different stores and ministries to get care packages to young mothers. International diplomatic source had attended 2 or 3 sessions run by the NGO where women have testified to being pressured to drop a case because it was with a family member - a cousin, an uncle - or with a neighbour. Worth having a discussion with the NGO about these case studies.

Asked if the shelters and accommodations were government supported or run by NGOs, international diplomatic source thought these were government funded but started by individuals who get donations.

Asked if the NGOs provide legal aid and financial support, international diplomatic source did not know if they provide financial support, but they can provide a bed and food. The NGO BONELA would be the best group to talk to about this.

Asked whether a woman who has experienced GBV is able to relocate within Botswana, international diplomatic source noted that people have moved to the UK and sought asylum on the basis that they have faced abuse, but we cannot verify those stories. It may be that some people are just taking advantage of the situation that there's such an enormous amount of violence towards women in the country and in the hemisphere in general. International diplomatic source did not think that a lot of victims have been able to relocate outside of the country.

The FFM team clarified that they meant relocation within Botswana not to another country. International diplomatic source observed 100% they can, they can move to a family member. The FFM team asked if a victim of domestic or GBV in Maun, for example, could relocate to Gaborone. International diplomatic source thought it hard, although they had not been a victim of domestic violence. In a previous job, international diplomatic source had spoken to women and heard a lot of these stories [women not moving] and most of them due to having children or wanting to be close to their parents. Or they just don't have the financial means to move. They have nowhere to go and they tend not to go.

Asked if a person had the intention and the financial ability to move, for example a single woman or a single mother, international diplomatic source observed that the psychology of being abused is quite complex. Even in circumstances where they do have the financial means we have to think about their mental health. Are they in a state where they have the mental capacity to believe they can move and find a different life? International diplomatic source did not know but most of the time they get to a point where they're just too mentally exhausted and battered to think it’s a possibility for them.

Asked how society accepts a woman – single woman or single mother – who moved, for example, renting a house or treated by a neighbour, international diplomatic source did not think one would face discrimination [from other people]. But if one was married and was being harmed within the marriage and relocated with kids there will be some backlash from her in-laws because there is a traditional belief you should work things out. That's what most women in abusive marriages explained to international diplomatic source. The stigma [for moving away] might come from there. But international diplomatic source didn’t think people would generally discriminate against a woman or judge her or [not] accept them in society for being a lone woman.

Asked if the source had anything to add on GBV, international diplomatic source noted that it was regrettable that a country that is seen to be so democratic and peaceful has not had more pressure from external actors to it to account for 'complicity' in GBV. Yes, perhaps [a woman] won't be shot in the street but equally it's bad for women living here. It's traumatic that women cannot live peacefully in their own country, but nobody does anything about it because BWA has such a brilliant reputation.

LGBT+

Asked if international diplomatic source had an idea about the size of the LGBT+ population, international diplomatic source did not know but thought it was a lot. Asked to clarify what was 'a lot', international diplomatic source considered as a ballpark about 200 or 300 who are out, openly gay or lesbian. Last month [June 2025] there was a Pride march to the UN offices [in Gaborone], and there were about that many people [in attendance].

Asked if LGBT+ people openly identify themselves, international diplomatic source thought some do, but did not believe all of them do. Asked why people are not open about their sexuality, international diplomatic source thought that BWA is still quite conservative and LGBT+ people would face a lot of discrimination from family and society. Even in the workplace people are very closed minded, people might look at them differently. They fear they would not be expected to be loved.

Asked if society accepted LGBT+ following the decriminalisation of same-sex sex, in general society accepts LGBT+ people to the extent that it does not affect them. International diplomatic source had conversations with neighbours who've said it's [being LGBT+] ok as long as it is not their daughter or son. It's not like in South Africa where somebody would get murdered because of their sexual orientation. But international diplomatic source did not have lived experienced, heard in very rural areas it might be potentially very dangerous. People might become suicidal because of the verbal and emotional abuse they get.

Asked about other parts of the country [than Gaborone], if LGBT+ people live openly, international diplomatic source thought they might not be out of closet. People in specific areas in BWA are very closed minded - this is international diplomatic source 's assumption. People think LGBT+ people are doing this out of fashion, influenced by Western ideology, it's not normal. We have quite a large Christian population, so there is a perception that God wouldn't want us to do this [be LGBT+], it's a sin. This doesn't provide the right environment for people to feel able to come out in a safe and inclusive space, so people remain closeted.

Asked if there was discrimination in the workplace, international diplomatic source thought so. Definitely in schools. The school system doesn't necessarily speak about this, kids just react the way kids react.

Asked if someone faced discrimination, **would they be protected by the law,** international diplomatic source considered the law would protect the LGBT+ person but the question is what would the [police] officer do. Didn't consider there was enough training for police officers to handle these cases [of abuse / discrimination against LGBT+ people]. International diplomatic source considered that a women who identified herself a lesbian after being sexually assaulted by a man and reported this to the police, international diplomatic source didn't know if they would get the same treatment as a [straight] woman who said they were raped by a man. The FFT asked if it was correct to say the law provided protection, international diplomatic source thought yes, the law protects anyone.

Asked if international diplomatic source had any examples of people being harassed for their sexual orientation, international diplomatic source did not but had attended a LEGABIBO [Botswanan LGBT+ NGO] meeting where people were giving testimony about the impact of the withdrawal of USAID funding. From those accounts international diplomatic source got the sense that LGBT+ did not get the same help.

Asked if treatment was the same for a lesbian woman and a gay man, **international diplomatic source** thought [sex] might make a difference. When you have conversations people may say really disturbing things towards lesbians and gay men, particularly said by men. There is a false dichotomy that lesbian women are more likely go back to being 'just' women but once a man becomes gay they are apart. International diplomatic source thought it misinformation, lack of understanding and a lack of an appreciation of humanity. People definitely romanticise about lesbian women but think [being] the other [gay men] is just wrong. Lesbians are going through a phase whereas for men once they have done that [become gay it's final].

Asked if lesbian or bi-women able to live together as a couple, international diplomatic source thought yes, seen that happen. Hadn't seen situations where they would be discriminated, to international diplomatic source 's knowledge. **Asked if the situation might vary by location**, international diplomatic source thought it might be more difficult to do this in less urban areas, like a village.

Asked if LGBT+ groups get support, international diplomatic source said yes, LEGABIBO gets funding from Kaleidoscope International Trust, a UK-based organisation, and, before the overseas development aid cuts, some funding from USAID. Most of the funding was focused on giving the LGBT+ community access to healthcare. **Asked if the support extended to legal aid or shelters**, international diplomatic source did not know. **Asked to clarify if NGOs provide direct support such as legal assistance**, international diplomatic source believed they did through LEGABIBO. For example, a few years ago LEGABIBO assisted a trans woman in a case against the government to allow them to change her name and gender on her ID. So, they been providing legal support that specifically meets the needs and aspirations of LGBT+ community but not sure if this is accessible to the entire community in the country.

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Annex D - Interview with United Nations Population Fund

Date	**8 July 2025**
Location	British High Commission, Gaborone
Attendees	Programme Specialist for Youth and Gender, UN Population Fund (UNFPA) 3 HO officials

Women and gender-based violence (GBV)

UN OFFICIAL explained that she is a programme specialist on youth and gender and has been with the UNFPA since April 1, 2025. This is her second stint with the UNFPA, previously she spent 2 years with the organisation in 2006 until 2008. After this she had various roles in civil society, including as executive director of the

Botswana Council of NGOs (BOCONGO), and in other UN agencies including the International Labour Organisation and International Migration Organisation.

The FFM team asked UN OFFICIAL to summarise the position of women in Botswana (BWA). UN OFFICIAL explained that we have a very serious problem with GBV in BWA. The statistics are saying one in every 3 women has experienced GBV. When we talk of the question of women's safety and security, that's what women in this country are currently contending with. Economically, it's been challenging, but **UN OFFICIAL** thought there were areas where progress has been made. We have a lot of women in the informal sector. That's a sector that they find it easier to operate in because there's a lot they initiate – starting an enterprise, running a project. The informal sector generally has less bureaucratic processes and requirements and often has the flexibility that allows women to run their businesses and still do family care work. There are also limited employment opportunities with the employment rate at around 28%, which further pushes women to the informal sector. That's where most of women are. We've seen some improvements over time with women getting access to positions of leadership in the private sector, namely management, leadership and being [chief executive officers] CEOs, and [serving] on some boards of directors and so forth. But in the political space, we're seeing regression right now. We only have 6 women in Parliament, which is a drop from 11 [in the last Parliament]. So in terms of the targets, we've set ourselves on gender equality as far as women's representation and leadership is concerned, [the situation is] not so great. And then, of course, women are still also doing a lot of the care work when it comes to raising children, and even in some of the roles that involve a lot of care work, like teaching, day care, nursing.

The FFM team noted that UN OFFICIAL mentioned there are 6 women in Parliament. What was the total number of members? UN OFFICIAL explained that there are around 61. **The FFM team asked whether women are represented in the public sector itself, in government. UN OFFICIAL** thought there weren't many issues there. She explained that she didn't have the exact numbers but that a number of women hold the position of permanent secretary, which is [an official who heads a government ministry]. But [representation] varies according to the sector. We still have some male-dominated sectors like mining, which is still very much male-dominated from lower positions all the way up. And mining is [the backbone of the economy], despite the fact that the sector is not doing so great right now. [As regards] agriculture, Botswana does a lot of agriculture but ownership, for instance of cattle, is mainly by men. Some women whose husbands do agriculture may not even know how many cattle the family has.

The FFM team asked how the law protects women in BWA. Are they given equal rights? UN OFFICIAL noted that [there] are [equal rights] on paper, but there is a dual legal system: customary law and modern [statutory or common] law. The customary law is where the chiefs preside over matters, and things like that. [The dual system] has its own challenges. When there's an issue, let's say in the family, it would usually start at the customary setting, where it goes to the chiefs. It may end there, and [when] cases [do] end there – maybe it's a case of GBV – the family or the husband and wife would in most cases be told to reconcile. That's the customary side. They tend to prioritise [reconciliation]. A lot of women tend to withdraw cases of GBV due to their economic dependence on the male perpetrators.

The FFM team asked if women have equal rights under customary law, UN OFFICIAL confirmed that they have had recently, for example, in inheritance. Now, modern [statutory] law recognises that women have equal rights to property,

[including in matters of] inheritance. **UN OFFICIAL** thought that customary law is in most cases trying to conform to that as well, in terms of recognising that women have equal rights. But in practice, you still find cases where, for example, there's a fight over inheritance or [over who should become] the next chief if a chief [dies leaving only daughters]. It's not always a very smooth transition to say the eldest daughter automatically becomes the chief [even though] it's recognised on paper now that daughters of chiefs can be chiefs. In practice, it's not always that easy; it's always contentious.

The FFM team asked what types of GBV there are in BWA, UN OFFICIAL observed that there are all sorts. The most prevalent are sexual assault – **UN OFFICIAL** noted that rape statistics for BWA are the second highest in the world, so [the number of] sexual assaults is quite high – physical [violence], like beating, which is quite high; and economic [violence]. Economic is particularly in cases where the man is working but the woman isn't, [so] she's dependent on the partner. Sometimes they [withhold funds] because the women are dependent on them. That also leads to the pattern that has been observed [where] a lot of reported cases of GBV are withdrawn because the woman says that this person is the breadwinner and the caretaker, and if you take him to prison then the family has no means of sustenance.

The FFM team asked whether UN OFFICIAL had any numbers on sexual and physical assaults. UN OFFICIAL noted that there was a report she could share [of] a 2018 study. The UNFPA had been trying to support the government to update that. The 2018 study even broke down the different forms and the prevalence of [each form of GBV], which she observed was helpful. **The FFM team asked who conducted the study, UN OFFICIAL** noted the [then Ministry of Nationality, Immigration and] gender affairs department [in the government] with the support of partners – the [UN]FPA, Gender Links and others. **The FFM team asked whether that was the most recent data, UN OFFICIAL** confirmed that it was, adding that the UNFPA had been trying to support them to update it because it's quite dated, but it's the latest national study. She noted that there may be smaller ones – Botswana Gender-Based Violence Prevention and Support Centre also recently did something but on a smaller scale.

The FFM team asked who the main perpetrators of GBV are, UN OFFICIAL observed that it is men, all ages, but when you look at the numbers, mainly the youthful population, people between their 20s and 45. **The FFM team asked whether they are mostly family or strangers, UN OFFICIAL** noted that most of it is intimate partner violence, but when you look at the data, there's a lot perpetrated by family members – a brother having raped his sister or an uncle having raped a niece. It's intimate partners, then family members, then others – just general strangers.

The FFM team asked what laws and policies there are to tackle the issue of GBV, UN OFFICIAL explained that currently, in terms of trying to deal with intimate partner violence, the courts rely on the Domestic Violence Act (DVA) [2008] because there is no GBV law right now, but there's a push towards that. So a lot of reliance is made on the DVA. When it's a case of beating [a partner], what people are usually charged with is grievous bodily harm or common assault. That's what the police reports would say. **The FFM team asked under what law a husband would be prosecuted if he was violent towards his wife. UN OFFICIAL** noted the DVA in the case of intimate partners or family relations. **The FFM team asked under what circumstances a perpetrator would be charged with grievous bodily harm or common [assault]. UN OFFICIAL** explained that sometimes a case would go

through customary law [courts], like in the case of people in a village. [Their] first point of contact with the legal system would be to go to the chief, the kgosi, who is the leader of the village and relies on customary law. But sometimes cases are removed from the customary [law system] to the magistrate[s'] [courts], and then it depends but maybe from the magistrate to the higher courts. Not all cases that are heard in the customary court will ultimately make it to the magistrates' court.
The FFM team asked whether modern (statutory / common) law recognises customary law. UN OFFICIAL noted that it does. They are both legally recognised in the country, even with their contradictions. The dikgosi, the traditional leadership, set up that recognised [customary law] system.

The FFM team asked whether the customary law and the [non-customary] legal system are sufficient to tackle GBV, UN OFFICIAL thought that they are obviously not. She explained that in fact the contradictions cause big problems, particularly with GBV cases. The customary law leads more to [a victim being told] that it's a family matter and they should go and talk to their uncles and so forth. Even where somebody has gone to the courts, like the magistrates' court, imagine being issued with a restraining order and then going back to the community. The customary law has no power to enforce a restraining order. If anything, a victim might face [comments from] people in the community about her having taken her own husband to court and obtaining a restraining order against him. So, the 2 [legal systems] are in a lot of conflict in terms of GBV cases.

The FFM team asked whether there are any laws in addition to the DVA that protect women. For example, does rape, which is not in the DVA, come under a different law? UN OFFICIAL explained that a lot of [provisions to protect women] that are not in the DVA are in the Penal Code. The Penal Code and the DVA are the main ones [for protecting women].

The FFM team asked whether there are any loopholes in the protection that UN OFFICIAL sees. UN OFFICIAL noted that there are a lot of them. Just recently, about 2 to 3 weeks ago, we had a woman murdered at the University of Botswana [UB] in broad daylight at work. She had a restraining order against [the perpetrator]. Half the time, when a woman has a restraining order, no one knows about it. There are no first responders or anything to [step in to protect] her if the person who is subject to the restraining order violates it by approaching her. So there are loopholes in the protection system.

The FFM team asked whether the University of Botswana case was just one example or whether this kind of situation was common. UN OFFICIAL noted that it is very common, particularly with repeat offenders. People on bail, people with restraining orders are very common. That's why currently there's a bit of an uproar around bail. People feel like people perpetrate violence, they go to court, they are given bail, they come back and they commit the same crime – or even worse, to the point of killing – because they're out on bail. We have repeat offenders who've been out on bail multiple times.

The FFM team asked whether this was the law being weak, or was it its implementation? UN OFFICIAL thought both. The first weakness is the investigation part because judges rely on the evidence presented before them. [The decision whether] to grant or refuse bail is dependent on what evidence they are dealing with. The second [weakness] is the protection mechanism, for instance, [implementation in the case of bail and restraining orders]. While the law can guarantee somebody whose life is under threat protection by means of a restraining

order, the implementation of that is a problem because it seems like it's just a piece of paper that somebody's carrying around and enforcement is a big problem in terms of protection.

The FFM team summarised that there are laws to provide protection but that implementation is an issue. The FFM team asked whether UN OFFICIAL thought the police had enough power to protect anyone who's suffered GBV. If a woman made a complaint to the police, would they be able to protect her from GBV? UN OFFICIAL observed that they may have power in theory, on paper. When people see the police, when I'm walking around at midnight and I see the police, I might get a sense that the police are here for protection. We have the police arresting somebody who is perpetrating violence. They do investigations and so forth. The whole process will go to a point where there's a woman being given a restraining order. One then wonders where the police come in to make sure that that restraining order is enforced. Can a woman just call and say that the person I have a restraining order against is violating it, they're following me or they're in my vicinity? Half the time, the police are challenged – 'We don't have a car, we don't have resources.' So, they may have the power, but are also limitations, particularly in terms of resources and other things.

The FFM team asked if it would be correct to summarise that the police have the willingness to protect, but they do not have the ability because of the resources. UN OFFICIAL observed that she couldn't confidently say they have the willingness. If you call to report, you get multiple interrogations [questions by the police] and things like that. One's life is under threat [from the perpetrator]. **UN OFFICIAL** noted that she was therefore not sure about the willingness. Maybe some [police officers are willing], but not all. She thought they weren't all on the same page.

The FFM team asked about the GBV unit [Gender and Child Protection Branch] that was recently established by the Botswana Police Service. How efficient and effective is it? UN OFFICIAL noted that it's perhaps still a bit too early [to say]. It's a relatively new unit, which is a step in the right direction towards recognising that we have a problem that needs a specific response, but it's still too new. It's not even countrywide. It's some police stations that have specific GBV units, with resources , with training, police officers and cars and everything to respond to cases like that. So it's still too new to see the impact, but we see the effort, one of them being that at least nowadays where such units are in these police stations when a woman comes to report, we've seen a difference in the way the case is handled. Initially, we'd come in and somebody would be shouting, 'How can we help you?' But this thing has had a positive change even just in the way the reporting is being handled. The big question is beyond the reporting because you have the report and then you do an investigation and then the person goes to court. That's where I think then some of the problems start. We now have the police saying they've done their job, they've investigated and handed [over] the evidence [to the Directorate of Public Prosecutions and the courts]. But then the magistrate is saying to grant bail or not – the loopholes – or if there's insufficient evidence, they'll still have to investigate better. Those are some of the challenges.

The FFM team asked how easy the reporting process was. Could someone quite easily report GBV to the police? UN OFFICIAL thought it would be relatively easy. You can pick up the phone and call. But the question would be whether they'd be there when you needed them, because sometimes you call in the middle of the night – a woman has been beaten, or sometimes you even call as a neighbour when

a woman has been beaten next door, or your colleague – but the police tell you to come back [later], right now they don't have a car. So the reporting part is easy; you just call 999 or you can physically go to the police station. The response is a different matter.

The FFM team noted that they had heard the GBV unit was set up a few years ago. They asked whether the unit provides officers, provides training and guidance, or whether it does something else. The GBV [unit] in the police station is under the police. They are in charge of GBV cases reported at the Police station. They are provided with specific training to handle GBV cases. The training is done as part of their police training, but then we also have specialised training where different organisations come and train them and so forth. Just a few weeks ago we had a session with the traditional leaders we are collaborating with, the [Directorate] of Public Prosecutions and the police. So, they'll have that as part of their pre-service training and then have specialised training specifically [provided by] that unit, but not necessarily [given] by the unit. I think the unit mainly does service provision within police stations.

The FFM team asked what 'service provision' meant. Was it handling cases? UN OFFICIAL confirmed yes. **The FFM team asked for confirmation as to whether the GBV unit handles cases. UN OFFICIAL** confirmed that it does. **The FFM team noted that UN OFFICIAL had mentioned that the police might not investigate properly. Had UN OFFICIAL observed that? Did she have evidence of that process not working properly? UN OFFICIAL** noted yes and added that, as she had said, there's a public outcry around the bail system. We have a lot of these repeat offenders out there. Bail is part of the legal system. You can't necessarily deny people bail simply because the public is saying these are repeat offenders. [Courts] say to grant or not grant bail, they consider the evidence that is presented before them, and the facts and merits of the case. In some cases, you hear that the investigators will be saying they're still investigating, and in that case then the magistrate will say they can't keep somebody incarcerated while [the investigations are ongoing]. **UN OFFICIAL** thought the fact that there are a lot of perpetrators of GBV, particularly repeat offenders, who are out on bail because the investigations are still ongoing, says a lot. These are some of the things we're observing, but we don't have data from the police or the courts. But if you speak to the police and ask them how many perpetrators of GBV are repeat offenders, how many of them have been granted bail and committed similar or even worse offences while out on bail, [it would be] quite a lot. Even the perpetrator of the UB murder was out on bail. So, a lot of them are repeat offenders and they commit most of these while they're out on bail.

The FFM team asked whether it's more of an efficiency issue than a willingness or ability issue. UN OFFICIAL thought more of an efficiency issue.

The FFM team asked whether UN OFFICIAL had any data on the number of arrests, prosecutions and convictions. UN OFFICIAL noted she did not have those exact numbers. The UNFPA had also asked for them, but she could still try and get them. Currently, she did not have the official statistics.

The FFM team asked whether UN OFFICIAL had data on numbers of domestic violence cases or other GBV cases reported to the police. UN OFFICIAL noted they did not have the latest data. She explained that there's usually a reluctance [to share data]. You ask for that from the police. They'll refer you to the courts. There's usually a reluctance to share some of that. Generally in the country, getting a lot of

access to administrative data, whether it's from Ministry of Health – the rates of teenage pregnancy, something as simple as that – [or elsewhere], is quite a challenge. Where it involves law enforcement, it's even it's harder. So we've asked for those statistics but we currently don't have them. Should we get them, we will share them.

The FFM team asked whether victims of GBV are able to get legal aid. **UN OFFICIAL** noted there is Legal Aid Botswana, which provides legal aid to people who may not necessarily have the means, and there's also Botswana Network on Ethics, Law and HIV/AIDS, BONELA, an NGO, which provides legal aid support. And those who can would just get a lawyer, legal representation. And then there's even the UB legal clinic, at the University of Botswana. In terms of legal representation, even the law provides that where somebody is not able to afford [a lawyer], one will be provided for them by the state.

The FFM team asked whether there are divisions of Legal Aid [Botswana] throughout the country or only in the main towns, UN OFFICIAL explained throughout the country where one asks, but that the question is whether everybody knows there's that provision. **The FFM team asked how easy it is for someone in a rural area to access legal aid and legal support, UN OFFICIAL** thought that was where the challenge lay. She thought Legal Aid Botswana had offices in Gaborone and also in Maun up north, so probably only 2 countrywide [the Legal Aid Botswana website indicates there are centres in 6 cities/towns: Gaborone, Francistown, Tsabong, Kasane, Maun and Palapye]. We may have legal aid, but to access it could be a challenge. And then BONELA, the NGO, the headquarters are here [Gaborone] and then they have project sites but they do a whole range of projects: HIV/AIDS, TB and stuff like that. But at least where you have a BONELA office, they may be able to facilitate with their headquarters, but where they are not, then that would be a challenge in hard-to-reach areas where [these organisations] would not have their offices. But you could try to phone. **Asked whether this meant phoning BONELA or the government, UN OFFICIAL** noted BONELA and Legal Aid [Botswana], to report and seek help by phone. Mobile network coverage is countrywide, but [approaching them by phone] would also have its own challenges. **UN OFFICIAL** thought if [someone] reported [a case], they'd probably be told to come to one [of the organisations'] offices, and that is where the challenges would probably start. She thought Legal Aid was only in Gaborone and Maun. BONELA's headquarters are in Gaborone and then they have some project sites for different projects, not necessarily for GBV, and not countrywide either. Their projects are in Ghanzi and other areas, but because these are project sites, they're not necessarily for providing legal aid to GBV victims.

The FFM team asked how many civil society groups there are in Botswana. UN OFFICIAL explained that when she was working for BOCONGO [Botswana Council of Non-Governmental Organisations] [where **UN OFFICIAL** served as executive director up between November 2023 and April 2025] they had around 300 individual members across the country, but these were working in a wide array of areas. Less than 20 worked specifically with GBV. Members are divided into 6 thematic groups: gender, human rights ; economic justice; arts and creative industry; Sustainable environment and natural resource management; democratic governance and inclusive social policy– **UN OFFICIAL** . The gender NGOs were part of the gender and human rights thematic working groups. [They included] Emang Basadi [Women's Association], Gender Links and BONELA. Because BONELA do law and a lot of human rights issues, they will take on GBV. So, GBV [civil society groups]:

about 20 to 30.

FFM team asked whether the NGOs provide support with employment, health and economic empowerment, UN OFFICIAL explained that there are some NGOs providing economic empowerment support to women, for women to start, sustain or even scale up enterprises. But when NGOs have a service like that, they are usually donor-funded, as with Women Against Rape in Maun or Cynthia Childcare Trust. **UN OFFICIAL** noted that Cynthia Childcare Trust was supported by the French Embassy specifically to run women's economic empowerment programmes. So a lot of these are donor-funded, but the government of BWA's gender affairs department also has a women's economic empowerment programme where there's usually a grant set aside so individual women can apply, those that are starting enterprises, those that are scaling up. It's about 500,000 pula [circa £26,870[486]] when it's a group of women or 100,000 pula [circa £5,360[487]] for an individual.

UN OFFICIAL added that there are other NGOs [supporting women with economic empowerment], for example, Ratong Centre and Botswana Gender-Based Violence Prevention and Support Centre (BGBVC). BGBVC offers support for women who are victims of GBV, and the second part [of its work] are economic empowerment programmes for victims of GBV. Women Against Rape in Maun also provide shelter[s] and while the women are there [they provide] economic empowerment programmes to try and help them self-sustain, so that they don't go back to the perpetrators. The Ratong Centre was actually set up by a woman who was a victim of GBV, so from her own experience now she helps other women by providing economic empowerment programmes. They also do therapy through the projects they do, like beadwork and things like that.

The FFM team asked how easy it is for a victim of GBV to access this support. UN OFFICIAL noted that it is easy. You can just walk in and they don't charge you anything. The challenge is that GBV is spread across the country, but BGBVC is only here in Gaborone with satellite offices and shelters. Women Against Rape is in Maun. In other places, particularly the remotest places, there are no shelters so the shelters are limited. But if a woman is able to get herself to a shelter, it's quite easy. These are open centres, but most have very limited capacity.

The FFM team asked about the number of women who can stay at the shelters. UN OFFICIAL was not sure but noted they are not big. She thought the capacity would not be more than 30 people because most shelters are just converted houses.

The FFM team asked whether a victim of GBV would be able to move from one city or area to another. How easy would this be for a lone woman or single mother? UN OFFICIAL noted that those who have the economic means can, but it's tough because a lot of victims are economically dependent on their partners. The houses they live in were bought by their partners. If you need shelter, where are you going to go? [What is your] means of sustenance? That's why a lot of the cases are withdrawn, because they say these men are the ones who provide support, but those that have the economic means can [continue with a court case].

UN OFFICIAL also observed that BWA is only small. There are cases in which perpetrators of GBV have travelled hundreds of kilometres [to find their victims]. There was a famous case of a former national team basketball player whose [partner] travelled more than 400 kilometres from Francistown [to Gaborone] to shoot

[486] Xe.com, Converter (500,000 BWP to GBP) on 16 September 2025
[487] Xe.com, Converter (100,000 BWP to GBP) on 16 September 2025

her 8 times. **UN OFFICIAL** noted that these cases are common.

The FFM team asked whether this meant that it is common for a perpetrator to move around the country, UN OFFICIAL noted that even if a woman moves to a different village or town, it's very easy for [the perpetrator] to find them if they're determined to do so. It may be easy for a woman to get on a bus and decide she's moving from Gaborone to Francistown, but it's just as easy for the perpetrator to move and find her.

The FFM team asked how easy it would be for a woman to find accommodation, UN OFFICIAL noted that a woman who had the economic means [would be able to find accommodation]. But there had been a case in which a woman had moved to the BGBVC shelter [in Gaborone] and [her husband] had followed her and killed her in front of others in broad daylight. Imagine if a woman moved to a different village and, instead of being in a shelter, she just lived on her own. Many women are financially dependent on their partners, but if a woman who [is financially independent] moves away, there are cases where the perpetrator follows her and ultimately either rapes her again or kills her.

The FFM team asked how society views single women or single mothers. Is there any discrimination from society? UN OFFICIAL thought it would depend where the woman moved to. A city like Gaborone is multicultural and there are different people who are here for different business. But society is very traditional in people's home villages because of the kgotla [customary court/community council] system, which means everybody knows everybody, everybody is tied to a kgotla and they have a traditional chief and they know each other by their family names. By moving from your home village to, say, another village, you're settling into an already established community, so obviously you're going to draw public attention. It depends on how traditional the place is that you're moving to, but ultimately people always get to know why you are there. In urban centres, it may not be so obvious.

The FFM team asked whether a woman moving to, for example, Gaborone or Francistown would face a societal backlash. UN OFFICIAL thought no, not really in urban centres. She noted that probably a woman moving would have the means to sustain herself because otherwise she would struggle and become stranded, and people might then ask where she had come from and make the connection to her history if she had been missing. If she has the means to move to an urban centre and self-sustain, it should be easy. But again, the fact that it's easy for a woman to move means it's very easy for the perpetrator to follow her.

The FFM team asked whether there were any numbers or data on how many women migrate from smaller villages and rural areas to towns such as Gaborone to avoid family issues, and numbers of cases of them being pursued? UN OFFICIAL noted that [UNFPA] did not have such data. [Lack of data] was why they had been talking to government about trying to update the 2018 study. The reason they get to hear about cases is because they end up with the police again. A woman was moving from Kasane because her boyfriend was abusing her and we only [got] to know about it from the police report that ended up in the mainstream media. It's not even all the reports that end up in the media. The police are not so generous with their data.

The FFM team asked whether people generally migrate from the countryside to the towns and Gaborone. Is that a general pattern? UN OFFICIAL asked whether this meant specifically fleeing a perpetrator**. The FFM team clarified that they meant in general. UN OFFICIAL** noted that a lot of people come to towns seeking

employment opportunities or economic empowerment opportunities and that there is a lot of internal migration. If you don't find them [economic opportunities], that's when the challenges begin.

The FFM team asked whether someone moving, for example, from Maun to Gaborone would be able to access healthcare and other public services. UN OFFICIAL observed that you can access healthcare anywhere; you don't have to be a resident of that locality. Women's economic empowerment programmes are usually tied to a district. There'll be a budget under the Ministry of You and Gender Affairs and then it will be allocated to the different gender offices across the district because they'll have a sense of roughly how many people qualify and anything like that. But they're generally accessible, so you can apply and try your luck anywhere, because in Botswana you can live anywhere.

UN OFFICIAL noted that to add one last thing, there had been a national outcry to declare GBV a national emergency. People had been demanding to see the president [speak about] the situation of GBV in this country. Unfortunately for the political leadership, in the general sense, the public is getting a bit frustrated. The president also made some unfortunate remarks [about GBV] recently. We were coming out of the festive season [Christmas 2024] and the number of reported rape cases and murders and everything was quite alarming just for that short period of the festive season. There was a public outcry to say that this is not on and that we need to declare this thing a national emergency. Unfortunately, there was a lot of silence from the government side, and people were frustrated that even the minister of gender was quiet, too. So ultimately the president spoke, and when he spoke, he said he didn't even understand why people were talking about GBV, that it was very evident that we're generally a very violent society – men, women and children are violent. That also attracted a lot of public outcry to say this is the reason why it's classified. There was a meeting of CSOs [civil society organisations] about 2 weeks ago where they were strategizing about approaching the presidency in trying to push for GBV to be declared a national emergency, and that reasoning is that when we declare a national emergency, then you'll allocate the necessary resources. We had an initial strategy to end GBV. That strategy was not funded. **The FFM team asked whether this meant a government strategy. UN OFFICIAL** confirmed that it was a government strategy but explained that it had no resources, no budget. That's why people were now saying that we need to push for GBV to be declared a national emergency and make sure that the response is adequately resourced.

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+) people

The FFM team asked about the size of the LGBT+ population in the country. Was there any data on this? UN OFFICIAL noted that she did not have numbers but that organisations like LEGABIBO, Success Capital or Sisonke might know. Asked whether there was no census data or systematic collection, UN OFFICIAL confirmed that there was not and observed that there is a big problem with data [in BWA generally]. When data is available, people are guarded about it.

The FFM team asked how the LGBT+ population are treated. Are they discriminated against in law or in any other way? UN OFFICIAL noted that in terms of the written law, they're not. But in terms of practice – like how risky it is for them to get services from mainstream health facilities – there's still discrimination there, a lot of it from the service providers, though, because of [individual practitioners'] own personal beliefs. So despite the [court] judgment, the

decriminalisation [of same sex acts in 2019], there's still a lot of discrimination. We saw it in the way it recently played out during the attempted Constitution[al] review of 2024. [The government proposed a constitutional amendment bill in March 2024 which, amongst other things, introduced protections for intersex people and people with disabilities. Some people interpreted 'intersex' to mean sexual orientation (including gay and lesbians) and opposed the inclusion of this group in the amendment.] We had different parts of society pushing back on what the government tried to do then. It was the whole process of the constitution review of 2024. But even in Parliament, one of the narratives that politicians [spun was] to say CSOs oppose[d] the constitution[al] review because they don't want [the government] to recognise transgender [people]. They were just playing out that narrative and pitting [different parts of] society against each other. So, there are still cases of discrimination. I'm sure LEGABIBO will have more concrete examples to share of the everyday lived realities of LGBT+ people's lives.

The FFM team asked how lesbian and bisexual women are treated and whether this differs from the treatment of gay men. UN OFFICIAL thought BWA had not accepted gay men and lesbian women and that was why some rape cases were so-called corrective rape. A lot of them do not even come out. **UN OFFICIAL** thought this was because they do not feel safe to come out as a lesbian woman or a lesbian couple. You hardly see [them]. But we see gay men, but even they still get a bit of public backlash, people looking at them in a funny way and things like that. But lesbian women are not easy to see publicly, just freely walking around or freely relating.

The FFM team asked whether customary law protects lesbian and bi women. UN OFFICIAL observed that it does recognise they are there. It doesn't in writing spell out any discrimination. But **UN OFFICIAL** noted she did not have any experience of lesbian women who had gone to report something to the chief. Maybe LEGABIBO had such experience and would know how they are usually received. Society still frowns on gay and lesbian relations, and in the churches, in particular, you walk in when you are a gay man or a lesbian or you come out publicly and you get the looks and everything. **UN OFFICIAL** thought that as a result, not many do come out.

The FFM team asked if it would be right to summarise that there are lesbian women and an LGBT+ population in general, that they are not discriminated against by law but that there is discrimination or harassment that exists [in society]. UN OFFICIAL agreed. She noted that because of the court judgment, the law does not discriminate against LGBT+ people, but there are general public and service provider [negative] attitudes [against LGBT+ people].

The FFM team asked how easy it is for LGBT+ people to access services. Even if individual service providers [held negative attitudes], in general would it be easy for them to access services such as healthcare and education? UN OFFICIAL observed that healthcare and education are for everybody to access, regardless of orientation. [The issue] was mainly the attitudes of [individuals working in] service providers. The system itself is set up such that everybody should be able to access the service, but the practice becomes a different thing, if a gay man walks into a health facility and there's a healthcare provider who has their own thoughts and ideas.

The FFM team asked if the government has a position on LGBT+ people or has just gone silent. UN OFFICIAL noted that the law has decriminalised same-sex

relations. They won't get arrested for that. But in terms of marriages, there's no law [to allow them to] get married. **Asked whether there is an absence of positive law, or law to protect LGBT+ people, UN OFFICIAL** explained that there is no special protection granted in law; it's just decriminalisation. **Asked whether the government has a policy position on LGBT+, UN OFFICIAL** noted that they do not.

The FFM team asked whether, in terms of education, healthcare and other public services, there is no systematic discrimination against LGBT+ people, and whether the issue is the attitudes of individuals within organisations who bring their own perspectives to how they deal with LGBT+ people. UN OFFICIAL confirmed this. She noted that, unfortunately, in cases like that, there's no specific law that [offers protection] in case you are discriminated against because of your sexual orientation. It's just the Penal Code and the Constitution.

The FFM team asked if the LGBT+ population are socially accepted in a more positive way in urban areas than rural areas. UN OFFICIAL thought this would also depend on the locality within urban areas and noted that she doubted that a gay man or lesbian woman would be able to walk around low-income shanty areas. She suggested asking LEGABIBO about Old Naledi or Extension 27, which are poorer areas of Gaborone. She noted that in the centre [of Gaborone], everybody minds their own business and an LGBT+ person wouldn't be bothered there. But in lower-income parts of town, people spend time being preoccupied with other people's lives. **UN OFFICIAL** thought there would be discrimination or name calling. If a woman goes to a taxi rank wearing a mini skirt, they start shouting at her, even though it's in Gaborone. **UN OFFICIAL** thought a gay or lesbian couple would face the same thing there: name calling, harassment, or having obscenities shouted at them.

The FFM team asked if there were any examples of more severe violence against the LGBT+ population. UN OFFICIAL thought it would be a challenge [to provide examples], but that there definitely examples of sexual violence. [There's] corrective rape, but [rape of] men, too. In prison, about a month ago, there was a reported case of corrective rape of a male prisoner who was raped by 2 male inmates. You get cases like that, like on one night before that, there was a man who was not even in prison who was raped by 2 men. It's cases where [the man] claim[ed] to be [or identify as] a woman (trans men and trans women as well as bisexual men and women).

The FFM team asked whether, beside the above examples, there were any other documented cases? UN OFFICIAL noted that she knew of a number of cases but she was trying to remember whether they were gay men. There was another case in which men were raped by 2 men but she could not confirm whether the victims were gay. LEGABIBO would have more information.

The FFM team asked if a same-sex couple could move to a city like Gaborone, Maun or Francistown and live together. UN OFFICIAL confirmed that they could. She noted that urban areas would be a bit easier, and that it would still depend on the peculiarities of [their] whereabouts in the urban centre. She also thought it would depend on how open a couple were about their relationship because sometimes you live together and you're not open.

The FFM team asked if a same-sex couple could live openly. UN OFFICIAL observed that they would still be a bit shunned, particularly in rural areas. But if people didn't know, they would just think it was 2 people living together. But if you're quite open and public about your relationship, Batswana still haven't really got used

to that generally.

The FFM team asked if lesbians can be open about their sexual orientation. UN OFFICIAL thought the reason there are still not many living openly is safety. She recalled the case of a man in the military in BWA who moved to South Africa and married another man. There was a whole lot of hullabaloo here [even though] he had moved. He kept quiet, and then the one time he spoke, he said, 'At least I'm open. I'm honest about my orientation and a lot of you who are talking about me are married to women but are gay.' And then all the hullabaloo died down. **UN OFFICIAL** doubted he would have been so open in BWA. He was in the military. Also, a lot of people don't come out because they fear a backlash from their families, because families haven't really got used to the idea.

The FFM team asked who the perpetrators of corrective rape usually are. Would they be within the family or outsiders? UN OFFICIAL explained that in the cases she had come across,(cases I referred to are mainly those reported in the news of local radio stations), the perpetrators were not family members but community members outside the family, sometimes people the victim had grown up with but hardly ever total strangers.

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Annex E - Interview with Interview with Feminist Alliance Botswana

Date	**9 July 2025**
Location	British High Commission, Gaborone
Attendees	Co-founding member, Feminist Alliance Botswana; Chair, Feminist Alliance Botswana; 3 HO officials

Women and gender-based violence (GBV)

CO-FOUNDING MEMBER explained that she is an attorney in private practice and is one of the founding members of Feminist Alliance Botswana (FAB), which is a gender-centred organisation that was started in 2022. It is currently unregistered; it's just a movement, a coalition of gender activists and organisations that work in the gender space we want. Since its inception, it has worked with the British High Commission in areas of mutual interest, especially on gender equality and gender justice.

CHAIR explained that she is a supply chain management professional but is attending in her capacity as current chair of the FAB and working along the same lines that CO-FOUNDING MEMBER mentioned. They have been participating in giving a response to government action with regards to the involvement of women, the participation of the underprivileged and barriers to access to justice. CHAIR noted that she is there to give a voice to women in Botswana (BWA), less so LGBT+. But she recently had the privilege of listening at the CEDAW [Convention on the Elimination of All Forms of Discrimination against Women] Convention. They were [among] a group of civil society organisations that shared some of the challenges that they are all experiencing in Botswana and what they're looking to see changed.

The FFM team asked FAB to summarise the position women face currently in BWA. CO-FOUNDING MEMBER explained that the constitution recognises the equality of genders, and that discrimination on the basis of gender is considered

illegal and unsupported in our democratic society. However, there will always be a conflict between what civil law provides and cultural norms that exist in the country. In terms of our tradition, like North African countries, our culture is based on a patriarchal system where men are more elevated. That permeates how we treat and ascribe rights, whether it's socioeconomic rights - not in terms of the civil law - but culturally. For example, if you're born to a local chief and your father passes away, it's more likely that instead of a female first-born child succeeding, the [chieftainship] will probably be given to a male child, and in the absence of a male child the father's brother will then take over.

However, **CO-FOUNDING MEMBER** explained, with time, more and more women, especially in that space [tribal chiefs], have been enforcing their rights, their rights to inherit and succeed their fathers' thrones. [By way of example] She did not know if the FFM team would have the opportunity to meet the first female chief of the so-called 8 major [Tswana] tribes in BWA [Bangwato, Bakwena, Bangwaketse, Bakgatla, Barolong, Batlokwa, Balete and Batawana]. [In the past] all the chiefs have been male. [But] more and more women have been enforcing [their right to succeed as chief]. We've had this small tribes where women have gone to court to try and enforce their rights, their right to succeed their fathers has been recognised, but outright in terms of culture that would not be recognised. If you don't have, for example, the privilege or finances – resources - and the ability to enforce your cause, then you'll be disinherited and disenfranchised because of the patriarchal system. In recent times we have seen an increase in number of female chieftaincy heirs instituting legal proceedings to enforce their rights to succeed the throne upon the death of their fathers.

CO-FOUNDING MEMBER added that – although this is not a situation that's peculiar to BWA – patriarchy continues to place a greater burden on women in terms of care work which burdens women over and above their everyday work lives. They're burdened with caring for elderly parents, children, children of deceased siblings, relatives, etc. We don't see men being expected to do this. It's culturally expected that because you're the woman, then you should bear the greater burden of nurturing and raising and caring for the family. We've seen it also within terms of inheritance rights, where in traditional practice there are certain assets of the family that cannot be inherited by a woman, especially if you're married. For example, the parents' homestead would most likely go to the son not the daughter. And if a women's brother has passed on, it will pass to the brother's first male child. But we've seen cases where some women have taken that to court to have it overturned. It also has to do with farmlands and cattle - women become impoverished because whereas the son inherits the father's farm and cattle, the daughter is left to fend for herself and start afresh.

CHAIR noted that she recently had the privilege of listening to a conversation that was given by Priscilla [source unclear, not clarified], and in it she mentioned how even if a woman does succeed her father, her children cannot because they're likely to be born of a man who's not of that tribe. So in that regard, though a woman may become a chief her children cannot continue that lineage, it would revert to her brother. So, for example, if a female chief dies, none of her sons can inherit the throne. It would have to go back to her brothers or her brother's children. But for a man, who marries a woman of a different tribe, his children will inherit his title and wealth, culture teaches that a child inherits from their father's lineage. **CHAIR** thought this has to do with the belief that the son carries the name of the family.

CHAIR explained that, also with regards to inheritance, parents born before the

1970s are still not in the practice of writing wills and there's a belief that your son inherits land. However, because of the legislation, women are able to [inherit]. But it takes knowing that you can question it for [a woman] to actually do it, and also to be able to afford to do so. That's where the mindset comes from, of men just defending what favours them. They are not defending their position of taking care of the whole family financially; they want the women to help them in that regard. They're only defending the ownership aspect. But if we're going to go to work, let's both go to work and bring home the bread.

CHAIR added that, increasingly, more girls are doing better than boys in school and are finishing school in larger numbers. In [small and medium enterprises] SMEs or small businesses, there are a lot of women, yet in more established businesses, there are a lot of men [in leadership roles]. So where there's structure, it's men, and when there's less structure, it's mostly women-led businesses. Recent studies have also shown that even in corporates [large companies], there are more women in management positions. If you were to look currently at the banks' structure, Absa [Bank Botswana], the CEO is a woman and then there was a woman at Barclays [Botswana], and the other 3 are men. More women are advancing to senior management positions. However, it is important to note that only 6 members of Parliament are women [out of 69], of the 6 female MPs, 3 were elected by the electorates, whilst 3 are specially nominated by the President, which means they weren't elected by the people. In fact, we've regressed in terms of numbers as regards representation of women in political office.

The FFM team summarised that although women have equality in law and customary law, tradition favours men. Women are making progress in business and elsewhere, but it's still [dominated by] men. Women are doing well in education, but it's not translating yet fully into equality and economic and social rights. CO-FOUNDING MEMBER noted that it's important to highlight that because of the way BWA society is structured, more of the population only have access to traditional courts than civil courts, so unless tradition and traditional law change, women will continue to be disenfranchised in terms of enforcing their rights. This is because whereas civil law prohibits discrimination, in traditional courts judgments are made with clear gender biases.

The FFM team asked whether it would be possible for those people to go through the civil courts. CO-FOUNDING MEMBER explained that it costs money, and it's multi-layered because you start off with a small mediation court, which is the traditional setting, before you go to a major customary court, and then after the customary court, they need to take it to the customary court of appeal. And if you're still not happy with it, that's when you take it to the High Court, which is governed by civil law. But all of that involves money, time and frustration.

The FFM team asked, what are the main types of gender-based violence (GBV) and which are the most common. Do FAB have verifiable data (the FFM team noted that they were finding data hard to obtain)? CO-FOUNDING MEMBER noted that the FFM team are not the only ones [finding it hard to obtain data]. GBV is on the rise in BWA – [it includes] femicide by intimate partners, whether current or previous intimate partners, sexual assaults ranging from homosexual assaults to defilement, rape, physical abuse, financial abuse, emotional abuse and verbal abuse. But there's a lack of awareness of what constitutes verbal abuse, so you find that it's under-reported.

CHAIR explained that [women] might only talk about it once they've left their

relationship and reflected in conversation, ‘Oh, actually this person verbally abused me and that made me feel a certain way,’ but they never take it to the authorities.

The FFM team asked whether the main perpetrators of abuse are intimate partners. CHAIR noted that it is intimate partners and close family.

The FFM team asked, if other men in the community or strangers were perpetrators? CO-FOUNDING MEMBER noted that with defilement, it is mostly known family members, neighbours. **The FFM team asked what defilement is. CO-FOUNDING MEMBER** explained that it is the rape of a child under the age of 18. So, [defilement is perpetrated by] neighbours, family members and, sometimes, depending on the set-up of the family. You find that in one yard you have multiple homesteads and especially where the mother is forever away on work, some tenants tend to molest and defile the children.

The FFM team asked whether there are particular profiles of women or girls who are vulnerable or who are most prone to GBV. Are there any markers or patterns? CHAIR noted that with financial abuse, you'll find the most vulnerable women are those who are unable to find employment and/or earn less than their partner in the relationship. Because they end up needing to come to the man to say, ‘We are short of this’, then they experience financial abuse in that way.

CO-FOUNDING MEMBER noted that even with financial abuse, they’re seeing a rise in abuse of women aged 50 to 60 years old – older women who are single, whether widows, divorced or never married – who are preyed on by younger men.

The FFM team asked whether CO-FOUNDING MEMBER most victims are younger women, but that they’re seeing older women as well. CHAIR explained that mostly it’s younger women, but increasingly older women who are not married or in stable relationships are facing a situation where younger men are coming into their lives and pretending to be in love with them.

The FFM team noted that they had also heard of ritualised abuse through the traditional belief systems. Is that something that FAB is aware of? CHAIR noted that there haven’t been a lot of [these cases] recently. She thought the culture had been dynamic in terms of trying to eliminate abusive practices such as genital mutilation. They haven't [seen any cases]. They’re just seeing an increase in more modern types of abuse that you would get anywhere else. Also, there is online abuse. **The FFM team asked whether that is harassment or similar. CHAIR** confirmed that it is [harassment].

The FFM team asked what the information base is for the different types of abuse. How do FAB know that there is more abuse happening? Will people be reporting instances more if they're becoming more aware of these incidents? CO-FOUNDING MEMBER noted that there has been an increase in terms of cases being reported. **The FFM team asked whether this meant reported to FAB or to the police. CO-FOUNDING MEMBER** noted to the police. And sometimes, there are some victims who feel uncomfortable reporting to the police, so they report to shelters or organisations that specifically work with GBV. They are the link between [the victims] and the law enforcement agencies.

The FFM team asked whether FAB is aware of any reliable data sets about reporting to the police on rape, femicide, sexual harassment. CHAIR explained that the information is disaggregated, but that the government admitted at the [UN Convention on the Elimination of Discrimination Against Women] CEDAW [review of Botswana, concluding comments in May 2025] that there is no central place you can

find any such information holistically. She remembered a man from the Ministry of Justice mentioning how a few cases that were reported were successfully prosecuted in terms of abuse, and the number was just appalling. She recalled him saying 3 were successful, but there was no context of 3 out of how many. In terms of civil society organisations (CSOs) that help, they tend to also keep that information very private. She noted that if the FFM team are going to meet [CSOs], they will get a clearer picture of how many women the organisations are getting, how many are returning and how many are completely new cases.

CO-FOUNDING MEMBER noted that the data she had been able to get is from the Botswana Police Service, but it only goes up to 2021. It's 2020 up to 2023, and even under the cases, for example, on murder, the [data] doesn't disaggregate by intimate partner or stranger. She noted that overall there is an increase in terms of the reporting year on year. **The FFM team asked whether this was from the police statistics. CO-FOUNDING MEMBER** confirmed that it was. **The FFM team asked whether it is a large increase observing that the BWA population is increasing and more women are reporting because they're more aware of their rights so were these factors too? CO-FOUNDING MEMBER** thought it was also because there is knowledge now, knowledge of the interventions where people feel like they'll get justice, which is a very important step.

CHAIR thought that, also, people are now leveraging the power of social media. A lot of cases, just like the MeToo movement, are talked about and people are bravely posting their stories online. That is how other people get the courage to come forward with their stories. And sometimes those are not reported. It's just somebody coming out and saying, 'This is also my story.' It's a form of healing just to speak about it.

The FFM team summarised: the scale of GBV is quite hard to quantify, but that CO-FOUNDING MEMBER and CHAIR believe it's growing. CO-FOUNDING MEMBER and **CHAIR** agreed**.**

The FFM team asked if the government has strong laws and policies to protect women? CHAIR explained that recently a woman at the University of Botswana was killed , https://www.mmegi.bw/news/brutal-murder-shocks-ub-staff/news by a former intimate partner and one of the facts that emerged the day after [her murder] was that he had actually been given a restraining order, which the police neglected to mention when he was applying for bail. That tells you that although the Minister of Youth [and Gender Affairs had stated] how [the government had been] doing gender training and GBV training for police officers, for officials, the questions that kept emerging were, 'How do you monitor that the training is actually effective? Do you know if the police represented the facts more accurately after the training?' Because this shows us that somebody didn't think that a restraining order was important to mention where a person's life was threatened and they ended up eventually being killed. That's just one of the things that shows you [although] training may be done no one is monitoring to see if it's effectual, if it's addressing the problems that it's supposed to address.

The FFM team noted that it was a horrific case, but queried how CO-FOUNDING MEMBER and CHAIR knew that it's representative [of the GBV and the criminal justice process]? Is it just a one-off bad example? How do you know there's a pattern? CO-FOUNDING MEMBER noted that the case brought to the fore the weaknesses in both the judicial system and the police investigating system. If I commit a crime in Gaborone and I leave Gaborone with the case being

opened against me and I've been charged in the magistrates' court here [in Gaborone] and then I go to Francistown and I commit a similar offence or a different offence, the police and the magistrates' courts in Francistown will not be able to pick that up because our systems operate in siloes. There is a lack of connectivity or systems that support magistrates courts, the DPP [Directorate of Public Prosecutions] which is the prosecuting arm [of the state criminal justice system], and the investigating unit of the Botswana Police Service. So in this instance, the restraining order, **CO-FOUNDING MEMBER** thought, was obtained in Mochudi, which is outside of Gaborone, but not far. When systems don't speak to each other, there's no way of knowing that this person has a restraining order against them or has been accused of a similar offence. It is something that the Administration of Justice [the judiciary] has spoken about and the police service has thought about, but they need to meet to develop a system that would then allow them to interlink with each police department.

The FFM team asked whether this was a technology issue. CO-FOUNDING MEMBER confirmed that it was [a lack of a national database]. She noted that it's also a resource issue, because their resources are limited. She explained that although **CHAIR** had rightly mentioned that the police are being trained, when you speak to individual station commanders of various police stations, they will tell you that it's very difficult to manage the resources. Transfers of police officers are not done by them, so you'll find that, [for example], in 2023, you have 10 police officers who were trained in GBV and gender mainstreaming, etc, and then in 2025, 10 of them are transferred to different units and your staff complement is not replaced with people who've undergone the training, so there's a lack of continuity in education of police officers and judicial officers.

The FFM team asked whether it was correct that the GBV unit was set up several years ago. CHAIR noted that it was set up last year [2024]. She explained that another issue is that sometimes things are talked about, like the one-stop desk for GBV. There's been a conversation around that for at least 2 years now but it's actually not there. We talk about it a lot, but there's no police station you can go to where they will say, 'So this is the stop. This is where women can come and get all they need,' because the key concern was disaggregation of the services, when you're raped you have to go from pillar to post. **The FFM team asked whether this would be a one-stop shop approach that included healthcare. CHAIR** confirmed yes, all in one spot. She explained that it's been talked about, but it's not been implemented. She thought that while some might say it's [an issue of] resources, we do have the people, it's just that we're not intentional about assigning them to that cause.

CHAIR noted that recently, there was a call from civil society to the president and our rulers to say, why are we not declaring GBV a national crisis? It's been defended in the most absurd ways by the president on public platforms. He compared GBV to violence in general, and then recently, he said kids are violent because they are being beaten or corporal punishment is being administered at home. Yet the numbers [of GBV] are higher now than when actually parents used to use corporal punishment as a form of discipline in the old days.

The FFM team recapped that the government announces policies, but they don't seem to be well implemented. The FFM team asked for clarification as to whether the police GBV unit's purpose is to set standards and provide training of police officers in a gender-sensitive way to deal with cases. Is that its role theoretically? CHAIR confirmed that it is.

The FFM team asked whether it would be correct to say that CHAIR and CO-FOUNDING MEMBER didn't know what was actually done [by the police] in practice [regarding GBV cases]. CO-FOUNDING MEMBER explained that she was trying to look for some statistics [on GBV incidents] that resulted in the outcry, the situation they were speaking about, because she thought there was a newspaper report on the number of people killed during the festive season in just 16 days. **The FFM team asked whether this was last Christmas [2024]. CO-FOUNDING MEMBER** confirmed that it was. **The FFM team asked whether this was reported in the press. CO-FOUNDING MEMBER** confirmed that it was. **The FFM team asked whether the press were reacting to those data. CO-FOUNDING MEMBER** noted that they were, and that the data amounted to one woman every day having been killed. In some instances, it was a woman who was killed with her children. The government had just gone quiet about it. That's what led to the outcry about it. **Asked whether this was the outcry for [declaration of] a national emergency, CO-FOUNDING MEMBER** confirmed it was.

The FFM team asked whether FAB had information about the number of people who were killed. CHAIR noted that they could get this. **The FFM team noted that they would like to know the number of people killed, and out of them, how many were women. CHAIR** explained that it was only women and that in Botswana, most of those killed in gender-based violence cases are women. Very rarely do women kill their male partners.

CO-FOUNDING MEMBER noted that she had found the statement that the Botswana Police issued: there were 60 women and girls who were raped, 19 murdered, 13 defiled from the period of 19 December 2024 to 2 January 2025.

The FFM team asked whether CO-FOUNDING MEMBER and CHAIR thought the police are generally well resourced and trained - are they capable – observing that the police can't reasonably guarantee protection to everyone. CHAIR thought that there is an underreaction to the approach to abuse that often leads to either rape and/or murder by a partner. For example, if you say to the police, 'I fought with my man or somebody on the street and they said they would kill me,' they tend to underreact to that, or if you fought and it was almost physical, they'll tell you, 'Go and talk it out.' People don't just wake up and kill somebody; there's usually a lead-up to it, especially where intimate partners are concerned. But because the police tend to underreact to the lead-up, it begs the question again of just how effective is the training that they are getting? If I left my house to come and tell you somebody said to me, 'I will kill you,' you must take that seriously. There's a reason why I thought I'd report it.

The FFM team asked whether that was a weakness in their training, in their investigatory processes. CHAIR noted yes and that it's personal, cultural. Even cat-calling is normalised, when you're walking down the street. [Men] don't usually go as far as to grab you, which apparently happens in some countries, but just somebody saying unsavoury words as you walk by as an indicator that they could gain access to you without your permission, in the form of rape.

The FFM team asked whether there are also cases where a woman has reported a sexual incident that isn't a rape to the police and they have investigated, leading to [arrest, prosecution and conviction]. The FFM team noted that the University of Botswana case had been mentioned, where there was a restraining order in place, so the police had done something, even though they hadn't done it as well as they perhaps should have. So does that

happen too? CO-FOUNDING MEMBER noted that conviction rates in Botswana are quite low. **The FFM team asked whether this was GBV or crime generally. CO-FOUNDING MEMBER** explained that she would stick specifically to GBV. Convictions are generally low. She thought the last research that was done – she thought it was a 2018 study – indicated a conviction rate in terms of these specific crimes of less than 0.5%. It is predominantly because of the manner in which cases are investigated, the manner in which evidence is obtained and handled, and kept and preserved. Also, in most instances, cases take about 5 years [to proceed from arrest through the courts], from time of reporting to verdict / sentencing (if found guilty). So you will report in 2025 and your case will most likely be heard or finalised – you'll get a conviction or an outcome – in 2030.

The FFM team asked whether CO-FOUNDING MEMBER and CHAIR thought there had been any change since the data set in 2018 because policy changes introduced by the government. CO-FOUNDING MEMBER thought not. She thought GBV is not taken seriously. For example, she explained that there was once a rise in livestock theft, and within the same year, [the government] came up with a policy and funded what they call a mobile livestock court that moves around the country prosecuting people for theft. This intervention [a mobile court, for example] is not being brought for GBV. There's a mobile court for traffic offences. [This is] saying something important [about the government's attitudes towards] GBV.

The FFM team noted that during the Covid period [2020 to 2022], there GBV specialised courts. Were CO-FOUNDING MEMBER and CHAIR aware of this, and have the courts been more gender sensitive in their decision-making and provided training to magistrates and judges? CO-FOUNDING MEMBER noted that there had been training. She thought training had been provided by several entities: UNICEF, UNDP [United Nations Development Programme] and even with other organisations like LEGABIBO and BONELA, local [non-government organisations] NGOs that work in the gender space. However, in terms of it translating into sensitivity and seriousness and the speed with which justice for GBV is meted out, there hadn't been any change.

The FFM team asked whether the 2018 study looked at the courts and the police. CO-FOUNDING MEMBER confirmed that it did; it investigated the entire [GBV] ecosystem.

The FFM team asked why there is a discrepancy between number of GBV cases reported and the number of convictions. CHAIR thought **CO-FOUNDING MEMBER** had touched on this when she talked about the follow-through. If the evidence is barely collected, then what are you going to take to the court? That's often why cases are stalled. And often dockets go missing – missing, how? Who stores them and where? The management of that process is quite poor, and while you [the FFM team] spoke to there being legislation being passed, what's missing is the follow-through in actually ensuring implementation and then looking at how many cases went missing before and how many we have reduced the rate of missing by. How many were being reported before and how many were carried through, and how many are being reported now that have been carried through? The absence of those numbers tells you that they've no intention to follow through and that is why it's quite easy to pass a law and quite another thing to follow that through for people.

The FFM team noted that rates of prosecution for sexual crimes and rape in the UK are quite low, too. Handling such crimes is a difficult process generally, so there may be legitimate police procedural and judicial process reasons for

the low conviction rate other than the ineffectiveness of the state. CO-FOUNDING MEMBER noted that there is also a lack of understanding of the nuances that are involved in such an intimately violating crime. It's absolutely there. There's bias in judicial offices. There was a study that was done in Tanzania or Kenya, in eastern Africa, about judicial biases when it comes to these cases, and they found that most of the time, it's lack of understanding of those nuances to say a person behaving like that is not ordinarily consenting or giving permission, but we lack objectivity when it comes to assessing and deciding on these things.

The FFM team recapped: it sounded like there was some progress at least in the state's handling of GBV cases, and acceptance of some training. Would CO-FOUNDING MEMBER and CHAIR agree there is some progress in the police or the courts? CO-FOUNDING MEMBER thought there was always training for judicial officers, (such as both judges and magistrates.) although she explained that she was unsure about the content and the depth of it. She noted that every year they have a judicial officers' conference and that one of the trainings that they receive continuously is on GBV and children's rights.

The FFM team asked whether women who experience GBV in all its forms are able to get support from Legal Aid Botswana. CO-FOUNDING MEMBER explained that what Legal Aid provides is normally enforcement of civil rights [not criminal rights]. So if I'm violated, it's treated as a criminal case and I need to put it through the criminal system. Legal Aid won't prosecute the matter on my behalf. It has been mentioned that because of the length that it takes from the start to finalise a criminal matter, countries sue under civil law against the perpetrator, but that hasn't yet been tested. **The FFM team asked whether civil cases would be supported by Legal Aid. CO-FOUNDING MEMBER** confirmed that they would, but noted that the Legal Aid [means test] threshold leaves a lot of people out. **CO-FOUNDING MEMBER** thought the maximum someone could be earning was about 2,500 pula a month [approximately £130[488]]. But for a person who earns from zero to even 10,000 pula [approximately £520], it would be very expensive to afford the services of a lawyer [FFM team noted: Statistics Botswana estimated that average annual nominal gross domestic product (GDP) per person in 2024 was just over 104,000 pula (around £5,700)[489], about 8,600 pula (£470) a month. However, GDP per person is not necessarily the same as actual income per person].

The FFM team asked whether there is any state support for women other than legal a. For example financial, accommodation, or social service support. CO-FOUNDING MEMBER noted that there are various NGOs in that space, for example Women Against Rape, an NGO in Maun. There is also the Ratong Centre, which is based in Gaborone, and Botswana Gender-Based Violence Prevention Support Centre, [also based in Gaborone]. They provide counselling and legal services, but not the full range [of services. The services that one receives from the shelters is limited due to constrained resources. For example, though they can provide counselling services, this is not long-term counselling. If they provide you with legal services, it would be for immediate protection such as obtaining a restraining order, but unlikely that they will provide legal services to get a maintenance order or institute divorce proceedings, depending on the circumstances of the case. They'll probably start off with obtaining a restraining order and seeking a protection order (Protection Order is an all-encompassing phrase used to mean any of the orders listed under section 7 of the Domestic Violence Act, particularly restraining order,

[488] Xe.com, Currency Converter, Pula – British Pounds, 9 September 2025
[489] Statistics Botswana, Gross Domestic Product Quarter 1 of 2025 (page 14), June 2025

tenancy or occupancy order. It generally refers to orders given to protect the survivor and children if any and their interests against the perpetrator), enforcing maintenance orders, etc. They also provide a temporary shelter. **CO-FOUNDING MEMBER** thought the maximum stay [at a shelter] would be 3 months. However, [the NGOs] also [state] that they are not able to provide victims of GBV with start-up capital. More often than not, [victims] have to leave their homes and start life afresh, and for a lot of them, it's very difficult to do that.

CHAIR agreed and added that there is no intervention by the government. **The FFM team asked for confirmation that other than legal aid, the state provides no support, no shelters. CHAIR** confirmed that it does not. **Asked whether there are 3 shelters, CHAIR** confirmed yes, 3.

The FFM team asked whether the shelters are all in Gaborone or elsewhere. CO-FOUNDING MEMBER noted that there is one in Gaborone, one in Francistown and one in Ghanzi, but she was unsure if the Ghanzi one was closed down after COVID, because there was the need to open one in Francistown during COVID. There had been a spike in GBV cases.

CHAIR added that the one thing they may have neglected to mention is that as a GBV survivor, probably taking your issue through the courts, you're often not protected from intimidation by the perpetrator and his family, which is a situation that one of their colleagues had faced. Even she, as the lawyer, was being harassed by the perpetrator and his family, and there was no protection. **The FFM team asked whether there is no witness protection or any other support from the police. CHAIR** confirmed that there is not.

The FFM team noted that the authorities do issue restraining orders. CO-FOUNDING MEMBER confirmed that they do. She added that there is an act called the Deserted Wives and Children Protection Act. Under that you can get speedy maintenance orders. That's what they try to enforce in most situations. **The FFM team asked what a maintenance order is exactly. CO-FOUNDING MEMBER** explained that it is support for the spouse, financial support for the spouse and children.

The FFM team asked whether, if the restraining order is breached, the police can arrest the perpetrator. CO-FOUNDING MEMBER confirmed that they can. **The FFM team asked whether CO-FOUNDING MEMBER and CHAIR knew if that does happen. CO-FOUNDING MEMBER** noted that it does happen and that there have been cases where restraining orders were breached and people were arrested, but that after about 7 days they were released.

The FFM team asked whether it is possible for a woman to choose to move away from her home area where she faces abuse or discrimination and move to another town. Would she be able to do so safely, and when she got there, could she make a life for herself away from the perpetrator, financially and in terms of the availability of accommodation, education or healthcare? In society, how would she be received? CHAIR explained that choosing to move away from a spouse means you're relying on your financial [means] to protect yourself. Often support will be from family members and/or friends, not from the state, in terms of setting you up. There is an unemployment rate of approximately 37% (for youth up to 35 years of age)[490], so if you're leaving a city, for example Gaborone, your probability of getting a job there [in the new location] as opposed to

[490] Afrobarometer, Young Batswana more educated, less employed … 4 July 2024

[Gaborone] is very low. So if you're moving, it means you're leaving your work, to what? If you're entrepreneurial, then you can start doing some entrepreneurial undertakings. But it's mostly for survival because you have to recognise there's no strategic thought behind it and/or market analysis to it. So unfortunately, when you leave such a setting, you are sacrificing your financial stability for your physical safety.

The FFM team asked whether moving to Gaborone would mean there were more prospects of survival. CHAIR noted that there would perhaps be more prospects for work and finding work than in most places in the country because most development has been centred here. Most companies are here, you find the headquarters of most companies here.

The FFM team asked, socially, how other people in, say, Gaborone or smaller towns would perceive a lone woman, maybe with children. How would they treat such a person? CO-FOUNDING MEMBER thought there would be no shame because – she had forgotten the statistics – there is a high percentage of single female-headed households in BWA so [it would not be unusual]. She thought that despite everything, Batswana are accommodating and understanding. They still have a communal sense of responsibility to each other, especially when it comes to sensitive issues like this. So you'd be able to start a life. You'd be able to find support where you are. A majority of women tend to rely on churches and social clubs for communal support.

CHAIR noted that most people go to back to their maternal homes. **The FFM team asked whether that would be different from the area where they were abused. CHAIR** confirmed that it would.

The FFM team noted that the other issue is the possibility of the perpetrator finding them. Botswana is a big country but with a small population. Can you disappear? CO-FOUNDING MEMBER noted no, you can't disappear. [You see that] when you read up on intimate partner murders, like the one that happened just outside of Palapye in the village where a soldier followed the family who stayed there and he was based here in Gaborone. He went there and burnt the entire house down, killing, **CO-FOUNDING MEMBER** thought, the grandmother and her grandchildren. **CO-FOUNDING MEMBER** asked **CHAIR** whether she remembered that case. **CHAIR** noted that she did. **CO-FOUNDING MEMBER**: Given our small population it is difficult to disappear and start life afresh in another part of Botswana. The example given was of a solider who traced his former partner's roots. Went to her home village in the Goodhope region, found his former partner's family home, burnt it down killing four (4) people in the incident.

CO-FOUNDING MEMBER noted that [perpetrators] will always find ways. If a person is intent [on] killing you, they'll track you down and kill you. Because there is such a small population, it's very easy for a perpetrator to find where their partner is.

CHAIR added that often kids are involved, too, because when a woman gets pregnant, the boy's family will come and say that they own [the unborn child]. So the male partner knows the family and where they stay. They know where the woman stays and where her mother and uncle are. It ends up that [the] male partner already knows where the woman is likely to run to because they've lived together. So if she tries to run away, he'll know where to look, and if she has the resources to move from Francistown to Lobatse, for example, it won't be such an arduous task to pursue her and find her.

The FFM team asked whether this would be harder in Gaborone as a bigger

place. CHAIR noted no, it's a petri dish. It's still quite small. Everybody knows everybody's business.

The FFM team noted that some of the cases discussed are from the newspapers but it is difficult to know significant – representative – they are of people's daily experiences? How many cases did CO-FOUNDING MEMBER and CHAIR know where partners has pursued their estranged spouse who's been abusing them? How often does that happen, too? CO-FOUNDING MEMBER noted that it's actually more frequent than you would think. **The FFM team asked what this observation was based on. CO-FOUNDING MEMBER** noted that especially where the male partner feels aggrieved – say, he feels like you've used him financially – he will pursue you and try to kill you. If your family tries to hide you, he kills the family. **CO-FOUNDING MEMBER** thought that in the current Court of Appeal session, there had been more than 5 cases where the accused murderer had murdered not his ex-lover, but family members. **The FFM team asked whether CO-FOUNDING MEMBER was suggesting that there have been more cases but there have been 5 at the Court of Appeal. CO-FOUNDING MEMBER** noted yes, definitely.

CHAIR added that the biggest challenge for Botswana is improving data and being specific about what it is that's being recorded, because GBV is quite wide. If it's a murder then it becomes a murder case with other murder cases. Also, unless it's at the Court of Appeal (CoA) - and **CO-FOUNDING MEMBER** has access to [the CoA] because she's there [as a lawyer] and can discuss it with colleagues - we don't track to the level of 'This is where the story of these people starts. There was a restraining order against him. She left him.' Nobody actually documents that and puts it in national archives [to] follow-up and develop interventions that will help curb abuse at every level. When it gets to murder, we've failed [in] so many other steps. When it gets to rape, it means we've failed [in] so many other steps of making sure our streets are safe.

LGBT+ people

The FFM team asked whether CO-FOUNDING MEMBER and CHAIR were aware of the position of lesbian and bisexual women. The FFM team noted that recent court judgments had decriminalised same-sex sex for men and women, but there was no positive law to protect their status as an LGBT+ person. This meant there was an absence of negative law, but no positive law. What is the status of LGBT+ people in the eyes of the government and of people generally? How are they treated? CO-FOUNDING MEMBER thought the starting point would be the constitution, which prohibits discrimination on grounds such as race, gender and sexuality. But the CEDAW report [Concluding observations on the fifth periodic report of Botswana] contains a recommendation that the provisions criminalising same-sex relations should be specifically repealed, and that's one thing that the government still wants to do. It hasn't yet been done. The win was the decriminalisation case. However, to date, it's still not been struck off the Penal Code. The previous government brought a bill to have it removed from the Penal Code and then there was protesting by religious organisations, and they withdrew the bill.

The FFM team asked whether that meant the provisions could become active again. Were they dead? CO-FOUNDING MEMBER explained that the highest court had struck them down, so they are of no force in effect. But that doesn't stop an overzealous police officer from charging you and harassing you under them. And then, like everything else, you would need to go through [the whole process of] going

to court to enforce your rights. **The FFM team asked whether it would be unlawful [for the police] to do that. CO-FOUNDING MEMBER** noted yes, but that's where it stops. She thought that even with gender laws in BWA, we are in the habit of neutralising, not consciously trying to empower. We've made sure that our laws are gender-neutral, giving an impression that we are all equal before [in] the eyes [of] the law. However, there's nothing that has been done to consciously empower women in recognition of the disempowerments that have happened over the past decades, or however long. The same thing happens with the [LGBT+] community. It's as if by decriminalising, we are done, but there are other areas of the law that need to be looked at. Are we saying they'll have a right to get married, to have families, to adopt?

CHAIR added**:** to identify freely in cases of employment. **The FFM team asked whether LGBT+ people have no protections in employment. CHAIR** confirmed that they do not, adding that most [LGBT+] people hide [the sexual orientation or gender expression/identity].

CO-FOUNDING MEMBER noted that also, even in society, you're in a union with somebody. Is that union recognised? How are your inheritance rights protected? If my partner passes away today, do I have the right to enforce my inheritance against her family? For a heterosexual person, there's what we call a universal partnership, so after 5 to 10 years of living together, then you're recognised as being in a civil union and you have inheritance rights. The same is not afforded to same sex [relationships].

CHAIR added that because [LGBT+ couples] can't have kids themselves, there needs to be a law that allows them to engage, for example, a surrogate, and our laws on surrogacy are quite hazy. Even the structures in terms of where to go, which hospital, freezing eggs, are not established, and by virtue of that, they are discriminated against.

The FFM team summarised that the law is at best neutral and is not negative anymore. The FFM team asked whether, in terms of how they're treated, this government has a position on LGBT+ people. CO-FOUNDING MEMBER explained that the new government had actually shied away from [publicly stating a position].

CHAIR added that if there's no issue in society that presses them to comment, [the government] will stay quiet on it.

The FFM team asked what LGBT+ people's experience is in day-to-day life. Are they open? Do LGBT+ people women - face discrimination or violence because of who they are? Were CO-FOUNDING MEMBER and CHAIR aware of such cases? CO-FOUNDING MEMBER thought it was more passive-aggressive, so you would not be outwardly harassed, but yes, you would be made to feel uncomfortable and unsafe. That is why the majority of [LGBT+ people] have tried to create their own little communities and hang out in spots by themselves, outside of the larger society. It's also because in cases where they've tried to go and report harassment at police stations, nothing much has really been done by the police. The most that people get charged with is nuisance, and that is a fine of 100 pula, something like that. **The FFM team asked whether those communities are in and around Gaborone or outside Gaborone. CHAIR** explained that they find themselves, they form themselves into groups, and they hang out together or with equally [accepting] people. But most hide [their sexual orientation] at work and then when they are outside, they won't be able to tell a lot of people because of the fear of judgement

and how it could negatively affect them in areas they are not intending because there's no recognition of their right to be LGBT+.

The FFM team asked what LGBT+ people's situation would be in terms of, say, accommodation or getting access to healthcare or education. CHAIR noted that LEGABIBO would be able to clarify on this, but there was something about men, specifically, getting medical attention and nurses giving them attitude, such as, 'Why do you have such a condition? What type of sexual intercourse are you having?' That makes you [reluctant] to seek help because first of all, you have to accept your lifestyle in a judgemental way. For women, it's not as obvious, in terms of your sexual health, who you could be [sexually] engaging with, but for men, they [medical staff] have to ask you [about sexual partners and practices].

The FFM team asked what the situation would be if a woman was open about her sexual orientation [when accessing healthcare]. CO-FOUNDING MEMBER explained that they don't even ask that, our papers don't ask that. The problem in society is that a lot of people bring their personal beliefs to work. So even if company policy or government policy is pro recognition of alternative [sexual orientations or gender identities], [individuals] would bring their personal views to work and feel like it's their obligation to then preach to you and seek to convert you and reorientate you and correct you [from being gay or lesbian to being heterosexual].

The FFM team asked whether, regarding the healthcare example, it wouldn't be the healthcare service providers' policy or position that LGBT+ are not treated but individual healthcare workers expressing their personal opinions, their personal values. CHAIR confirmed this.

CO-FOUNDING MEMBER noted that it's the same with sex workers. They face the same level of discrimination from healthcare service providers.

CHAIR added: and colleagues or others who often take advantage of them. **CO-FOUNDING MEMBER** explained that accommodation is a bit tricky because there have been reports of instances where, because of their identity, [LGBT+ people] have been disowned by [their] family and therefore been made more vulnerable because they've been removed from the family household. But in terms of just an average landlord, where an LGBT+ person is trying to lease that property, there's no issue. In terms of access to education, there's absolutely no issue.

The FFM team asked what society's attitude to LGBT+ people is generally. CO-FOUNDING MEMBER explained that especially in the traditional and religious sectors of society, they are even more vocal about [being anti-LGBT+]. When you speak to LEGABIBO, they will give you cases of correctional reorientation exercises – I won't call it [conversion] therapy; it's not therapy. Some families go as far as to use physical violence, abuse, taking away the person's dignity, shame, etc., trying to convert their child.

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Annex F - Interview with Ministry of Justice and Correctional Services

Date	9 July 2025
Location	Ministry of Justice and Correctional Services (MOJCS), Gaborone
Attendees	3 MOJCS senior officials; 3 HO officials

The FFM team asked the officials for their assessment of the situation of women and occurrence of gender-based violence (GBV). OFFICIAL 1 noted that GBV is classified as violence under the Penal Code. So, any harm that a female may experience will be prosecuted once it's reported to the authorities. The police are mindful of GBV; government is mindful of GBV. Botswana (BWA) used to have customary law where a woman was treated as a child and the a man could chastise his wife. But the BWA courts ruled that this could not be countenanced in BWA – this was some years ago. But the government is now very much aware of the problem of GBV. The president, Duma Boko, has gone on record that BWA cannot countenance GBV and interventions are being put in place.

BWA has a well-functioning judicial system and when cases occur, they are reported to the police who prosecute the perpetrator (most are male) and action is taken.

The FFM asked if there were other laws/measures in addition to the Penal Code being put in place to protect women. OFFICIAL 1 noted that there are homes [shelters] where women, including married women, can be moved to and kept away from the perpetrator [of GBV]. But there is an ongoing discussion with the Ministry of Youth and Gender Affairs (MYGA) to develop policies and processes to toughen laws relating to women.

OFFICIAL 2 noted that the constitution promotes equality and non-discrimination. However, [comments] from the [UN] human rights treaty body reviews with regard to women [have noted that] we have a discriminatory element in section 15 of the BWA Constitution. The President has said that his government will be human-rights-centric. He has explained that human rights should be placed at the centre of development. One of the ways this will be realised is through a constitutional review which commenced in 2022 but this government is going to ensure is finalised. Therefore, we are sure that section 15(4) [of the Constitution] will be looked into. We have created the Ministry of Youth and Gender (MofYG) which shows that the government takes gender issues seriously. The MofYG has a dedicated budget, minister and staff. We have a gender strategy and are currently circulating a GBV bill because when BWA was at the UN UPR [Universal Periodic Review, May 2023] many of the recommendations were on GBV - we do have escalating rates of GBV – and the bill is intended to address such issues.

OFFICIAL 2 continued that BWA also has existing law [to protect women from GBV] and institutions, such as MYGA and specialised GBV courts established during COVID, and the police have a toll-free line [which GBV victims can use]. There is a public awareness programme run by the MYGA and Sivil society. There are also shelters for GBV survivors operated by Non-Government Organisations (NGOs) supported by the government. These are some of the judicial, administrative and legal measures that government has put in place to address issues of gender equality and GBV.

OFFICIAL 3 added that the Ministry of Labour and Home Affairs (MLHA) has an

office that seeks funds from the government to support NGOs, amongst which some support women.

The FFM team asked about the GBV bill and at what stage it had reached in the parliamentary process. OFFICIAL 2 noted that there is government memorandum, a draft bill is circulating amongst ministris. The BWA parliamentary process begins in July, if it does not make this session there is another starting in November.

The FFM team asked what the GBV bill was seeking to achieve. OFFICIAL 2 observed that the MoJCS could not comment on the full scope of the bill as it is the purview of the MYGA. The general objective of the Billt is to make concrete the various measures discussed: shelters, education [public campaigning against GBV], the roles of stakeholders – government and civil society – to domesticate international human rights instruments BWA is party to – including the UN Convention on the Elimination of Discrimination against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), and the Southern African Development Community's (SADC) Protocol on Gender and Development - to ensure that there is adequate protection [for women].

The FFM team ask about the scale and nature of GBV and whether there was data or research on this topic. OFFICIAL 1 thought the MofYG would be better able to provide statistics on the scale and nature of GBV.

The FFM asked in the context of the criminal justice system, how many cases are reported to the police. OFFICIAL 1 noted that the police would have statistics on this. **X** noted that MoJCS has responsibility for prosecution of cases through the courts. Cases would only come to the MoJCS after completion of investigations by the police.

The FFM team asked if the MoJCS had data on prosecutions, convictions and disposal of cases. OFFICIAL 1 noted that the police are very effective at receiving cases and preparing these for trial but the challenge they face is that sometimes the couple reconciles. There is also the issue of economic livelihoods, especially for women. Sometimes the man is the caregiver and the provider, so a woman has to consider the economic costs/benefits [of pursuing a case]. That's when cases are closed – unfortunately the police cannot force a victim to give evidence.

OFFICIAL 1 added there is still customary law. Parents are guardians of a marriage and often by virtue of customary law the expectation is for the couple to fight for the marriage even in tough situations. Sometimes the man can be the monster, but in spite of that, the couple cannot just walk away. There is also the practice of *bogadi* - dowry - where a man provides a 'gift' [of cattle, for example, to the wife's family]. So, if there is a marriage breakdown the wife's family has to return the cattle [the gift]. So [there] sometimes [is the expectation] to hold on to the marriage and walk the course even if it's uncomfortable.

OFFICIAL 1 also noted that BWA has the Marriage Act [part of secular law] as well as customary marriage - it's a dual legal system. A person can marry under customary law or the Marriage Act. Both forms of marriages are valid, but for a marriage made under customary law a dowry is expected. OFFICIAL 1 did not know the statistics [of marriage breakdowns], but the caregiver sometimes has an upper hand.

The FFM team asked if most domestic GBV incidents go through the customary courts initially. OFFICIAL 1 said no. The police have a GBV unit and

they are mindful of it. There is no longer mediation [by the police] because people used to reconcile at the Police stations after which the other party will kill the other, and the Police were blamed for not doing their mandate. Whenever a case is brought to the police, it is investigated and submitted to the Directirate of Public Prosecutions for consideration to prosecute.

The FFM team asked if customary law was a barrier to prosecution [of GBV cases]. OFFICIAL 1 commented he was referring to exceptions. With customary law, the person is not marrying an individual, they are marring the whole family. So, whenever there's a conflict, the family considers it is in the best interests of the parties to mediate. But of course, the couple can make whatever decisions they feel are necessary in the circumstances.

The FFM team asked if the customary marriage process is regulated. OFFICIAL 1 noted that yes it is regulated, there is the Customary Court Act.

The FFM asked if a case in customary court could switch to the civil courts. OFFICIAL 1 affirmed they can, ultimately the customary court of appeal and then the High Court (civil court).

The FFM team asked how does the MoJCS know that the police are effective, how is this measured? OFFICIAL 1 that will be based on statistics, which we do not have. Maybe in the past the handling of GBV cases may not have been effective but nowadays these cases are prepared for trial. Where a person alleges [a GBV offence] their case is facilitated because they have to prove that case before a court of law. But there are instances where a person who has registered a case chooses to withdraw their case.

The FFM team noted that police effectiveness may also be an issue of police training, resourcing and standards across the service? OFFICIAL 2 noted that the GBV unit was set up in the last 5 years, there is a toll-free line for reporting crime generally that people can ring, the police also have standard operating procedures for GBV cases.

OFFICIAL 2 added that with regard to effectiveness, the country realised that cases were being reported to the police, then due to a variety of situations victims would withdraw their cases, saying they had reconciled their situation, or the family advised them to step down. But following reconciliation the GBV would escalate, sometimes leading to the death of the victim. So, it was decided that the police will no longer accept the withdrawal of cases. It can only be done at court. So, all cases received go to the Director of Public Prosecutions and end up in court. But in court, prosecution depends on evidence submitted by witnesses for the state. There are situations where the victims refuse to give evidence, or they don’t attend court, which affects the outcome of the case.

The FFM team asked why victims do not give evidence. OFFICIAL 2 noted there are socio-economic issues, when the breadwinner is the accused and if imprisoned the family will suffer. There are also cultural issues as previously mentioned. People may feel regret after reporting an incident or the abusers reconcile themselves with the victim by offering an apology, maybe giving flowers or chocolates. Official **X** added that a victim becomes the state witness as required by the regulation of standards for GBV cases. So, when the case is in the court, it is the state vs the perpetrator [not the victim vs the perpetrator]. Victims whose request to withdraw the case at the Police Station, usually refuse to testify in Court, leading to low conviction rates.

The FFM team asked if there are other measures in place to protect victims of GBV, such as restraining orders or a witness protection programme. OFFICIAL 1 noted that there are restraining orders, and if these are violated a perpetrator can be imprisoned. OFFICIAL 2 added that the Domestic Violence Act (DVA) provides for safety measures for incidents in the home. The court can be approached to issue a restraining order. Although there was a recent case of woman who had a restraining order placed on her partner but who was killed at work in the University of Botswana (UB) [by him]. So there continues to be [public] discourse on whether these laws - the GBV bill, the penal code, the DVA and others – are effective. **OFFICIAL 2** gave another example of a woman who was killed in a GBV shelter by her partner. The partner said that he wanted to reconcile with his wife, so the shelter allowed him in but he then killed her. There was a recent article by the president questioning whether stringent laws reduce GBV (as well as suicides, murder), arguing that BWA needs to find the root cause of the violence. Growing up, people know that if someone does something wrong, violence sorts it out, so BWA needs public discussion about the effectiveness of laws which provide penalties for violence. **OFFICIAL 2** gave another example of a man who stabbed his 3 children to death, people will see this and want the death penalty [for such punishments] retained. [It is an example] that despite existence [of laws] violence continues. **OFFICIAL 1** noted that the Department of Correctional Services and the police are looking to use tracking devices [to monitor offenders]. If someone is accused, then they will have the bracelet [tag] which monitors the person's movements. So, if there's a restraining order the person would have a tag and if they breach the order then they would be arrested. The FFM team asked if this was being considered or had been trialled. **OFFICIAL 1** said that the last meeting on this was 3 months ago when ministers had agreed it was the approach to take but did not know if the tagging had been trialled.

The FFM team asked about the murder of the woman at the UB which has been well documented in the media and whether it was representative of GBV crimes. OFFICIAL 2 thought it was subjective, also gave an example of a case of a female police officer who was stabbed by her partner outside of the police station. These cases are shocking and there has public discussion on how to make sure these don't happen again. But although not the first of its kind [this type of violence] is not prevalent. So, [this will be achieved] through the GBV bill, continuing with the death penalty [to act as deterrence] but there is a need to find the root cause. Even if tags were used for restraining orders, if the woman is out at the mall or at work it will not be possible for the police to monitor these situations. As the president noted, it is not possible to monitor people in their home. Laws need to be made to work but there is also a need to change peoples' mindsets.

The FFM team asked for confirmation that gender sensitive courts had been established and which courts – magistrate and/or high courts. OFFICIAL 1 the greatest impact has been at the magistrates' courts because that's where cases originate and that's where the bulk of the cases are. The courts are GBV-friendly and the government has also piloted child-friendly justice system - children are also affected by GBV and sometimes they have to give evidence as they are molested. There are now child friendly police stations and evidence can even be given in camera if a child has to come before the court.

The FFM team asked what GBV-friendly meant in practice. OFFICIAL 2 this means the effective mainstreaming of gender across sectors, in this case the courts. Progress has been made, the MYGA has undertaken public awareness campaigns.

Last year, for example, there were workshops, through focus group discussions, through commemoration, and the media is also engaged, especially on gender sensitive reporting. We have a dual legal system [customary and secular courts], the nearest place of safety will [often] be the dikgosi (tribal chiefs). There are customary courts in every village, so there have been workshops for traditional / community leaders as well as for faith-based organisations and women themselves. Faith and religion have had an impact - in some religions people have been told that women should be submissive which can sometimes be misconstrued to mean women can be treated anyhow.

OFFICIAL 2 continued that child friendly justice, which is a MoJCS policy, is in place to help child victims and those who are in conflict with the law approach the courts. This is an interagency operation involving police officers, social workers, prison officers and magistrates. We've conducted capacity building with all those stakeholders under one roof so that we can identify gaps and find a common understanding in handling cases.

The FFM team asked if all these stakeholders had been brought together in one-stop centres. OFFICIAL 2 clarified that currently there have just been discussions of interagency cooperation. But the Police Commissioner is the chairperson of the inter-ministerial anti-GBV committee, formed in 2020 comprising of accounting officers of [relevant] ministries and stakeholders. The committee has been talking about establishing one-stop centres but these are not yet in place. The government had a pilot referral system a few years ago but it didn't materialise into a working system. The idea was that if someone reported to the police then was referred to a social worker or healthcare providers so that they did not have to relive their ordeal in the handovers. The committee is now working on establishing one-stop centres [for victims for GBV].

OFFICIAL 2 added that the child friendly justice system is giving the government an opportunity to bring service providers under one roof and to talk about how they can effectively work together. This will help when piloting or establishing the [GBV] one-stop centres. **The FFM team summarised**: the experience of setting up the child friendly centres would be useful in establishing similar centres for women/GBV cases. **OFFICIAL 2** agreed.

The FFM team asked why there is an attrition of GBV cases from being reported to the police to these cases resulting in convictions and prison terms – besides reconciliation were there reasons why cases were dropped. OFFICIAL 1 considered that the courts would be best placed to answer the question [not within MoJCS remit].

The FFM asked about the prison services – was this under the MoJCS's remit. OFFICIAL 1 noted they were a separate department.

The FFM asked how accessible is protection / justice. X noted that there are customary courts in every village, but not every village has a police station. The customary courts have first contact with people. The police are usually stationed at customary courts.

The FFM team asked what support is provided by the government in addition to protection, including whether there are government shelters for victims of GBV. OFFICIAL 2 noted there are no government shelters, but the government subvents civil society to provide shelters and support. There are also psychosocial organisations which are not necessarily in the shelters, some of which are supported by the government, but there is need for improvement in this area. Most people

would go to their church or their parents rather than go to [publicly available] psychosocial services. There is a need to encourage people to trust the services and let them know where they are.

The FFM asked about campaigns to raise awareness of GBV and women's rights. OFFICIAL 2 noted that the educational campaign is led by the MYGA. Each ministry, the business community and civil society also have a role in raising awareness, but the majority of awareness raising is by government.

The FFM team asked about the treatment of LGBT+ and government's position on their rights and providing them protection. OFFICIAL 2 the constitution forbids discrimination and promotes equality. [LGBT+] are protected by the constitution – the fundamental law is clear, it is an issue of implementation. Society (and law) are evolving. BWA is gradually making progress, there have been landmark cases, starting with the registration of LGBT+ groups [in 2016]. Community tolerance is also improving with human rights education. **OFFICIAL 2** continued that the [decriminalisation of same-sex sex] case [with the initial High Court ruling in 2019 followed by a Court of Appeal judgement in 2021] has not been implemented / repealed but this went to Parliament and was deferred as the government wanted to consult further. A lot has changed politically and in terms of policy - the president has said he wants the government to be human-rights centric. We will need time to see how this government can deal with this matter.

The FFM team summarised that there is no specific government position on LGBT+ people or the decision to defer the repealing of the same-sex criminalisation law in Parliament. OFFICIAL 2 affirmed that there's no position taken beyond that was previously stated: government needs to consult, adding there may have been constitutional issues around the separation of powers of parliament, as the law-making body, and the courts, which interpret the law. But it is something that can be resolved, BWA has the opportunity to do so.

The FFM team asked what would happen in practice, if a LGBT+ person faced a problem how would the police react. OFFICIAL 2 noted that the law [sections 164 and 167 of the Penal Code] are as good as non-existent. The case is about privacy, not about legalising same-sex marriage. So, one of the things the court was saying that it is not possible to police bedrooms and there were no cases of the police catching same sex people having consensual sex in their own homes. The law was discriminatory and didn't work in practice. **OFFICIAL 3** noted that there was a recent meeting at the Ministry of Labour discussing gender markers and how people can change their gender marker on official identification. **OFFICIAL 2** added that there is already a law that recognises intersex babies on their birth certificates.

The FFM team if a LGBT+ person was harassed, could they go to the police for assistance. OFFICIAL 2 noted even before the high court case, the former president had said that LGBT+ people are like anyone else and they are entitled to protection, which is in the Constitution. It provides against discrimination, so everyone is entitled to report to the police if they experience violence.

OFFICIAL 2 also noted that society has progressed. BWA used to have issues where, for example, trans women would get attacked at bus stations, but this does not happen now. The law is there to protect people if they experience violence**. The FFM team asked if the change in attitudes has come with the change of law. OFFICIAL 2** noted that people's mindset has been changing [over time].

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Annex G - Interview with Legal Aid Botswana

Date	9 July 2025
Location	Legal Aid Botswana offices, Gaborone
Attendees	Chief Executive Officer (CEO), Legal Aid Botswana; 3 HO Officials

The FFM team explained that they are gathering information about gender-based violence (GBV) in Botswana (BWA), and the experiences of lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people). CEO noted that Legal Aid Botswana (LAB) don't focus on [LGBT+] people as a vulnerable group. Their mandate is to focus on indigents (poor or needy), to provide legal advice and representation to indigents. They serve the public as long as they are indigent. So [LGBT+] people don't get special treatment from Legal Aid Botswana by virtue of being in that demographic. For this reason, when we built our case management system, it was not one of the fields or elements that were included in the system to facilitate data collection, monitoring, and reporting to see how many of our clients come from this demographic and what the issues are. But we have not had a case where a [LGBT+ person] came to us for assistance having been discriminated against by virtue of being [LGBT+]. We haven't had those cases; we have had just 'normal' cases – litigation, criminal law, family law and so on without knowing whether or not any party is an LGBT+ person.

The CEO continued that with regards to GBV, LAB does assist. We assist in getting restraining orders and protection orders and we work closely with NGOs, particularly WAR [Women Against Rape] in Maun. We're actually in the same compound as WAR, leasing one of the offices there, so we get a lot of referrals from them and are singing from the same hymn book in terms of the Maun area.

CEO continued that in Gaborone, informally we also work with BONELA, but they deal with the demographic [victims of GBV] within their mandate whether there's indigence or not. But they will talk about it further on their side and if [an indigent] is coming to them and has an issue that doesn't fall within their focus area – for instance, you are gay, but the issue that you're coming for help for, from BONELA is inheritance which they do not deal with – they will refer such person to us because our focus includes succession and inheritance laws or property issues. That's how we're working. They have their objectives and demographics that they're focused on, so we complement each other.

Women and gender-based violence (GBV)

The FFM team asked CEO to explain who can get legal aid. What are the circumstances? CEO explained that in terms of criminal legal aid, for adults – an adult is 18 plus – we don't represent them at the lower courts, which are the magistrates' courts. If they are an adult, such a person will not have representation [as an] accused person or offender from LAB at such lower courts. If it's a child, which is a person who's 17 years and below, we will represent such a child who's in conflict with the law, even in matters of GBV at both lower and higher courts. **The FFM team asked for clarification that if a child is accused of GBV, LAB would represent them. CEO** confirmed this, noting that everybody deserves to be represented and you are only guilty when a tribunal pronounces that you are guilty. Before then, you're just an accused person and if you are a child, you must be

provided with legal representation in terms of the Children's Act.

The FFM team asked whether being a child is the only requirement, the only criterion. CEO confirmed yes, as long as [the person] is a child, we don't apply the means test. If [the person is] an adult, we apply the means test and we do represent adults at the higher courts, meaning the High Court and the Court of Appeal. Most of these criminal matters are tried at the magistracy, which means that we rarely get involved at trial stage and only get involved at the appeal phase, from the convictions and/or sentencings or the judgments of the magistrate. For GBV in the form of murder/manslaughter, we would only be involved with such a person at Magistrates Court during the committal proceedings which is the formal process of the Magistrate referring such cases to the High Court for trial. We would also assist such persons at Magistrate level for bail applications. [That applies to] everybody, adults and minors, in terms of murder/manslaughter. For clarity, LAB provides representation at High Court and/or Court of Appeal where the Administration of Justice has failed to provide pro deo counsel for such persons. According to the High Court precepts, it is the Administration of Justice that has the duty to ensure that all persons who are charged with an offence whose sentence could be capital punishment are provided with counsel at the expense of the State (ie pro deo counsel). Where for some reason they fail to provide such pro deo counsel, then LAB would provide such representation. So if the outcome of the GBV was death, and the perpetrator charged with either manslaughter or murder, the entity responsible for providing counsel for such an accused in the first instance would be the Administration of Justice. If that fails, we come in and provide counsel, but we would apply the means test for adults as a condition precedent.

The FFM team asked what the means test is currently. CEO explained that the means test is an assessment that tests whether you are the intended recipient of their services, being a poor person who can't afford counsel, a lawyer, for themselves. **The FFM team asked what the threshold is, CEO** noted that she wished it was that easy. It's a very complex and complicated calculation. **The FFM team asked whether it is therefore not solely based on income, CEO** explained that it's tangible assets as well, so you consider a person's moveable and immovable property as well as revenue and revenue-generating activities.

The FFM team summarised that legal aid is provided to children from the magistrates' courts and higher courts, regardless of their circumstances. CEO agreed: both magistracy and the High Court [in the case of] children. **The FFM team summarised that for adults, legal aid is provided for people in the High Court and parallel courts but it's means-tested and only if the High Court does not provide a free counsel themselves. CEO** agreed.

The FFM team asked whether the High Court would also provide free counsel for children? CEO explained that they would provide free counsel. The primary provider of counsel in matters where somebody has died is with the High Court. But it may be that the matter that we're dealing with, the GBV, is a rape and not a death, and therefore that's where LAB would come in.

The FFM team summarised that when there's a case of death, the High Court would provide counsel, but in other cases, which may be serious, counsel would not be provided by the High Court. LAB may assist and then it's means-tested for adults and but not means tested for children. CEO agreed.

The FFM team asked how many cases of legal aid are provided by LAB each year, for example, for adults generally? CEO noted that probably 99% of legal aid

is provided to adults. Explaining why: in our infancy, when we were established, we were directed to provide civil legal aid. Adding that LAB ran a criminal legal aid services pilot project from November 2023, ending 31st March [2025] – focused on children in conflict with the law to prepare the institution to wholly provide criminal legal aid having determined and solved associated challenges and obstacles. [In civil cases] people are generally [not] at risk of being incarcerated or executed. Generally, worldwide jurisdictions would focus their legal aid on criminal legal aid as life and liberty of persons are at risk under criminal law, but we started the other way round [providing legal aid for civil not criminal cases], it was therefore imperative to review our operations to also offer criminal legal aid. We are at that stage where as a country and as an institution are ready [to provide criminal legal aid]. Obviously there [has been] a lot of nudging from the international community, but we were ready, even without the nudging, to provide [criminal legal aid]. Happily, the government has embraced the idea, and we have been given a healthy budget for this financial year 2025/2026 to roll out criminal legal aid.

CEO added that when LAB started their operations, they generally focused on adults as opposed to children. The idea was that when you educate the adults, they'll know which entity to approach if a child needs civil legal aid and can assist them, as opposed to us directly going to the child to educate them. Legal speaking for LAV to provide representation/advice the child must come with a legal guardian, which can be the parent but also includes a social worker. One fault with this system is perhaps that we therefore interact solely with the adult who comes with the child as the client and not keep the child in loop. But we have changed focus and from 2024 we are also focused on [educating] children [about] their rights.

The FFM team asked which children. CEO noted [simply] children, in terms of capacitating [educating] them [about] their rights and the obligations and the services of the various service providers who can render assistance should they be in need. And even if the child were to reach out on their own, we would know which adult institution to refer them to so that they can come with them to access our services. Whenever you [provide a] service, there has to be an adult to execute those legal acts that are necessary which require one to have the requisite authority, such as signing a power of attorney appointing LAB as their legal representative]. If it's a child without parents, we get social workers to help.

CEO added that [LAB] provide a lot of public education in schools. We've made a documentary drama series for children talking about their rights – all of them, including issues that cover GBV. What are they to do? Who can help? What is GBV? What does it look like? It was broadcast on national television for quite a bit last year. We are also working with the Ministry of Basic Education and Child Welfare specifically to deal with these issues – (1) GBV, (2) children in conflict with the law. And it's very difficult because we're very stretched and therefore we can't do everything in terms of advocacy for the victim as well as represent the accused at this point in time. We're just 32 lawyers practising law. **The FFM team asked whether this is the entire LAB operation for the BWA population, CEO** confirmed that it is the entire Legal Aid Botswana [for] the entire country.

The FFM team asked whether LAB is based in Gaborone only, CEO confirmed [that LAB is headquartered in] Gaborone [but has service centres in] Gaborone, Palapye, Francistown, Maun, Kasane and Tsabong. We are very few and so we can't do both representation of the offenders and representation of victims, which is why you see us working very closely with the NGOs as they are better positioned to champion victim rights. **The FFM team asked whether working with NGOs was to**

extend their impact, CEO confirmed this and noted that it also [enabled them to have] a referral system. If a person is rejected under the means test, LAB can turn to an NGO which has a mandate that can receive [a person and provide legal advice].

The FFM team asked why LAB is involved in advocacy against GBV, if their role is to provide support to those who are accused. Why is that within their remit? CEO explained that legal aid has a pyramid structure. At the bottom is public education, and public education goes hand in hand with advocacy against the negative impact of how you utilise your human rights as against others, as well as how to enforce your rights. The next tier is legal advice, and the last tier is litigation, the courts and court representation. The idea is that the more the populace is informed, the less likely they are – in the case of criminal law – to breach the laws, and therefore they would approach us for advice, being informed that we are there to give guidance. And then the least effort would be on litigation, which is the most expensive part of providing legal aid services. So this is why we have to do advocacy.

The FFM team asked whether advocacy is therefore a preventive measure. CEO confirmed that it is, 100%. However, we are not set up like that. [Our structure is that] we [provide] legal representation [at the bottom], [then] legal advice, and public education and information at the top. And it's something that we are looking forward to changing, in a phased manner, because we are limited in terms of funds and public education, talks to people, community mobilisation and continued presence in all necessary areas, as opposed to visiting and then disappearing for a whole year or 2. We have to have [a] continued presence, whether through stakeholders or through having an actual footprint, no matter how small, maybe a small office. And when the resource is in a paralegal as opposed to a lawyer, that would be sufficient in terms of mobilisation and continued messaging.

The CEO continued that this is very important because some people commit offences without knowing that they are committing offences, and some customs still facilitate this because [the phenomenon in question] is an accepted tradition. The newspapers have recently been reporting child marriages. **CEO** noted that she did not know how true this is; they haven't gotten into that space. But the other [issue] is child labour. It's still there, particularly in rural BWA, and it may be that even the people who are practising it are not aware that they're practising it, particularly where the parents were brought up in that same environment.

Noting that CEO mentioned Legal Aid Botswana is now looking at criminal as well as civil cases, the FFM team asked what their budget was for last year. CEO noted it was 55 million pula [around £3million[491]], rounding it off. **The FFM team asked whether that was the year 2023 to 2024, CEO** explained it was for 2024 to 2025. The [breakdown of expenditure] was 70% [on] human capital (lawyers and support staff); 20% for fixed costs (operational costs, rent, ICT licensing, etc); and 10% for variable costs (fuel, toners, staff welfare, training, maintain buildings, vehicles and so on). It is a service that can only be given through people, and LAB is run and operated with corporate governance principles embedded. There is a compliance function, a risk management function and an internal audit, a strategy, a project management, facilities management, HR [human resources], finance, etc. That means professionals who can do those things properly and they need to be assisted by other people. So it’s not just the core in terms of legal professions; it's the other related professionals.

[491] Xe.com, Converter BWP - Pula to GBP – Pound, 17 September 2025

The FFM team asked how many cases LAB assisted in 2024 to 2025. CEO explained that she didn't have the figures off the top of her head, but as a trend for the past 5 years, they register about 2,500 cases a year. **The FFM team asked whether these are cases LAB supports through the courts, CEO** noted they were cases supported through to disposal because disposal can be settlement, through the courts, through mediation or [by] withdrawal of the case. **The FFM team asked whether these were cases supported from start to finish, wherever the finish may be, CEO** confirmed that they were. She explained that not all cases are [completed] in one year. Some are brought forward from previous years – a similar number – about 1,800, 1,500, 2,000 - and a lot of them would be matters that are already before the courts and are waiting to be progressed at the courts. By and large, LAB dispose almost the same number of cases [as the number] that are registered a year. **The FFM team asked whether cases may start several years before [disposal], CEO** confirmed they may.

The FFM team asked whether the budget for 2025 to 2026 had increased because of criminal legal aid, CEO noted yes; this year's budget is 65 million pula [around £3.5million[492]], with [the additional] 10 million [around £540,000[493]] intended for the criminal legal aid roll out ie resourcing the new unit (ie more office space, furniture, tools of trade, vehicles, hiring more lawyers with criminal law experience, training of new and existing counsels on criminal legal aid, as well as increasing the number of registered criminal cases.

The FFM team noted that CEO mentioned legal advice (in addition to supporting cases through the court process). Is that for anyone? Is it to help the defendant? CEO explained that it is for the intended demographic, which is the indigent. But there are 2 levels of qualification: the means test and prospects of success. Because funding is finite, they cannot take every case including frivolous cases and those with no prospects of success. So at means test, you are conditionally qualified for legal aid, and that step is done by a paralegal. And then the matter is put into the system and allocated to a lawyer and the lawyer assesses the prospects of success by looking at it and applying the law to it. Even if the matter is assessed as having no prospects of success, the person is given advice including written advice as to why there are no prospects of success. There will be cases where there are legal prospects and we have accepted them as matters, but to conclude them, there's no need to go to court; it is just advisory. For example, a land matter and the client requires advice only, we give the required written advice and the matter is settled. **The FFM team asked whether providing legal advice only in case that has prospect of success would count as a disposal, CEO** explained it would be a disposal of a case where the service required is advice. **The FFM team asked whether legal advice described above was separate from the 2,500 cases in the courts. CEO** answered in the affirmative, it was in addition to those cases. LAB hadn't been capturing advice in their monitoring and evaluation, but they are doing so now. For 2024 to 2025, **CEO** thought there were about 300 cases of advice, but formal capturing only began when the year had already started, so [the figure] should look better this year [2025 to 2026].

The FFM team asked if, when deciding whether to defend a case, LAB uses a percentage estimate of the prospects of success in the same way as the Crown Prosecution Service does in the UK. CEO agreed that the LAB prospects of success test is something like it. However, LAB doesn't use a percentage per se.

[492] Xe.com, Converter BWP - Pula to GBP – Pound, 17 September 2025
[493] Xe.com, Converter BWP - Pula to GBP – Pound, 17 September 2025

Looking at the case law, looking at the legislation, and the facts of the matter, if there is a chance of success, if the case is arguable, then they'll take it on.

The FFM team asked of the 2,500 cases, and maybe the advice Legal Aid Botswana provides too, did CEO have any sense of how often GBV is a feature? The CEO noted that she wouldn't have the figures outright, and even then the figures would be inaccurate as such a field was not built into the case management system. **The FFM team asked whether these would be civil cases,** she confirmed that they would and observed that they would come through LAB's family law unit environment and cases were generically captured as such. She noted that there are not many GBV cases because a self-service environment has been created by the Domestic Violence Act. The forms for restraining orders are built into the [Domestic Violence] Act . The police will assist the victim to go to the magistrate's court and be assisted by the office of the Registrar to complete the necessary forms and get [the relevant order] without the need for counsel.

The FFM team asked whether GBV cases would be civil cases, they would be dealt with in the criminal courts. CEO agreed but noted that the police are involved, because the moment somebody's threatening [a woman], the first place [they] run to is the police. **The FFM team sked whether she had any sense of how often restraining orders are [issued], CEO** noted that she did not. **The FFM team asked whether the police complete the application for the restraining order, CEO** explained that it would be the person who actually submits it. The police just facilitate, or the registrar of the court facilitates. **The FFM team asked for clarification as to whether the police and the registrar of the court help with restraining orders. CEO** confirmed that they do, but explained that you are all sitting there with them and the form is busily being filled in, or the police escort (protect) the person to the court so that they can fill in the form at the registrar's office and get it all signed.

The FFM team confirmed with CEO that she did not have any sense of the number of restraining orders issues, CEO noted that she [didn't] have, but that the Administration of Justice should have that information. She observed that for LAB there are very, very few because it's self-acting – the person [applies for the order themselves] themselves. **The FFM team asked whether LAB would not come across them anyway because it's not really their work. CEO** noted that they don't come across a lot, but they do have one or 2, several.

The FFM team asked whether CEO has any sense of the police's willingness to be involved in restraining orders or help victims, CEO noted that she'd got the sense that there had been great improvement in th[is] space over time. Times past, the police used to encourage the parties to resolve the matters between themselves but with the increase of advocacy for women rights and against GBV, with the incidence of GBV increasing over time, particularly during the COVID era, the police responsiveness and treatment/interaction with victims vastly improved and the government also saw fit to even have courts that were designated for GBV cases so that they were dealt with quickly. **The FFM team asked whether these GBV courts continue to exist, CEO** noted that she believes they are continuing, but that the Administration of Justice should have that information.

The FFM team asked how easy is it for someone to access LAB. Can a person just turn up at LAB offices? CEO explained that people do just turn up, but there is a Facebook page and a website, [on] both of which [you can] interact with [LAB] and mak[e] an appointment so that there's somebody to receive you when you arrive [at

one of the offices]. A person can [also] phone in and be processed, means-tested and so on and then an appointment can be set up for them with counsel. The same thing would happen with those that reach out either via Facebook or the website – they would be processed by the same office, it's called Client Services Office They are the bridge between those who reach out electronically, including [by telephone], and the actual centres throughout the country.

The FFM team asked whether people who seek LAB's assistance would be defendants, whereas victims of GBV, to obtain the advice they need, would go somewhere else. CEO noted that they can come to us. **The FFM team asked what would happen if they did so. Would LAB redirect them to other organisations who could provide legal advice? CEO** explained that if they came to us, we would assist. It is the nature of the assistance provided under the DVA even if as discussed above, the DVA to a certain extent facilitates a victim to obtain remedies without the assistance of counsel. There are however various protective orders under the [Domestic Violence] Act, but if you are just a member of the public, you may not know. [GBV victims] do come, and LAB ascertains the facts and determines the correct order to apply for. If a woman has been cohabiting with an aggressor, the aggressor can be evicted from their home temporarily and the woman or partner is allowed to go on residing in that home. The orders include restraining order, tenancy order, occupancy order, eviction orders. **The FFM team asked clarified that a victim of GBV can go LAB who would facilitate a restraining order or a maintenance order, CEO** explained that [LAB] would facilitate whichever order needs to be made, but mostly people know only about restraining orders, which is regrettable because then you run away and the aggressor is stays in your house. There was a situation where a young lady was actually the owner of the property and the aggressor was in her house and wouldn't leave. This state of affairs carried on and on and she didn't know we could evict the person.

The FFM team asked whether, once a person obtains a (protective) order, that has to go to a magistrates' court to be signed off and will then have legal force. CEO confirmed this and explained that the police out of mere practice would then help the person enforce it, although it is not their duty to do so.

The FFM team noted that CEO mentioned a lot of people did not know that they can obtain various protective orders or that LAB provides these services. What does LAB do to advertise their services. CEO explained that is the function of the public education she was talking about, and that they absolutely have to do that better. **The FFM team noted that CEO mentioned having made a documentary. CEO** explained that there was one that [LAB] put on national TV and there was one that we made for radio as well, both of them in Setswana. And it wasn't just a documentary, it was a drama (educational docu-drama), something to hold your attention and entertain you. **CEO** thought each had 13 episodes, [each] about 24 minutes. We were funded by UNDP [United Nations Development Programme] for both the tv and radio programs. There was also a generic public legal education program funded by the Ministry alone, not necessarily on GBV. **The FFM team asked whether this was the Ministry of Justice and Correctional Services, CEO** confirmed that it was. She noted that there was a third one for children, which they co-produced with the one of the local film producers.

The FFM team asked what the response to the documentaries was. Did they get a good response? CEO confirmed that they had a [good] response. Regrettably, the broadcasting institution does not yet have the facility of actually measuring viewership of BTV [Botswana Television] or Radio Botswana, but what

they did do for us was broadcast our programmes during what they knew was prime time. They [had] a lot of call-ins and there were some episodes which the public actually asked to be replayed. CEO recalled that one day one of her colleagues was in church and overheard a group of little children chatting about the radio [programme], the GBV one, because we'd used popular actors in the country and they were quite familiar with them. They were mimicking one of the episodes. So there was a good response to it, but we can't measure it. We placed the clips on our Facebook page as well, so that they're permanently there, and we also [use] YouTube. In terms of our other material, there are brochures on various [topics], and we're in the process of turning them into audiovisual [content]. We[‘ve] animated them and we’re putting them on our [online] platforms as well, so that if you can't read or reading is boring, you can at least look at th[ese] clip[s]. So that's what we are currently doing, but we could do with much more funding to do more.

CEO added that they are working very well with other stakeholders in the environment - civil society, Botswana Prison Service, Administration of Justice, DPP, Ombudsman, Tribal authorities etc. She thought their service provision could significantly improve if there was a closer working relationship with Botswana police and the social workers, but that it is ‘not all gloom and doom’. **The FFM team asked whether it was a matter of promoting and educating, and increasing LAB’s profile, CEO** noted that it’s about increasing their profile, knocking on doors, pinning down natural stakeholders to sign an MoU [memorandum of understanding] with them. Then they would more likely than not push [LAB’s] mandate with you as you would have explained that role, the purpose and why you need them, why they need you, because normally in terms of the mandate there would be a commonality. Justice is served when cases are disposed quickly and they move quicker if there's counsel on the other side. And because we're talking about human rights, it is best that an accused person has representation as soon as possible e.g. at the time of arrest or as soon thereafter as possible to guard against self-incrimination or wrongfully obtained confessions. So it's always best that LAB [are involved] sooner rather than later.

CEO added that because [LAB] are a human rights institution, they wish they could be doing advocacy [promoting human (people’s legal) rights] rather than defending [people], especially when you look at a GBV case and what has happened to the victim. But the balance is that everybody deserves to be represented and get a fair [trial]. That is the [essence] of what we call having a fair trial, that both parties must be equal before the law in terms of representation, with the offender having the same quality counsel as the prosecutor or state counsel. That is what a proper, thriving democracy should look like.

The FFM team asked whether CEO consider there to be a fair judicial process in BWA, CEO thought so. Having been a practising attorney and a prosecutor, she also knows as well that the fair judicial process would be better achieved if the offender was afforded counsel soon than later in the process.

On the point about the investigatory process, the FFM team noted a few sources they had spoken with had expressed the view that the police approach to investigating GBV cases, and the standard of evidence they obtained, could be stronger. **CEO** agreed. This observation was also made by one police officer at a certain conference, that not only in matters of GBV but in a lot of cases where the investigation is prosecutor led, the police are more likely to know what evidence to collect and how to collect it properly to ensure that the prosecution is successful. **The FFM team asked whether, if there’s a lawyer or counsel**

representing the state, the case would be better run. CEO agreed that it should. She also observed that the police prosecute in the name of the DPP [Director of Public Prosecutions] or on behalf of the state or the DPP – a legacy situation. There was a project previously for the DPP to take over all prosecution to provide quality prosecution and ensure things were done in the best interests of the judicial system and the justice system. However, there were obstacles. The police have a footprint in every corner of the country, and in most areas there's a magistrate. But there will not be a DPP [office in all areas] because the DPP was predominantly in the big cities and towns. Expanding in order to take over the function of prosecuting means you need a presence there. When you've been detaining someone and 48 hours elapses, a DPP representative ought to be there to go to court about the person's detention, and there were just not enough lawyers to do that. There was not enough budget to hire that many lawyers. They had to amend the scope of the project of taking over prosecution from the police, so the police are still prosecuting and the DPP is prosecuting in areas where it has a footprint and resources. **The FFM team asked whether that footprint where the DPP prosecutes is the main towns and cities – Gaborone, Maun, Francistown – not for all of the rural areas. CEO** confirmed this, adding that they really tried to expand but the resourcing was an issue.

The FFM team asked whether, if a victim of GBV goes to the police in Gaborone and their report is accepted, they would then be given a lawyer by the DPP. CEO explained that they would not: a GBV case will have aspects of civil law and aspects of criminal law, so where the matter is under the DVA the DPP would not be involved and an entity such as LAB or certain NGOs, if approached by the victim, might represent them to access remedies under the DVA. But if somebody has been physically harmed criminal law would come to play and the DPP would be involved to represent the Sate in prosecuting the accused and where allowed by its precepts, LAB might represent such an accused person. Cases must be disposed quickly otherwise there is a negative impact on the victim, having to relive their experience over a protracted period of time and their healing process disrupted. **The FFM team summarised that restraining orders are civil law, and that's why LAB are able to handle them. But in future might they be able to do criminal law cases? CEO** explained that they do not prosecute criminal law cases; they are defending the accused or the convicted. **The FFM team asked whether this means that LAB mostly won't be dealing with GBV unless they're dealing with the perpetrator, CEO** confirmed that this is the case where the perpetrator is charged criminally and prosecuted but where the matter is under the DVA, LAB appears for the victim seeking remedies for the victim.

The FFM team asked whether the NGOs who are involved in supporting women refer cases to LAB, CEO noted that some of them do. BONELA is typically one that they work with as well as Stepping Stones [International], although Stepping Stones is more focused on children. **CEO** noted that they do have to work a lot more closely with civil society, because civil society is an extension of – is part of – the legal aid system of the country. **The FFM team asked whether this is because civil society provide legal advice on various topics, CEO** noted that they also provide advocacy and representation by instructing attorneys in private practice to take on their identified cases. **The FFM team confirmed that's why LAB should work with them – same area of work, CEO** confirmed this and observed that there is a growing requirement for government to also fund [the NGOs]. They are not necessarily competition for LAB because they are focussed on areas of vulnerability that LAB is not focused on, which are important – the LGBT demographic, or

women, or the disabled for example. LAB helps indigents, not helping women [per se] or providing special treatment for women. A poor woman will get the same [access to legal aid services] as a poor man in terms of their focus, but somebody else is focussing on women somewhere out there, whether they're poor or not.

CEO noted that LAB think there is a lot of scope for doing more, but they are also wary of biting off more than they can chew. If you're going to provide a service, it has to be a quality service. It has to be the right service at the right time. LAB didn't do criminal law, but now they're embarking on criminal legal aid. The next will be a focus on medical negligence cases. But they can't do everything because they only have 32 lawyers and finite resources.

The FFM team noted that there is some awareness that criminal law needs to be recognised, so there is some progression. CEO agreed. She noted that LAB received some funding from UNDP to do [awareness] campaign towards the end of last year, and that they sometimes get donations/grants from third parties for special projects/programs.

Ritual killings

The FFM team asked of CEO was aware of ritual killings. CEO observed that cases where body parts are used for traditional medicine are really not rife in the country – they are in fact few [such cases]. **The FFM team asked whether she meant ritual killings, CEO** confirmed that she did. She thought that in the year before the general elections [2023] and the year of the general elections [2024], it appeared from the newspapers – although **CEO** emphasised that she personally had no specific knowledge of this – that there were a number of people who disappeared, and when they were found, they had body parts missing. But it was 'not such a number as to raise a hue and cry'. It wasn't like in some African countries, where albinos are actively being hunted down and things like that. **CEO** noted that it would therefore be irrational for people to leave Botswana seeking asylum because of ritual killings.

CEO added that there used to be a lot [of these cases] when she was a child but that she is now [in her 50s], so it's a long time ago. When she was a child, they were more of normal parlance, but not so now. [In the past], they were typically the cases that would attract capital punishment.

LGBT+ people

CEO noted that even at a social level – outside work areas, etc – there's a lot of acceptance of LGBT+ people, unlike in [other countries in the region] where you hear of molestation, corrective rape and that kind of thing. In Botswana people are not assaulted or killed for being [LGBT+].

The FFM team asked whether it is more harassment than persecution, CEO observed that in her personal view, BW is at the stage the UK was at in the beginning, where [the UK] started with, 'It's none of our business'. It's illegal, and then it moves to, 'Whatever adults do behind closed doors is their business and we have no business as a state peering inside somebody's bedroom or behind the wall.' In past there were one or 2 cases of persons being prosecuted for homosexual acts, ie having carnal knowledge against the order of nature in terms of the Botswana Penal Code, but the cases went nowhere and fizzled out, the state generally took the position of looking the other way. Even though it has remained as an offence in the Penal Code, nobody's being prosecuted for it. **The FFM team asked whether provisions in the penal code that criminalised same-sexual relations are not**

enforced, CEO confirmed that they are not. She noted that in the workplace, for instance, she has not seen [LGBT+ people] being persecuted, even years ago, at least where she has worked, and she has worked in about 5 or 6 places. **The FFM team asked whether she knew they were gay or lesbian, CEO** explained that she did because it's a small country, so you know each other. And nobody was persecuted for it.

CEO added that [there's] quiet diplomacy, and the courts have said, through their judgements, that it was unconstitutional for [same-sex sex] to still appear as an offence [in the Penal Code]. She thought that something was now happening behind the scenes. She noted that she could not say [for sure that] it is, but no member of the LGBT+ demographic has been prosecuted in recent years or, to her knowledge, persecuted. Socially, you do know a lot of gay people, and they're holding all levels of positions in various organisations, including the government. **The FFM team asked whether they are open about their sexual orientation, CEO** explained that they are open in practising it but nobody's going up to people and saying they're gay. But they are open about their sexual orientation by openly consorting, although she explained that the level of intimacy that a heterosexual couple would – display in public would differ significantly from the level of intimacy an LGBT+ couple would display. LGBT+ people would generally have places they go to or things that they do together as a community, which heterosexual people attend as well, so they are not hidden from the public. **The FFM team suggested things are 'moving in the right direction' for LGBT+ people,** CEO agreed. **The FFM team asked whether discrimination and violence are not things she would hear reports of,** CEO confirmed that if they were happening she would hear of such reports but confirmed not having heard of same, adding that nobody should be running away from BW saying they're being persecuted for being a homosexual. **The FFM team asked whether this was also the case for lesbians, CEO** confirmed that it did.

Female genital mutilation and incest

The FFM team asked whether female genital mutilation (FGM) happens in BW, not a traditional practice in BW anyway? CEO thought not. It is not a BW tradition. **The FFM team suggested it was not a Tswana tradition but might be practised by other tribes such as the Kalanga**. CEO does not know.

CEO added that she was not sure about the issue of incest. Again, it would be notorious in certain areas more than other areas, and that's where it is one of the customs of a particular tribe. People practise these things without necessarily knowing they are wrong in terms of the law, and that's where public education has to come through and is very important in making sure that people move away from some of these practices. **The FFM team asked whether it is the case that some of these practices may exist in rural, distant areas, but that in the main towns, in Gaborone, these things are not happening. CEO** confirmed this.

The FFM team sked whether, if somebody needed to be protected from these practices, they would receive protection, CEO noted that they would because incest is an offence under the Penal Code. **The FFM team asked whether FGM is criminalised, CEO** noted that it would fall within the offence of grievous bodily harm and would therefore be covered by the Penal Code. **The FFM team summarised that there is not a law that explicitly criminalises FGM per se but then again, it's not practised, generally speaking. CEO** confirmed: generally speaking.

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Annex H - Interview with BGBVC

Date	10 July 2025
Location	Botswana Gender-Based Violence Prevention and Support Centre (BGBVC), Head Office, Gaborone
Attendees	6 BGBVC managers, including the Chief Executive; 3 HO Officials

Women and gender-based violence (GBV)

The FFM team asked BGBVC to give an overview of their organisation. CEO explained that they are an organisation that works on the prevention and response to GBV, their name sets out what they do: prevention and support. They work in 3 districts [across Botswana (BWA)] on 3 sites: the one they're running here [in Gaborone], which is their head office, as well as Ghanzi and Francistown. BGBVC have existed for 27 years, working towards the prevention of GBV as well as response and protection, particularly of those that have experienced GBV. In the past, they have had conversations with UK organisations and even people leaving to go to the UK, to the US and other countries due to what they were experiencing.

The CEO explained that she would allow the team to speak about the problems [they see] and what they are doing in order to ensure prevention, response and protection for victims and survivors of GBV. The organisation is run by a board of trustees that oversees everything they do. BGBVC is known by government and society [generally] because they mostly work in communities.

TECHNICAL OFFICER explained that they have a support programme that is responsible for their response in providing care and support to survivors of GBV together with their families. They have drop-in centres in Gaborone, Francistown and Ghanzi where clients can just walk in and seek their services. They also have mobile outreach, where BGBVC go where the people are because some people are not comfortable coming to their centres and being seen as survivors of GBV. The main reason for the mobile outreach is mainly to take the services to the people; to make accessibility easier for those who cannot reach our centres or even are not aware of the available service.

TECHNICAL OFFICER noted that BGBVC works with the police, government bodies and other entities. Under their support programme, there are different types of services that are provided, the first being counselling to deal with the trauma that comes with GBV and its effects. They have recently introduced [the option of] telephone counselling. Within the support programme, BGBVC provides legal support, some of it through legal volunteers. BGBVC is also able to provide clients with drafting of different [protective] orders, including restraining orders and protection orders, ('(a) an interim order; (b) a restraining order; (Technical Officer) a tenancy order; or (Social Care Officer) an occupancy order.') or applications for divorce because of GBV. They introduce clients to the range of orders available and provide legal advice about other options open to them within the justice system.

TECHNICAL OFFICER explained that they also have the emergency shelters for those in imminent danger. A counsellor does a risk assessment and screens the client for eligibility for admission [to the shelters]. The [shelters] are primarily for those whose lives are in danger because of physical violence, threats to kill or sexual violence, especially for women and children who [need to be] removed from their

homes. While [police] investigations are going on, a child can be removed from their home environment if necessary. While in the shelter they also receive other services. The shelters are in undisclosed locations for security – for the protection of clients and the BGBVC staff. Clients are admitted for a maximum of 3 months while BGBVC work around a discharge plan for ensuring their security once they leave the shelter. Shelter clients are mostly referred by the police and social workers, and BGBVC works with [these agencies] on a sustainable plan for ensuring each client's security beyond the shelter. If the intervention hasn't been completed after 3 months, this work continues, and depending on the security issues in the case, a client can stay for a year or more. BGBVC's shelters are only in Gaborone and Francistown, 2 in Gaborone and currently one in Francistown.

TECHNICAL OFFICER noted that they also have a clinic on this site [their head office], so only in Gaborone, and it's specifically for survivors of GBV. They provide it with the purpose of clinical care because some clients come in having sustained injuries, so they treat injuries here. Some of them are survivors of rape, so they provide post-rape care – HIV prevention, preventing unwanted pregnancy, through emergency contraceptive. They also provide STI [sexually transmitted infection] screening and treatment, as well as mixed method contraceptives.

SOCIAL CARE OFFICER explained that he would speak about communications. He noted that BGBVC deploys different strategies to achieve the goal of making sure that people are aware of GBV, its prevalence and its context. They use the media space and the social media space – all the networks that are available, including Facebook and LinkedIn – to talk about the organisation. They use the mainstream media – TV, radio and newspapers – to disseminate information about GBV and for social marketing of services that are available at the organisation, the ones

TECHNICAL OFFICER spoke about in addition to others that are available.

TECHNICAL OFFICER explained that they also do what they call mobile outreaches, where their community mobilisers accompany a nurse or clinical staff and counsellors to go to communities]. [Those in the community] will be screened for GBV, and if they're eligible, they get referred to the counsellors to access the service. Currently, BGBVC has a school-based programme called 'Connect with Respect' to address respect in schools, especially issues of bullying and GBV. Through this programme, they are trying to identify students who are somehow susceptible to, or who have been through, GBV situations, especially at home or at school. The idea is to take the students through different GBV topics, but before that, they are pre-assessed for GBV – that is, they're given a set of questions to share what they understand about GBV and their experiences. This is done in Ghanzi and Francistown only, for 7 schools in total.

TECHNICAL OFFICER noted that BGBVC also do capacity-building exercises for frontline workers or those who are at the forefront of responding to and addressing GBV: nurses, police officers, social workers, teachers and the like. They also capacitate tribal leaders and take them through GBV education to enable them to identify GBV and how to better handle cases. These are the people who actually deal with very sensitive cases, and much as BGBVC is aware of traditional norms and perceptions, they need these people to align that to the current situation. They promote the organisation [BGBVC], its services and, by extension, other services that are available out there.

The FFM team asked whether BGBVC's funding is mainly from the government and other donors. **CEO** noted the government. **The FFM team asked this meant**

only the Botswana (BWA) government. **CEO** explained that they've had [funding from] the US government, the Finnish Government and the European Union, but currently it's mainly [the BWA government]. [They own one property, but] for the 2 shelters that they are renting, [funding comes from] a private company, a private sector partner.

The FFM team asked BGBVC to summarise the general position of women in BWA and how they are treated. CEO observed that BWA has a dual legal system [customary law and statutory (common) law. Customary law is at loggerheads with the legal provisions [of statutory law]. BWA has a relatively good legal framework to address the rights of women. However, there is still a need for a mindset change to appreciate these from the traditional and cultural perspectives. Culturally, women lack power compared to men so they are usually on the lower receiving end of anything that protects them. There have been efforts [to address this] for quite some time now. **TECHNICAL OFFICER** spoke just now about working with the chiefs, and the government is also making those efforts because they are the custodians of the culture. They are the custodians of what happens in the society, in the communities, to try and help them to change their mind[set] so that they can actually help to protect women. But where we sit, we have a problem in that women are still treated as a minority, or they are subservient to men generally because of cultural beliefs and practices. We can have beautiful rules like we have but when you get home, you don't pull out a [legislative] act and say, 'This is how you're supposed to treat women according to the law.' At home, people mostly live according to the customary practices.

BUSINESS DEVELOPMENT MANAGER noted that there's a culture of silence in BWA because all of these things happen, but some are not reported. That's one of the risks.

CEO observed that there's also the stigma that's attached to GBV because it's always, 'Why did he do this to you?' If it goes there, it means it's [the woman's] fault. So there's a stigma that comes with intimate partner violence, with [being expected to] stay in a marriage that is dysfunctional. Leaving is associated with a number of things, including 'being a failure'.

The FM team asked what types of GBV there are in Botswana. A listed sexual violence, physical violence, emotional violence and economic violence.

CEO added that this mostly happens within the domestic arena, so it's mostly domestic violence. There's a high [prevalence] of domestic violence and intimate partner violence.

The FFM team asked how prevalent it is. A noted that according to a study conducted in 2018 [Botswana National Relationship Study], one in 3 women experience GBV and one in 5 men [experience GBV].

The FFM team asked whether the situation is still the same, or whether it is getting worse or better. BUSINESS DEVELOPMENT MANAGER noted that it's a disadvantage that we don't have data. Usually, we rely on police data but GBV is mostly underreported. The situation might be higher. We've been getting a lot of reports of GBV, including femicide. There are frequent reports of GBV/femicide cases in media.

SOCIAL CARE OFFICER added that it's mostly not reported [by victims] because of the fear of being exposed.

CEO explained that 2 studies were done, one in 2012 [The Gender Based Violence

Indicators Study] and the other in 2018 [Botswana National Relationship Study]. They both indicated that reporting was very low. For instance, the 2018 study said that GBV reported [to the researchers] in the study was 7 times more than what was reported to the police. Now that the police have a special unit that deals with GBV (Gender and Child Protection Branch we want to believe that reporting has increased a lot. Police statistics show that the total number of reported cases to the police in 2024 only was 32,172. This is the total number of all cases of all types [of crime] reported to the police. Out of that, the total number of what the police say was recorded as GBV is 11,287. What is important is that this is just what is reported, and we know as we've been in communities that there are lots and lots of cases that don't get reported.

The FFM team asked whether that number showed how many cases were taken to court and prosecuted and convicted. CEO noted no, this was reports to the police. They categorised them by offence: murder, defilement, assault, common assault occasioning actual bodily harm, unlawful wounding, threat to kill, neglect of children. **The FFM team asked whether that number was provided specifically to BGBVC, CEO** explained that it is a national figure for 2023 to 2024, published by the police. BGBVC asked for it and the police shared it.

The FFM team asked whether the number of reported cases has changed over time. CEO observed that it's difficult to know, but when you look at the trends, it shows that it's increasing. **CEO** thought that what has increased is mostly the reporting. More people, as they become aware [of GBV], are starting to talk more than they used to. But what we can confidently say is that GBV is [at its] highest now.

The FFM team noted that CEO mentioned reporting had increased because of the police GBV unit that was set up. CEO observed that [reporting of GBV had] especially increased with that [unit's creation], but also BGBVC are going out and explaining what GBV is [to communities]. When [BGBVC] started some years ago, people didn't know, but even now there are still people that think that it's only GBV if it's physical. So [BGBVC] are trying to create awareness as to what GBV looks like, because a lot of times it can present itself in different ways. If my boyfriend or my husband keeps calling me every 30 minutes, I might interpret it as love, when it's actually control. So, they're trying to get people to understand things like that.

The FFM team asked whether technology, maybe social media, is playing a role, too. SOCIAL CARE OFFICER noted that it is playing a role, especially in intimate relationships, especially ex-partners where one is trying to move away from the other and they don't want to explicit details to be shared, whatever they shared during the relationship, either videos or pictures. [Their ex-partner says,] 'It's either we get back together, or I share this material in public.' It has happened a lot so that people end up living in this situation. **SOCIAL CARE OFFICER** explained that he had read that, and that some people actually end up committing suicide or contemplating it because of the shame.

The FFM team asked whether social media helps with reporting, because there's more information available to people. Do people report more because they see more examples of the experiences of other people? SOCIAL CARE OFFICER confirmed that this was the case. **CEO** added that culturally, people stay [in relationships where there is GBV]. It's normal; some things have been normalised. As we create awareness through social media, through media, through workplace presentations, people begin to say, 'Oh, so this is actually not normal.

Actually, there are people who are talking about it. So that means that I can also talk.'

The FFM team asked whether those who come to BGBVC for support are usually from rural or urban areas. TECHNICAL OFFICER observed that it's a mixture of both, but mostly urban. **B** noted that BGBVC has centres in urban areas, and that this may also go to the fact that in urban areas, there's more sensitisation and awareness of GBV.

SOCIAL CARE OFFICER thought that in urban areas, accessibility of resources also plays a part. In rural areas, they have no place to go [except for] the police. Some places don't have social workers.

The FFM team summarised that we don't know if the numbers of cases are changing. We know that more cases are being reported. The FFM team then asked whether, in the cases that BGBVC sees as an organisation, the numbers for each year had changed. If they had, was that because promotion is better and people know you? How many people does BGBVC support, and is that only women, or men as well? CEO explained that they do support men.

B noted that BGBVC cannot confidently say cases are increasing. They know there is a clear suspicion that cases are increasing, but what they mostly see is that people are [bringing cases to light] because of greater awareness. They keep on seeing an increase in the number of cases they deal with every year, but they cannot confidently conclude that this is because there's an increase in prevalence.

The FFM team asked whether there is a particular profile for the women they see – age, background or other particular factors they notice? B noted that there are certain patterns. [By age group], 15 to 19, 20 to 24, all the way up to around 34 – those are the ones most [commonly] abused based on who comes to BGBVC, and then a few in older age groups. **B** observed that it seemed the older a woman gets, the less likely it is she will be in a GBV [situation]. They are mostly young girls dating older men. The studies identified 2 types of perpetrator: young men, first of all, are the perpetrators when it comes to young girls, and then there's the older men they date for money.

The FFM team asked whether Botswana has sufficient laws and policies to protect women from GBV. B noted that he would not use the word 'adequate', but whether they are sufficient or not, there are both policies and laws. How they are implemented is a different story. He noted that, to a certain extent, he appreciated that there is this law, policy, but then we don't see much of those being implemented.

SOCIAL CARE OFFICER added that in the Domestic Violence Act 2008, there are protection orders. There has been a debate in regard to that because [a woman was killed by her ex-partner at the University of Botswana recently even though] there was a restraining order [against him]. The question is, how effective are they at this point? That is where the problem lies. Some of these policies are there, the regulations are there, but the issue is [implementation].

B noted that another factor is public knowledge. There are laws, but ordinary people are pretty much unaware of what the law is. The study from 2018 showed that less than 53% of all men and women were aware of the Domestic Violence Act and the Penal Code. People don't really know what laws there are.

The FFM team asked whether BGBVC as an organisation gets a lot of support from the state, from the police. A noted that they do get support from the police, and some cases are referred to BGBVC by the police themselves. We're one of the

2 organisations in the country that have emergency shelters, so whenever they have a victim that needs protection from the perpetrator, they bring them to us.

TECHNICAL OFFICER noted that they also have referrals from government social workers.

The FFM team asked whether referrals can only be made in the cities where BGBVC has shelters. What happens when you're outside of those locations?

TECHNICAL OFFICER noted that no, [the shelters] are available to women nationwide so they can get a referral from anywhere. WAR [Women Against Rape] in Maun has another shelter.

B observed that the police also refer them [people] for other services. We also refer [people] to the police, so the relationship is bidirectional, because there are women who come to us first before reporting to the police.

The FFM team summarised that it works both ways. The asked what the capacity is at the shelters. How many women can BGBVC accommodate? TECHNICAL OFFICER explained that they have 2 shelters in Gaborone. They can accommodate 16 to 18 people in one, and the other is for 8 people. The one in Francistown can also accommodate 16 to 18 people. There are many rooms inside that can accommodate families or individuals.

The FFM team asked whether that capacity is sufficient or is it difficult to cope with demand for shelters. B noted that they can never say they don't need any more. The reality is, at this time, they need more shelters. However, the rationale behind it is the number [of people] coming to the shelter, and that is mostly dependent on sensitisation. There are still a lot of women out there who don't know that there [are] shelters despite the awareness [-raising efforts]. There's still more that needs to be done because there are women who still would rather stay in an abusive environment and risk their lives. However, we still need more shelters. **The FFM team asked whether the shelters are usually at full capacity, B** noted yes, because you can stay in a shelter for a maximum of 3 months, or more based on circumstances. In terms of new applications, there may not be too many at a time, but there will be those who are already in the shelter, so they are usually fully occupied.

The FFM team asked how easy is it to access BGBVC's services, how easy for someone to walk in. BUSINESS DEVELOPMENT MANAGER thought that in terms of accessibility, one thing is that it's free, which means everyone can just come and access their services. In terms of location, maybe that's where we need to [raise] a lot of awareness. We also wanted to commit to the demand for services offsite, without the clients coming to us. We utilise social media to market [our] services, and we work with other NGOs [non-governmental organisations], CSOs [civil society organisations] who link clients to our centres. But in terms of coverage, we're only in Gaborone, Ghanzi and Francistown. If we were doing really well, we would cover all areas in Botswana, but because of limited resources, we can't.

The FFM team asked what would happen next if a victim of GBV knocked on the gate outside. BUSINESS DEVELOPMENT MANAGER asked whether this meant in terms of the process. **The FFM team confirmed that it did. TECHNICAL OFFICER** noted that the FFM team had seen their security [The FFM team were met by a security guard who checked and scanned their bags, and required them to sign-in, providing name and contact details] and explained that they had intensified their security because of [previous] cases [where problems occurred]. When [new clients]

come here, the security officer checks them, and then they're ushered to the clinic. Our approach is that we don't know how critical it is for each of them to receive medical attention. So before they sit down with the counsellor, their [medical] vitals are taken, such as blood pressure. If they're injured, they're provided with medical attention. Then, with a counsellor, they do a screening to see whether they need the shelter or will be able to go home. If they need the shelter, they are transported to the shelter. It also depends on the counsellor because they will find out what's important for the client. For example, if they want to report to the police, we ensure that they reach the police safely. If they want to see a legal adviser to work out their options, legal advisers can come and see them here.

The FFM team asked whether these legal advisers are from outside, not [in-house], and do they work pro bono? TECHNICAL OFFICER confirmed that the lawyers don't work for them; they are volunteers who are called in when needed. Also, we have a Memorandum of Understanding [MoU] with Legal Aid Botswana, and they can provide legal support. **The FFM team asked how easy it is for the victim to access that support. TECHNICAL OFFICER** explained that now they have the MoU, they have a contact person. **The FFM team asked whether the MoU is recent. TECHNICAL OFFICER** noted that it was since the beginning of the year [2025].

The FFM team asked whether a woman always has to go to a shelter, or whether they can just come and get advice or medical care. And can they get advice over the phone? Does that happen too? TECHNICAL OFFICER confirmed yes. **The FFM team asked if it's correct that it's only women in a really difficult situation or at risk (of harm) who go to the shelters. TECHNICAL OFFICER** confirmed that yes, we have the shelters particularly for those [women], and then there are those who come here for [other] services. They can come here for trauma counselling, come every week and then go home.

The FFM team asked how many CSOs there are that provide the same kind of support as BGBVC. CEO explained that there are only 2 providing these services [shelter and other services]: BGBVC and another one in Maun. They do everything BGBVC does except they don't have a medical clinic. **The FFM team asked whether CEO was referring to WAR. CEO** confirmed yes, and noted that there are organisations such as Men and Boys for Gender Equality and others where their mandate isn't really around GBV, but they are doing their best to also try and create awareness in communities on ethics, law and HIV/AIDS. There's BONELA, there's the Human Rights Centre, there's also LEGABIBO. There are also Tebelopele wellness centres, (Source confirms Tebelopele wellness centres is still operating (as of 25 Sept 2025) however other sources suggests it stopped operating in February 2025, see: Gov't confirms Tebelopele nationwide shutdown:: Mmegi Online) their main mandate is HIV, but they've also integrated GBV. Even the Botswana Christian Health & AIDS Intervention Programme have integrated some community work on GBV. BGBVC and WAR are providing both prevention and response services, while the other organisations were mostly doing prevention (awareness creation) and referring to us for response.

The FFM team asked whether BGBVC works with these other NGOs. Do some of them refer cases to BGBVC? CEO explained that they work together but that their collaboration in activities has reduced a little bit over the years. But they are all members of the Botswana Council of NGOs, BOCONGO, and under BOCONGO they are together within what is called the 'gender and human rights thematic group'. So they have conversations once in a while where they talk about what to do about

what is happening. But, **CEO** thought, it hasn't been really as it used to be. There's also another organisation called Molao Matters. Their main mandate is legal support. They're also a member of the gender and human rights thematic group. **The FFM team asked where they were based. CEO** noted that they are in Francistown, but they have people in Gaborone. They mostly work with lawyers who volunteer their services, so wherever there's a lawyer who is willing, anywhere in the country, they become part of it.

The FFM team asked whether BGBVC gets a lot of referrals from NGOs. BUSINESS DEVELOPMENT MANAGER noted they would share the data. **The FFM team asked whether the data breaks** down the number of police referrals they receive. **BUSINESS DEVELOPMENT MANAGER** explained that when they do their data, they look at it a bit differently. The way they categorise them, the police stand alone as one of the stakeholders and then they have the other partners that they're working with as another category. So yes, [the number of police referrals] is there.

The FFM team asked when the police GBV unit was created. **CEO** noted in 2021, the Gender and Child Protection Branch [was established]. **The FFM team asked what this branch actually does. They had been told the branch provides guidance and training, but is there anything more than that? What's their role and function? CEO** explained that across the country, they have about 8 child-friendly police stations, or child-friendly centres, which are trying to facilitate children to go [to the police]. Whether that's working is another story, but they have developed those, they have created those in 8 districts so far, in collaboration with UNICEF. In Gaborone, at least, we do refer to them if we have cases of children, and they also refer cases to us.

TECHNICAL OFFICER added that BGBVC has a good relationship with the child friendly centre and the police in general in Gaborone. They are usually responsive when we call for them.

The FFM team asked what the Gender and Child Protection Branch does, particularly regarding women in the GBV space. Had it made any difference? TECHNICAL OFFICER explained that the branch is responsible for GBV cases plus children. In the past, the reporting system was stigmatising. There were issues of confidentiality in receiving cases, which deterred people from taking action. Now they've allowed for confidentiality, and that's one of the reasons GBV cases are now not reported in the normal setting of the police station. The 8 branches have a separate space for GBV cases. They mostly hire psychologists, social workers and those who are trained to provide counselling as well. So, they're not just dealing with cases; they can also provide counselling.

CEO added that there are social workers and psychologists.

The FFM team summarised that there is a separate space for handling gender and child cases, and there are social workers as well as police officers, so it's a safe space to make your case. TECHNICAL OFFICER noted that special skills are needed to get information from a child. The reason why it's child-friendly is that they're cultivating that comfort for the child, so the police officers managing those branches don't even wear uniforms. **The FFM team asked whether the focus is mainly on children and less on women who have no children. Could a woman without a child go alone? TECHNICAL OFFICER** confirmed that they could; it doesn't matter.

The FFM team asked where the 8 districts are. CEO explained that she wasn't

sure about all of them but that she knew there's Kasane, Ghanzi, Francistown and Gaborone.

The FFM team asked whether, besides these spaces to deal with GBV and childcare cases, the police had received training generally on gender sensitivity, for example. Had other things changed since 2021? Were things getting better with the police? What was BGBVC's view on the processing of cases? CEO observed that the feedback they got from people is that, particularly generally on the police around GBV, there's still a lot to be done. What the police have now done is that at the police college itself they have a module where they are trying to teach the police about GBV and sensitive reporting and such things. But BGBVC still gets people that come and say they went to the police, but they weren't assisted or that this and that happened. [The police] should actually be sensitive and have a clear understanding of GBV. Recently, the police also attended online training on working with perpetrators [of GBV]. They attended in large numbers.

CEO added that BGBVC keeps on trying to go back to saying that we really need to do something. We need to record cases of people who say they went to the police and document that so that when we go to approach [the police], we go with evidence that this person came, this is what happened. The whole idea is to support them to be able to support victims and survivors. **CEO** noted that BGBVC is not looking for problems so that they can point a finger. It's mostly about, how can we support you to support survivors when they come to you [the police]?

The FFM team noted that BGBVC had mentioned restraining orders and protection orders, which the FFM team thought the police get involved in. They asked whether the police arrest the perpetrators of GBV crimes. Are perpetrators prosecuted? Do BGBVC get involved in helping clients through this process? CEO noted that what they know is that the whole criminal justice system needs to do better. It's not just the police, because it starts with the police but it goes to the Directorate of Public Prosecutions (DPP), it goes to the courts and then the prisons, because prisons have a different role. For them, it's when somebody has already been convicted, or when someone is waiting to go for trial.

CEO noted that she had heard a High Court judge speak at a crime prevention conference in March [2025], and that he said, 'There is a need to do better as [a] criminal justice system,' and, 'We are not doing OK.' At the end, he made recommendations and one was that we need to speed up cases.

CEO observed that following an upsurge of cases during Covid, the Chief Justice had announced that special GBV courts would be set up. **CEO** thought these had been set up, but that it hadn't been possible to continue with them because they weren't necessarily planned; they were just a response to what was happening [at that time]. **CEO** had received new information the week before the FFM interview [July 2025] confirming that these courts were no longer in existence, that they were tried but it was not happening again. **CEO** continued that the High Court judge [at the conference referred to above], when he spoke, had said cases of murder, for instance, if they reach his court, have been on the table somewhere between the police and the DPP for a minimum of 5 or 6 years. She noted that this means justice is delayed, and because of bail, the person could actually be out, not only walking the streets but threatening the survivor and her family. There are restraining orders, but they [perpetrators] don't care about restraining [orders].

The FFM asked for confirmation as to whether someone accused of murder might not be on remand but on bail. CEO confirmed yes, on bail. There are lots of

people on bail for murder, and then they commit crimes again. Even when there are restraining orders, they break them. BGBVC knew ‘a whole lot of cases’ where a person hadn’t been arrested again for [violating] a restraining order. It’s a serious problem and it means that the victims, the survivors, their families are suffering and are not safe at all.

The FFM team asked whether, when GBV cases get to court, the courts are looking at them fairly. In the disposal of cases, are perpetrators found guilty? CEO noted that the [number] of disposal of cases is very low, so there’s a backlog. **The FFM team asked whether that was because there are lots of cases so it’s taking a long time, or because the number of cases actually getting to court is low, meaning [cases] fall away [before trial] for various reasons. What’s going on from when a case is reported to the police to a decision by the courts? CEO** noted that in the case where the woman was murdered at the University of Botswana [in June 2025], one of the things the magistrate said was that the police failed in their duty because the man was subject to a restraining order. He had defiled the woman’s daughter years ago. They had withdrawn the case but the woman had a restraining order against him. They had been to court that day, the same day that he murdered her. He followed her afterwards because he was given bail even though there was a restraining order. So [cases go through the criminal justice system], but another thing the High Court judge said – and this magistrate also – is that it's very important that when you bring a case [before the court], you bring the history. Where a person has repeatedly committed crimes, it cannot be [just] a single incident**. CEO** thought this showed that there is negligence – either negligence or a certain level of ignorance, but she suspected more likely negligence.

The FFM team asked whether this was negligence on the part of the police in gathering the evidence. CEO confirmed this, noting that the magistrate had been very frustrated – how had the restraining order been missed, and how could we find ourselves granting bail when we shouldn’t have, to someone who was already in our system? And then he leaves and goes and commits murder the same day.

The FFM team noted that all the sources they had spoken to had mentioned this case. It’s a sensational case but did BGBVC think it is representative of GBV cases and the criminal justice system? Does it express something about the criminal justice system that rings true, is that why everyone talks about it? CEO noted that it’s very recent, and very sensational because it's not like it's the only one. The week before, another woman had just been murdered, and that same week, a man had driven a truck into a house and killed a child of his ex-girlfriend. So maybe it's because of the sensitisation around the case, but there are other cases. The Kgomokasitwa case – the man was on bail and was supposed to go to court for defilement. He gave his own reasons, but basically he wanted to wipe out the whole family so there wouldn’t be a witness to the defilement. When it was about to go to court, he went and even looked for the police officer who was handling the case. He murdered 3 people, he threatened 2 and he set the house on fire, so now there are 6 counts against him for murder, attempted murder and arson. That says a lot about the justice system, particularly the police. When they go [into court], what do they present?

CEO added that BGBVC have their own case of a woman who was murdered here [at BGBVC in Gaborone]. It has not even made its way to court. It happened in May 2023. She was murdered by her husband in our office, our counselling room. **The FFM team asked whether the man is on bail, CEO** noted that he wasn’t given bail. He's still in prison. But just a few weeks later, a man murdered his wife and girlfriend

and he was given bail. Security and safety of survivors is a big problem. BGBVC have bars on their windows and there are people where they need to say to their security guard, ‘Here's a picture. When this person comes, it's not safe.’

The FFM team asked what the responsibility of the police is and what is the responsibility of the DPP is in preparing cases for court. CEO explained that they both have a role, but the role of the police is to arrest and then do investigations and then they have to hand over to the DPP for the DPP to say with these investigations, ‘What evidence do we have and what can we take before the court?’ and so to cut off the investigation [if there is no evidence].

CEO added that as regards safety, there is an issue they are trying to address: it’s confrontation, which is traumatic to survivors. What they do – and **CEO** asked the police and they said this is part of their investigation – is that if [the victim has] reported the perpetrator and they are talking to him, they will call [her] even if he is there. [The victim has to] confront them – ‘Yes, you did it.’ There's ‘No, I didn't,’ ‘Yes [you did]’, that kind of thing, which is very traumatic. They're trying to improve it for the children to not have it face to face, maybe to do it but while the child is in a different room. But for adult survivors and victims, there’s still confrontation in front of the police. It's complicated because the police say if they don’t do that, they won’t have heard the other side of the story in the presence of the other person. But the other person who is being asked to come and confront [the alleged perpetrator] is obviously already traumatised. How are they going find courage in the presence of [the perpetrator]? It’s an issue mostly of processes, and we can only say what we see.

The FFM team noted that when the police created the GBV unit, the idea was to introduce changes to process – standard operating procedures and training programmes for the police - to be more gender-sensitive. Is that not something BGBVC has observed? CEO noted that the police have the gender units for children, and then in the police stations, they have what they call gender desk officers or gender-focal persons. If that gender-focal person is not there, that means any other police [officer will deal with the matter]. In the Domestic Violence Act there are provisions [to the effect that] when someone comes into report [a GBV case], they cannot be assisted in the community service centre [of the police station]. But a lot of people just come in and [report in front of everyone], and no effort is made.

CEO added that there's a lot that compromises the safety and the security of people who are experiencing GBV, coupled with the attitude of the community. When [GBV] cases are being discussed on social media, the moment a man says, ‘I killed her because I bought her a car,’ even if it's a lie, society starts supporting him [in comments on the post]. So how safe am I if I have experienced GBV and then I'm out there in the community and somebody says that they hit me or they attempted to murder me because I did something and everybody supports that? How safe am I if I have to be in the streets of Gaborone? That person has already presented [their version of events] and I probably don’t have the opportunity to present mine. Their story has already flown, so even if I give my side of the story, everybody has already believed theirs.

SOCIAL CARE OFFICER added that there’s a lot of support for perpetrators on social media. No one is going to speak for the victim.

CEO noted that ‘What’s the price tag of a relationship?’ is the question that no one’s going to answer.

The FFM team noted that the new government says it has a human rights

focus, and the president is a former human rights lawyer. The FFM team noted that they had been told the previous day that the president was involved in litigation repealing the LGBT+ law. Are there signs the government is taking GBV violence (more) seriously and is looking to make improvements on GBV and justice generally? CEO thought that we are still to see but that the young Minister of Youth and Gender is making efforts with her team. **The FFM team asked whether that is Ms [Lesego] Chombo. CEO** confirmed yes, Miss Chombo, who is also a lawyer. What we need to see is the commitment at the higher level. We've had the speeches. Now we want to see the action and we are looking forward to the action. **CEO** thought that was all they could say.

LGBT+ people

The FFM team explained that they would like to ask about lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people). Would BGBVC be able to comment on this group? Was it within their knowledge? BUSINESS DEVELOPMENT MANAGER observed that they were not really informed, but that there are cases where LGBT+ survivors come [to BGBVC] and they provide services. **B** noted that he did not remember [any LGBT+ person coming to BGBVC]. **CEO** recalled a time when LGBT+ people needed clinical services because where they used to go was closed and they were affected by that situation. **CEO** noted that since last year, BGBVC's clinic, their team had been going for drop-in -centres of some of the LGBTQI+ organisations to provide clinical services.

The FFM team asked whether, therefore, a member of the LGBT+ community who wants to access BGBVC's services can do so. A confirmed that they can, and BGBVC can provide those services. **SOCIAL CARE OFFICER** noted that they wouldn't know with some people whether they were LGBT+ or not. He thought they had probably assisted them a lot without knowing they are [LGBT+]. Nothing is specified on their national ID (SOGIE characteristics). **A** observed that they don't disclose that.

BUSINESS DEVELOPMENT MANAGER noted that they have partnerships with organisations that specifically help [LGBT+ people] and are invited to go into their space, but their approach when they go there is just to provide services. [BGBVC] don't get involved in advocacy.

The FFM team asked whether they had a general sense that things are changing for LGBT+ people. They noted that 4 or 5 years ago, the law banning same-sex sexual activity was struck down by the courts, although it's still on the statute books. Had there been any changes socially since then? BUSINESS DEVELOPMENT MANAGER thought socially, there's still a lot of pushback. There's a lot that needs to be done around education, because even if the laws are changed, the community needs education to understand. That's where they need advocacy and education by organisations, to understand the dynamics around sexuality. [LGBT+ people] are far from being recognised as a community and really having their needs met. For example, some have had issues with changing [the gender marker on their] ID [cards]. Even if the law is maybe trying to progress, they are still challenges in terms of implementation. **SOCIAL CARE OFFICER** agreed that the LGBT+ community [encounter] pushback, but noted that there haven't really been a lot of violent cases or such in comparison to other countries.

The FFM team asked whether, generally, then they don't hear of beatings or killings. B confirmed that they don't. There's pushback on same sex [relationships],

but people are not violent towards them. The other challenge now is that organisations supporting them have always been funded by USAID [United States Agency for International Development]. When [US President Donald] Trump came in, he stopped that, so that means a lot of things. A lot of [LGBT+ people] now don't get services they used to get. In the future, there might be funding again. That might change. But it's not where we are right now.

BUSINESS DEVELOPMENT MANAGER thought that's where the danger is. They're saying government facilities should be in a position to provide the same services as the NGOs that used to receive funding. Those NGOs cannot provide services without resources. Those communities [such as LGBT+ people] actually feel like they're left out. So in terms of [LGBT+ people] getting health services, especially those related to HIV and other things, they might have to opt to move out of the country, to go to a base where they feel like their rights are respected and they will be able to access all the things they need.

Ritual killings and other traditional practices

The FFM team asked whether ritual killing is something you hear about in BWA, or any other harmful traditional practices. B confirmed that you hear about it, there is that practice, but he noted that he couldn't say how many cases there are. **The FFM team asked whether they tend to be in rural areas, not in Gaborone or other urban centres. B** confirmed that it's not urban [centres]. **SOCIAL CARE OFFICER** thought it might not be that important. They're actually [just] suspicions, so a person will disappear or not be found, and suspicion is generally directed towards someone, but it's never substantiated.

The FFM team asked whether they come across female genital mutilation (FGM). CEO noted that it's not a tradition that's documented. It's not a traditional practice in BWA. Maybe up north, maybe some communities, but even if it was there, she thought it had been lost, or that maybe we don't know. **The FFM team noted that a source had mentioned the Kalanga [tribe] as (maybe) practising FGM near the border with Zimbabwe. CEO** noted yes, maybe.

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Annex I - Interview with Ministry of Youth and Gender Affairs

Date	11 July 2025
Location	Ministry of Youth and Gender Affairs (MYGA), Gaborone
Attendees	6 MYGA senior officials; 3 officials from HO

Women and gender-based violence

Officials explained that they would provide the FFM team with a general overview of gender-based violence (GBV):

First of all, we've got data in terms of studies on GBV in Botswana (BWA), the type that is prevalent and even the gravity that obtains in the country. The 2012 study [The gender based violence indicators study – Botswana] that we did indicated that 67% of women have suffered some form of violence [at least] once in their lifetime, and then 44% of the men admitted to having perpetrated gender based violence at some point in their [life]time. That was just the initial/preliminary study to determine if there is indeed gender-based violence in the country.

The second study that we did, which is the [2018] national relationship study, [looked] at both men and women as perpetrators and survivors of GBV. That study indicated that 37% of women have suffered some form of violence in their lifetime, and 21% of men also indicated that they have suffered some form of violence. The study further revealed that the most prevalent form of [gender-based] violence is between intimate partners. The type of violence that women suffer varies from economic to sexual to physical. The [type] that prevails amongst men is emotional abuse, and it's mostly from unpalatable language that's used on men.

We didn't just end there. We also went into finding perceptions, perceptions in terms of how women and men should relate [at a] household level. There were varying positions. For example, there were questions around who should make final decisions on utilisation [of] or expending household income. There were some females who'd say it should be the men. There were men who were saying it should be joint or it should be the female.

After the 2012 study, we then decided [to come up with] a strategy to address GBV. Those documents we can readily share. We then adopted a GBV strategy, which was a 5-year strategy. That strategy was looking at prevention, protection, and care and support, trying to holistically address GBV. Also after the 2012 study, we wanted to address perceptions, which are mostly culturally based. In 2012, we started engaging our traditional leaders, the dikgosi, because we believe they are fundamental to addressing issues of GBV, particularly as they also play a mediation role. So 2012, we engaged them; 2015, they developed their action plan in terms of how they are going to deal with gender-based violence. That's the one part.

The second layer of that is that we developed a training manual for the same leaders because they are very close to the people, and also some tools that they can use to track gender-based violence cases within their communities. There has also been engagement with civil society organisations, who are critical [in addressing] gender-based violence, in [recognition] of the fact that they reside in communities.

The third layer again was also to train the faith-based sector. Every religion has its own sacred text and we had also realised that sometimes they are gender-biased. So we trained the faith leaders, and I would say all religions in Botswana have been reached. That exercise continues, of course, with the civil society organisations [CSOs]. Beyond that, we also acknowledge the CSOs who are capacitated regularly on GBV, and we also track the emerging complications around gender-based violence and we have dialogues around those and how we can actually adjust our programmes to address those specific cases.

I should also mention that from the study, GBV manifestations differ per locality. What would obtain in the North would not obtain in the South because of the diversity of the groups. So our programming is community-specific because it targets a particular community based on the issues that prevail in their communities.

Beyond that came the issue of speeding up the hearing of GBV cases in terms of prosecution. [During] Covid, specialised courts that dealt with GBV were established to speed up the GBV cases, and also to get them moving there has been some training for magistrates to actually equip them with the skills to be able to address gender-based violence cases. Let me also quickly point out that [in] 2019, the government also undertook a Violence Against Children Survey (VACS) that specifically focused on violence against children. Under the Botswana Police Service, there’s a Gender and Child Protection Branch it was set up in April 2021 after the two Studies to facilitate friendly GBV service in the Police facilities. which

has developed facilities that are child-friendly where children can report their cases and where they can actually sit during a court hearing – that is, they can sit in the comfort of a facility that is tailor-made for children.

Beyond that, the government has also established oversight institutions. We have the National Children's Council, which provides oversight over children's matters. Then we have the National Gender Commission, which looks broadly at gender issues in the country, including GBV. Above that, we also have a high-level structure, the Inter-Ministerial Committee on GBV, which is now, I would loosely say, a sub-cabinet committee because it comprises of 8 ministers, and that body is chaired by the minister responsible for youth and gender affairs. Then we have civil society. That provides shelters where there's a need to house victims. And broadly, that is our response to gender-based violence.

Officials added that there are also District Gender Committees, which are responsible for coordinating the gender response at district level. There has been keen interest [in this]: [some] districts have cascaded it to village gender committees. Also, with the Children's Council, there are District Child Protection Committees. These work hand in hand, but they also report to the district's Development Committee, which is the highest coordinating structure at district level.

Officials noted the 2018 National Relationship Study indicated that 37% women and 21% men had suffered some form of violence and that 0ver 90% of children who grew up in a violent environment are more likely to be victims or perpetrators of GBV.

Officials observed that, to expand on that, there has been engagement with the wives of chiefs, the Bahumagadi, who are also leaders, so that they also participate in the GBV response. The Former First Lady also had a programme around addressing GBV where she has engaged with different community leaders. The targeting of the programme considered the results of the surveys mentioned [above] plus statistics from the police, so that the interventions were specific to communities that presented a high prevalence of rape.

Officials noted that this was the background to how GBV is being dealt with. With the number of cases rising, the ministry, and the government, are intentional on stepping up prevention as well as a response to GBV. They are currently working on [introducing] one-stop service centres, which will have all of the service providers in one place. [This means that] any victim or survivor can just make one report and then everybody will do what needs to be done to ensure convenience and really make sure that they are protected.

Officials added that users of the Domestic Violence Act [2008] have pointed to a number of gaps in the act. We are currently [working on] a GBV to keep closing the gaps to ensure that people are safe and that perpetrators are adequately dealt with. The other gap we have identified is that when restraining orders are issued, enforcement can be problematic because [the woman] who has applied for the restraining order is the one who has to sound the alarm when the perpetrator is within her radius. If he [, the perpetrator, approaches] unnoticed, that is dangerous. So we see the need to start using technology and modernising our services for effectiveness.

Officials continued that, generally, government doesn't tolerate [ineffectiveness]. In the past 2 or 3 years, a number of laws were passed aimed at protecting [people from GBV] and dealing with perpetrators. The Bail Act was amended to ensure that if a perpetrator applies for bail, the survivor should have a say before the decision is

taken as to whether or not bail is granted. **The FFM team asked whether the Bail Act was enacted last year [2024], A** confirmed that it was. She noted that as well as amendments to the Penal Code, there is the Sexual Offences Registry Act [2021]. The government has really been proactive in trying to address this problem and we continue to find ways of dealing effectively with it.

Officials explained that they work together with civil society, and that right now civil society is advocating for GBV to be declared a national crisis so that it is dealt with as an emergency. Consultations are still ongoing. BWA once had a disaster in relation to HIV/AIDS. That's the kind of approach that is being advocated for. So we can say GBV is a concern in this country, but measures are in place to tackle it.

The FFM team noted that A mentioned amendments to the Penal Code. D explained that the Penal Code has been revised. The age of consent [was raised from 16 to 18]. At the Police Stations, GBV cases are heard by trained personnel at secluded offices designated for such to ensure protection and privacy of the victim. During Court sessions, rape cases are heard in camera. A lot of [legislative] changes have been made [in relation to] GBV. **D** thought that although changes such as [the enactment of] the Sexual Offenders Registry Act and even the Abolition of Marital Power Act [2004] [which granted equal legal capacity to both spouses] had contributed [to improvements], it was [if] the more laws were put in place, the more GBV cases had been increasing. Also, as GBV increases, the financial situation is going down. This is what we're facing.

Officials added that whereas [the offence of] rape initially focused on women as victims, [the law had been changed to recognise that] men, too, could be victims of rape.

Another aspect [of the legislative changes] was the one **Officials** was talking about in terms of [the] age [of consent] now being aligned to other instruments such as the Children's Act [2009]. We [now] say a child is anybody up to the age of 18 years [old], which harmonises those [laws]. To sum up, this continuous review of laws also tries to harmonise them and also looks at international instruments that we are party to and those that we continue to become party to. **The FFM team asked whether harmonising meant making gender equal or consistent across men and women. Officials** explained that harmonisation means, for example, if one act contravenes what you want to put forth as a measure to address a certain issue, then you have to make sure that they are aligned such that they are not in conflict.

The FFM team noted that A mentioned a GBV bill. Had that actually got as far as Parliament or was it just an idea? Officials explained that they had sent a memo to seek Cabinet authorisation to start drafting the law, so that there can be just one law that people can refer to when they deal with [GBV] cases. When they use the Domestic Violence Act, they're all over the place.

The FFM team asked whether the sex offenders list was still a bill rather than an act. Officials explained that there is an act [Sexual Offenders Registry Act, 2021] which is yet to be operationalised, but it has been assented into law. **A** thought the debate had been that the police are the ones to implement it, and the police say they would rely on judgments from the courts [in order to flag a sex offender's conviction for a particular offence]. **Officials** thought they were still trying to work out an end-to-end system that could facilitate that. **The FFM team asked whether that meant [a system to] link up all the data in the cases. A** confirmed that it did. **The FFM team asked to confirm that this is now the law, A** confirmed this.

The FFM team noted that A had mentioned a series of strategies and

programmes going back to 2011 and 2012 onwards. Had these been recently updated? With the new government, had there been new strategies and new programmes? Had the 5-year strategy been rolled over, and was there any update to that? Officials explained that they were currently reviewing the gender policy and that they had recently appointed a consultant. There is the gender strategy and the World Bank is helping with that. We are very alert to ensure that we keep up with the unfolding situation. Another thing we are looking into is coming up with a gender equality bill because some of these things are really emanating from stereotypes. So there's a need to intensify education and change norms that may be harmful so that increasingly everybody, starting from a young age – formation – should just understand that women have all equal opportunities in life. That way, we feel respect and recognition that no one is entitled to end anyone's life or harm anyone. **The FFM team asked whether that was essence the bill under consultation. A** noted yes, adding that there's been a lot of consultation in this country. There's mounting pressure to say even the constitution needs to be reviewed to entrench gender equality as a fundamental human right. It's a growing thing, it will not happen overnight, but we hope to change the mindset, change the norms and stereotypes, working together with [traditional and religious leaders], with everybody, so that we can all be in sync. **Officials** noted that she understood GBV is not peculiar to Botswana; even in Europe they are experiencing a rise in cases.

The FFM team noted that Botswana had recently made submissions and had discussions with the UN Committee on the Elimination of All Forms of Discrimination Against Women. Were there recommendations and suggestions they were accepting and taking forward? Officials noted that Following Botswana's appearance before the Committee, the Government has been issued with a list of recommendations by the Committee. Expectation is that these should be implemented to improve the status of women. Since these were recently received, we are yet to internalise them and plan for their implementation.

The FFM team noted that on data, the Ministry had referred to the 2012 Gender Links study and the 2018 relationship study. Had there been any updated research, or was any updated research on GBV planned? Officials noted that they hadn't done any new study, but that there were systems [for checking] occurrence. We have data coming from civil society organisations. We have data coming from shelters and then we also have crime statistics from Statistics Botswana. So in the interim, those are our reference. **The FFM team asked what data civil society was providing, Officials** explained that it was the cases they had dealt with. For example, people don't always report to the authorities, but they report to different organisations. The Ministry receives a few walk- in GBV clients who are often referred to Service Providers based on their needs. These include District Commissioners, Counsellors, the Police, Legal AID and Shelters. So you will have, for example, the Ministry of Local Government and Traditional Affairs because that's where social workers are and those mostly deal with children's matters, plus other civil society organisations that deal with children's matters, so they will have statistics of the cases they handle. It could be per week, it could be per month, per quarter. The Shelters also receive walk-in clients who report their cases. The Social Workers at the Shelters assess them to determine whether they can be referred to appropriate service providers or whether they need to be housed for their protection. The Shelters can also assist clients to apply for a Restraining Order where their life is at risk. And then we also have the CSOs. Those are the people that would share data in terms of the cases they have dealt with and [documented].

The FFM team asked how many CSOs were working in the gender field. Officials thought several and that they're doing different work, focusing on different areas. Most CSOs will be providing counselling. They will also be raising awareness [about] GBV. Then there are those that are actually providing shelter, and there are 2 of those, one in Maun called Women Against Rape, and Botswana Gender-Based Violence Prevention and Support Centre [BGBVC], which has shelters in Francistown and Gaborone. [BGBVC] also has other offices like Ghanzi where they are just providing services like other NGOs, raising awareness on GBV and [providing] counselling. There also faith-based organisations that are also providing the same, raising awareness and counselling, and may refer cases to the police.There are a lot of referrals, and people even go to the health sector, the Ministry of Health, those that need counselling, but those also who need care, medical care if they have sustained injuries. There's a lot of referrals between social workers, the police and the civil society organisations. You find that most of the work that is done is on raising awareness and then counselling, but there is really a need for more shelters. That's why [**A**] was talking about a one-stop centre, because we've found that this is a critical need to make sure that people who need shelters can be provided within their own district, not far. Right now, we have 3 [shelters] and it's really limited.

Officials noted that they had had entities such as USAID [United States Agency for International Development] supporting civil society, but now that kind of financial support was drying up. If any [support] was available in the UK, they would be very grateful, civil society is doing sterling work.

Officials explained that, also, when it comes to financing for CSOs for gender equality, many times when [international] development partners send out calls for proposals, a country like BWA is excluded because it's a middle income country. Now, with the high cases of GBV and the financial situation the country is experiencing, we are saying, 'Look at Botswana differently.' **Officials** added that Botswana Police Service is aware of GBV that affects persons with disabilities and they have trained officers that deal with such cases. However, we note that there are still gaps in terms of specifics looking at the particular disability of an individual, but it's an issue that they are very much alive to.

The FFM team noted that the Ministry officials had mentioned programmes at the district and village level. Were all of these programmes educational? D explained that mostly there are CSOs in different districts, but we also have gender offices and the Ministry of Local Government and Traditional Affairs, where we have social workers, and also the Ministry of Health. They also raise awareness on GBV. So really we have stakeholders in collaboration with the faith-based organisations, with the traditional leaders, the dikgosi, that have been trained on GBV. They're also doing something because they have an extra plan that they're implementing. At the village level, you'll find it's more about awareness raising.

The FFM team summarised that there's a wide range of law and of programmes to support women and prevent violence against women and children, including various CSOs. The FFM team continued, what would happen in practice with protection? Can a woman get protection from the authorities when there are lots of reported cases? In the criminal justice process, would a woman who had experienced GBV get protection from the police and disposal of her case in the courts? Did the Ministry officials have any comments on that and on the efficacy or efficiency of that process, too? Officials noted that since Covid [2020 to 2022] there had been a directive from the Chief Justice to all

magistrates to prioritise GBV cases, so that is the attitude. In Botswana, all cases start at Magistrate level and are elevated to the High Court based on their gravity such as murder or where an individual appeals the decision of the Magistrate Court, hence the Directive was to the Magistrates, who are more spread in the country than the High Court. Maybe here and there, there could be slippages, but they know that such cases need to be prioritised. **The FFM team noted that one source they had spoken to had suggested that that was true during Covid, but that this focus on GBV case with specialised courts did not continue**. **Officials** observed that it is continuing. **The FFM team asked whether there are specialised courts or whether it's just a prioritisation amongst the judges. Officials** explained that special courts doesn't mean the facility, it doesn't mean a building where GBV cases are heard because there are mobile courts that move to where the cases are. They are specialised courts in terms of prioritising. But by travelling, they [ensure] that hearings are done where they are closer to the people. Furthermore, many times, GBV cases are heard after [usual work] hours or at weekends.

Officials added that there's always room for improvement and that she didn't want to say everything is perfect, but a lot is being done. **Officials** observed that, [on the subject of] protection, what they have noticed is that because GBV happens mostly between intimate partners, [a woman] could report [her partner] and be given a protection order [restraining order], but because of their intimacy and the dynamics of their relationship, they could still violate the protection order. For example, if I'm given a restraining order [against the male partner], then because of the manner in which we relate, I can choose to still have contact with him despite that order. In reported cases, we have noticed that [women who have reported a male partner] can choose to drop the charges and the prosecution cannot continue in their absence. It's just one of the gaps we have realised, and it's mostly women who choose to drop the cases for various reasons. Some women drop cases at the police [station] thereby preventing them to continue with prosecution. This has been a major concern and efforts to educate and support women to stand for their rights continue.

Officials explained that the police attitude is that they don't allow any dropping of cases [brought by women against male partners/perpetrators], but even though the police refuse to drop the case, when it goes forward to the magistrates' court, [the victim] can just choose [to drop the case]. I was the witness so I can just choose not to participate. **The FFM team asked whether, in saying it's the police attitude, Officials meant it's their process, their protocol, not to drop cases. Officials** confirmed this. She added that it's a complex situation [between the couple]. If the man is bringing the bread home and he [beats] me to a pulp, my kids still need to eat and I go kneeling [before him] and say, 'Give them bread.' That's part of that thing [relationship]. So they mistreat women.

The FFM team observed that the issue is therefore not only how to protect women but also how to support them. Officials thought it was a vicious circle and a complex issue because there's also societal pressure [in that] when you have reported your partner or husband, you have pressures from both [the woman's and man's] families. So sometimes we are dealing with that, but also economic pressures, as [**Officials**] say. Even if you have got a court order that says the man should be paying for the house and [you] can stay there, the man will stop paying rent and the landlord will chase you out because of the economic dependency of women, who are sometimes not working. **Officials** thought that it's sometimes easy to put the legal systems [in place] to address this, but when it comes to [the] social [situation], that's another issue.

The FFM team asked whether, if women are forced back into a situation where they are at risk, there is scope to provide the support they need in some fashion, such as shelters. If shelters are temporary, as the FFM team understood them to be, how could somebody who may be vulnerable be supported? Officials thought there were several aspects to it, [the first being] that shelters themselves have training in terms of trying to equip [women] with skills to undertake income-generating activities – culinary, sewing, knitting, etc. And then there's a social inquiry report which goes to the ministers responsible for social services, who say this person needs to at least to be enrolled [with social services] because of their inability to be employed at a point in time. So that is now at a bigger level. There are those measures. **The FFM team asked whether this meant an assessment undertaken by social workers in shelters as to the direction in which the issue should go. Officials** confirmed this.

Following discussions about LGBT+ people (see below), the FFM team asked further questions on GBV. The FFM team noted that every source they had spoken with had mentioned a particular case 2 weeks ago [June 2025], in which a woman was murdered at the University of Botswana by her ex-partner, who had a restraining order against him. The FFM wondered about the significance of this case. Is it simply because it was recent and sensational? Is it the circumstances and is there anything representative about it, anything beyond being horrible and tragic? Are people reading into it that there's a failing system generally? Officials noted that a colleague of hers made a comment that when you're intimate, things get complicated. One of the **Officials** recalled that the day that incident happened, she happened to have a meeting with the Deputy Commissioner of Police, and he said that there was a lot more to it, that it's not just something that happened that day. There would have been a lot of history. **The FFM team asked whether that history indicated a failure on the part of the police. Officials** thought not exactly the police. **The FFM team asked if it was somebody else**, **Officials** noted that the intimate relationship often influences the action to be taken by the victim and that this is why awareness building is very important. The woman should know that you have to take care of yourself. I shouldn't allow him to keep coming [back] when I want him.

The FFM team noted that there was also mention of a restraining order in the University of Botswana case and that, according to a newspaper article (Weekend Post, June 2025) the FFM team had read, the magistrate in that case was critical of the police. Officials observed that the magistrate was not happy, and what was especially mentioned was that she was not aware that previously the individual had a restraining order against him when he was asking for bail, because that could have been one of the determining factors. That showed a lapse.

Officials added that the reason why the Bail Act was adopted last year [2024] was because there was an outcry from the public that people who are released on bail tend to re-offend, particularly for GBV where they have threatened to kill. Then they are arraigned, and they will eventually be released on bail and go on to commit the offence. [The University of Botswana case] was a test case where the Bail Act was applied to the individual.

Officials noted that what we also see in that case is that [the murder was committed] in a workplace and some people witnessed it first hand. That now says there's a need for protection while in the workplace and even to capacitate individuals on how to deal with that. We have very small efforts in terms of self-defence skills. It's still at the initial stage, but those are things that we can actually build onto. There was also

the religious aspect of the same case, which says you can have somebody being ordained, maybe to the highest office within a religious organisation, but they are still amenable to [committing this kind of crime]. **The FFM team asked whether it was correct that the perpetrator in the University of Botswana case was a priest/pastor. Officials** confirmed this. It now goes to the University of Botswana to say they need to introspect as well. Also, the write-ups [of the case indicate] that there are still some societal pressures and traditional expectations in terms of economic relationships between [couples]. There's a lot that we are learning from that incident.

The FFM team asked whether this kind of case is very common. Officials noted that when you come to BWA, you'll find that at any one point in time, there's a particular case that society is obsessed with, and it's still fresh in their mind. **Officials** had realized this over time. There was a case where a woman was actually killed at the BGBVC shelter Office in Gaborone in 2023, so if you were to come at that point in time, the case that [everyone] would have told you about was that case. There was another incident that happened in Kopong, but **Officials** thought this and [the Gaborone case mentioned above] were too close [for the Kopong case to generate much attention]. There was the Ramotswa case where somebody was killed and then there's this one [the University of Botswana case]. **Officials** thought that if you come and interview people, there's something that is still fresh in their minds and it's really disturbing. **D** thought that [each time], within a few months, another case will come and [become] the one people will talk about.

Officials noted that people were saying about [the University of Botswana case] that the lady was 10 years younger than the man. She was an executive assistant and they said he was a security guard. People had said they were not operating at the same level.

The FFM team summarised regarding the Bail Act that the act was introduced, it tightens the criteria on which you release somebody but there's no case law to determine how it's going to be applied. Is that right? Is there a test case? Officials confirmed this and noted that. The Bail Act was adopted as a response to issues of concern from citizens. It was enacted last year. Ordinarily, we would want to see implementation like [**Officials**] highlighted earlier on about the Sexual Offenders Registry, but we still want to have it implemented. So, we would be following and as we say, there was one test case where the individual [applied] for bail and they were denied bail on the basis of the provisions within the Bail Act. So that person remains in custody, probably because they are seen as a danger to the individual. When you adopt a law, you need to have a case to test [the] effectiveness of the law. It has been tested and proven to work. But not every lawyer is happy with that because they say the principle is that a person is deemed innocent until proven guilty. We are however hopeful that we will witness more cases where the Act is applied in favour of victims/survivors.

LGBT+ people

Officials provided an overview of the position of lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people). I think we became alive to the [LGBT+] community around 2011, 2012 during the HIV/AIDS era. There was a study that was done in terms of men having sex with men [MSM]. That was the basis of engaging in this dialogue and I think that's when we generally became alive to the issue; that was the initial phase. From that time, the advocacy has been that they should be given

services [without discrimination]. A lot of work had to be done especially with the health workers to [educate them] such that their responsibilities are to treat and nothing else, and not consider other issues beyond just treatment. And then as time progressed, other populations also enrolled into the [programmes for] MSM. (MSM refers only to male having sex with males. However, services are provided to the LGBTQI+ without discrimination, under the universal treatment programme. Botswana provides universal treatment through the public healthcare system, which aims to give all citizens access to necessary healthcare services without financial hardship. This includes Anti-Retroviral Therapy (ART).) The programmes are designed for key populations such as male having sex with males (MSM) and these include treatment. Health practitioners in this case are expected to treat the patient as they present and not discriminate them or ask them questions not related to the case they are presenting.

So we had lesbians and [trans people] and other populations enrolling. As it is now, we have an institution [CSO] called BONELA, which advocates for human rights, and currently there are advocacies around non-discrimination of the [LGBT+] community and their inclusion in programming. Beyond that, there was an issue in terms of [the] registration [of LGBT+ organisations] some time back – I think 4 years [ago] or so – but that government acceded [to the case to allow LGBT+ organisations to be registered CSOs]. [LEGABIBO] They are an organisation that is currently registered.

We also note that there's some level of abuse that happens within that community. It's within, which is 'intra', and then it's also a bit outside, in terms of where they believe they are sometimes discriminated [against], so we are [aware of those issues]. But we cannot say it's something that is as extensive as the general GBV that happens in the wider community, because even with the police statistics we don't have so much reported cases of discrimination and violence against LGBT+ people]. We are cognisant of the fact that they might not be comfortable to report, but the police are fully aware of that community. That's how far I can go in terms of the [LGBT+] community.

Officials added that the constitution of Botswana prohibits any form of discrimination based on sex so the [LGBT+] community have access to services. Just like him, just like me, there is no law discriminating against them. **Officials** thought that a few years ago, there was a case lost in which the [LGBT+] community challenged a section of the Penal Code which they found offensive [the sections 164, 165 and 167 which criminalised same-sex sex]. The matter went as far as the Court of Appeal and the judgment handed down aligned with the Constitution to say that the section of the Penal Code was unconstitutional and it was struck off. So [although] people keep saying that we still have this [sections of the Penal Code], no, the judgment dealt with that. So, if they receive any mistreatment, like a man can mistreat a woman, they can go press charges.

The FFM team summarised: the government position is neutral with regard to LGBT+ people - they're just people; they're entitled to services. The FFM team noted that they had heard that maybe where there is discrimination, it may be on an individual basis. For example, if an LGBT+ person seeks healthcare, sometimes a healthcare worker brings their own views and values to that interaction. The healthcare service, as an organisation, is not saying you should not provide medical care to LGBT+ people. If they face a problem from other Batswana, [LGBT+ people] can go to the police. Officials confirmed this. **The FFM asked whether the MYGA were aware, as a government, of reporting of this happening. Officials** observed that it's just like a young person who

complains that when they go to the clinic, [a healthcare worker there] is elderly and they start asking the young person why they need sex at this early age, and [the young person] is aggrieved. But it's not like they're being discriminated against; it's just that that person has a horrible attitude. The data from the police is not disaggregated by sexual orientation but by male and female only. There might be need to consider other variable such as the LGBTQI+ community and others.

The Constitution of Botswana prohibits discrimination including on the basis of sex. The LGBTQI+ community is therefore at liberty to report their grievance to the police. This is derived from the fact that they pursued their recognition and registration of their Organisation through the High Court which ruled in their favour.

The FFM team asked whether the ministry officials knew the [size] of the LGBT+ population in the country. Noting that it was a very interesting question, **Officials** observed that [only] if everybody was out of the closet could they reliably [provide figures]. **The FFM team asked whether there are openly gay people [in BWA]. MYGA Officials** confirmed that there are. She added that they express themselves and demand rights. They are free to advocate for their rights if they think they are not represented in any way. **Officials** noted that they were aware that in some countries there will be mob attacks on [LGBT+ people]. We don't have that. We mingle with [LGBT+ people], we mix with them. **Officials** observed that we have [LGBT+] relatives. **Officials** explained that they have also started dialogues because [some people feel uneasy about LGBT+ people]. [These dialogues take place] even in rural communities to talk about [LGBT+ people] and that we need to embrace them because it could be somebody's child. Of course, it's something that we are not used to, so we [prepare people] by saying that it could even be [someone] in your household. So when you look at another person, think about what if it was your own child or your own nephew or niece. We have those conversations.

The FFM team asked whether having those discussions is part of the gender and youth programming. Officials confirmed this. **The FFM team asked whether, as a ministry, they have any other policies or programmes in place to raise awareness of LGBT+ people. C** noted that they do because there are different aspects of gender. One of them, for example, will be programming for men. We also programme for emerging issues, which [LGBT+] is a part of, so we have that public engagement. **The FFM team asked whether this meant there was no separate programme for LGBT+, and that LGBT+ was part of other programmes for wider society. Officials** confirmed this. **Officials** added that she thought it was one of the areas where civil society really needs financial assistance because the Americans had been big in supporting that [but now USAID funding has been withdrawn]. **Officials** observed that [LGBT+ people] have also benefitted [from international or BW government funding], like LEGABIBO, which is the registered [LGBT+ NGO] and has been supported by the National AIDS & Health Promotion Agency (NAHPA) which provides helps through the HIV programmes. There are some programmes targeting LGBTQI+ community, some of which are implemented by Government (NAHPA)and others by the CSOs. Most of the financial support to CSOs was from Donors/Partners such as USAID.

Officials noted the other part we need to highlight is that when we do our national consultations on any matter, whether it's policy, whether it's programming, they always touch other constituents that we reach out to. **Officials** noted that the FFM team talked earlier about CEDAW, [LGBT+ organisations] were part of the initial drafting of the country reports. They were also able to submit a shadow report, so they are free to express themselves.

Officials noted that there are still people who are grappling with the concept of 'I look at you, I see a male but you tell me you're a female inside of you.' This is not aligned to the culture or tradition, so we do have pockets of strongly held belief. The government is expected to be reviewing the situation. **Officials** thought such robust discussions would be intended to help everybody appreciate that we may not be the same, but it's just one society.

The FFM team asked whether the constitutional review is ongoing. Officials explained that it had yet to start. We are waiting with anticipation because the new administration emphasises that it is human rights based.

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Annex J - Interview with Love Botswana

Date	**14 July 2025**
Location	Love Botswana, Life Centre, Maun
Attendees	Community Outreach and Development Social Worker and member of the District Gender Committee of Ngamiland Communications, media and public relations officer Village Church Coordinator and member of the District Gender Committee of Ngamiland (joined interview 40 minutes after start) 3 HO officials

Women and gender-based violence (GBV)

The FFM team asked Love Botswana (LB) to briefly summarise their work. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER explained that LB is one of the largest faith-based organisations in Botswana. It houses many programmes. They have Metro World Child, which teaches life skills to primary school children, and Reach for Life which cater to the youth, accompanied with a Bible teaching topics for youth.

Based on an American partnership, they offer various other things for youth. **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** explained that Operation Blessing is a programme where they help the elderly, the disadvantaged, the vulnerable. They do assessments for them.

The FFM team asked whether that includes women. **The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that it does – the disabled, the vulnerable, the dejected and women from the villages with different needs. They provide them with clothing, food and weekly check-ins. They go to these people every Friday and do an assessment with a social worker, and there are follow-up weekly visits. As another effort to take them from being dependent to [self-sufficient], they help them make small-scale businesses or other ways of generating revenue for themselves.

The FFM team asked whether, if LB sees any problems, they also refer people to government agencies or the police. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER and **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** confirmed that they do. The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** added that this is to other services outside.

The FFM team asked whether they provide legal advice, COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker explained that most of the time, for legal advice, they do referrals [to other organisations].

The FFM team explained that their question revolves mostly around women. Can LB summarise their experiences – primarily in the work they do around Maun – of women's position in Botswana (BWA), and GBV? The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER first noted an additional programme called Babelegi Mmogo [formerly run by Love Botswana] from 2013. In BWA there is a community culture, so everything is done in the community. Like the saying 'It takes a village', normally the community helps people take care of each other, and that's the meaning of Babelegi Mmogo. It was a programme that helped vulnerable teens, girls and women, often where there were cases of rape, abuse, GBV as well. That was one of the ways Love Botswana responded to the GBV that was prevalent in their surroundings.

The FFM team asked when the programme ran from and to. The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** explained it had already stopped running when he joined Love Botswana more than 2 years ago, so it had been a few years.

The FFM team asked for confirmation that neither COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker nor the COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER had been involved in Babelegi Mmogo. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER confirmed that they had not.

The FFM asked what the position of women is in BWA and the frequency of GBV. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer noted that with GBV, the people most affected are women. The violence they currently face is mostly domestic violence, physical violence and sexual violence.

COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER added: emotional violence.

COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer agreed that there is emotional violence but thought that was most relevant on the male side. Mostly, women are affected by sexual and physical violence. **The FFM team asked whether the emotional violence which affects men is perpetrated by women. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** confirmed that it is. **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that most women are affected by sexual and physical violence, so that is many women. We think it's a pandemic at this point, something that's being talked about nationwide, and to the point where we have brought it forward to the Minister of Youth and Gender Affairs. It's been sparking a lot of conversation. It's women that are primarily affected or are victims of GBV, but there's a small section of men, too. For men, it's not as physical against them; it's more emotional abuse.

The FFM team asked whether the law generally, and government measures, are effective at stopping GBV. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought no, adding that laws are relaxed in a way, for GBV. **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** thought some of the rules are able to mostly protect women and children, but that the effectiveness of the law is poor. **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** commented that the law is very 'cool', very lacklustre. The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that even if the culprit

gets apprehended, they are released back to the community again and they repeat the same thing.

The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that there had been a problem recently – or in fact as an ongoing culture – where the victim would go and report the case, then the police would oversee a meeting between the victim and the perpetrator and say that it was a family matter. Instead of filing a report, they [the police] mostly try to resolve it, so it tends to die out before it becomes a case. The rare times when the victim insists that they want to take it further, the perpetrator does get apprehended and there's a trial, and then after a few months they get released on bail or get early release and they go out and perpetrate the same thing. In most cases, this leads to the death of victims. **The FFM team asked whether Love Botswana had numbers of cases or any sense of scale. Did they know how many cases of GBV against women get resolved locally and how many are dealt with by the police and result in arrests? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that they did not have those statistics. WAR [Women Against Rape] might have better statistics because they focus on that. LB has statistics for what they manage, the number of clients they deal with. **The FFM team asked whether Love Botswana could share those statistics. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** confirmed that they could and noted that in the last quarter, they had 13 women coming for counselling sessions. **The FFM team asked whether they had numbers over time, maybe for the last 2 or 3 years, to show if there had been any change. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** thought the problem with the numbers is that most of them [GBV victims] come and then they don't go to the police station, so it's hard for us to track them. But the previous quarter, we had 18, so it's dropped.

The FFM team asked whether these figures represented women in the country who had been abused. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that they deal with different [types of] cases and that there were 213 cases overall. **They** explained that 213 was the total number of cases for the quarter, not just GBV – for example, neglect.

The FFM team summarised that LB handled 213 cases generally [in the previous quarter] [of which] 13 are GBV only or where the GBV is clear. [Inaudible]. **The FFM team asked how LB came across these cases. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** explained that it is through self-referrals; [people] come to [LB's] offices. LB hasn't had agency referrals. Most of them are just members of the community or self-referrals. **The FFM team asked whether LB had ever referred individuals to the police. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that they had referred them to WAR, but then once they end up in WAR, most of the women go to the police.

The FFM team noted that COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker mentioned it is typically women who experience problems with GBV. The FFM team asked who the main perpetrators usually are. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted lovers, partners, husbands, also parents. **The FFM team asked if women face GBV from strangers also? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that they do have those cases, that they exist but they are rare. **The FFM team asked whether perpetrators were mostly community or family. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** thought

community, stranger, or sexually assaulted and abandoned at the side of the road or killed. There are such cases, but they're not referred to LB. It's not safe for women after 7pm. It's a very common thing to happen in BWA. **The FFM team asked whether anyone had collected any numbers on this. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought no, or maybe WAR. **The FFM team asked whether that would be numbers for the whole of Botswana. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that it would.

The FFM team noted that COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER described a process whereby a woman who faces problems may approach the police and they encourage mediation. Might that also happen via the process of the customary courts? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that they [the police have] tried to mediate because they've been very prepared in mediation. But with the recent outcomes they've seen with GBV, the danger that women are facing, they've come from mediation to questioning whether what they typically do in this situation is working, and they've tried to move more towards action. **The FFM team asked whether the COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER was talking about the police and the GBV desks. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that she was. She thought [the desks] started about 3 or 4 months ago.

The FFM team asked whether it was in Maun that they started then. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought no, in Botswana.

The FFM team explained that they had been told that the GBV unit was created in April 2021, so 4 years earlier. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER confirmed that it was created in 2021 but thought it was not operational then. **The FFM team explained that the police had mentioned 2021. Asked whether in practice, in Maun, it had only been in the last 3 months, COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed yes, it was only the last 3 months.

The FFM team asked whether they thought the change in approach was making a difference. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought it was making a difference but very slowly because the culture has already been instilled around GBV. [The change] is not immediate even once the laws are in place.

The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer noted that when most of these cases get to the courts, the victims withdraw the cases and there's no way you can stop them. **The FFM team asked why women withdraw the cases. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought it might be because of coercion at home or because of mediation, or they get scared about leaving people [or because the majority of perpetrators are breadwinners]. It's a number of factors. **Asked whether this was [based on] her impression, COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that it was.

The FFM team summarised that women face problems, mediation happens often, the police encourage mediation, but maybe their approach is changing with the GBV unit and the police saying, 'We'll move to take this forward.' The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER agreed.

The FFM team noted that when women do pursue a case, the perpetrator is arrested and goes to trial. Had LB heard of any cases going to trial? The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that there's a department in Botswana that has to reassess the cases for the police, to see if they can go forward to court for a trial.

The FFM team asked whether this is the Director of Public Prosecutions, the DPP. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker confirmed it is. **The FFM team asked whether this is done by the DPP, not by the police. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** explained that the police handle the case and gather the evidence and then they refer the case to the DPP. The DPP has to fact-check before referring it to court. Sometimes cases don't have enough evidence.

The FFM team asked what happens – are these cases sometimes not taken forward? The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** confirmed that they are sometimes not, noting that sometimes with a case, they [the victims?] don't care to wait, they don't care enough.

The FFM team asked whether it is just part of the investigatory / judicial process, that sometimes there isn't enough evidence. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker agreed [that this happens].

The FFM team asked whether they were suggesting that this represents a problem, that the system isn't working. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought they didn't have much more to say on that. It was just something they'd noted.

The FFM team asked whether, if the evidence is not strong, that says something about how the police conduct the investigation. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker thought yes, noting that they write up the investigation, [and sometimes the people involved in the investigation processes do not provide the police with enough information] but when it goes to the DPP, the cases carry little or no weight to proceed to the courts and end up taking a long time to be resolved.

The FFM team asked whether this was COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker's impression or whether he knew actual places where this has happened or that he had learned about when talking to people or reading newspapers. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker explained that it's something he hears from the DPP in the District Gender Committee. **The FFM team asked whether they mentioned the quality of the evidence and what they had told members in these committee meetings.**

The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that they talk about the processes and procedures and all of the challenges they're facing taking cases to trial. It's because they don't have enough evidence from the police.

The FFM team noted that LB mentioned in cases where people are arrested and detained, they are released again. The FFM team asked what their experience was of that. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that if the police haven't gathered enough evidence, the person can be released.

The FFM team noted that LB mentioned people then reoffend. Had they seen evidence or examples of that? The COMMUNICATIONS, MEDIA AND PUBLIC

RELATIONS OFFICER noted that there's a high number [of such cases] but that the FFM team would need to check that with Statistics Botswana. It's a high number, like a pandemic of re-perpetrating. **The FFM team explained that they asked a lot about data, but no one had been able to provide data even though they had mentioned this to a lot of people. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that in Botswana, it's hard to get data. It's not posted.

The FFM asked what Love Botswana's experience had been locally, noting that without data, it might be their perception, but was it their impression that there's a high perpetration [of GBV] rate in Maun and Ngamiland? The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought yes. Two women were killed in [Maun]. Last month, there were 2 women that were killed by GBV, one with a gun and one with a knife. There was one in Thito. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought she died. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought in Maun in the last 6 months, there had therefore been about 5 cases that she was aware of.

The FFM team asked how the COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER knew these cases were GBV. Do the police document that, or is it because it said in the newspaper that the partner or somebody killed a woman because she's a woman? The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER explained that it was because the police said it was a crime referred to as passion killing here in Botswana.

The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER recalled that a man had killed his ex-girlfriend's kids. The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** noted that he did not remember that, but that there was someone in the military. **The FFM team asked whether this was a case in the south of BWA in which a soldier had killed a family [which another source had mentioned]. The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** explained that it was not; it was in the Northwest district, in Maun. A male had killed his girlfriend. **The FFM team asked whether COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer knew if the perpetrators in these cases had been arrested. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** explained that the majority of them, once they commit the crime, also take their own lives.

The FFM team asked whether this meant the perpetrators kill themselves before they've been arrested. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed this, explaining that they kill their partner or their wife and then they kill themselves.

The FFM team noted that these sounded like bad cases but how representative are they of GBV generally. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that in most cases where women experience GBV beyond sexual harassment, the men tend to kill themselves. Only a few are arrested. **The FFM team asked whether that was country-wide or just in the Maun area. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought country-wide but suggested asking the police for statistics.

The FFM team asked what GBV means to the interviewees. What types are there? The FFM team noted that the interviewees had talked about a wide range: psychological, sexual, fiscal, and ranging in seriousness from name-

calling through to murder. Did they think all of this was taking place? Were there any other forms besides this going on? The FFM team noted that some sources they had spoken with had suggested that there are traditional ritual killings. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER agreed that there are ritual practices that go on in the country as well. There is another type of GBV: financial, where the husband withholds the main source of income they depend on. As for ritualistic killings, that would be more a matter of perception. There are not many of those.

The FFM team asked whether LB does not come across those. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that they do not. **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that, according to the news, it happened a lot before the new government. **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** added that this was around 2021. **The FFM team asked whether there had been any cases in this area that they had been aware of. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** and **the COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** noted there had not. **The FFM team noted that when they had asked this question in this and other interviews with sources, there seemed to be no well-founded specific example. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought it was more hearsay and that the FFM team would be getting more speculation and rumours than fact-based examples.

The FFM team noted that if you travel out of Maun, you see some very small villages and hamlets. They asked whether there is a variation in the experience of women in the smaller villages and settlements compared to Maun itself. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that there's the perception that it varies. A lot of cases are from the rural settlements. The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL officer** also thought cases were from rural areas. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that [women in rural areas] don't have access to where they could report, for instance, WAR. The first responders aren't close to them. There's also a community mindset, so if someone's abused by their uncle or their parents, they don't disclose it.

The FFM team asked whether there would be a government representative there. Are there police posts in these small settlements? The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER confirmed that there are police and social workers.

The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that while there are some areas where it's possible to find police posts, some areas are very remote with nothing. So the way organisations work is to go there to make them aware of GBV.

The FFM team asked whether it would be an accurate description to say that there is more information and services in Maun and maybe the bigger settlements, but as you get to smaller places, it's basically harder for women to access support. COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker and **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that this was accurate.

The FFM team asked what the age range is of the women or children most affected by gender-based violence. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS

OFFICER noted that she did not have any statistics on that so it would mostly be her perception.

The COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker noted that it is mostly youth that is affected. Sixty percent of the population is youth. **The FFM team asked what age youth is exactly.** The **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that youth is 18 to 35. **The FFM team asked whether this meant most people in BWA are young and therefore most people affected by GBV are young. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed this. **The FFM team asked if there were any other reasons. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that most cases are 'passion killings', adding that they couldn't really speak for the ones where it's a family member. **The FFM team asked whether it could be the parents. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed that it could.

[**VILLAGE CHURCH COORDINATOR** entered.]

The VILLAGE CHURCH COORDINATOR gave his name and explained that he is part of LB. He [lives] in Maun and works for the Village Church, doing village outreach, which he co-ordinates. He also helps with Love Botswana projects and is working with a project called [name missing] and overseeing the Village Church. **The FFM team asked what the Village Church is and what it does. The VILLAGE CHURCH COORDINATOR** explained that it's a mission and its mandate is to reach out with the gospel in the community. There was a church in Maun for 20 years but – **VILLAGE CHURCH COORDINATOR** thought in 2023 – that church closed. Now they have 7 branches in BWA and 3 in Namibia, so a total of 10.

The FFM team asked whether it's simply a church bringing Christianity to the people. VILLAGE CHURCH COORDINATOR confirmed this.

The FFM team explained that they are looking at GBV in BWA, what happens, what perceptions, what support there is for the women who've experienced it. They asked if that is something the VILLAGE CHURCH COORDINATOR could speak about. VILLAGE CHURCH COORDINATOR (VCC) thought yes, it's a subject he knows.

The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER explained that the [VCC] also serves on the [District] Gender Committee, and because of his outreach work, he comes into contact with GBV in the villages. He's also a pastor.

The VILLAGE CHURCH COORDINATOR noted that his background means he has been coming into contact with GBV for more than 20 years.

The FFM team explained that they had been asking about how common GBV is, whether women can get support and protection from the police and NGOs, whether that protection is effective, and the perpetrator is arrested and goes on to trial. These are issues the team wanted to understand better. Did the VILLAGE CHURCH COORDINATOR have any observations on that? The VCC noted that the [church] mission had been seeing this issue for more than 20 years. The government is trying with systems, but GBV is embedded within the culture, so it is normal. It's not an easy thing to deal with even when the systems are there. The VCC explained that his interpretation is that the government has tried a lot of interventions on gender whereby women are sent to the Police Department. There is a unit that deals with GBV, and then also within our district, there are the government officers that are dealing with GBV. Within the communities, there are also NGOs that

are dealing with GBV. The **VILLAGE CHURCH COORDINATOR** thought that [in Maun] there is only one house [shelter] where survivors can go for support. So, systems are there, but the response from the community is very slow. **The FFM team asked whether the house referred to was the WAR shelter. The VILLAGE CHURCH COORDINATOR** confirmed this.

The FFM team asked what NGOs there are that support women around GBV in Maun. VILLAGE CHURCH COORDINATOR noted that there are several organisations dealing with the issue of GBV, and their approach to GBV is one of prevention, which means you get messaging around GBV. There is an organisation called BOCAIP [Botswana Christian AIDS Intervention Programme, also known as Botswana Christian Health & AIDS Intervention Programme (BOCHAIP)] dealing with issues around GBV, giving out messages. We also have BONELA. The **VILLAGE CHURCH COORDINATOR** thought BONELA also deals with issues around GBV, and they're dealing with it from a legal perspective, sending out legal organisations, dealing with barriers in the areas where people have no access to services. There's also an organisation called Silence Kills, dealing with GBV for the lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people) community. They also come into contact with GBV cases. [LB] also provides support there. LB also helps as an organisation, Just Hope [Foundation] too. They're dealing with counselling for people experiencing issues around GBV. **The FFM team asked whether BOCAIP operates nationwide or just in the Maun area. VILLAGE CHURCH COORDINATOR** noted that BOCAIP is a national organisation, an NGO, and it has an office in Maun. BONELA also has an office here. Just Hope is a national organisation that has an office in Maun.

The FFM team noted that the government is trying to put systems in place including the district GBV committee. Did the VILLAGE CHURCH COORDINATOR get the impression that these systems are making a difference, that it's an issue but that things are improving in terms of support and protection? The VILLAGE CHURCH COORDINATOR thought things were improving in terms of legislation, but that the impact is not there. Even cases that are reported, that are legitimate, will stay [in the criminal justice system] for a very long time without being judged. There are a lot of loopholes within the system itself. If there are 10 cases of rape, only one case will have been tried in 3 months and the other cases will still be under investigation or information will still be missing. The system is there, but because this system is not utilised fully. The VILLAGE CHURCH COORDINATOR noted he did not know whether this is because of the people that are dealing with the system or the community that utilise the system – there are a lot of gaps within the system itself. Even when legitimate cases are admitted to the system, the system is just not dealing with them to bring out the result. The VILLAGE CHURCH COORDINATOR thought the system was not working fairly.

The FFM team asked the VILLAGE CHURCH COORDINATOR what he meant by 'fair' - fair in terms of getting justice, or just that it takes a long time? The VILLAGE CHURCH COORDINATOR noted 'fairly' because of the system itself. There are a lot of human justifications as to whether this case passes or is still staying here, so on the basis of that, it's not fair, like giving out an exam, because it is based on whether the people dealing with it pass these cases**. The FFM team asked whether it requires people in the system to take the case forward.** The VILLAGE CHURCH COORDINATOR confirmed that it does. **The FFM team asked whether that doesn't always happen, and whether it takes a long time**

sometimes. The VILLAGE CHURCH COORDINATOR confirmed both points. **The FFM team asked VILLAGE CHURCH COORDINATOR about the basis for the assessment he'd provided – was it based on him seeing cases go through the system or based on reading newspapers? Where did he get this information from?** The VILLAGE CHURCH COORDINATOR noted that he gets this information from referring cases to the system and that the system takes a long time. Also, he needs information because he sits on the District Gender Committee, where they see all the cases that are in the district. That is when they see all the cases within the district that are being brought forward within the system, but that only one case has been dealt with, so it's gone through.

The FFM team asked whether they see previous cases from all the departments [at the district gender committee]. The VILLAGE CHURCH COORDINATOR confirmed yes, from all different departments, government departments, NGOs. They are part of [the district gender] committee where all the cases within the district are there. They also have to provide intervention if they see that there are a lot of instances in a particular area. They can say they are part of the driver for the system in the district. **The FFM team checked that the district is Ngamiland.** VILLAGE CHURCH COORDINATOR confirmed this.

The FFM team asked how many cases they see at the committee. VILLAGE CHURCH COORDINATOR explained that the general committee deals with different cases. From memory, he thought there were 5 cases brought into the system in the last quarter, from January to March [2025], but only one was being tried [in court]. The other cases lacked information and were still being investigated [by the police]. **The FFM team asked if the individuals who committed the rapes had been arrested and detained.** The **VILLAGE CHURCH COORDINATOR** noted they had not. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** explained that they were out on bail. **The FFM team asked whether they had been arrested but then released. The VILLAGE CHURCH COORDINATOR** confirmed that they had and noted that they were released on bail because that was within the law. He thought this was if they had been detained for over 14 days, and then after that, when the investigation had been done, [inaudible].

The FFM team asked whether one person was still under arrest and was going to trial. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER confirmed this.

The FFM team noted that they had heard the bail system was allowing people to be released quite easily, but that sources also had told them there was a new Bail Act in 2024, which has made the bail system stronger. Did LB know anything about that? The VILLAGE CHURCH COORDINATOR noted that they had heard that, but that they hadn't seen it at the community level. They hadn't seen the strengthening of the system because the cases are there, the incidents are there. People don't get it at the community level and survivors might not understand why this person isn't being held in jail, but that is the law. The person can't be kept in jail because they haven't been found guilty. As service providers, they are still saying that even though the bail system has been strengthened, it is not actually serving the process.

The VILLAGE CHURCH COORDINATOR added that especially when you are a service provider, sometimes you get frustrated that we are making it very hard to bring out cases from the community with the evidence that the system requires – when this happens. There are so many pieces to it and you come all this way and all

these people have been bailed and after maybe 6 months, only one is still detained. **The FFM team asked, to give an idea of scale, how many people live in Ngamiland. The VCC** thought that at the last census [in 2022], there were about 80,000. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that Maun is quite small.

The FFM team asked whether, other than rape, there are serious GBV cases that get reported to the committee, for example, physical violence or sexual violence that isn't always rape, attacks, beating up. The **VILLAGE CHURCH COORDINATOR** explained that the beating or sexual violence cases come through the police, within the police system. The only such cases that come to the committee are if there's a sexual component where younger people are impregnated, so their first contact would be the hospital, but the hospital will treat them as a patient, not as a case. The committee says those are cases, but they are hard to follow up. The law doesn't allow the hospital to report them. Also, for example, with emotional abuse, not all cases are reported. Some of the individuals who have been wronged will say that they have forgiven the person, and they are no longer interested in pursuing the case, so cases might be dropped.

The FFM team asked whether 5 rape cases is a typical number. Is it like that every quarter or does it vary? The VILLAGE CHURCH COORDINATOR explained that it varies, but they never go down, they always increase. He noted that the numbers they are seeing every quarter made him doubt [the effectiveness of] their interventions – either they are not programming well, or they are mischannelling their efforts. **The FFM team asked if the population is growing. The VILLAGE CHURCH COORDINATOR** confirmed that it is – people want to come to Maun.

The FFM team asked whether the increase in case numbers might reflect the fact that there are more people. Are the numbers going up faster than the population is growing? VILLAGE CHURCH COORDINATOR thought it was not that the population is growing that much, but the numbers of cases the committee are receiving every quarter are growing. **The FFM team asked whether that could also be because of campaigning, so people have information about their rights or where to go to report. The VILLAGE CHURCH COORDINATOR** thought it might be because they realise now that this is GBV. [Previously,] they were expected to be quiet, but our message is for people to be free. He also thought that especially with the police, numbers had been missing within the police system. It had not been easy to access. **The FFM team asked whether he meant in the past.** The **VILLAGE CHURCH COORDINATOR** confirmed that he did. Now they were seeing a lot of cases coming through the system.

The FFM team asked whether there is now more reporting to the police. The VILLAGE CHURCH COORDINATOR confirmed that there is. **The FFM team asked whether this means the police have improved how they handle these cases. The VILLAGE CHURCH COORDINATOR** confirmed this and noted that the improvement had resulted from the creation of the GBV unit, so that the people dealing with these cases are trained and know how to improve them. They are not yet at a place where they are sufficient, but they are at a place where they can handle cases and make referrals. **The FFM team asked whether these referrals are to healthcare or social services, for example. The VILLAGE CHURCH COORDINATOR** confirmed that they are. **The FFM team asked whether the police are better now at handling and gathering information about those cases. The VILLAGE CHURCH COORDINATOR** confirmed this.

The FFM team asked whether, in Maun, the police have a room where, if a woman comes in and says she has been assaulted, they can speak to her in private. The VILLAGE CHURCH COORDINATOR noted that it is still a challenge in that regard because, he thought, the unit is outside the police station, some distance away. It's not always that you will find an appropriate person from the GBV unit in the main police station, only in their satellite office. When you go to the main police, what you will find are just general police and they may still investigate in front of everyone. **The FFM team asked whether it is not possible for a victim to ask to be taken to the unit. The VILLAGE CHURCH COORDINATOR** noted that it is not possible. [inaudible, source did not clarify]. The **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** explained that people come [to the main police station] without knowing about the [GBV] unit.

The FFM team asked whether the police do not make it clear what to do. The **VILLAGE CHURCH COORDINATOR** noted that when you go to the police, you find nice GBV billboards [outside the police station]. But the system itself within [the station], when you go there with a GBV case, is not quite a scandal but is nowhere near the way it should be even at a district level. The **VILLAGE CHURCH COORDINATOR** explained that he thought the police representative at the Gender Committee shared with them that the police wanted the committee itself to do something about that. **The FFM asked the VILLAGE CHURCH COORDINATOR to clarify whether the police had actually said that they want help. VILLAGE CHURCH COORDINATOR** confirmed that they had.

The FFM team noted that they had spoken to the police, and that the police said that if an officer from the GBV unit is not present, other police are trained in handling GBV cases sympathetically. They also said that when you go to the station to report GBV, they will take you to a separate area. Did the VILLAGE CHURCH COORDINATOR agree with that? The VILLAGE CHURCH COORDINATOR noted that there are some survivors of violence who will testify to that. But the majority of them would say that is not how it is. The improvement is not the standard way. But the police are doing their best with GBV cases. **The FFM team asked whether the police's attitude is that they're willing to help. VILLAGE CHURCH COORDINATOR** noted that it is.

The FFM team asked whether the courts have GBV specialism when they handle these cases. The VILLAGE CHURCH COORDINATOR noted that on the Gender Committee, the DPP is among the representatives. They [the DPP] have to be trained on GBV. They will only apply the law that has to be applied to cases of GBV. But even hospitals need a faster response. You'll find people who've experienced rape queuing with other people. What they're trying to do at the district level is to have a phone campaign whereby you can speak to a particular person wherever, whenever there are failing cases about gender so that you can be treated with sensitivity.

The FFM team asked whether a woman who experiences a problem in a remote village can move to Maun, Francistown or Gaborone to avoid the problem. Can she move and make a life there? The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER asked whether this would be to relocate after the case. **The FFM team clarified that it would be to escape and avoid harm. Would there be any barriers to moving and making a life? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought relocation would be fairly easy depending on income and whether she's able to move jobs. There's a high level of unemployment, but **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS**

OFFICER thought that in most cases, it would be very possible.

The FFM team asked whether a woman escaping from GBV would be able to get healthcare and a flat, somewhere to live. And would people not be bothered if a single woman moved? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that there's no stigma, and healthcare is free. They also have a temporary rescue centre for children aged 0 to 5. Where there's been neglect or sexual abuse, the children are removed from their home and are sent to the centre while the case is before the courts. Cases can take a long time, so they do extended court orders. **The FFM team asked whether the children would be in Ngamiland or taken outside the district. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** explained that they are taken to a secure rescue centre in Maun.

The FFM team asked whether, in general, people are accepting of single women households. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that women are. She added that it's a norm. **The FFM team noted that there are more women than men and asked about the reason for this. Was it because men migrate for work? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought that maybe the birth statistics are such that more females have been born than males, but she didn't think that in most cases men were migrating outside BWA. **The FFM team asked whether there were just more women. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought there were.

The FFM team noted that earlier in the interview there had been discussion of the effectiveness of the criminal justice system – reporting a crime to the police, it being resolved, going to the courts. Was the same true for all rights? Could the criminal justice system be better overall? And is it getting better or worse? Is it more difficult for GBV, say, than any other criminal action – burglary, for example? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that, based on her observation, less time and effort goes into GBV. Compared to common murder cases or theft, she thought GBV had less priority, although more of a spotlight had been shone on it now. **The FFM team asked whether COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought, therefore, that the situation could change. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** thought it could.

The FFM team asked whether VILLAGE CHURCH COORDINATOR and COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker shared this view. The VILLAGE CHURCH COORDINATOR noted that he did. He explained that with cases of GBV, the justice system is not responding as it should. In Maun, there is only the High Court, and it's not handling most of the cases. There is a massive crisis, and the justice system is just not that responsive. For some time, they [the government] have wanted to improve the justice system. There were mobile courts, but they weren't really the answer. **The FFM team asked the VILLAGE CHURCH COORDINATOR to confirm whether there are mobile courts. The VILLAGE CHURCH COORDINATOR** confirmed that there are but explained that he had never experienced one. He noted that mobile courts being implemented and showcasing the results that actually come from a mobile court, or from any initiative that they [the government] are trying, are not really coming out. The **VILLAGE CHURCH COORDINATOR** noted that as **COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** mentioned, if there is a case where there is a theft of an animal, you will hear about it, or if there is just the suspicion of a

stolen diamond, there will be a quick response. He recalled that some years back, there was an intervention where there were a lot of cases of livestock theft. When those kind of things happen, the justice system only transfers all its resources to that, but not to GBV, even though there is a GBV crisis.

The FFM team summarised that the police respond reasonably well and people get prosecuted, but GBV crimes are not treated with the same urgency. The VILLAGE CHURCH COORDINATOR agreed, adding that women are neglected and GBV crimes are not treated the same [as other crimes]. **The FFM team further summarised that this may be changing because of what Love Botswana had described earlier as a pandemic. Did they think this new, human rights focused government is going to change things or has started to change things? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that it did position itself as a human rights forward government, with the president as a lawyer who strongly believes in human rights. One of the things he did when he came into government, to the presidency, was to restore the rights of some indigenous people. So it positioned itself as a human rights nation, but with the high GBV numbers, they separated GBV from the Ministry of Sports and Culture and made the Ministry of Sports and Culture and the Ministry of [Youth and Gender Affairs], so then it could tackle gender affairs. But the minister that is in place right now hasn't put any policies in place yet to help with GBV. **The FFM team asked whether this was Miss [Lesego] Chombo. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** confirmed this. In the beginning, the government wanted to position itself as [focused on] human rights, but the way it's looking now, it's not mentioning which policy direction it will take. **COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL worker** noted that the Domestic Violence Act 2008 is outdated. A lot of policies in BWA are outdated, but we don't know if they're being reviewed.

The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought this was the problem and did not think the government had even talked about a review. **The FFM team noted that they had talked to a lot of people and the suggestion was that there are discussions about a GBV bill. The COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** noted that yes, 2 months ago they said that.

The FFM team noted that when they spoke to sources in Gaborone, they all talked about the case of the murder of a woman at the University of Botswana. Had LB heard about this case, and did they have any views on it? The VILLAGE CHURCH COORDINATOR noted that the case had shattered him. As an activist, there seemed to be so little voice for issues around GBV. A woman getting a restraining order and something like that happens, that says a lot about our system and about how the government is assisting with that system. The court system and judges – are they sensitive to some of these cases? They are judging and issuing restraining orders, but they need to be able to read the room, be able to read the case. What is this case? What might this be about? We haven't brought in the element of psychology within our system when we are dealing with these issues. We bring in the law in these cases, but with GBV we're dealing with deeper emotions, intense emotions, and that has to be brought out. The **VILLAGE CHURCH COORDINATOR** added that there was also an incident here in Maun a long time ago. He thought the First Lady back then was assisting. She was in Maun talking about issues of GBV and a woman was murdered in a shelter. **The FFM team asked whether that was a case some years ago, under a previous government.** The

VILLAGE CHURCH COORDINATOR confirmed that it was. **The FFM team asked whether she was a symbol of perhaps the state protection system not working so well, the VILLAGE CHURCH COORDINATOR** noted that we are saying we're protecting these people by giving them a restraining order, a shelter, but how do we now bring protection around all these interventions? A shelter cannot protect that person – when are we going to have security around all shelters? The government is not even looking at the profile of security systems. Not just with a piece of paper, not just with an order – we need to provide safety to these people. It's about actually putting in some attention. **The FFM team summarised that the law is quite strong, but it needs to be implemented by actually providing security. Was that what EW thought when he saw these cases? VILLAGE CHURCH COORDINATOR** confirmed that it was.

LGBT+ people

The FFM team asked what the experience was of the LGBT+ community – lesbian, gay, bisexual and trans people – in Maun and Botswana. Were LB aware of people who had been open about that in their conversation? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER noted that it would be more their perception because they don't deal with that, they don't have programmes for that community. But under the previous government [which was in power from November 2019 to October 2024], in Gaborone and Maun they were more open, more public about it. **The FFM asked whether the period she was referring to was since the last government. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER** clarified that it was during the last years of the previous government. It was not so much a focus on their rights, but more just on them being there. It used to be a taboo, a secret, but now they have been more open.

The FFM team asked whether there have been Pride marches in Maun. COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER thought not.

The FFM team asked whether there have been in Gaborone, COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER confirmed that there have.

COMMUNITY OUTREACH AND DEVELOPMENT SOCIAL noted that these were organised by LEGABIBO.

VILLAGE CHURCH COORDINATOR explained that for a very long time, LB has been around the [LGBT+] community, giving them services. **ESS** noted that since 2016, he personally had been working and interacting with organisations providing this community with services. He thought that in Maun there are 2 organisations providing services focusing on the LGBT community. These organisations also sit on the Gender Committee. There is also a Technical Advice Committee for HIV/AIDS, which is for organisations that are providing services around HIV/AIDS. These organisations also provide LGBT+ people with GBV intervention and health interventions. They go out in a bus at night and bring them access to the services. At some point they were providing them with specific condoms. So there has been a movement in Maun.

VILLAGE CHURCH COORDINATOR recalled having attended meetings where the chief was effectively saying, 'You don't want to have anything to do with this topic.' But over the years, from 2016 to now, **VILLAGE CHURCH COORDINATOR** thought things had changed slowly and the chiefs were now more open. **The FFM team asked whether this meant they were more receptive to discussion. VILLAGE**

CHURCH COORDINATOR confirmed this.

The FFM team summarised that there are NGOs helping specifically on LGBT+, and that is part of the wider gender NGO community. They help run support and access services. Had LB observed problems with arrest or LGBT+ people being harmed in some way? COMMUNICATIONS, MEDIA AND PUBLIC RELATIONS OFFICER asked whether this meant hate crimes. **VILLAGE CHURCH COORDINATOR explained** that he did not have access to the HIV/AIDS committee, but that those who sit on that committee hear of LGBT+ people not being treated fairly by the community and within households, so there are still those incidents. As organisations were dealing specifically with those people, he wondered if the message was really getting through. **The FFM team asked whether 'not treated fairly' meant VILLAGE CHURCH COORDINATOR had heard of cases of violence or abuse. VILLAGE CHURCH COORDINATOR noted** that it's sufficient. It's soft violence. It's gender-based and also HIV/AIDS.

The FFM team asked whether LGBT+ people were directly impacted by GBV or other violence. VILLAGE CHURCH COORDINATOR noted yes, there had been reports within the HIV/AIDS committee. **The FFM team asked whether the HIV/AIDS committee is [different from] the Gender Committee. VILLAGE CHURCH COORDINATOR explained** that they are 2 separate committees.

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Annex K - Interview with Women Against Rape

Date	**14 July 2025**
Location	Women Against Rape (WAR) office, Maun
Attendees	Executive Director, WAR; 3 HO Officials

The FFM team asked EXECUTIVE DIRECTOR to summarise the work of WAR. The EXECUTIVE DIRECTOR explained that WAR was founded in 1993 and registered as a trust in 1995. It was primarily to deal with rape cases as at the time, rape wasn't taken so seriously [under] Botswana law [at the time], and victims of rape were not getting support.

WAR started as a support group for victims of rape, then also started going into schools and teaching about violence and rape, and that if there were children in school who had experienced rape at home or elsewhere, they should report it so that they could be assisted. The organisation grew from just dealing with rape to now dealing with GBV in general. [WAR] started at this office [in Maun], and in 2005 built a shelter [a prefabricated house was donated] donated by Debswana Orapa [diamond] Mine.

WAR's vision is to have no violence in Ngamiland and Botswana as a whole. They are doing this by providing psychosocial support, which is counselling, and public education. They do a lot of public education on prevention [of GBV], including prevention of re-victimisation for those who have experienced violence. As for response, they provide services to those who have been affected, such as offering a shelter and offering support. Their first approach is to visit legal practitioners. They used to have their own legal practitioner but then because of funding they piloted [using] government [funded] legal aid. The pilot was successful and there is now a proper Legal Aid Act (2013). The government is renting space from WAR to run

Legal Aid [through the Legal Aid Botswana (LAB)] from their office, which is useful because WAR's clients just refer straight to the office.

In addition to psychosocial support, education and provision of the shelter, WAR does research. They have published a number of research papers on GBV and alcohol, and on children's understanding of sexual and reproductive health. This they did with Amplify Change, a British non-governmental organisation (NGO), and they have worked with the University of Rutgers in New Jersey on the publication of findings from their work in schools. They also work with the University of Botswana. Their partners in the work they do are mostly government. They work with the [Ministry of Youth and] Gender Affairs, social services, the dikgosi [traditional chiefs] and the police. The **EXECUTIVE DIRECTOR** noted that the police should have been [the first group mentioned]. WAR is also in a network of NGOs as a member of NCONGO [Ngamiland Council of Non-Governmental Organisations] in Ngamiland and BOCONGO [Botswana Council of Non-Governmental Organisations] in Gaborone.

Currently, WAR's main funding comes from government, [the Ministry of Youth and] Gender Affairs, but they have had funding from a variety of funders including Oak Foundation, Raising Voices in Uganda, Amplify Change, Canada Fund for Local Initiatives, Stephen Lewis Foundation and embassies like the British [High Commission]. They worked with the British [High Commission] during Covid, just a short project with Men and Boys for Gender Equality. They have an ongoing relationship with the French embassy, which puts up calls for proposals and WAR responds. Currently, they are running a project with the French embassy, the [US] embassy and the [US] Peace Corps Volunteers. So WAR has a variety of donors and partners.

The FFM team asked how many staff WAR has. The EXECUTIVE DIRECTOR noted that they currently have 25 staff members as well as 3 volunteers – 2 German volunteers and one American – who they also work with. Just now, the government has stopped its volunteers, but the **EXECUTIVE DIRECTOR** thought they would open this up again when they have volunteers, like an internship programme under which WAR applies to the government and is given interns. Of the last 3 interns WAR had, they ended up hiring one, who is now the shelter manager. Another one has finished his counselling internship training but because of a lack of funding they can't absorb him.

The FFM team asked whether WAR's staff include medically trained staff and trained counsellors. The EXECUTIVE DIRECTOR noted that all of their counsellors have done a Bachelors [degree in] Counselling or have done social work. **The FFM team asked how many counsellors WAR has. The EXECUTIVE DIRECTOR** explained that there are 6 counsellors and the shelter manager also has a degree in social work. They don't have a clinical psychologist, so for clinical psychology they refer to Letsholathebe II Memorial Hospital, a referral hospital.

The FFM team asked whether WAR has only one shelter. EXECUTIVE DIRECTOR confirmed this. She explained that the shelter could accommodate up to 20 people, but they limit it to 16. They went up to 16 during Covid, but the facility is not big enough to take 20 people because of the need for showers and [for] cooking – the kitchen is not so big. It's just a house. There is food and a bed and psychosocial support and everything that you get in a house. As well as the manager, there are 3 members of staff there who work on a rotational basis, so it's covered 24 hours. There's always a member of staff there and sheltered abused

women and children, boys up to the age of 14years. WAR doesn't know if that age limit will go down, but it's 14 for puberty, and before this age WAR considers that boys are not sexually active. Up until then, they can keep the boys with the girls, but once the boys are over 14, they can't take them in the shelter. Then either the boys are sent to SOS villages or social workers will find alternative housing for them.

The FFM team asked whether SOS is also an NGO. The EXECUTIVE DIRECTOR confirmed that it is an NGO, called SOS Villages. They are in Gaborone, Serowe, Francistown and somewhere else [according to the SOS website the organisation works in Francistown, Serowe and Tlokweng]. The **EXECUTIVE DIRECTOR** thought there were 4 such homes in Botswana. **The FFM team asked whether SOS Villages is an international NGO, the EXECUTIVE DIRECTOR** confirmed that it is.

The FFM asked how long women can remain at the shelter. The EXECUTIVE DIRECTOR explained that when WAR started the shelter, they said 3 months, but 3 months is just on paper. The women can stay up to maybe 6 months and then they leave. But the children can stay up to 2 years or even more. It depends on when the case gets concluded. Sometimes the adults will leave the shelter before the case is concluded because they have a life outside of the shelter and they feel this has been put on hold; it's been like they're now in prison when the men are out. The adults' way of thinking is different from children's and you can't hold an adult in a shelter. So adults can choose to say that they would prefer to be outside the shelter while they wait for the case to be concluded, whereas with children, because they are admitted with a court order and a social worker report, it's only the court that can remove the child from the shelter. If, for example, a child was placed in the shelter for a 6-month period initially but the case was still not concluded after 6 months, the social workers would go back to court and get another court order for WAR to do an extension, and then the social workers have to support WAR in looking after the child until then. If children in the shelter are of school age, WAR makes sure that they go to school and takes them to school and picks them up again.

The FFM team asked whether all the women and children in the shelter are involved in legal cases, in police investigations and court cases. The EXECUTIVE DIRECTOR explained that the adults are. The adult cases can be where a woman runs away and goes to the police and says, 'My husband, my partner, is beating me. I'm scared of going home. There's nobody to talk to. Please help me.' And then the police, assessing the situation, feel maybe they don't have a car to find this person, or they have looked around but they can't find him. Then they will say, 'Women Against Rape, can you hold on to this woman until we find the perpetrator? And once we've found that perpetrator and understood the situation, then we can take her out [of the shelter], or she will stay in if there is a case to be investigated.' So women can come in while the police are doing an investigation. They can also come in when there is a court case going on where they need protection, sometimes because of a threat to kill. If someone threatens to kill you in Botswana, you can be taken into protection. And then the perpetrator will be in a cell or they look for him and then they go to the magistrates' court to get a restraining order or something.

The FFM team asked whether, if a woman is threatened, the WAR shelter is the only one available for her to go to. EXECUTIVE DIRECTOR noted that in Maun, yes, the WAR shelter is the only one. There are only 3 shelters in Botswana: one in Gaborone, one in Francistown and the WAR shelter in Maun. **The FFM team asked who operates the shelter in Francistown. The EXECUTIVE DIRECTOR** noted that it's the Botswana Gender-Based Violence Prevention and Support Centre

[BGBVC], and that they also operate the one in Gaborone.

The FFM team asked whether the WAR shelter caters for women only in the Maun area or whether they take women from further afield. EXECUTIVE DIRECTOR explained that they take women from all over the country. They had a case of a couple where the woman was abused so much that she needed to be taken out of Maun. They felt that the husband knew where the shelter was and was capable of coming to threaten WAR or threaten WAR and the shelter, which he did. But they negotiated with the women's shelter in Gaborone to send the woman to Gaborone. She was assisted in Gabs [Gaborone] and the man was here. Sometimes, [the women's shelter in Gaborone] have cases where they feel the woman will be safer far away from the perpetrator. So they work together, they co-operate. **The FFM team asked whether it's the stakeholders, the NGOs, who work together. EXECUTIVE DIRECTOR** confirmed that it is. Organisations that operate the shelters in Botswana, WAR and BGBVC.

The FFM team asked whether the location of the shelter in Maun is undisclosed and whether, as far as they can, WAR keeps it secret. The **EXECUTIVE DIRECTOR** explained that they try but Botswana is so small that people end up knowing. Even clients, when they get out, say, 'Oh, I was at a shelter,' [and someone asks,] 'Where is this?' So what they do is try to keep it safe and secure. There's a high boundary wall with barbed wire that [is electrified], and a motorised gate. The gates are always closed. In order for someone to go to the shelter, the **EXECUTIVE DIRECTOR** has to tell the shelter in advance who is coming, so you can't just knock and go in – they won't let you in. Even if the police need to collect a client, they have to get permission [to enter]. A member of staff from WAR has to inform the shelter that police officers will be driving such and such a car, so please bring the client. **The FFM team asked for confirmation that WAR has no guard. The EXECUTIVE DIRECTOR** confirmed this, explaining that it's something they are looking at, but because of funding, they don't have a guard. They intend to have one, in addition to the other measures they have in place. Their offices have panic buttons in case somebody comes in and threatens them. But the **EXECUTIVE DIRECTOR** explained that if somebody was sitting here [pointing to one side of the desk] and she was sitting there [on opposite sides of her desk], it's a long way to go to that panic button. So security is always an issue.

The **EXECUTIVE DIRECTOR** recounted how an incident happened at the counselling centre in Gaborone (at BGBVC in around 2023) where the perpetrator agreed to come for a counselling session but ended up stabbing [his wife]. The **EXECUTIVE DIRECTOR** explained that there was a security guard, there were panic buttons, there was everything, so sometimes you don't know what you could have done to prevent that. Security is always at the forefront of what WAR does.

The FFM team asked whether women can walk in to WAR's office, and whether they contact the organisation by phone and other means. The EXECUTIVE DIRECTOR explained that they have a toll-free number and the WAR number, which is an emergency number that women can send a message or a WhatsApp message to. Women can ask for a 'call me back' and the call is always with a counsellor or with **EXECUTIVE DIRECTOR** herself. They have to respond if a woman sends them an SMS [text message]. So women can contact WAR directly and at this centre [the WAR office], and that number is 24 hours. Toll free number is 0800 600 387 and the 24hr emergency number is +267 71 311 244. The toll-free number diverts to the emergency number if not answered immediately. The Executive Director and the Head of Counselling alternate in taking the emergency phone after hours and at

weekends.

The FFM team asked whether WAR works closely with the police, social services and other NGOs in this space. The EXECUTIVE DIRECTOR noted that they work with the mohumagadi [wives of traditional leaders], counsellors, S&CD government social workers and other NGOs' social workers. They are all in a network. The police can call the **EXECUTIVE DIRECTOR** after hours or call the WAR number after hours, and they are always available. **The FFM team asked for clarification of S & DC (S&CD = Social and community development officers). The EXECUTIVE DIRECTOR** explained that it is the government social workers – social and community development, or the department of social protection. **The FFM team asked for confirmation that this is government. EXECUTIVE DIRECTOR** confirmed that it is.

The FFM team asked EXECUTIVE DIRECTOR what her sense is of the position of women, the prevalence of GBV and the ability of women to get protection in Botswana at this point in time. EXECUTIVE DIRECTOR noted that the past few months had been 'really, really dire'. For example, that morning there had been another announcement that a woman around Francistown – **EXECUTIVE DIRECTOR** thought in Masunga – was hacked [to death] by her husband, who then hanged himself. The past few weeks there had been no week that passed by without a woman being killed at the hands of her lover. Gender-based violence against women in Botswana, it's there, it's quite rife today. **EXECUTIVE DIRECTOR** did not think it was getting better because the numbers in Botswana are not going down. It has reached the point where she wakes up thinking, 'What am I going to hear today?' It's quite an issue, a serious issue.

The FFM team noted that they had spoken to sources in government and civil society and that it was quite hard to get data on numbers. Is that the case, that data is a big issue in Botswana? EXECUTIVE DIRECTOR explained that if she gave the FFM team her numbers, they would be much, much lower than what they would get from the police, and the police numbers would be much lower than what they would get from the hospital. Each stakeholder has their customers, has their numbers. People will go to the hospital and they know that the hospital will not go to the police. Those who go to the police are the ones who feel threatened that this person might kill them. But if they feel it's something that you can put a bandage on or look after, then they'll go to the hospital. Those who come here [to WAR], they also want WAR to take them through the system. So everyone gets their people. If you go to, say, faith-based organisations, they will get people who believe in God and want to be prayed for or pray for the perpetrator. So each one of us gets their own kind of people.

The EXECUTIVE DIRECTOR noted that also, as a country, Botswana doesn't have a central point where all this data can be entered, so that if she sees a person, Love Botswana sees them and the police see them, they don't count the person three times. They see that this person went there and there and there. Now she needs to go to the hospital or somewhere, but there is no central record.

The **EXECUTIVE DIRECTOR** explained that WAR piloted a referral system in 2018, working with MEASURE Evaluation, a research organisation from the US, and the [now Ministry of Youth and] Gender Affairs. WAR was representing Gender Affairs, piloting the programme of the project. It was a referral system using a phone, and one of the supporters was Orange Botswana. Orange Botswana gave data for the phones and WAR were coordinating the whole project, supported by MEASURE

Evaluation. WAR piloted in Maun and Shorobe, a small place [just outside of Maun] and then Stepping Stones International in Mochudi piloted Mochudi and Artesia. It was a big village and a smaller village, to see how it all worked.

The **EXECUTIVE DIRECTOR** explained that through the application, when a client came to WAR, they would log them into the system and then say, 'Go to the police.' Then they would press 'Referral to the police' and their contact person, the focal person at the police, would receive the message. WAR would say to the client, 'Go to the police and see so-and-so,' and read the name. When the client arrived, they could say which officer they were looking for and be directed to their office. The officer would already know their story and could explain the next steps. If the officer said they needed to go to hospital, they could send a referral – plus what WAR did, what the police did – to the hospital where they could then see a social worker or a doctor or a nurse. On arrival, the clinic would already know their story, so it cut down on the client having to repeat themselves, and WAR could make sure that they went because their job as the co-ordinators of that project was to follow the client. They could see if the police had received the client so they could follow up if necessary, and they could see when the client had been to all the services they needed so they knew when the referral was complete. As part of the project, WAR used to have monthly meetings with all the stakeholders to review the cases and see, 'Why did this case stop here? Why did this one go there?'

The **EXECUTIVE DIRECTOR** explained that the project was for a year, and then they wrote a report, but the government didn't have funding to continue with it. MEASURE Evaluation wrote a report and WAR reported to the government, which knew that it was working, but the project has been shelved. Hopefully, it will be resuscitated.

The FFM team summarised that there isn't a comprehensive data set about numbers of gender-based violence cases. It's piecemeal. The EXECUTIVE DIRECTOR agreed, adding that there's no central database for government to be able to say, 'This is the extent [of the problem].' The only figures are the 2018 relationship study and the 2012 [Gender Based Violence Indicators Study - Botswana] survey. The 2012 survey said 67% of women had been abused, and then they said, 'Let's redo this.' Then the numbers were released, and then it came to 37%, which is like almost what the global picture looks like. But those figures are only for the survey that was done. There is no daily administrative collection from different service providers, and no central point where the data is collected.

The FFM team asked if WAR has data on how many people have come to them, say, in the last 4 years. EXECUTIVE DIRECTOR noted that they have. The FFM team asked if this data includes the types of GBV experienced. EXECUTIVE DIRECTOR noted yes, all the types of GBV and all presentations, whether somebody comes here and they're depressed, they're unemployed, because WAR counsels everyone. They don't just say they take GBV; anybody who needs counselling comes. **The FFM team asked whether EXECUTIVE DIRECTOR could share the numbers for GBV, and for the last several years. EXECUTIVE DIRECTOR** noted that she could. **The FFM team asked whether EXECUTIVE DIRECTOR could say there has been a pattern over 4 or 5 years. EXECUTIVE DIRECTOR** noted that they had looked but there is no pattern. Some years it goes up, then it comes down, then it goes up, then it comes down.

The FFM team noted that they had spoken to many sources and that they had said there is more awareness now about GBV. Did EXECUTIVE DIRECTOR

think the numbers are high because a lot of people are reporting it? EXECUTIVE DIRECTOR thought the numbers are high because people are now aware that GBV is wrong. It's like talking about child marriages. In Botswana, if you search anywhere, you'll find that Botswana doesn't have child marriages because we're not reporting child marriages, we are not even defining them as child marriages. It's just that this child is living with this man. But there's no certificate that says they're married, so technically they're not married because the chief didn't marry them. The magistrate didn't marry them. Nobody married them, even though they're in a marriage set-up. So, we can easily hide child marriages because the chiefs will tell you, 'I never marry anyone below the age of 18,' which is true. You go to the records, you won't find anything, but the children will be there.

EXECUTIVE DIRECTOR noted that similarly with GBV, people choose when to report and when not to report, so you can't really say the numbers are low or they're increasing. If people are resorting to violence, others in similar situations will also resort to violence because they hear it. [Another reason is that] Batswana are [now] more aware of their human rights. They are more aware of the laws that are there to protect them, like the Domestic Violence Act, the Penal Code, the sexual assault register. There's more publicity when the laws come out. There are a lot of NGOs coming up. There are a lot of lawyers, MolaoMatters organisation in Francistown, coming up to say, 'We want to help.' When we publicise the law, when an act comes up, it will be discussed on the radio, discussed in the ?? So there's more access to information now. People are now recognising, 'This is wrong. There's something I can do about this.' So it's quite hard to tell if it's changed since the 2018 study. We don't know if it's gone up or down. We can't know until we do a survey.

The FFM team noted that it sounded like reporting is better and people are talking about it more since then. EXECUTIVE DIRECTOR thought 'maybe, yes', and agreed that they are talking about it. She noted that personally, she hadn't seen a change that would tell her that something is happening; it's just that people know about it. But are they doing something about it?

The **EXECUTIVE DIRECTOR** noted that, also, there are a number of issues why people don't report, because there's poverty and this person is the only one who's looking after me. I live in his house. He's looking after my children. If he goes to prison, what am I going to do? So it's also mixed with bread-and-butter issues.

The FFM team asked whether overall the government has a willingness to tackle GBV. EXECUTIVE DIRECTOR thought the government is willing to tackle GBV considering the conventions they have signed. They've acceded to CEDAW [UN Convention on the Elimination of All Forms of Discrimination Against Women]. They've also acceded to the AU [African Union] protocol, the Maputo Protocol. They have signed the SADC [Southern African Development Community] Protocol on Gender and Development 2018. The past president, [Ian] Khama, signed it. They've changed the laws that [treated] women [as] minors. In 1999, there was a comprehensive review of Botswana laws to make men and women equal, including the abolition of marital rights [abolition of a husband's marital power over the person and property of his wife under common law]. [But] you know the Children's Act recognises that men have a right on their child regardless of marriage? The Domestic Violence Act of 2008 which [includes] protection orders. Just recently – 2020, 2021, 2022 – there was the sexual assault registry bill, which became an act 2 years ago. **The FFM team asked for clarification as to whether this was the Sexual Offenders Register Act [2021]. EXECUTIVE DIRECTOR** noted yes, and if you are convicted of a sexual crime, you will go [onto the register]. So there are

many laws. The problem is implementation.

The FFM team summarised that the law is comprehensive. **As for policies and other measures the government is taking, did EXECUTIVE DIRECTOR think they were robust? EXECUTIVE DIRECTOR** explained that she didn't know whether to say they're robust because the magistrates and the police are part of the government. If investigation officers are not doing what they're supposed to do, or they're short of capacity somewhere, meaning knowledge as well as numbers and resources, if I go and report and the police say they don't have a car, what's going to happen to the evidence?

The **EXECUTIVE DIRECTOR** noted that recently, there was a case where the woman ended up in the UK on asylum. The woman had been abused by a man in Francistown. The woman went to the women's shelter in Francistown and was then transferred to Gaborone. He thought the woman and their children were in **EXECUTIVE DIRECTOR**'s room. He came to WAR's office. The **EXECUTIVE DIRECTOR** was sitting there, and he banged on [the desk] and said, "I want my wife." He was threatening WAR, so they reported him to the police. The police didn't even check. The man was detained and ended up in court in Francistown, but [was acquitted] of all these things he had done. The magistrate asked where the witness [his wife] was, but the witness was in the UK and there was no defendant. The magistrate said, "Who's bringing the case here?" The man was let off, not because he hadn't done anything, but because of that technicality. So if the courts are still not cooperating to end GBV there will be technicalities and perpetrators will be let off the crimes they committed it's a problem.

The **EXECUTIVE DIRECTOR** noted that, also, it takes time for a GBV case to be heard. WAR have had cases that have taken up to 2 years before they appear in court. During Covid, the government piloted GBV courts. The **EXECUTIVE DIRECTOR** thought this was in Molepolole. In a 3-month pilot, they pushed so many cases, it showed that they really need a GBV court. All they have to do is designate one day in a week to attend to GBV cases, like they do one day in a week to do maintenance courts. Maintenance courts are held on Wednesdays. So if they say, 'In the morning, we do maintenance. In the afternoon, we do GBV,' or, 'The following day, we do GBV,' this can work. The **EXECUTIVE DIRECTOR** noted that there are mobile courts for drinking and driving. **The FFM team asked whether for all sorts of other crimes there are mobile courts, but not for GBV. EXECUTIVE DIRECTOR** noted that there are such courts for drinking and driving but not for GBV.

The FFM team asked whether the specialised GBV courts that existed during Covid still exist. The EXECUTIVE DIRECTOR explained no, they are not there anymore. It was just a pilot because GBV went up during Covid, so they piloted [in particular] spots (areas of the country – Molepolole) and they moved a lot of cases. It showed that there's a need. **The FFM team asked whether the courts closed and they stopped the pilot. EXECUTIVE DIRECTOR** noted yes, just like the referral system WAR piloted, they stopped the pilot. **The FFM team asked whether the GBV court pilot was not taken forward. EXECUTIVE DIRECTOR** confirmed that it was not.

The FFM team noted that, going back to the police and implementation of the law, they had heard that a GBV unit was set up by the police in 2021 and was designed to improve the police performance on managing GBV cases. What was EXECUTIVE DIRECTOR's view? The FFM team added that they understood there is now a section in Maun itself, but that was more recent.

What was EXECUTIVE DIRECTOR's perspective on that? EXECUTIVE DIRECTOR noted that it's a very good initiative, something that, if they had resources, would work. But what we see now is, like the one in Maun specifically, they only deal with children. It's their children's unit, it's not gender-based violence. We still go to the main police office. There's a child-friendly unit. Only that is separate from the main place, separate from the main police station. So from that [perspective] of looking after children, it's fine. There's GBV-specific at the police station, you still have to queue. I take people, then I have to sit and wait while they are attending other issues.

The FFM team asked whether this meant that they hadn't created a different, separate space for these cases, but that they have specially trained officers. EXECUTIVE DIRECTOR noted that they say [they have specially trained officers], yes. Specially trained officers are probably there. **EXECUTIVE DIRECTOR** thought GBV is now part of their curriculum. **The FFM team noted that they understood GBV is generally part of the curriculum but that the police had told them that there is also a special unit, and that about 250 officers have been part of this unit, specialising in gender-based violence cases. The FFM team asked whether, when EXECUTIVE DIRECTOR takes someone to the police and they wait and then speak to a police officer, are they taken in a separate space? EXECUTIVE DIRECTOR** noted yes, they do have private rooms because GBV is attended by CID, the Criminal Investigation Department. Those CID officers are the ones who work on GBV. **The FFM team asked whether this is always the case. EXECUTIVE DIRECTOR** explained that when you go to the police anytime, you'll be handled by the police or any police officer. The CID work during the day, but after hours, any police officer would be there to help. Officers in the special unit are there, they are trained, but they do other things as well. They're in the CID, criminal investigation. So they're part of that system, and they only work during the day. If I go to the police after hours, I will be assisted by the person who's there, not – or not necessarily – a GBV person. **The FFM team asked whether they would still be separate from other people. EXECUTIVE DIRECTOR** confirmed yes, they take you into a separate room.

The FFM team asked whether the police's performance had improved or changed in the last few years. EXECUTIVE DIRECTOR noted yes. She thought there had been more training, more interaction with WAR and more interaction from government as well. Setting up the Gender and Child Protection Unit had helped, even though they're still working on children, not everyone. But at least it's something that's there. There's intent.

The FFM team asked whether the police are better at managing cases, collecting evidence and investigating? EXECUTIVE DIRECTOR noted that she didn't know about collecting evidence because WAR had lost a number of cases due to lack of evidence, especially working with children. Working with children, it's very traumatic. You can have 10 children and win only one case, of 10 different children that you know. So there seems to be a disconnect in terms of the technicality between collection of evidence by the police and what the magistrate wants.

The FFM team asked whether EXECUTIVE DIRECTOR sees cases are progressed by the police to the courts and end up in a disposal. EXECUTIVE DIRECTOR confirmed that she did. She noted that the conviction rate is quite low in GBV but she thought that was a worldwide phenomenon. **The FFM team noted that they also understood that conviction rates were generally low, at least for rape. But GBV includes lots of types of crime. Could EXECUTIVE DIRECTOR**

define it? What are we talking about when we say GBV? EXECUTIVE DIRECTOR explained that you're talking about sexual violence, physical violence, emotional and economic. It can happen to people of all genders, all ages. **The FFM team summarised that it's quite a broad range of acts and that some are more severe or grave than others. EXECUTIVE DIRECTOR** agreed with both points. She noted that the most critical types that WAR deals with are sexual violence and physical violence. **The FFM team asked whether this included rape and possibly femicide, EXECUTIVE DIRECTOR** confirmed that it did. **The FFM team asked whether cases result in convictions. EXECUTIVE DIRECTOR** noted that conviction rates are very low. **The FFM team asked whether this was true for other crimes, too, or just for gender-based violence. EXECUTIVE DIRECTOR** explained that she was not sure because she specialises in gender-based violence. GBV crimes are the ones she keeps an eye on; the others, she was not so sure.

The FFM team asked whether WAR see cases within the shelters that end up in disposal. EXECUTIVE DIRECTOR noted that they had had cases at the shelter that were thrown out of court. The perpetrator was set free. **The FFM team asked whether there had been cases that had resulted in convictions as well. EXECUTIVE DIRECTOR** noted yes, they had some success, not all doom and gloom, and 10% success. **The FFM team asked whether that was changing. Were they beginning to be more successful? EXECUTIVE DIRECTOR** noted no, there had been no difference since she had been with WAR [2009]. WAR wanted to do a survey. The survey was done in Chobe, Gantsi and Ngami districts. They consulted someone to come and do it for them between 2007 and 2009 and the conviction rate then was below 10%. It's still below 10% now. **The FFM team asked whether that was for the serious crimes, for rape and sexual violence? EXECUTIVE DIRECTOR** confirmed that was correct – rape and sexual violence. **The FFM team asked why she thought that was, EXECUTIVE DIRECTOR** noted that she had no idea. It's a lot of issues. There's the evidence – the crime will happen here and then you collect evidence, maybe 3 days [later] if it's sexual violence or physical violence. Then they go to the hospital, then it goes to the DPP, who will then say, 'Oh, we need to look for this, we need to look for this,' before they can register it at court. After registering it at court, they will be told to come after 6 months, and then, 'Oh, we'll give you a date next year this time.' Then we postpone because the perpetrator is not feeling well and then we postpone again because the perpetrator's parent has died so they can't testify. And that's 2 years. So during that time, what's happening to this person [the victim]?

The FFM team asked whether there are sometimes restraining orders. And is there bail? EXECUTIVE DIRECTOR noted yes, there are restraining orders and there will be bail. There'll be people from my family and there can be family discussions. **The FFM team asked if this was a mediation discussion. EXECUTIVE DIRECTOR** explained that mediation is going on, and by the time the court says, 'Now we've got a date. Let's go to court,' this person might say, 'I'm not going to,' or, 'I have forgiven him.' **The FFM team asked whether there were, therefore, multiple reasons for the low conviction rate. EXECUTIVE DIRECTOR** confirmed that there were. She noted that there are a lot of broken systems. There's the family which is broken. There's the police, there's the DPP, there's the magistrates' court, there's us, there's social services. There are so many players. There's the church. You also get faith-based [organisations]. **The FFM team asked whether the church was helping women or playing a role in mediation. EXECUTIVE DIRECTOR** noted that they play a role in mediation.

The FFM team asked how easy it is to access legal aid. EXECUTIVE DIRECTOR noted that [Lega Aid Botswana] are here [within WAR's premises]. There's a means test, so they come in and check: How much do you earn? Who are you looking after? What are your expenses? And they come to a certain level. **The FFM team asked whether legal aid is for the defendant. EXECUTIVE DIRECTOR** confirmed that it is. **The FFM team asked whether it is not for the victim. EXECUTIVE DIRECTOR** noted this was not correct; it is for the victim, too. **The FFM team asked whether that is in civil cases. EXECUTIVE DIRECTOR** confirmed that it is. **The FFM team noted that these were not criminal cases, but they understood LAB might be looking at criminal cases in the future. EXECUTIVE DIRECTOR** thought they had started and explained that they are looking for a bigger place, then they will open.

The FFM team asked for confirmation that GBV cases are in the criminal courts. EXECUTIVE DIRECTOR explained that GBV is criminal, but currently it's civil because they apply for restraining orders. **The FFM team asked whether restraining orders are civil cases, EXECUTIVE DIRECTOR** noted that both restraining orders and tenancy orders are civil matters. **The FFM team asked whether, at that point, a victim could get advice from LAB. EXECUTIVE DIRECTOR** noted that then they can do the [means] test. Yes, they can get advice, or if they want a divorce, then they can fight for property and come for legal aid.

The FFM team asked whether restraining orders are effective. EXECUTIVE DIRECTOR noted that the perpetrators actually say, 'So what do you expect this piece of paper to do to me?' **The FFM team asked whether that meant a person would have to get the court to enforce them. EXECUTIVE DIRECTOR** explained that they are actually enforced by the police. But where are the police? Remember, they met the woman who was killed in Gabs [Gaborone], the university one.

The FFM team noted that they had been told that because restraining orders are issued by the court, the police don't know about it unless the victim tells them. A lot of times, the women (victim) doesn't go to the police. Could that be a reason why such orders are not enforced? EXECUTIVE DIRECTOR noted that this was not how she understood it. The way she understood it is that you go to court to be given a restraining order, then the police have to enforce it. The police take the restraining order, too. **The FFM team asked whether this meant the court issues it and gives it to the police and says, 'You now have to make sure this happens.' EXECUTIVE DIRECTOR** explained that the order is actually given to the complainant, the victim. **The FFM team asked whether they then have to go to the police? EXECUTIVE DIRECTOR** confirmed that they then have to go to the police.

The FFM team summarised that the court issues the restraining order to the complainant. She takes it to the police. EXECUTIVE DIRECTOR confirmed yes, to the police. **The FFM team asked whether, if she didn't go, the police would not be aware of it. Did that ever happen at all? EXECUTIVE DIRECTOR** noted that [the courts] do give [the restraining orders to the police]. The restraining orders are served to the perpetrators by the police. **The FFM team asked whether the police actually enforce some of them, but not all. EXECUTIVE DIRECTOR** explained that the police will give you a restraining order, but they're not going to be guarding you to make sure there's 200 metres to that person [the victim]. There will be a paper and then they [the police] go back to their office. That's why the perpetrators are thinking, 'A restraining order is just a paper, it's not a person guarding me not to go.' So it's out of the willingness of the person to say, 'I must

respect this.' **Noting that restraining orders are not the same as a witness protection regime, the FFM team asked whether, if the victim says, 'The other person's breached the restraining order, they got close to me,' they can ring the police and the police should arrest that person. EXECUTIVE DIRECTOR** confirmed yes, they should. **The FFM team asked if they actually do. EXECUTIVE DIRECTOR** repeated that they should. **The FFM team asked whether EXECUTIVE DIRECTOR knew of any cases where the police have enforced a restraining order. EXECUTIVE DIRECTOR** explained that she knew they always give it, but whether they enforce it, she didn't know.

The FFM team noted that bail had come up as an issue because some sources had said bail is easy to obtain for people who've committed various crimes, including gender-based violence. But last year, a new act was introduced to make the criteria for release tighter. Did EXECUTIVE DIRECTOR have any experience of the bail system and whether it's changed since then? EXECUTIVE DIRECTOR explained that the change was saying that the victim should have a say, should come to court and convince the court why they shouldn't give this person bail. So if the person is my husband or my partner and has threatened to kill me, and now they are going to apply for bail, then I have to go to court and convince the court why they shouldn't be. That's the change. So it's not that they can't get it, but the victim has to come and plead. **The FFM team asked whether this had increased the burden for victims. EXECUTIVE DIRECTOR** noted that it had. She added that the burden is to want the victim to come and say, 'Keep protecting me, please.' **The FFM team noted that previously they didn't have that opportunity. EXECUTIVE DIRECTOR** agreed that no, they didn't. **The FFM team noted that it would be a new opportunity to build the evidence. Could they now add their own evidence to the evidence covered by the police? EXECUTIVE DIRECTOR** confirmed that they could. **The FFM team asked whether that should, in theory, make it better, EXECUTIVE DIRECTOR** noted that they hoped so. They had yet to see it tested. **EXECUTIVE DIRECTOR** thought no one had tested it yet and noted that she hadn't yet heard of a case.

The FFM team noted that they had heard of a case the police told them about. The woman's case is being used as a test case. But it's quite new so maybe some guidelines will be coming through. EXECUTIVE DIRECTOR noted that they would keep their ear to the ground.

The EXECUTIVE DIRECTOR raised the issue of protection for WAR. The FFM team noted that they had visited BGBVC in Gaborone (who have a guard) and during that meeting BGBVC mentioned the murder EXECUTIVE DIRECTOR referred to, about the husband and his wife a few years ago at the BGBVC offices. The FFM team noted that WAR's work can be dangerous. The FFM team summarised that EXECUTIVE DIRECTOR had talked about the support WAR provides and that they interact with the police and deal with referrals and refer cases to the police and to other NGOs. Was that right? EXECUTIVE DIRECTOR confirmed that it was.

The FFM team also summarised that there seemed to be an ecosystem of service providers working together, trying to make things better. Was that correct? EXECUTIVE DIRECTOR confirmed that it was.

The FFM team further summarised that the police had shown some willingness and there was a general government willingness to make things better. But the issues around implementation could be better. EXECUTIVE DIRECTOR

confirmed that yes, it could be better.

EXECUTIVE DIRECTOR noted that an issue the FFM team had not touched on was tradition. She explained that in Botswana, traditionally, women – like women in the Old Testament in the Bible – are considered minors to men, and it's considered that they should listen to men. **The FFM team asked whether 'minors' meant they're supposed to be like a child. EXECUTIVE DIRECTOR** noted that it meant 'less than a man'. It's only nowadays that the young generation, the current generation, is talking about equality and doing things in a manner that whether you are a woman, whether you are a man, whether you are LGBT+, you are a person, full stop.

EXECUTIVE DIRECTOR explained that her generation and those older than her who are still in the workplace are from that crop of traditionalists. So even when you go to the police and you find an elder person who reports that [her] husband is beating [her], they will ask you, 'Have you talked to your uncles? Have you talked to your aunts?' But you're coming to the police to help you. The police will ask, 'Have you talked to them?' because that's the culture, that's the tradition. And the victim has been abused so many times before they go to the police because they've been going around the village to their uncle, to their aunt, who have been saying, 'No, we'll talk to him. It will be fine.' By the time they go to the police, they've been to all these people, so that also delays and escalates the violence. So the community as well needs to get that education, needs to understand that they need to be protecting this woman.

The FFM team asked whether that is something that happens more in rural areas, but whether in towns and cities there's been a change. EXECUTIVE DIRECTOR noted that it happens to everyone. But yes, when you're in the rural areas, you are more vulnerable because of the vulnerabilities that you are living under. **The FFM team noted that these might include that it's a small police station, people around us know, but in the cities maybe there are younger police who are better trained and you're not so part of the community. Maybe in the cities there's more accessibility – access to justice. EXECUTIVE DIRECTOR** confirmed all these points. She added that greater accessibility in the cities even included access to information – just knowing where you can go, who can help you. **The FFM team noted that in the cities there would be NGOs, like WAR. EXECUTIVE DIRECTOR** observed that she sometimes shuddered to think what would happen in Maun if there was no WAR, if there was no shelter here. It would be a total disaster.

The FFM team asked whether there are other NGOs that help in the GBV space in Maun besides WAR. EXECUTIVE DIRECTOR explained that WAR is the only one who have a shelter, and they specialise in GBV, when others are attempting it on other levels, like on the church point or looking after children only. Love Botswana have their own needs they're looking after, like their shelter for children, some with multiple disabilities. **The FFM team noted that they had spoken to Love Botswana and there is an overlapping response because gender-based violence comes up. EXECUTIVE DIRECTOR** agreed.

The FFM team, turning to relocation, noted that Botswana is a big place with a small population. They asked whether there are barriers for a woman from, say, a small settlement to move to Maun or from Maun to, say, Gaborone or Francistown to avoid the perpetrator. EXECUTIVE DIRECTOR noted that movement is not restricted, in the simple way of can you get on a bus. **The FFM team asked whether living and surviving in a new place is possible, too.**

EXECUTIVE DIRECTOR noted that it's very, very difficult. You have to move from your place. To move from, say, Maun and go to Francistown, you must know somebody in Francistown or you must have a job that you are going to that will sustain you. You first of all think, 'Where am I going to stay? How am I going to sustain myself?' so that you must have found a job. There must be someone who says, 'I will take you in.' That 'I will take you in' must happen before you can move and just go, because you can't just go into a shelter, you have to go through the police. They don't just come straight through the police, and you don't house them forever. The other option is going through social services. Social services have destitute programmes, and for you to qualify as a destitute we have to evaluate 1,2,3,4, and if you are found to be able to work, then you don't get that funding.

The FFM team summarised that a lot of the difficulty is economic – if you haven't got access to an income, you can't find somewhere to stay. But once there, you could get access to healthcare because it's public and free, and access to government services. It's just whether you can support yourself. EXECUTIVE DIRECTOR explained that [it also depends on] whether you are going to qualify for those government services, because it's not everyone who can. Even for poor people, it's not everyone who receives support.

The FFM team asked whether you can move if you have your own financial means. EXECUTIVE DIRECTOR confirmed yes. **The FFM team asked whether there are barriers. EXECUTIVE DIRECTOR** confirmed that there are none. **The FFM team asked whether you can live as a single woman or lone woman, EXECUTIVE DIRECTOR** confirmed yes, you can move and live in a rental. People have built houses. And if you've got children, the children will easily be admitted in a school because of the law that children must go to school. There's no school that can refuse your children going into a public school. So if I have children, I don't say, 'Where will my children go to school?' Wherever I land, they'll go to school. Like the children who come to our shelter – when they come in, we insist that the social workers bring their school forms, they transfer them, then they come here, we find them a school as well, and there's no school that can refuse. So the issue is finding a place to stay and something to take care of yourself, and a job can do that. **The FFM team asked whether that depends on their backgrounds and who they know and what qualifications they have. EXECUTIVE DIRECTOR** noted yes.

The FFM team asked whether there is stigma around being a lone woman or a lone woman with children. EXECUTIVE DIRECTOR thought that there is not anymore – there are so many such women. She thought that in Botswana, the marriage statistics are going down. Single families are now everywhere, so there's no stigma around them. She didn't think so anyway. **The FFM team noted that others had said the same and that the situation is quite different in some societies. EXECUTIVE DIRECTOR** explained that in Botswana, it's changed.

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people)

The FFM team noted that they didn't know if LGBT+ is a space EXECUTIVE DIRECTOR knows about. The FFM team asked what EXECUTIVE DIRECTOR's view is of the position of LGBT+ people, perhaps women particularly, and their experiences. EXECUTIVE DIRECTOR thought that we are getting there slowly. There's an organisation called LEGABIBO [who represent and advocate on behalf of LGBT+ people]. **EXECUTIVE DIRECTOR** thought BONELA also works with them. WAR also works with them, but not as much as [other groups] in Gabs [Gaborone].

Gabs is where [LGBT+ people] are more concentrated, and the activist organisations are more in Gaborone. Here, there is a satellite [organisation], just a few people that WAR works with. [LGBT+] organisations are allowed to be registered, and even [for trans people] to change markers, that has been allowed. **The FFM team clarified if that meant gender markers. EXECUTIVE DIRECTOR** confirmed yes. The only thing that is still outstanding, that is still appearing in the Penal Code, is sexual relations. You can't have sex with the same sex. But it's an unenforced law.

The FFM team asked whether, in EXECUTIVE DIRECTOR's experience, LGBT+ people experience discrimination, violence, stigma or anything else, in Maun particularly, or more widely. EXECUTIVE DIRECTOR thought stigma was still there, in the general population. She noted that she didn't know about healthcare service because most of [LGBT+ people] get their service [assistance] from the LGBT+ organisations. For instance, before the government provided lubes, they could only get them from BONELA, from Men and Boys for Gender Equality, or Men for Health. We have an organisation, Men for Health, that is [in Maun]. BONELA, we have an office [in Maun]. That's where they could get some of the commodities (such as lubes and condoms) that they needed, but they were not available in mainstream government health services. There was some concern that some individuals in [accessing] health [services] would say, 'We treat, we don't ask any questions,' but people would feel not accepted or not treated with respect when they went for healthcare. That was part of BONELA's motion in the last [Country Co-ordinating Mechanism] CCM, when they were dealing with the Global Fund. There was the motion on health, access to health and removing barriers to access to health. WAR was part of that, but they were working on access to health for young people and BONELA was doing it for LGBT+ [people]. It's a campaign that's been going on because people feel they are not being accepted, especially in health[care].

EXECUTIVE DIRECTOR noted that for her, [the issue] is the general community. There are still people who are labelling [LGBT+ people] and this is where the faith people come in. The Botswana Council of Churches (BCC) and [Evangelical Fellowship of Botswana] EFB, the Lutheran church, have a curriculum that they've been [sending] around to teach churches about how to address LGBT issues as a church. And it's not all the churches – the Botswana Council of Churches and others. There's still resistance. **The FFM asked whether that meant the EFB and the BCC are anti-LGBT. EXECUTIVE DIRECTOR** explained no, they are pro. They're teaching churches how to approach it. **The FFM team asked whether this teaching was on acceptance of LGBT+ people. EXECUTIVE DIRECTOR** confirmed yes, they are teaching them to be inclusive. There's a whole curriculum. **EXECUTIVE DIRECTOR** explained that she did not have it with her, but if the FFM team visited BCC in Gabs, BCC would show them.

The FFM team asked whether they are big, these churches and the church association. EXECUTIVE DIRECTOR confirmed that they are. BCC is the Roman Catholic Church, the Methodist Church, UCCSA [United Congregational Church of Southern Africa]. It's Lutheran, it's Anglican and there are other churches. **The FFM asked whether they are LGBT accepting. EXECUTIVE DIRECTOR** confirmed that they are, but noted that it is slow.

The FFM team asked whether, in EXECUTIVE DIRECTOR's experience, treatment of LGBT+ people varies from place to place, from Maun to Gaborone, elsewhere. EXECUTIVE DIRECTOR confirmed that it does. **The FFM team asked whether EXECUTIVE DIRECTOR was aware of anything more than stigma. Can people be open? If they are, do they face violence or other forms of**

discrimination? EXECUTIVE DIRECTOR noted that there's discrimination, and coming out is very slow. Not everyone who comes out comes out to everyone. So there's still the stigma. The discrimination is still there. **The FFM team asked what form the discrimination takes. EXECUTIVE DIRECTOR** explained that it's just, 'How can you behave like that? What are you pretending to be?' **The FFM team asked whether there would be discrimination in getting a job or finding somewhere to live or going to a school? EXECUTIVE DIRECTOR** noted no. During Covid, WAR had cases where some lesbian girls were chased away from home and we went to find them a place to stay. They couldn't bring their girlfriends right into the home and they were chased away. So it's the same for that. You relocate. **The FFM team asked whether WAR relocated them. EXECUTIVE DIRECTOR** confirmed that they had, they had found them a place. WAR worked with Success Capital in Gabs. They went to Success Capital and booked them accommodation. **The FFM team asked what happened after that. EXECUTIVE DIRECTOR** explained that Covid finished, and they went back to their own homes. During Covid there was movement restrictions, so if you were with your parents, you were to stay there. After Covid, they went back to their own homes. **The FFM team asked if they lived together. EXECUTIVE DIRECTOR** confirmed that they did.

The FFM team summarised that there is slow change. Some of the church groups and some NGOs work to support LGBT+ people in various ways. They face stigma, it varies from place to place, but there is not more than stigma, not violence? EXECUTIVE DIRECTOR noted she hadn't heard of violence. It might be there, but –

The FFM team asked whether as far as she knew there was no violence. EXECUTIVE DIRECTOR confirmed this. She explained that it's like, my way rather than your way. It's just the talk, the emotional abuse and the isolation.

The FFM team asked whether LGBT+ people could relocate if they were having problems in one area. EXECUTIVE DIRECTOR noted yes. **The FFM team summarised that the problems faced were economic really.**

EXECUTIVE DIRECTOR noted that there's a woman here who has opened a little shelter for girls, lesbian women. **The FFM team asked whether this is in Maun. EXECUTIVE DIRECTOR** confirmed that it is and explained that GG represents Safe Places International. She was part of the church training, and she explained what it means to be a lesbian, to be gay.

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Annex L - Interview with diplomatic staff at the French Embassy

Date	10 July 2025
Location	French Embassy, Gaborone
Attendees	2 French Embassy officials; 3 HO officials

FFM team asked OFFICIAL 1 and OFFICIAL 2 to provide background to their roles. OFFICIAL 1 is French Embassy's (FE) economic and cooperation officer, leading on gender programmes. OFFICIAL 2 is the communication officer and assists on gender-related programmes.

OFFICIAL 1 noted that the FE is small, for example it only provides consular services once a month. It covers a few subjects, including feminist diplomacy which is a priority for the French Ministry of Foreign Affairs. The FE has a number of [gender-related] programmes including on socio-economic empowerment which are undertaken in collaboration with the Botswana Council of NGOs (BOCONGO). The FE supports 3 organisations on gender-based violence (GBV), women survivors and making sure they can reintegrate. These include:

- the Botswana Gender Based Violence Prevention and Support Centre (BGBVC), supported in Ghanzi [western Botswana (BWA)] to spread FE support [across the country] and it is quite a socio-economically deprived area. It is a small project involving 25 to 50 beneficiaries, supporting them through horticulture – they are able to sell their produce, organise themselves in co-operatives and share their income. They can also link up with other survivors [of GBV] including a few men.
- Women Against Rape (WAR) in Maun, Ngamiland. The project is to provide comprehensive sexual education (CSE). So far covered 6 schools involving around 600-700 students. Interesting to see how students perceive GBV and understand 'consent' [in a sexual relationship]. WAR have been approached by the police's GBV and child protection unit to see how they can collaborate on GBV specific sessions in schools. WAR also provides counselling to teenage mothers (14 to 19 year olds), which is an issue in the area - there is quite a lot of stigma about [teenage pregnancy]. Additionally, there are parent/child counselling sessions with 100 parents so far working with the Kgotla (the traditional villages [community councils])
- Research Excellence, a research institute, which is looking at the integration [back into society] of female ex-prisoners

OFFICIAL 1 continued that the FE also has an advocacy project called Sichaba, which means community, about gender equality featuring survivors of GBV.

OFFICIAL 1 noted that the FE also has a media parity programme which is at [a southern Africa] regional level including BWA about gender sensitive reporting in the media. They are working with 5 media houses in BWA. **OFFICIAL 2** added that this includes BTV, which is the only public [broadcaster], YTV, a private [broadcaster], the Weekend Post, a privately [owned newspaper], Duma FM, [a privately owned radio station], and the Patriot on Sunday, a [privately owned newspaper].

The FFM team asked OFFICIAL 1 to summarise the situation for women facing GBV. **OFFICIAL 1** noted that BWA is a middle-income economy so in terms of social challenges was quite surprised to see that GBV as such a big issue. **OFFICIAL 1**

noted the national relationship study of 2018 reported that 2 out of 3 women are subjected to GBV. That's 7 years ago and it's assumed that the numbers are much more concerning than this, but there's a real lack of data.

OFFICIAL 1 continued that recently there have been big cases in the news. For example, there was a woman killed inside of the University of Botswana which was quite shocking – that a person would go and kill inside a university, a sacred place. There were also reports that this woman had been subjected to threats which was concerning. Usually [for serious incidents] a minister would go [to the scene of the incident] but we have not seen this which speaks to how seriously this is being taken (though this is open to interpretation). The civil society organisations (CSOs) we spoke to were surprised by that. **OFFICIAL 1** also noted that otherwise BGBVC also had been a case of a woman who was killed on their site in 2023. So, women die every day, we know it happens quite often [but do not have the numbers]. The FE is working with CSOs, for instance WAR which has a shelter in Maun. WAR keeps the address private because they want to avoid this kind of situation [the murder of the woman at the BGBVC shelter]. They have very strict protocols for security to make sure [similar incidents] do not happen - this shows the extent of fear around this.

OFFICIAL 1 further noted that in terms of legal system there is the Domestic Violence Act of 2008 (DVA 2008) - the BGBVC's director was a big actor in this. The law has not been updated, it is the main law on GBV prevention.

The FFM team asked how many women have been supported by the FE's programmes and partners. OFFICIAL 1 noted that the beneficiaries of our current programme which started in 2024 is expected to be 6,000. So far around 900 to 1,000 have been helped. Most of them are students who have been trained on CSE courses. So not all of them are women that were subjected to GBV, so maybe 100 are GBV related.

The FFM team asked about data on levels of violence, with the last comprehensive study dating to 2018. Does the FE have data or a sense of the current levels of GBV. OFFICIAL 1 no, not that we've seen - we're looking into it. What we have heard from the main CSOs working on this is that during COVID GBV got worse - everywhere in the world. The CSOs were really overwhelmed with the amount of help they were being asked for and were themselves mentally challenged because it was too much to carry. What we've learned from lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+) organisations is that with the rise of anti-rights movements sometimes the language [against LGBT+ people] can be more violent in the media – not something we can verify, but a general feeling.

OFFICIAL 2 noted that since the new current government [came to power] there has been more talk about GBV in the press as people are urging the government to pass an anti-GBV law and to declare a national state of emergency. So, there is more [reporting and commentary on GBV] in the press but no data on it. **OFFICIAL 1** added that there is more about GBV in the press as the current government [has stated its focus] is about human rights, so expectations are higher.

The FFM team asked what types of GBV occur in BWA. OFFICIAL 1 what we see through our programmes is psychological and physical violence. There is also economic violence, as a woman is often dependent on a man. When they would try to leave, they experience violence or even worse.

The FFM team asked who are the main perpetrators of GBV. OFFICIAL 1 noted that what they see through their programmes, it's mostly domestic violence.

OFFICIAL 1 had read that – in World Population Review (WPR) [report on occurrence of rape in 2023; this data relates to incidents in 2010] – BWA had the highest incidence of rape in the world. **The FFM team noted that they had come across this data and that the WPR aggregated the information from other sources, such as police statistics. The FFM team asked whether women's increased awareness of their rights might be a reason for the high rates of reporting (compared to other countries).** OFFICIAL 1 was not sure. Did not see in comparison with other countries that would be the case but had not seen the figures. But **OFFICIAL 1**'s impression was that was not necessarily the case - haven't seen huge [awareness] campaigns of reporting. Mostly see a lot of censorship, self-censorship. **OFFICIAL 2** noted that women can report to the police, but they were not separated [from the perpetrator or other people in the police station] when disclosing information about what happened to them. This does not encourage them to report if they cannot ensure safety and privacy. **The FFM team recapped that women are not able to report safely and confidentially at police stations. OFFICIAL 1** noted, yes, that as far as they are aware. **The FFM team clarified what was mean by self-censorship.** OFFICIAL 1 explained that this was the woman [not speaking out/reporting an incident]. We also hear that there is the tradition of fixing household problems in private, at the Kgotla, which is the local village. So, before things escalate they gather at the Kgotla and try and sort it out without it being everyone's business.

The FFM team asked what the profile of the victims is. OFFICIAL 1 could not say for sure, but young women. **FFM team clarified age. OFFICIAL 1** thought from the age of 14 to late 20s. **The FFM asked whether this was in rural or urban areas, OFFICIAL 1** noted all types of areas.

The FFM team asked if there were gaps in law and policy protecting women from GBV. OFFICIAL 1 noted that CSOs have been calling for a national state of emergency so everyone can be on the same page as to identifying GBV as a big issue. A good start would be bringing the DVA 2008 up to date. Some sources have also been calling for specialised courts with specialised judges that will be trained on [GBV]. The FE is talking with its partners about abortion. There is not much on this except in the Penal Code: it is an exception when abortion is authorised - in cases of rape, defilement, and death / danger to the mother. But when talking with partners/CSOs, the FE has found that [people's] general understanding is that abortion is not authorised at all. So, women who would fall into those 3 specific cases would think it's illegal, so not get the help they need from health specialists. Amongst health specialists, personal beliefs have a role [in not authorising an abortion] as BWA is quite a religious country. **OFFICIAL 1** continued that clarifying law/policy [on GBV] would be a first step. Also introducing a state of emergency would be a signal [of the government taking GBV seriously].

The FFM team asked if the government had indicated that it intended to address GBV. OFFICIAL 1 noted that the government is really big on human rights, would expect women's rights to be part of human rights. But since the election [of the government in October 2024] there have been executive/high level statements that have been perceived by CSOs as discouraging, a bad signal. The statements are usually made in conferences but then are plastered in the media. **OFFICIAL 1** [noted the president] made a declaration about GBV that was perceived as putting the blame on women.

The FFM team asked if women who experience GBV are able to get protection. OFFICIAL 1 considered CSOs play a big role in [providing] protection in the social

and health sectors. CSOs have been complementary to public service and definitely do a lot in [supporting] these women, for example WAR's shelter, and making sure they have a police officer to talk to. They provide the link between state services, like the police, and women in need / survivors [of GBV]. If they weren't there the situation would be very dire.

The FFM team asked if the police are effective at investigating cases. OFFICIAL 1 could not judge but it varies. **The FFM team noted that there is GBV unit in the police, is this unit able to provide protection. OFFICIAL 1** did not know. **The FFM team asked what the purpose of GBV unit in the police. OFFICIAL 1** thought it was created as a need was specifically identified to help women and to make sure that GBV acts wouldn't go unpunished. The unit is for GBV and child protection. The FE do not work directly with them, the fact that they exist is a good thing, but did not know enough about their day-to-day work to say [how effective the GBV unit is or what it does exactly].

The FFM team asked if the FE were aware of data on the number of arrests, prosecutions and convictions. The FFM team noted that there was a general lack of data, all evidence is anecdotal, therefore it is difficult to assess what is happening generally. OFFICIAL 1 acknowledged it was difficult to get a clear picture of the situation [without data], did not have more specific figures. **OFFICIAL 1** observed that general political atmosphere right now with these statements by the government [see above] and recent killings [see above], nothing really happened afterwards - there was a week of prayers that was organised rather than something concrete to address the issue. The woman who was murdered at the University of Botswana (UofB) was murdered during the week of prayer.

The FFM team noted that most of the sources they had spoken to had mentioned the UofB case. Was it representative of GBV / crimes against women generally, why had it gained such public interest? OFFICIAL 1 thought it [had gained public interest] because the woman had taken [several] measures to protect herself – she had gone to the police, had got a restraining order, (OFFICIAL 1 believed the woman) had talked about [her concerns] with colleagues, and that it happened inside the university where there's security at the entrance and people around (it's not just a domestic case) – but it still happened. It's a perfect case study of a [woman doing everything she could to protect herself but still being murdered].

The FFM team asked if similar cases had been reported. OFFICIAL 1 had not been in BWA for a long time but, yes, there [was the case of the woman murdered] inside BGBVC in 2023. A similar case [to the UofB incident] of a woman reaching out for help from specialists and it happened inside the [woman's] shelter.

The FFM noted that they had spoken to the BGBVC, who had said that the perpetrator of the murder at the shelter had been arrested and remained in detention – so the police did do something. Is this sort of incident common? OFFICIAL 1 did not how common, BGBVC see it everyday would be better placed to comment.

The FFM team asked how many CSOs worked on GBV. OFFICIAL 1 was not sure, knew the big names, maybe 10 to 20. **OFFICIAL 2** noted that some CSOs work on issues that are not directly linked to GBV **The FFM team asked if the CSOs operated all around the country. OFFICIAL 1** not necessarily in the big cities, but where the most need is identified.

The FFM team asked how easy would it be for a woman to ask for help from one of the CSOs. OFFICIAL 1 probably hard, but did not know, for women in a rural

area as there is less infrastructure to go to a police station but assume [this is the case]. The women on our projects, for instance, had difficulties in going to a place as there's no transport and it was hard for them to move around the city. This would be an obstacle when trying to reach out for help. Economic means are very dire - complicated. There is a lot of poverty in the villages. **The FFM team clarified if it was hard to move around because of safety or a lack of transport. OFFICIAL 1** talking about rural areas, not seen a lot of public transport. **OFFICIAL 1** recalled recent field mission to Ghanzi, women mentioned that they would like more cars driving them to the horticulture site because they have to walk to pick-up point as there only one or 2 buses. That is hard for them to do because of distances and some are very old. So might be obstacle if they had to go to a police station. So, thinking about women with limited financial means.

The FFM team asked if the CSOs provide legal aid / advice. OFFICIAL 1 thought they did, but not the CSOs' main function. It's more health and social support.

The FFM asked whether a woman could relocate within BWA to avoid harm, are there any barriers. OFFICIAL 1 thought there are multiple issues. There's still this big weight of community even if you have the economic means. There's a system around you - it wouldn't be seen in the right way by the family or the community, especially for women with kids.

The FFM team asked if OFFICIAL 1 / OFFICIAL 2 had any examples. OFFICIAL 1 noted the FE did a symposium about GBV. There was a woman with a child who had been subjected to defilement but was told by the family not to talk about it. She removed herself from the family circle, but this was always seen as a barrier to the family. There's social exclusion from the group, as there is [an issue] about the reputation and protection of the honour of the family. **OFFICIAL 2** knows of a specific case where a woman talked about her experienced in a documentary that was recently released on TV in BWA – she testified about what happened. The woman was defiled as a child but left her home after she had become 18 (and was now around 30).

The FFM team confirmed that the FE did not have data on arrests, detentions and convictions. OFFICIAL 1 said they did not.

The FFM team asked if the FE knew of any examples where the police have done something correctly or have not worked well? No examples provided.

OFFICIAL 1 added that in relation to migration, a lot of women go to South Africa (SA) to get an abortion. Women need to find the money to get a bus or flight to SA, if they cannot they keep their child. That's why there are so many cases of teenage mothers.

The FFM team asked if the FE knew the size of the LGBT+ population. OFFICIAL 1/ Official 2 did not know.

The FFM team asked if the FE worked with LGBT+ groups. OFFICIAL 1, yes, good partners with [Lesbians, Gays and Bisexuals of Botswana] LEGABIBO. The FE organised the first open conference about safeguarding LGBT+ rights in 2024, which was attended by France's LGBT+ ambassador. The conference was at the National Museum, was open with national TV there. It was a bit of an unknown, the FE were not sure if the [anti-LGBT+ rights] would show up and try to disturb the event. But it went well in spite of the coverage of the trans women on the panel by the national TV who was referred to as 'Mr', that shows that work has to be done.

The FFM team asked how accepting society is of LGBT+ people. OFFICIAL 1

would not describe BWA society as ‘accepting’ of LGBT+ people but that it is [seen as] a private matter and it is overall respected as a private matter. So, people wouldn't point [LGBT+ people] out and LGBT+ organisations can still hold their conferences / events. There will still be homophobic reactions as everywhere in the world. Trans women and lesbians are subjected to specific kinds of violence. The BWA ombudsman organised a conference [along with the Botswanan Trans Initiative and the Global Equality Caucus] at the beginning of 2025 specifically on trans rights. There were 2 organisations specialised in trans rights and individuals sharing their struggles. What came up was that for trans women and lesbians were often threatened with corrective rape. Trans people that are identifiable are subjected to more physical violence [than other groups] – there were witnesses of that. **OFFICIAL 2** added that sometimes there was violence from the family.

The FFM team asked if LGBT+ people face danger to their lives, physical harm. OFFICIAL 1 noted that there’s a difference between sexuality [sexual orientation] and gender identity. The most at risk at are trans people as for most people it goes further than being just gay. So, trans people might find themselves in a situation where their life at risk.

The FFM team asked about if the state persecutes LGBT+ people. OFFICIAL 1 would not say so. More about [the lack of] services in place to cater to their needs. For instance, gender reassignment treatment [is not available]. Very hard to find, only a few doctors doing it. Wouldn’t say that [the state] is a problem.

The FFM team asked if a LGBT+ would be able to help from the police. OFFICIAL 1 noted, based on the experiences of the trans people attending the conference who went to the police to report violence, no they were not getting help.

The FFM team asked about how these cases were rejected. OFFICIAL 1 observed that, regarding the specific cases, they were made fun of at the police station.

The FFM team asked about the experiences of lesbian, gay and bisexual people, could they be open about their sexual orientation. OFFICIAL 1 would not say they are open, maybe passive – people would assume they are [LGB], but not talk about it, and the LGB people wouldn't speak about their sexuality. For example, if we take a TV presenter or some someone public. Not heard of anyone saying, ‘I'm openly [gay]’, coming out. But, of course, people within those organisations would say so, but never publicly. People keep quiet about their sexuality unless they are activists. They would not show up to a school as a gay couple. **The FFM team asked if there were others LGBT+ people might be open – a bar or restaurant, or a same sex couple living together – OFFICIAL 1** noted as long as it's private, it's not an issue. But didn’t know, for instance, if [a same-sex couple] would tell their neighbours that they're gay, or just let them assume they're roommates.

The FFM team asked if the FE are aware of violence and discrimination of LGB people? Women are threatened with corrective rape. **The FFM team asked of specific examples of LGB experiencing violence, of it actually happening**. **OFFICIAL 1** was aware of a case at the [ombudsman’s] conference of assault [of a lesbian or trans person]. Thought it happens.

The FFM team asked if the experience of gay men and lesbians / bisexual women was different. OFFICIAL 1 thought it might, because of gender dynamics lesbians and bisexual women might be taken less seriously [than men]. In general, **OFFICIAL 1**’s impression was that women in lesbian relationships are subjected to

less harsh violence because women are already open with one another, emotionally. But gay men might be more shocking to see than lesbians [for the general public]. Lesbians face more specific violence, fetishized. While men, it might be more like violence. **The FFM team confirmed that it was OFFICIAL 1's perception, not aware of specific cases, OFFICIAL 1** yes [not aware of specific cases].

The FFM team asked if there had been a shift in attitudes towards LGBT+ people since the decriminalisation of same-sex sexual relations in 2019. OFFICIAL 1 had only been in BWA for 2 years [so could not comment on changes before then]. **The FFM team observed that they had been told that the president was a human rights lawyer and had been involved in the court case that legalised the registration of LGBT+ groups. OFFICIAL 1** noted that the case was about the registration of LEGABIBO. The FE had been told the president had had more of a technical role rather than as an advocate in those cases. The ombudsman has been very progressive on this since the new government was elected. The ombudsman has been very vocal on LGBT+ rights, organising conferences - a good signal. Though the ombudsman collected a lot of [material] during this conference it was not made public.

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Annex M - Interview with officials at the Ministry for State President

Date	**9 July 2025**
Location	Ministry for State President (MSP), Gaborone
Attendees	Senior officials, MSP; 3 Home Office officials

The fact finding mission (FFM) team asked what the Ministry of the State President's (MSP) role is in managing the police and the criminal justice system generally. OFFICIALS observed that FFM's terms of reference (ToR) is something the police would be better placed to comment on than the MSP; the ToR are not really matters the MSP can comment on. OFFICIALS continued [that] the MSP is like a big corporate services office for the president. The Botswana Defence Force (BDF) and the police report directly to the president but the MSP's minister [assists] the president on all issues relating to defence, security and safety - on policy matters and other issues - that have to be taken to cabinet and Parliament. OFFICIALS noted that in late [2024]/early [2025] the then Ministry of Defence and Security was dismantled and put together under the MSP. [The permanent secretary's office and the MSP minister have responsibility to support the police and BDF on] logistical issues - getting all the resources they need and facilitation on legal issues. [These] usually have to pass through the MSP minister's desk because he will be the one responsible for tabling all the programmes, policies and strategies through to cabinet and to Parliament. [However,] [on] the core mandate of the police and [the BDF] [covering defence, security and safety], their accounting officers – the [armed forces'] commander and the [police] commissioner - report directly to the President.

The FFM team asked about the government's position on addressing of gender-based violence (GBV). OFFICIALS noted that while approaching gender issues is mainstreamed across government, the core mandate and co-ordination of gender-related matters lies with the Ministry of Youth and Gender Affairs (MYGA). So, they will be in a better position to talk about [gender-related] processes,

programmes and initiatives, and how these are working.

The FFM team asked about the scale and size of GBV, and how the justice system worked in practice, specifically how are the police resourced - how many police stations, for example – and number of police? OFFICIALS noted that the police, working with the MYGA, will be in a better position to say, and provide statistics [and detail on initiatives]. The police have introduced a lot of measures to proactively deal with GBV [and] have specialised teams to look into [GBV]. **OFFICIALS** added that in terms of how the rest of the government deal with [GBV/gender], in every ministry there will be a liaison person with the MYGA, with programmes that are trying to stop GBV mainstreamed through the ministries. [**one of the officials**] noted the police had set up child friendly centres as one way to deal with GBV, there are [non-government organisation (NGO)] referral centres and homes [to assist victims]. It is a very strong programme with training provided by the UK, [officers at the centres interview] young people and [child victims can give evidence using] video conferencing. If you want to visit [or discuss] the programme, the police [can assist]. **The FFM team asked if women can use the child friendly centres.** [**Official A**] noted that the [centres] cater for all victims but while that is the case they are customised to [create an] ambience and feel [amenable to] a young person.

The FFM team asked if tackling GBV is a priority for government, if so what steps has the government taken to address GBV. OFFICIALS noted that GBV is a priority for government, so it lies within MSP. GBV is an issue that needs to be dealt with very seriously and [is] now reflected in resourcing. [So], the police [are] resourced to ensure that child friendly centres are put up to protect [children] and that within the police, which is for the MSP as a whole, we are developing strategic partnerships with the other organisations - civil society organisations - that take care of the victims of GBV. Measures have been put in place by the police to ensure safety generally, which is an issue. **OFFICIALS** added that it's very interesting about GBV, we talk about children and women, but it has become very clear that there are some men who are very much abused. We are trying to, especially as we work with churches and civil society, to ensure that as a government [GBV] is a very high priority.

OFFICIALS noted that the MSP has a unit - I [previously mentioned] about the mainstreaming and placing of officers that are [in] contact with the MYGA - headed by our senior health and safety officer, where we ensure that issues of public awareness or sensitisation [are addressed], or counselling for [MSP staff] who are going through challenging times, who experience [GBV].

The FFM team asked examples of measures taken to tackle GBV? OFFICIALS noted that apart from public information available, we [the MSP] have people come in to do counselling. We call in experts to talk [to staff] about things that cause dispute at home, [for example] financial literacy issues, we also continuously have ministry staff educated by civil society – there is one we do almost on an annual basis where we pay the Health and Family Foundation (HFF) [which works] help[ing] men and women to try to live properly together and deal with [GBV] issues [which] are causing divisions. The HFF reaches out to us for our staff to attend [training sessions] - a very high number of soldiers and our police and [ministry staff have] attended.

The **OFFICIALS** continued there are so many causes of GBV and for some of them, if we deal with the root causes, we can deal with the issue. But when it goes to the

point where people really feel like they're being abused at home - it's a very private thing that people don't usually deal with, or want to talk about it – we allow our [the MSP's health and safety unit] to obtain professional counselling to try to help colleagues who are going through the difficult times. We have had [a] few [colleagues] who were brave enough to say, 'I'm going through a difficult time … ' and we find resources to pay for professional counselling.

The FFM team asked if the inter-ministerial communities/structure still exist? OFFICIALS noted, yes it's coordinated by the MYGA and deals with GBV, the MSP are members represented by the police.

OFFICIALS added the MSP is also responsible for the welfare of people with disabilities. GBV is one of those things that is prevalent within disability constituencies. We've been working very hard to [raise] general public awareness, talking to different stakeholders about it - the 2 main NGOs that deal with people with disability - the Botswana Council for Disabled and the Botswana Federation for Disabled. We deal with them to raise awareness, we empower them. One is the [lack of] economic [opportunity for disabled people]: we've been trying to talk to different sectors [in] the economy to create affirmative action [programmes] as some of [the disabled people] are really [cap]able people. But without a push from government to ensure that [disabled] people are [able to work] so that [they] can be independent and not be subjected to [a] lack [of opportunity / income], making them dependent economically on other people, which sometimes leads to GBV.

The FFM team asked if that is something the MSP does, or is that something the government does generally through different departments? It is coordinated from the MSP. For all disability [issues] we deal with 4 ministries: Health; Local Government; Education; and Labour and Employment. Those are the major ministries that we deal with in coordinating on issues of disability, but like gender and youth issues, every government department is expected to mainstream [disability issues] within their programmes and policies. So, we have structures in place that deal with all issues that affect people with disabilities. We talk on a quarterly basis to the other ministries [about disability].

The FFM team asked if there is a similar process for gender? OFFICIALS believed that the core gender-related budgeting, programmes, coordination lies with the MYGA. So, [for example], I know the campaign that I talked about - the Family Health Foundation - is supported by the MYGA. I believe there are other civil society organisations dealing with GBV that are supported by the MYGA. When we do our [ministerial] annual budgets to ask for money for disability, including the gender-based issues of disability, is coordinated [by] MSP.

Officials noted there are components and pockets [operated] by individual ministries. But the overall project [to combat GBV] is a primary concern for the government. We spoke about subvention funds [government grants] for most of the NGOs, the NGO Council. Some of the NGOs we have mentioned benefit from these subvention funds, so it might be that their contact ministry is the Ministry of Labour, where they get the subvention [grant] but the implementing ministry is MYGA. So, it's cross cutting through the ministries, so [you] keep getting different pieces of information from [different] sources.

The FFM team asked how the LGBT+ population are treated by government and society generally. Officials noted our courts affirmed that LGBT groups can exist / decriminalised. It may be of interest that the president [who is a lawyer] was involved in litigation [to register LGBT+ NGOs]. The official was not aware of any

cases of discrimination of LGBT+ people. The FFM team queried if this was by government or society. The official noted by government and society generally.

Officials asked if the FFM team had meetings with the Ministry of Health? How they handled victims of GBV and LGBT+ people, the health sector response and how they manage [might be of interest], as they have special programmes [affecting these groups]. **Officials** recommended speaking to the National AIDS & Health Promotion Agency (NAHPA) which have programmes for LGBT+ people.

OFFICIALS added that the president has always been vocal about human rights issues. Last year [2024] around the election was the start of revision of the Constitution, which was not completed. It was a consultation around the country [during which] a lot of issues were raised [by] different parts of society and thought this process will continue. The country does not discriminate, but there are instances where people feel discriminated [against] and they have raised some articles within the Constitution that they felt should really be dealt with, and that is the core conversation that is ongoing. Parts of our Constitution demand a referendum and this may be one of them.

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Annex N - Interview with Ministry of Labour and Internal Affairs

Date	**10 July 2025**
Location	Ministry of Labour and Internal Affairs (MLIA), Gaborone
Attendees	4 MLIA senior officials; 3 HO officials

Women and gender-based violence (GBV)

The FFM team asked about the position of women, their treatment and their ability to obtain protection. OFFICIALS explained that gender falls within the Ministry of Youth and Gender [Affairs] [MYGA] but that [the officials could comment] based on their own experiences, including **OFFICIALS** commenting from a woman's perspective. One of the male **OFFICIALs** noted that his own understanding of the situation in Botswana (BWA) is that women are treated very well. There's no discrimination or belittling of women. Women are given the protection they need and there are laws in effect which are trying to address [GBV]. Even the police have taken a posture whereby when a woman comes in to report her boyfriend or husband, the husband is never asked any questions [there and then]. He's immediately taken by the police and is kept away [from her] and interrogated. So we are taking GBV issues very seriously to avoid any escalation in those issues.

A female **OFFICIAL** thought most of the FFM team's areas of interest were [within the remit of the MYGA]. She explained that she wouldn't want to share her own experiences while attending in an official capacity. But she observed that, in terms of discrimination, BWA has many laws [protecting women against it]. In the past, there was a provision within the Citizenship Act 1984 [that only men could] pass on their citizenship to their children. But that provision was declared null and void [in a court case] and the law was amended in 1995 so that now, women can pass on citizenship in the same way as men. XXX in the delta XXX create a balance between men and women [not clarified by source]. Leave [from work] used to be unpaid in the case of women, but not now. In terms of the Botswana Defence Force, a provision [banning women from enlisting] was done away with, so women can join the army.

OFFICIALS thought BWA had made significant progress over the years to try and do away with laws that discriminate [against women].

OFFICIALS added that there is also the Public Procurement Act and fulfilment laws which [promote] economic inclusion. Actually, we give more of an advantage to women and youth than we do to the elderly. We realised that for a long time as an African society, obviously we'd been a patriarchal society. But after [the citizenship ruling], we moved to try to change the situation. There's been a lot of movement. But [as regards] the issue of unpaid leave that **OFFICIALS** spoke about earlier, the bill is currently before Parliament. [Women] were getting [maternity pay] at a certain percentage [of their income], and it was only for 12 weeks. But the current law that is before Parliament would push that up. **OFFICIALS** thought the bill was at the Second Reading stage. They noted that if Parliament approves the bill, the period of maternity pay will increase. Women in [the civil service] take maternity leave on full pay. The private sector used to choose whether to pay a certain percentage [of a woman's usual salary] but the bill would mandate that they pay 70%. We are also pushing for the remaining 30% [to be paid from] a Social Security Fund to which both the employee and the employer would contribute percentages, [which are still to be determined]. At the end of the day, we want women who go on maternity leave to receive 100% of their salary, and the employer will be cushioned by the fund.

OFFICIALS also noted that previously in BWA those holding positions of authority were men like [**OFFICIAL**], but right now we are moving from there. There are many women like [**OFFICIAL**] who hold positions of responsibility. Sometimes the conditions are not the same. When we go for interview for these positions, if the performance is equal, women are given preference. There are women specially elected to Parliament as well, sometimes a lot of them, because we want to increase the number. The **OFFICIALS** added that the head of the civil service and the deputy head [are women].

The FFM team noted that the ministry is responsible for labour and labour law. To summarise, were the officials making the point that the government is trying to address any residual inequalities in labour law? OFFICIALS noted yes, and explained that the bill that is before Parliament will ratify most of the ILO [International Labour Organisation] conventions and is in line with ILO [standards].

During discussion of freedom of movement (below), **OFFICIALS** noted that in this country, we have laws against GBV. GBV is enshrined in our Penal Code. The police have a unit on GBV specifically to deal with these issues so they are in a better position to speak [on this because] they would have experience in dealing with the issue. But there are remedies available to take action against [perpetrators of GBV]. There are countries that have a higher rate of killing, a high risk of violence. Crime is a social phenomenon. You may not eradicate crime, but you can manage crime to certain levels. So we cannot say completely there will not be GBV. The most important thing is that if it happens, there is a remedy and people are protected. If people go unprotected, then that is an issue.

[Following discussions on the subject of witchcraft (below)] **OFFICIALS** noted that according to reported cases, most GBV happens in major towns and cities. They thought this was very surprising. **OFFICIALS** added that culture has evolved and is not as it was before. In the past, only a man could take over as a king or chief, but now, if a woman is next in line, she takes over. [This applied to] chiefs as far as the Namibian border. The female chief next door to here [central Gaborone] is one of the most respected.

OFFICIALS noted that ‘crimes of passion’, as we used to call them, are mostly in urban areas. Usually in rural areas, people fight over things. In urban areas, they are more educated and they fight over people. A military captain killed a woman and child [in BWA] after they had lived together in South Africa and Australia. Cultural assimilation here has gone through a lot. Culture is used as an excuse not to address the real issue. **OFFICIALS** added that kgotlas [customary courts] are very progressive nowadays. It’s highly unlikely that someone would get away with GBV.

OFFICIALS explained that men sometimes feel what is happening is oppressing men. Women are in control of the home. If a man has done this and this, he’s immediately in trouble. If you’re a man and you go to the kgotla, you’ve broken a taboo and you’re in trouble. Now, you see young boys hitting girls, but these issues are never discussed. It’s a matter of how boys are being raised.

The FFM team asked whether customary law had provided a certain culture. OFFICIALS thought yes, but that people don’t respect that now.

OFFICIALS noted that the easiest remedy is to go to the customary court because it’s not expensive, but that he would rather go to the civil court. Most of the cases that come … [not clarified by source.]

Freedom of movement and identity documents

OFFICIALS noted that of the FFM team’s other areas of interest, only freedom of movement was [within the ministry’s remit].

OFFICIALS explained that the rights and freedoms of individuals are enshrined in the Constitution, which is a reference point. No person can be discriminated against on the basis of gender, on the basis of sex, on the basis of religious affiliation. They are all listed there, so there is law to protect people. If your rights are not observed, you can approach a court of law, you can approach the authorities such as the police, and then your rights can be protected. Every person in this country has the right of freedom of movement. If movement is restricted, there's something they can do. They can approach the authorities and report it. The basis of these provisions and the law is really to protect individuals.

The FFM team asked whether the MILA is responsible for passport issuance. OFFICIALS confirmed that it is.

The FFM team asked whether women can obtain passports in the same way as men. OFFICIALS confirmed this. **The FFM team asked whether there are ID cards in Botswana. OFFICIALS** confirmed that there are. **The FFM team asked whether obtaining an ID card in BWA is straightforward. OFFICIALS** explained that there is a law, the National Registration Act. When a person is born, they're supposed to be registered at the Registrar’s office for that area. After registration, when the person reaches a [16], they get the ID. Everyone has an ID because for them to go to school, to access education, they have to produce the ID.

OFFICIALS noted that when they are born, we start them off with the birth certificate. When they are 16, they acquire national registration ID. [They can apply for] a passport when they want it.

The FFM team asked whether this was a digitised system, on a digital database. OFFICIALS explained that we don’t have e-ID, but we are working towards that. It's one of the projects that we are currently embarking on.

The FFM team summarised that ID cards are important to access public services and to move around the country. They asked whether, if you lose

your card or relocate, for example, from Francistown to Gaborone, you can easily get a new card. Can you re-register? OFFICIALS and **OFFICIALS** confirmed yes. **OFFICIALS** explained that you just pay a nominal fee.

The FFM team asked whether a person just goes to a local office of the MLIA, to apply for their first ID card or get a new card. OFFICIALS noted yes. If you are applying for the first time … [unclear notes, source did not clarify]. If you renew it, you pay a fee [unclear notes, source did not clarify]. We issue birth certificates so we have the records already. **The FFM team asked whether birth certificates are universal. OFFICIALS** confirmed that they are. **The FFM team asked whether a woman would be able to get a replacement ID card if she moved from one town to another. OFFICIALS** confirmed this. **OFFICIALS** added that you need an ID card for everything. A passport is optional.

The FFM team asked whether there are lots of MLIA offices that issue ID cards. OFFICIALS noted that there are. We have people in remote areas and we have to go and register them. [This is done by] the Civil and National Registration. They do outreach to remote dwellers. They issue birth certificates, marriage certificates, death certificates and [proof of] change of surname.

The FFM team asked how long it takes for a passport to be issued. OFFICIALS noted 5 working days, but this would depend whether it was an emergency or not. **Asked whether a premium issuance would be payable for an emergency issuance, OFFICIALS** explained that there used to be 3 services: 5 working days, 2 working days and an express service of 24 hours. There were different prices for each, but now the 2-day service and express service have been stopped.

LGBT+ people

The FFM team asked whether it is possible for a person to change their gender marker on an ID document. OFFICIALS and **OFFICIALS** noted that they were unable to answer the question.

The OFFICIALS observed that there was a court case brought by someone he went to school with, who changed her gender marker to female. **OFFICIALS** added that there's a difference between BWA and what is happening in the Western world. [In the West], if I wake up one morning and I feel like a woman, I would say that I'm a woman. [But] you have to have certain physical features [to be a woman in BWA].

OFFICIALS noted that it boils down to remedies and whether you can seek redress. She explained that there was a case, Kgositau [Kgositau v. Attorney General of Botswana], [in which the High Court ruled in favour of a trans woman who was seeking to change her gender marker]. **OFFICIALS** explained that the government has not yet come to a final policy decision [on changes to gender markers].

The FFM team asked whether a person would need to go to court in order to change their gender marker. OFFICIALS explained that we need to see the medical report that suggests this person has transitioned, then the authorities don't have a problem with that. **The FFM team asked whether this meant a person would need a court order, or a court order with medical documents. OFFICIALS** explained that the court [in the Kgositau case] said it would be discriminatory and against the Constitution [to refuse a gender marker change]. We are free to rely on that court ruling because the Kgositau case is case law. **The FFM team asked whether this was because BWE has a common law system like the UK.** The **OFFICIALS** confirmed yes. **Asked whether this meant individuals would not need to go to court [in order to change their gender marker], the**

OFFICIALS confirmed no [a court order would not be needed].

OFFICIALS added that under the Societies Act, we've been able to register [LGBT+] associations or societies because of [non-discrimination]. The court case challenge started in 2016 [the FFM team asked for clarification of the law, source did not provide this]. **The FFM team asked whether the groups receive funding. OFFICIALS** noted that the Ministry of Youth and Gender [Affairs] gives money to youth groups.

The OFFICIALS added that some of the [LGBT+] NGOs are members of BOCONGO [Botswana Council of Non-Governmental Organisations], so they receive funding that way. Member organisations are grouped by thematic focus, such as governance and corruption, or gender. [LGBT+ NGOs] are beneficiaries under the thematic group on gender.

Witchcraft

OFFICIALS explained that there are a lot of myths around witchcraft. **The FFM team noted that it seemed to get mixed in with gender issues in rural areas.** The **OFFICIALS** thought witchcraft was highly unlikely to be a reason for a person to flee to the UK, but added that Bowono was known as the centre of witchcraft [in Botswana]. [If a person needed to leave], it would be best to go to Gaborone or Francistown. They did not need to go to the UK, [joking] that [the power of] witchcraft had no geographical limits.

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Annex O - Interview with Mosaditia Women in Tourism

Date	**14 July 2025**
Location	Love Botswana, Kingdom City, Maun
Attendees	Trustee – 1; Trustee – 2; Vice Chair; Member; Regional Member; Vice Secretary; Secretary; Official; Mosaditia Women in Tourism (MWT); 3 HO officials

The Mosaditia Women in Tourism Trust (MWTT) explained that they are an NGO started in 2019 and consisted of 9 women. Their purpose is to support gender equality in the tourist industry, operating in Maun, their sponsor is Alistair MacFarlane. Still relatively new, helped one woman to date.

The FFM team asked about the situation of women. OFFICIAL noted that Botswana is not that poor. Some women live nicely, some live with more difficulty [particularly] if we are talking about rural areas. **The FFM team asked if they could expand.** Less women in the Parliament. We agree men can do things better so that's why women vote for men. Some women in parliament were elected, the rest were nominated. **The FFM team asked if the situation had changed over time, is it getting better. OFFICIAL** thought it is getting better as there are a lot of women in high positions – senior positions in the police and prisons. Women are in some high positions and maybe through education, teaching other woman, it is now time for women to have high office. In the past, our beliefs or our culture didn't allow women to thrive. We were just baby-making machines, someone who worked on the farm or was a housewife. So now it is getting better, women are getting out there, some have responsibility, some are single mothers but are doing fine.

The FFM team asked if it is the same in rural areas. OFFICIAL doubted it will be seen [women's progress? – source did not clarify], the cost of living and lifestyle changes [impacted this], so maybe in towns people think women can do it. In rural areas, women are being oppressed as the culture they still believe in won't allow women [to be equal to men / do the same work as men].

The FFM team asked about prevalence of gender-based violence (GBV). OFFICIAL noted that it is heartbreaking. Reading the news, every day there is a woman who has been killed, raped and [experienced] all sorts of things. **The FFM team asked about how prevalent GBV is amongst women who MWTT have assisted. OFFICIAL** could not say, the MWTT is still new.

The FFM team asked what types of GBV. OFFICIAL noted they are different. Some occurs at office, home and even in churches. GBV is everywhere. **The FFM team clarified what types – for example, physical. OFFICIAL** noted financial, physical and emotional. **The FFM team asked if men are affected. OFFICIAL** noted that a boy might be beaten [by his father]. The boy might grow up thinking that society should copy that. This is not correct, a man should be a protector or a provider.

The FFM team asked who are the perpetrators of GBV. OFFICIAL noted men, look at prison figures – many men.

The FFM team asked if laws and policies were sufficient to protect women. OFFICIAL, thought, yes [but] some laws and policies have left us behind. In Botswana (BWA), there is the death penalty [for certain crimes]. But when a man [kills a woman], the government decides the man has rights [so does not apply the death penalty], takes cares of the man.

The FFM team asked if the law provides enough protection. OFFICIAL doubted this.

The FFM team asked if the police can provide protection. OFFICIAL they do protect [women] but they do not have enough resources, to go to rural areas. If ask, they may come after 2 hours or say they do not have a car by which time the incident has happened.

The FFM team asked what would happen if a woman goes to the police station. OFFICIAL considered that [a woman] would be treated fairly although did not know that much [about this]. Had not come across any woman who said that [they had not been treated fairly] but it takes forever to solve [cases].

The FFM team summarised, laws and policies are there, the police are there, but sometimes protection is not effective. Is that correct? OFFICIAL, yes that is correct.

The FFM team asked what other support women get. OFFICIAL noted there is support from churches and civil society organisations. **The FFM team asked if it is easy to obtain support. OFFICIAL**, noted yes, it is, but sometimes the help can't reach people.

The FFM team asked about assistance from the traditional justice system. OFFICIAL noted that the traditional system is not that effective. We have the dikgosi [traditional chiefs], we have their support. **The FFM team asked if the traditional justice supports women who face GBV. OFFICIAL** no. Normally these go to the High Court.

The FFM team asked if there are enough NGOs (non-government

organisations) and church groups to provide support. OFFICIAL considered no, there are not enough. In rural areas where there are high numbers of GBV [cases], people don't report. Some women suffer in silence, because they are being oppressed.

The FFM team asked why women do not report GBV – they do not know they can or because they cannot. OFFICIAL thought [women] cannot express [what happens]. For example, maybe my husband is violating my daughter, I'll know. Because he is the provider, I'll decide to keep [quiet].

The FFM team asked if it was mainly because of the economic reasons that women did not report incidents of GBV. OFFICIAL, yes, because of the economic situation. **The FFM team asked if there any other reasons**. **OFFICIAL** thought maybe culture. Some cultures don't allow women to have a say. Even some churches don't allow women to have a say. Women should just keep quiet when a man talks. A woman should just follow what a man says.

The FFM team asked if women are aware of their rights (to be protected from GBV). OFFICIAL did not consider there is enough [awareness], because [awareness campaigns are?] mostly held in towns, in cities - how about those in rural areas [can't make out comment]? It takes time, maybe people go to towns [only] once in a while.

The FFM team asked if women have access to legal aid. OFFICIAL, noted that yes, we do have legal aid in Maun. But some people don't know it is there. It takes a long time to tell them it's there. **The FFM team asked how easy is it to access legal aid. OFFICIAL** thought very easy, but there is just a lack information about [its availability], some people don't know what they are missing. **The FFM team asked who provides access to legal aid. OFFICIAL** noted that the government provides this.

The FFM team asked if there are shelters (in Maun). OFFICIAL noted there is, but the location is not disclosed. **The FFM team asked easy is it to access the shelter. OFFICIAL** normally if a woman is sexually molested/harassed/beaten, they go to the police who take them to the shelter.

The FFM team asked about single women who face GBV, are they able to obtain protection. OFFICIAL yes [they face GBV]. As much as a married woman, every woman has the right woman to protection, to go for legal aid, as long as they feel it is safe and it is open for them.

The FFM team noted that the police now have a GBV unit. Has this changed how the police handle GBV cases. OFFICIAL noted definitely this makes [a difference]. [Women] are free to speak, [previously] when people coming and going [a woman] would not be able to express themselves. When indoors [in private] a woman is able to say anything. It's safe, definitely it's good.

The FFM team asked when the GBV unit was introduced in Maun. OFFICIAL noted not very long ago, maybe 3 months.

The FFM team asked if a woman could relocate to avoid GBV. OFFICIAL, yes, they are free as long as their finances allow, they can move. Some won't move because of their financial status, their beliefs and their culture. BWA is a free country, people can leave when they want and live where they want.

The FFM team asked how society would see a (single) woman who had moved to an area. OFFICIAL noted that maybe [in the past], society would not accept single women, but in this era they would just be accepted.

The FFM team asked if a woman who moved would be able to access public services. OFFICIAL noted that education, health, everything is free, so everyone can access this. It's only their [mistaken] beliefs that might prevent [them from relocating], for example a belief that their children can't go to school. [But] everyone has the right to education. **The FFM team asked if the state is doing enough about this, for example in rural areas. OFFICIAL** noted that the government takes responsibility for providing healthcare and education, including boarding schools.

The FFM team asked if a woman makes a complaint about a perpetrator of GBV, are they dealt with properly. OFFICIAL noted that sometimes [the government does] fail us. Most women who are killed, they will have reported the case to the police, the perpetrator is arrested but later is released and kills the woman. **The FFM team asked if this is common. OFFICIAL** thought yes, there are many cases. **The FFM team asked how OFFICIAL knew that it was common – from experience or newspapers. OFFICIAL** explained that they knew the women. On that, the government has failed us. Some perpetrators are given bail then [kill a woman]. Some perpetrators kill one person then, after bail, will kill the witness.

The FFM team noted that the government had introduced the Bail Act (in 2024) to reduce releasing people on bail who go on to reoffend. Were MWTT aware of the act. OFFICIAL noted maybe it has been introduced on papers [only]. Perpetrators [of GBV] are roaming around, bail is not working as these people should be in prison; people would be alive now.

The FFM asked if MWWT were aware of cases of perpetrators [of GBV] who had been arrested, prosecuted and put in prison. OFFICIAL, yes, some are. But many are on bail.

The FFM team asked why women withdraw GBV cases. OFFICIAL noted beliefs and support. [A woman may] report [her] husband, then withdraw as he is the provider. Some family members will come after the woman.

The FFM team clarified which men were the perpetrators of GBV. OFFICIAL noted boyfriends and husbands. Some are strangers but mostly partners. Also other family members.

The FFM team has there been a change with the new government towards GBV. OFFICIAL are hopeful for change as the president is a lawyer, but too early [to say].

The FFM team asked about the number of LGBT+ people. OFFICIAL noted they are there, they open. Some have got their society, their interests. Thought they are free, not oppressed – everyone has a right to do what they want to do, live how they want to live it.

The FFM team asked if the MWTT have come across the LGBT+ population? OFFICIAL no. Maybe because the MWTT is still starting.

The FFM team asked if MWTT knew of the LGBT+ people in Maun. OFFICIAL knew of 2 people, a woman who was married but now lives with a woman. **The FFM team asked if she was open, living with another woman**. **OFFICIAL** – she lives with another women, don't know if she is open – maybe with friends. **The FFM team asked if the woman had problems from other members of society. OFFICIAL** Yes. Society changes them. People believe it is a taboo. Yes, some LGBT+ people are attacked but not brutal. **The FFM team asked if these attitudes vary from Maun to villages. OFFICIAL** yes it changes. In Gaborone, a city, everyone expresses how they want to live. Here in Maun, it is a rural area, [people] still have

[beliefs] and some may be afraid to come out because of the culture. **Asked whether this observation was from having been to Gaborone [and seen the situation there], OFFICIAL** noted that even if you only go for 2 or 3 days and then come back, you can see the difference.

The FFM team noted that OFFICIAL had mentioned knowing 2 LGBT+ people. Was the second one a gay man? OFFICIAL yes. **Asked about his experiences, OFFICIAL** noted that he has a partner but does not disclose this. People are sometimes distrustful of LGBT+ people because of [situations in which they do not initially realise a trans woman is trans].

The FFM team asked if there had been any cases of witchcraft, ritual killings. OFFICIAL – no, not in Botswana. Can't say it doesn't happen but not aware of cases. **TRUSTEE - 1** noted that this may have happened in the past, maybe in 1960s and 1970s but now this doesn't happen. We have stories of this happening, but we haven't seen cases. Christianity was not as practised as much as today, ritual practices were there but most people are now Christian, so we don't see this happen. **The FFM team asked if that was mainly in rural areas, TRUSTEE - 1** noted yes.

TRUSTEE-1 commented on the experiences of women going to the police. It depends on the type of the police officer [they report their case to]. Some are willing to help but others might [blame the woman], saying she [spent the perpetrator's money on alcohol]. Most of the cases where women are killed, they reported to the police once or twice. The police don't follow up or question the perpetrator but let him go free. **The FFM team asked if the police's GBV unit is helping. TRUSTEE-1** [might be helping]. Children were expelled from school, the police were there [showing they take this seriously]. We are hoping for the best. As **OFFICIAL** was saying, if a woman is married and her husband is abusive [in front of male children], then the children will think this is normal. Now the police are taking an interest, we hope there will be change.

TRUSTEE-1 added that in the past, women only did the cooking and cleaning, but now women should be capable. Women are working for safari companies. **TRUSTEE-1** noted that she is a manager but is paid less [than her male counterparts]. Some women [in other companies] have had to agree to become the girlfriend of [a male boss/colleague] because he threatened that otherwise he would get them fired. But women have a voice and the situation is getting better.

The FFM team asked whether the government is helping women to find employment. OFFICIAL noted yes**. Asked whether other NGOs are also helping, OFFICIAL** confirmed that they are. **The FFM team asked whether help is available for [securing] employment opportunities for women. OFFICIAL** noted yes, there are funds being kept specifically for women and women can apply for a grant [interview notes unclear, source did not clarify]. **Asked whether a grant is easy to get, OFFICIAL** noted that it is. Mainly [the issue is] that women feel they can't do it. All in all, the government is trying to uplift women.

The FFM team summarised that help and support are there but women need to access them. OFFICIAL agreed and noted that every woman can access them. **The FFM team asked whether there are special provisions for women in rural areas. OFFICIAL** explained that in the case of some tenders [for government contracts], the government says they are specifically for women, or prioritise women. **Asked if it is a women-friendly government, OFFICIAL** confirmed that it is. She noted that the culture is dynamic, the culture is changing.

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Annex P - Interview with Bana Ba Letsatsi

Date	14 July 2025
Location	Love Botswana Life Centre, Maun
Attendees	Social Worker, Rehabilitation Centre, Psychosocial Department, Bana Ba Letsatsi; Community Officer, Psychosocial Department, Bana Ba Letsatsi; 3 HO officials

Women and gender-based violence (GBV)

The FFM team asked for an overview of Bana Ba Letsatsi's (BBL) work. The social worker explained that BBL is a non-governmental organisation that runs a rehabilitation centre for school dropouts at primary level. BBL was established in 2002 in response to growing numbers of XXX [source did not clarify]. They keep children off the streets and away from negative influences. They empower them through education and psychosocial support, through one year of rehabilitation. They provide the conditions to enable all of the children to become confident and responsible adults. The main department is their Psychosocial Department, and they also have Education and Operations departments.

The services provided by BBL are counselling, sponsored recreation, daily meals, transport and education, with the most important service being psychosocial support. BBL has a Psychosocial Support Office through which children are recruited to a programme that supports them to return to mainstream schools. BBL does home visits around Maun and the outskirts of Maun to identify cases where children between 6 and 14 years old have dropped out of school. They do assessments to determine [school] entry points, they do school visits and they also run a school holiday programme to keep the children off the streets. During school holidays, they also invite stakeholders to come and educate and assist the children. They also undertake casework management.

The Education Department is headed by Mr. XXX. Under education, they teach life skills and provide activities to encourage the children to have more responsibility and to be the successful adults of tomorrow. They hold health and hygiene workshops for the kids and they provide education in partnership with the Ministry of Basic Education. There are about 158 children at BBL – 55 girls and 103 boys. They have 47 children who are attending mainstream schools, whom BBL have taken back to school this year [2025]. BBL have been to one XXX [source did not clarify], and there are 60 children who are attending classes out of school with BBL. BBL call it 'OSEC', which stands for 'Out of School Education for Children'. That education is the reason the Ministry of Basic Education provides them with teachers. BBL has 5 teachers.

The Operations Department takes care of BBL's daily programmes such as cleaning, cooking and finance.

The FFM team asked whether BBL's money comes from the Ministry of Education and other donors. Social worker explained that the Ministry of Basic Education only provides them with 2 teachers. As regards finances, they are supported by volunteers from outside the country, volunteers from safari companies and individuals, especially providing or supporting them with food, clothes and toiletries.

The FFM asked whether BBL works in Maun and the Maun area, the **social worker** replied that they work in Maun and the surrounding areas. In some cases, when they rehabilitate children, they find that the children need to leave their challenges behind. If BBL find the kids' homes are not suitable for children, they end up taking them to boarding schools outside Maun so that they can have a good environment which is conducive to their education. They have kids as far as Shakawe and as far as XXX [source did not clarify]. **The FFM team asked how far away that is. Social worker** noted that it is 5 hours away.

The FFM team explained that their main focus is on gender-based violence and asked whether – perhaps through the experiences of the children BBL supports – they would be able to comment on the position of women and their treatment in Botswana. The social worker noted that BBL focusses their policy on 'hard families' with socioeconomic challenges or issues relating to the shebeens. **The FFM asked for clarification of the meaning of shebeens.** Social worker explained that the shebeens are homes where they sell traditional alcohol. You'll find children who live there being exposed to gender-based violence. Parents fight in front of them. There are issues of a lack of parental support, and some are child-headed families. There are parents of kids hiding their needs because the parents are driving them to have to reach things.

The FFM team asked whether BBL observe much gender-based violence in the population groups they go out and help, or in the entire community. The social worker noted that there is GBV but that government social workers deal with that. **The FFM team asked whether there is a lot of GBV amongst the families of the 158 kids, including the 55 girls.** Social worker noted there are a few cases and that the teachers see it when they go out, especially where the parents want to take the child from school while they go away and drink alcohol. One other thing is that they don't have stable homes. They move from one place to another where they can't be traced. **The FFM team summarised that the children get neglected, sometimes perhaps assaulted, and then maybe the parents move, so BBL can't keep track of them for their teams to give support.** Social worker agreed, explaining that BBL have their phone numbers but they change their numbers and this can happen anytime so it's difficult to keep track of them.

The social worker added that some children's lives are at risk. Some of them are on the outskirts of Maun and travel 30 kilometres every day. They're at danger from elephants. **The FFM team asked if this meant 30km walking. SOCIAL WORKER** confirmed this. **The FFM team asked whether this was walking to school, and whether there was no bus or other transport. Social worker** explained that there is a community bus but sometimes the bus is not there. Community members give them a lift sometimes but in most cases they walk. **The FFM team commented that this must mean the children are walking for 4 or 5 hours. Social worker** noted that sometimes they can go a week without attending school. They say, 'Sorry we didn't come to school. We saw footprints of elephants so we couldn't risk it.' BBL understand this. **The FFM team asked whether it is all of the children, or only some, who have to walk like that. Social worker** explained that out of the 158 children, about 10 do.

The FFM team asked whether BBL see gender-based violence cases amongst the girls they support. Social worker noted that the chances are very slim. **The FFM team asked why that is. Social worker** noted that the main cases they see are not gender-based violence. **The FFM team noted that they were dealing with a different type of situation. When they do see GBV cases, do they refer them**

to the authorities, to social services and to the police? SOCIAL WORKER explained that they refer them to drug and alcohol abuse and shelters and other stakeholders. Most of their cases involve indigence. If there are issues of gender-based violence, they refer them to the government social workers, the police or shelters. **The FFM team asked for confirmation that BBL do not have shelters. Social worker** confirmed that they do not.

The FFM team asked whether these other stakeholders, particularly the police, are effective at providing support and investigating. SOCIAL WORKER noted that they are very effective. Stakeholders like the police come to talk about their services, what children can do if they're being abused at home. **The FFM team asked if any of these cases end up with the parents being arrested and punished. SOCIAL WORKER** confirmed that they do. [Unclear, source did not clarify] BBL check if their kids' attendance is OK and how their emotions are going. After that, they do home visits to assess the environment. They once had 2 cases in which parents abandoned their kids, and BBL referred the parents to the police. They were in detention for at least 5 days and then they went back home. **The FFM asked whether sometimes, when the parents have disappeared or aren't suitable for looking after children, children are relocated to other families, or whether there are any orphanages or care centres for children in Maun or elsewhere. SOCIAL WORKER** explained not in Maun. **[**Unclear, source did not clarify] accommodating 0 to 5 years, but not a shelter. In the afternoon and evening, the rest of the day, they have to go home. **The FFM team asked for confirmation as to whether children must always go back to their parents and BBL provide support [only] during the day. SOCIAL WORKER** confirmed this, adding that this is their main challenge because they are trying to mould the children's behaviour.

The FFM team asked whether there are many children BBL can't reach who need support as well, or whether they think they are addressing the needs of the most vulnerable children in the district. SOCIAL WORKER noted that most of BBL's cases involve the use of alcohol and drugs, and most of the kids are from that background. They don't have a shelter. [unclear, did not clarify]

The FFM team asked whether most of the children they support are from quite poor families in rural areas, not in Maun itself but on the outskirts. SOCIAL WORKER agreed and noted that the parents use drugs or alcohol and the kids continue that. **The FFM team summarised that in most of these households they use drugs and alcohol already, sometimes they sell it and the children are affected either by starting themselves or by being abused in some fashion by their parents. SOCIAL WORKER** agreed, adding that the children can spread bad habits by introducing them to other kids.

The FFM team asked whether BBL were able to comment more widely on the position of women and gender-based violence in Maun. Was that something they were aware of, or did they have any comments based on their personal experience? SOCIAL WORKER noted that the number of GBV cases in Maun is high. Kids are being abused by their caregivers, the people who are supposed to protect them. Most of it is where the parents work on safaris in the deltas. Their uncles take care of them and there are some cases of rape, defilement, teenage pregnancy, usually because of the absence of the parents. **The FFM team asked whether there is data recorded about how often this happens. SOCIAL WORKER** did not have data.

The FFM team noted that the SOCIAL WORKER mentioned that the police are

quite responsive and asked whether that is true for these GBV cases. Do the police respond and take action? Are they helpful? COMMUNITY OFFICER thought sometimes, noting that perpetrators can be found guilty. **SOCIAL WORKER** noted that perpetrators get [prison sentences of] 10 to 15 years. **The FFM team asked whether that was specifically for harming a child. What was the crime committed? COMMUNITY OFFICER** cited defilement. **SOCIAL WORKER** cited rape or defilement.

The FFM team asked whether this meant the police are very responsive for child cases, or whether this applied to adult women as well. SOCIAL WORKER noted that the police have youth-friendly, child-friendly policies. BBL don't refer them to the main police; they take them to a special police station. **COMMUNITY OFFICER** added that the police there wear ordinary clothes, and there are TVs. **The FFM team asked how big the child-friendly station is. How many police officers work there? COMMUNITY OFFICER** thought about 4 [police officers]. **The FFM team asked whether the child-friendly station is always accessible. Can you ring up or go to it? Is there a police officer there 24 hours a day? SOCIAL WORKER** explained that it is not open 24 hours but that BBL work with WAR [Women Against Rape]. If there's a case that requires urgent attention, they refer it to WAR, and WAR refers it to the police in the morning, or you can refer it to the main police. **The FFM team noted that some of the children are in small communities and asked whether they can access the police, too. SOCIAL WORKER** confirmed that they can, adding that they [BBL and the child] can just sit down to discuss it [with the police]. **The FFM asked whether this meant in the child-friendly office. SOCIAL WORKER** confirmed that it did. **The FFM team asked whether the child-friendly office covers the whole area. SOCIAL WORKER** confirmed this.

The FFM team asked whether there are any other NGOs that help children, and girls in particular, in this area [in and around Maun]. SOCIAL WORKER cited Bana Ba Letsatsi and Love Botswana. **The FFM team asked for confirmation that the government provides support by the social services for children. SOCIAL WORKER** agreed and explained that there are special programmes for children. **The FFM team asked whether BBL knew how many social workers there are in the area. SOCIAL WORKER** explained that there are social workers in their meetings, at all the schools in Maun and [working with?] all community leaders such as chiefs. **The FFM team asked if this meant the dikgosi, SOCIAL WORKER** confirmed this. **The FFM team asked whether the police and the government social workers work together as a community. SOCIAL WORKER** thought yes. **The FFM team asked whether the NGOs, too, work with them, whether they all work together. SOCIAL WORKER** thought yes.

The FFM team asked how many social workers work in Maun. SOCIAL WORKER thought more than 20. **The FFM team noted that it is a big area. Did BBL consider this to be enough? SOCIAL WORKER** explained that there is the District Council, and under the district they have the Department of Social Welfare and Development of Maun, where the social workers' office is. In most cases, you'll find that from there they reach 18 wards or extensions. They are based in their extensions, in their wards, or like BBL are in this area, there is the social worker and then there are smaller [unclear, source did not clarify]. **The FFM team asked whether the district referred to was the Maun district or Ngamiland [the North West District, of which Maun is the capital]. SOCIAL WORKER** noted Maun. **The FFM team asked for clarification as to whether within Maun there are wards,**

smaller administrative units, and whether each one has a social worker. SOCIAL WORKER confirmed this. **The FFM team asked whether there are about 20 or 25 wards in Maun. SOCIAL WORKER** confirmed this.

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people)

The FFM team explained that the other topic they are investigating is the experiences of lesbian, gay, bisexual and trans people (LGBT+). Does BBL, in their work, have children who are somehow affected, or gay or lesbian children? SOCIAL WORKER explained that they do not currently have the most at-risk [LGBT+] children, that they have not identified one, but that in the community they see LGBT+ youth every day. **The FFM asked whether 'youth' referred to those aged 14 to 30. SOCIAL WORKER** explained that it meant from the age of 18. **The FFM team asked whether it therefore meant young adults. SOCIAL WORKER** confirmed this. The LGBT+ youth used to work for the organisation Botswana XXX Association [unclear, source did not clarify] on programmes that were provided in Maun. **The FFM team asked whether that was connected with UNAIDS and HIV/AIDS. SOCIAL WORKER** confirmed this.

The FFM summarised that generally now, SOCIAL WORKER and COMMUNITY OFFICER do not have any experience with LGBT+ people in their work, but that they do in the wider community. Did they have any other observations – how LGBT+ people are treated, and are they open (about sexual orientation / gender identity)? SOCIAL WORKER noted that back in the day, they used to face discrimination and stigma and they didn't open up. **The FFM team asked if this has changed. SOCIAL WORKER** noted that they are coming out of the closet and introducing themselves to people. Back in the day, people would disown them, but nowadays in the community, there's education and services and people have accepted them and accepted living with them. **The FFM team asked who provides the services. Is it the NGOs and the government? SOCIAL WORKER** confirmed that it is. Nowadays, we find that basically [unclear]. They provide HIV testing and counselling. XXX [source unclear] have introduced HIV testing at their facilities. Most people can access XXX [source unclear] but they are not able to XXX [unclear, source did not clarify].

The FFM team asked whether SOCIAL WORKER knows LGBT+ people who are open about their sexual orientation. SOCIAL WORKER explained that she did but they have lost touch, so not now.

The FFM team asked whether attitudes towards LGBT+ people differ in the small settlements or villages around Maun compared to Gaborone. SOCIAL WORKER thought it would be difficult for LGBT+ people in the villages around Maun to speak about [their sexual orientation or gender identity] but that in Gaborone they can come out. Those in towns can speak, they can come out. They know that. They don't let anyone silence their rights.

The FFM team asked whether that is true for gender-based violence, too, that it's more difficult to speak up about it in small settlements. SOCIAL WORKER thought yes, because in towns, they have access to all the services. **The FFM team asked whether services referred to health, education and all the administration, the government, and getting a job. SOCIAL WORKER** agreed and noted that it included other organisations, too, like BONELA. **The FFM team noted that they also know of** LEGABIBO. **SOCIAL WORKER** acknowledged LEGABIBO and noted that there is another LGBT+ NGO [in Maun], Pink Triangle.

During discussion on witchcraft and ritual killings [see below], SOCIAL WORKER noted that the most [socially?] at-risk population are gays and lesbians. The main challenge is that back in the day, people were not able to come out of the closet and lesbian and gay men got married. **The FFM team asked whether these were marriages to heterosexual partners.** SOCIAL WORKER confirmed that they were, noting that as time goes on, there will be challenges in those marriage because nowadays they want to come out. In fact, now their marriages are at risk. They want to belong to the [LGBT+] community so they will go through a divorce. **The FFM summarised that people who are actually gay and married to women want to break up those marriages and that they were hiding their sexual orientation. SOCIAL WORKER** agreed.

Witchcraft and ritual killings

The FFM team asked whether, in the communities where they work with children, BBL had ever come across ritual killings or witchcraft. COMMUNITY OFFICER thought these happened in the old days, but not nowadays, or if they do happen, there are only a few [cases]. **The FFM team asked for confirmation that BBL had not heard of or witnessed any witchcraft or ritual killings in their experience in rural areas. COMMUNITY OFFICER** confirmed they had not, but noted [unclear, source did not clarify]. **The FFM team asked whether this was in Maun or somewhere else far away. COMMUNITY OFFICER** [unclear, source did not clarify]

Female genital mutilation (FGM)

The FFM team explained that they are also interested in FGM and asked if BBL knew what that is. SOCIAL WORKER replied that she did not know. **The FFM team explained that it is sometimes referred to as 'cutting'. SOCIAL WORKER** noted that it happened back in the day. **The FFM team asked whether this was in Botswana or just in other countries in Africa. SOCIAL WORKER The FFM team noted that sometimes the word used is 'circumcised' and asked whether it used to happen that boys were circumcised and girls were circumcised. SOCIAL WORKER** noted that it did, in the Kgatleng district near Gaborone. **The FFM team asked whether, as far as SOCIAL WORKER was aware, it had now stopped. SOCIAL WORKER** noted that it had [stopped] because of the rights in the Children's Act. The FFM team asked for clarification as to which act. SOCIAL WORKER clarified that she was referring to the 2009 Children's Act, which she noted recognises that the lives of children are precious.

COMMUNITY OFFICER explained that the introduction of education changed the situation around circumcision, too.

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Annex Q - Interview with acting Deputy Commissioner, North-West District

Date	**15 July 2025**
Location	North-West District offices, Maun
Attendees	Acting Deputy Commissioner (ADC), North-West District (Ngamiland); 3 HO officials

The FFM team asked about the NWD's role in relation to gender-based

violence (GBV) in the district. The ADC explained that she had not expected to meet the FFM team so did not have all relevant background information to hand. **The ADC** also stated that she will obtain information on statistics relating to GBV as well as the district's policies and action plans. The district is also involved in the co-ordination of stakeholders on GBV, such as the Red Cross [the police, the Directorate of Public Prosecutions (DPP) and Women Against Rape (WAR)], [through] the Gender Committee. There are many organisations working on GBV.

The ADC continued, GBV is an issue now. In the past weeks the minister had declared we [must] do community mobilisation on GBV. So, we have [started] on reaching out to the community, going to the Kgotla and prayer (for the victims and to sensitise the public). Many people are victims, but they don't come out, there are many unreported issues about GBV. Women who depend on a man, if they report they lose a source of income. What we are saying, come out and see how the district can help – to facilitate support for survivors. Unfortunately, we do not have many shelters in Botswana (BWA). We have psychosocial support and legal aid. Also, the courts prioritise GBV cases. **The ADC** further noted that unfortunately we do not have a mobilisation budget, need funds to reach areas. The Gender Committee are trying to monitor [GBV] and see how we are doing as a district.

- **The FFM team asked if the district collate numbers on GBV cases. The**
- **ADC** did not have these to hand but can provide these later. [The FFM team
- agreed to write to the ADC after the meeting to ask for GBV statistics however
- the source did not respond]. It was during COVID that the issue of GBV came
- out.**The FFM team asked if the ADC had the impression that GBV cases**
- **had increased in the district. The ADC** thought the number of cases was
- going up. The police will be able to provide statistics [on reported GBV] cases.
- **The FFM team asked where the statistics the ADC referred to came from.**
- **The ADC** noted that [these were presented to] Gender Committee, with
- [statistics provided by]: the police the Directorate of Public Prosecutions
- (which say they have many cases [including many withdrawals])the [government / district] social and welfare office

- Women Against Rape

The cases include assault, rape and so on. The statistics from different stakeholders give an idea about [the number of] cases. **The FFM team asked how ADC defined GBV – rape, assault? ADC** agreed these cases were included.

The FFM team asked if there were more cases of GBV or more reports of cases. The ADC could not say there are more cases, not all cases are reported. But nationally cases are increasing, and people don't come forward [to report cases]. So, the statistics that are available are not a true reflection of what is actually happening.

The FFM team asked if the cases that are reported are processed by the police and prosecuted in the courts and how effective is that process. **The ADC** noted that the police file the cases and undertake investigations. **The FFM team asked if cases were prosecuted / going to court in the district. The ADC** could not say if these cases went to the court, the DPP would have this data. **The FFM team confirmed that the ADC did not get feedback on the outcomes of cases in court, the ADC** agreed. The **ADC** added that the reason the various organisations come together in the Gender Committee is to discuss cases going to court. There is a trend for women to withdraw cases [from being investigated / go to court]. Currently, the **ADC** understood that [the police] no longer allow [GBV] cases to be

withdrawn [from investigation]. **The FFM team asked if police procedure to always investigate GBV cases was a change.** The **ADC** agreed, adding now there is a GBV unit in the police designated for handling cases, which is also part of the [Gender Committee**]. The FFM team asked if the new GBV unit had improved how the police handle GBV cases**. The **ADC** noted there is a national crisis at the moment, and didn't know if the numbers will drop in a few months – repeated did not have statistics, the NWD does not record these [cases].

The FFM team asked if the government's law, policies and campaigns against GBV are strong enough. The ADC noted that [there are protections]: the Children's Act, the Penal Code and the Criminal Procedure Act which criminalises rape and sexual assault. There is an ongoing national review of the laws [on GBV] but **the ADC** was not involved in this, could not comment further. **The FFM team asked if the ADC thought the policies in place are sufficient to provide protection. The ADC** noted that the laws need review, but the government is trying by all means to combat [GBV]. **The FFM team asked how effective these laws are. The ADC** noted this comes back to the statistics. Adding that [for example], [a woman] can get a restraining order but that does not stop someone coming to [the woman's home], there is no protection. So, we need to see how best to issue a protection [restraining] order, how to protect that individual. **The FFM team asked if the woman has to ring the police to come [if the restraining order is breached]. The ADC** agreed.

The FFM team asked what NGO support is there for women in Maun? The ADC noted there is WAR, Red Cross – they provide psychosocial support – there are many [organisations]: LEGABIBO, Tshidilo Stimulation Centre, Love Botswana, Queen Esther. Also prisons and DPP, the tribal administration, the district health team, and the Department of Youth and Gender. These [address] GBV but also mainstreaming of gender.

The FFM team asked if a woman faces GBV, is she able to move to avoid this. The ADC noted that family may offer support, but there are not shelters to accommodate a large number. So, this is the challenge, the lack of shelters. **The FFM team asked if a woman could move by herself to avoid a persecutor, for example to Gaborone.** The ADC noted people can move anywhere [but] they will need money and somewhere to stay. **The FFM team asked if the persecutor would be able to follow the woman. The ADC** did not know, did not follow up on GBV cases. Only hear about cases at the Gender Committee, do not have information about what happens to cases reported to the police.

The FFM team asked about LGBT+ cases. The ADC did not have any statistics on these cases or other information.

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Annex R - Interview with Botswana Network on Ethics, Law and HIV/AIDS

Date	**16 July 2025**
Location	Botswana Network on Ethics, Law and HIV/AIDS (BONELA) office, Metsimotlhabe, Gaborone
Attendees	Executive Director, BONELA; Community and Advocacy Assistant, BONELA; Programs Co-ordinator, BONELA; Form Manager, BONELA; 3 HO Officials

Women and gender-based violence (GBV)

EXECUTIVE DIRECTOR explained that BONELA was formed in 2002 with the primary role of integrating ethics, law and human rights in national response to the HIV/AIDS crisis but works on health holistically. BONELA works with marginalised and vulnerable groups including women; children; migrants; sex workers; lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+) people; rural area dwellers; and prisoners – specifically in health and HIV/AIDs.

BONELA uses strategic impact mitigation as an approach to promote and fulfil human rights. They provide free legal services to those who have been violated and who fall within the scope of their work. BONELA also do advocacy, working with government to ensure that policies and laws protect marginalised communities. They also provide direct services including HIV testing, the provision of condoms and lubes, and all services relating to sexual and reproductive health.

BONELA does a lot of community organising, mobilisation and coordination to ensure that the public is aware of their responsibilities and the rights of marginalised groups. They also do research on marginalised groups primarily to inform policy. BONELA also ensure that the groups they work with are organised and part of their role is to mentor especially for LGBT+ organisations that are coming up and provide them with resources through grants. BONELA also get money from the government which they manage and disperse to the groups they work with.

One of the main issues that BONELA are currently working on is GBV, which is cross-cutting and affects all communities in equal measure but there are some groups that are more vulnerable. It's an area that currently is of great concern in the country second only to HIV because it affects the socio-economic status of people. BONELA are seeing a growing number of problems as a result of GBV. They are also seeing an increased number of femicides where women are killed by men, just yesterday there was a report of a police officer who was killed by a husband with an axe. It goes to show no woman is safe, including when with the police. So that's one area where BONELA are really focusing their attention on because it also has impact on the HIV response. If a woman is in an abusive relationship, she can't negotiate safe sex. She can't negotiate, for instance, the number of children she wants to have. She is not at liberty to explore economically how she can better herself, so she becomes really vulnerable. These are some of the issues that BONELA are working with.

The FFM team asked if BONELA had an in-house lawyer or is this outsourced? The **EXECUTIVE DIRECTOR** noted we have in-house lawyers but also outsource because as an NGO we can't go to court, so we need a law firm. So, we identify cases, the internal lawyers do preparations for a case and then transfer it to the [external] lawyers who take it to court. We maintain the lawyers through a retainer. **The FFM team asked how many in-house lawyers**, the EXECUTIVE DIRECTOR stated that currently BONELA has one (they have been affected by the USAID cuts). Usually BONELA has 2 lawyers, covering the whole country.

The FFM team asked if BONELA has research on GBV or LGBT+ issues. The EXECUTIVE DIRECTOR noted that by research she meant community-based collection. So, we have a programme where we have community members identify issues within communities. Then we compile these data and share with policy makers so that the necessary policy shifts are made.

The FFM team asked about how BONELA is funded, EXECUTIVE DIRECTOR

stated that since 2016 BONELA's biggest donor has been the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), but this has been affected by the current US administration's withdrawal of funding. So, the Global Fund has since 'packed' [stopped] the funding that is supposed to come to countries, so we are currently operating without the Global Fund. We also have funding from the European Union (EU), we have 2 grants i) from the local office focussing on GBV and ii) from Brussels [directly] primarily focusing on strategic impact mitigation for LGBT+ communities – we are actually working on this in BWA, Madagascar and Mauritius. Additionally, we have funding from the Finnish Embassy focussing on GBV. We receive funding from the Botswanan (BWA) government focussing on key populations including LGBT+ communities. We play a coordination role where we receive money on behalf of other organisations and then disperse the money to the respective organisation.

The FFM team asked besides reducing the number of lawyers had there been other impacts from losing the Global Fund funding, the EXECUTIVE DIRECTOR said yes. We had 86 officers in total, now we have 16 so a big cut. We also had to close our offices in districts outside of Gaborone. Previously we had about 11 offices, now we only have one office. The impact has been huge. The government is also struggling with cash flow so sometimes we have a contract with government, but then money does not come.

The FFM team asked how much of BONELA's work relates to GBV, the EXECUTIVE DIRECTOR thought all their work relates to GBV, in HIV programmes which include work on GBV as well as standalone GBV programmes. We have 2 donations specifically for GBV which accounts for about 30% of our funding.

The Programs Co-ordinator added that BONELA has GBV cascade programming where we meet communities at the grassroots level and if someone has experienced violence, we link them to the service providers, social workers/services, to a clinic, to the police to open a case and until they are done with the assistance. Sometimes we provide them with PEP [Post-Exposure Prophylaxis], sometimes contraceptives. **Asked if BONELA receives referrals**, Programs Co-ordinator confirmed BONELA does, for example from the Botswana GBV Prevention and Support Centre (BGBVPSC), to provide counselling. If their clients need legal assistance, they link them to us.

The FFM team asked BONELA to summarise the situation of women in BWA, the EXECUTIVE DIRECTOR thought it very difficult to paint a picture. We have reached crisis levels looking at the numbers that are reported on a daily basis. But what is being reported is only the tip of the iceberg because many of these issues are not reported, some happen in rural areas which are not reported or do not reach mainstream media. It is a national crisis for us, a national problem. We are seeing skyrocketing cases of sexual violence.

The EXECUTIVE DIRECTOR thought BWA was top or in the top 5 countries in the world in terms of sexual violence, which is insane because while BWA is a big country it has a very small population. What is more concerning is that at a national level there doesn't seem to be a strategy that we can be confident will take us out of the current situation. We are do not doing enough research to understand why GBV is happening so that we can begin to close the gaps. Now there is gender inequality. There are so many theories of why this is - how we raise boys and socialise boys into men, but these theories have not been tested. This renders our national response not as robust and precise as it should be. For any pandemic your

prevention strategies should be done with precision, but this is not currently the case with GBV. We are shooting in the dark, not knowing if we are hitting the mark. Everybody wants to do something, but there isn't that level of coordination that directs resources in the right direction. It keeps happening, the more we talk about it, the more it happens.

It's disturbing family life because it affects all types of families, women-headed families who experience GBV from their boyfriends. Also shocking is that you find a married man killing a single woman who they are having an extra marital relationship with, despite the fact they are married. Even in married couples there is GBV. In religious, 'in-cut' [unclear, source did not clarify], poor, middle class and upper middle-class families, women experienced GBV. Makes you wonder how social cohesion can have broken so much. There is no respect for life and no consideration for future generations because they are going to be affected by this in the long term.

The FFM team asked about the levels of GBV and if it had reached 'pandemic proportions', what data is this based on, for example, police statistics? The **EXECUTIVE DIRECTOR** noted that we don't have the numbers – police statistics were released at the start of 2025. Currently we use police statistics, but not every case is documented by the police. But as BONELA works in communities – we have first-hand experience of what is happening. There isn't a day that goes by without a couple experiencing problems or one issue or another.

The FFM team asked to what extent is the increase a result of greater awareness and reporting, **the EXECUTIVE DIRECTOR** thought that there is evidence of an increase in number [of GBV cases]. Wouldn't say the awareness raising doesn't have an impact in getting people to report. The sad reality is that the cases which are mostly documented are those which have reached a vital stage, where somebody has lost their life. It's not like we are seeing more people in GBV relationships reporting more because we only see GBV cases at the end, when can be done.

The FFM team noted that EXECUTIVE DIRECTOR mentioned different types of GBV, for example, sexual violence is particularly prevalent. Did BONELA know of the relative prevalence of the different forms of GBV? The government's relationship study of 2018 attempts to categorise the different types of GBV as experienced by participants. From that report, physical violence was reported as the most prevalent, economic / financial GBV, emotional and sexual violence were less so. There is a different report on sexual violence. However, data is our biggest challenge as currently when it comes to GBV we are reliant on data produced by the police, but most cases do not reach the police - they are not reported. So, there is quite a lot of data that is not included [in published datasets]. This is where community-led monitoring becomes important. For instance, as BONELA we can say of the 150 GBV clients we have met 30% or 50% reported physical GBV, 20% financial or economic GBV and so on. There is quite a lot of effort by civil society, government and development partners but coordination remains a problem. So, any figures you get need to be taken with a pinch of salt, they are not representative of the country situation. **The FFM team asked if 150 cases referred above was a real dataset**, **EXECUTIVE DIRECTOR** said this was an illustration.

The FFM team asked if BONELA documented cases by year and type, and if these give a sense of what is going on. Yes, BONELA keeps a record, they screen every client for GBV. They also do referrals depending on the issue. The entry point is doing outreach in the community, having a discussion with someone

and GBV comes into the discussion. We did a project in schools and lot of cases came out that young people were being ‘defiled’.

The FFM team asked what extent violence is committed by intimate partners (IP) or other perpetrators, for women in general its intimate partners, in marriages, and people who co-habiting and boyfriends and girlfriends. Intimate partner violence (IPV) is the most prevalent. Also see a lot of violence against children where the husband will kill the mother and children. Programs Co-ordinator noted that religious communities report that sometimes where a case is reported and the perpetrator is released on bail then they ‘pass’ [abuse] a child or rape another person. Bail is an issue, with perpetrators re-offending.

The form manager suggested that there needs to be a programme in prisons to rehabilitate offenders, so they don't come out with the same behaviour and nothing has changed as there has been no intervention. There is a need to do something in addition to restraining orders, for example there was a case of man who killed his partner at the University of Botswana in June 2025 who had a restraining order. Raises the question to what extent the police are able to enforce the law - there needs to be a systematic approach, identifying all the gaps and solutions on how to address these as well as recourse for the victims, otherwise the system is porous and you won't get results.

The FFM team asked what laws and policies are in place to protect women from GBV. EXECUTIVE DIRECTOR noted there is

- the Penal Code, which prevents assault and provides prison terms for offences
- the Domestic Violence Act (DVA), which also provides protection including protection orders and places of safety.

The challenge has been implementation or enforcement of the law.

The FFM team asked if the law needed to be strengthened or is there anything missing to protect women, the **EXECUTIVE DIRECTOR** thought yes. We would like the DVA to have more punitive measures or provision to prosecute from a criminal perspective [the ACT defines domestic violence and provides for various Orders to help protect victims but does not set out penalties for acts of domestic violence]. We also think bail needs to be reconsidered for domestic violence cases - we do not consider bail should be given in domestic violence cases until the state has established there is no risk for victims. We are seeing perpetrators get bail and recommit offences. We also want to see better access to safe havens or safe spaces. Currently, we have very few across the country and removing victims from GBV [situations] is a challenge. We would like to see provision for women, children, men and vulnerable groups, for example, trans men and women. Most safe spaces we have at the moment are for women and children only, so more resources need to be made available in order to help protect all people.

EXECUTIVE DIRECTOR noted that the Children's Act, 2009 (CA) is a good piece of legislation for protecting children against violations but there is need for resources to implement it. Cases relating to children can take a long time to be handled. For example, where a child is raped, it takes 5 years for them to get justice and in some instances the child says they don’t want to deal with that, they just want to put the situation behind them.

EXECUTIVE DIRECTOR added that the CA also provides for policing by different stakeholders, including ordinary members of society. If a person sees a child being abused and they don’t do anything about it the person is liable too [unclear, source

did not confirm]. People see children being abused all the time but they do not do anything about it. This might be because they don't understand that they have a legal responsibility to report a case relating to child abuse. It might also be because of how a reported incident is handled by the authorities. For example, sometimes you report an incident to the police, but they don't have a car to reach the place. So, we need to strengthen our laws, ensure the laws in place are being fully implemented and, most importantly, we need the resources to implement the law.

The form manager noted that the other issue, particularly with children, is engaging with the victim in an open court, and that although it has been suggested that there would be child friendly courts these have not been established. The **EXECUTIVE DIRECTOR** noted that children's courts are supposed to hear cases in camera but because of lack of resources, even in terms of having the physical building, it becomes a challenge to implement the act. Programs Co-ordinator added that law enforcement officers need to implement the law with a human lens because sometimes you have a client saying that they had a dispute with their partner, the police say they will mediate and tell them to go back [to the partner]. The next day they are assaulted or even killed. So, the police need a bit of training to approach these cases in a better manner. The **form manager** thought it is the police not assuming that [GBV] is a serious issue.

The **EXECUTIVE DIRECTOR** noted that what the police have done, which is innovative, it just needs to be scaled up, is create gender desks in police stations. These help in terms of expediting access to justice for victims and in terms of dealing with cases from a gender lens, which is critical. Unfortunately, not every police station has these desks, but it's long overdue that each police station should have such a desk. **EXECUTIVE DIRECTOR** added that when we know there is a gender desk [at a police station] we report cases directly to them and it makes life very easy. The officers don't take GBV issues lightly. They act on the cases fast, more so than other police officers.

The FFM team clarified if BONELA knew what proportion of police stations have GBV desks and are these still being rolled out, you will have to ask the police, they keep upscaling [further point but unclear, source did not clarify].

The **form manager** added that in a discussion with the police they had talked about how to strengthen the police further. They wanted to be able to capture data, disaggregated data, the different kinds of violations, to establish the profile of perpetrators so it is easier engage to say ok what is creating these sort of behaviour by the perpetrator before they get there commit GBV.

The **EXECUTIVE DIRECTOR** noted that there was an attempt to create GBV courts, a pilot project in Molepolole, one of the epicentres of violence. We are yet to see whether that really improves access to justice. **The FFM team queried whether the GBV courts were still in place, as they understood from other sources these had been introduced during COVID but it was unclear if they continued.** BONELA thought the pilot in Molepolole was ongoing but were not sure.

The FFM team asked if BONELA were aware of the Bail Act 2024, if it was making a difference and how bail is dealt with. Form manager noted some people from BONELA engaged with the technical working group [created to discuss] the Act. The **EXECUTIVE DIRECTOR** said that BONELA specifically called for a focussed intervention for GBV cases. **The FFM Team asked if that meant BONELA did not consider the Bail Act had made any difference for GBV cases. EXECUTIVE DIRECTOR** said not quite. There are loopholes. For instance, there

was a recent case of a woman who was killed at the University of Botswana by her partner in front of people. The perpetrator had [previously] got bail, but the magistrate had been unaware of the protection order in place. There should be a comprehensive process that allows for proper screening of perpetrators and that should be the determinant whether they are eligible for bail.

The FFM team clarified if BONELA were able to participate in the Bail The Act's consultation process and if their recommendations were accepted. EXECUTIVE DIRECTOR confirmed that she was able provide input to the process and their recommendation was reflected in the Act. But she added we are realising that it [the recommendation] does not necessarily address the challenges we are experiencing in relation to GBV.

The FFM team asked if there are any specific laws that protect women from rape in marriage. EXECUTIVE DIRECTOR noted that the penal code addresses rape in general but not specifically marital rape. BONELA once had a case of a married woman whose husband was HIV positive and she was not, but the husband wanted to have unprotected sex. We wanted to showcase that rape does happen within marriage but at the time the response we got [from the government?] was that the current law addresses rape including in marriage. But don't think this is a fair assessment, as a woman who is raped in a marriage faces a lot of challenges in reporting such an incident and dealing with the issue. There's one's own stigma and external stigma. Also, we have something called 'bride price' – 'lobola' – which a family pays [for a wife], say 8 cows, 12 cows, that instils the idea that when somebody has paid – that token - then they own you. When people count their properties, a woman is included.

The **EXECUTIVE DIRECTOR** thought this was an issue behind GBV because men have a sense of entitlement for women. This is a challenge for a woman because the family has paid lobola so in her mind she has an obligation to provide conjugal rights regardless of what the context is. We cannot then say existing laws will help us deal with that [the traditional practice of bride price/lobola or how women are traditionally perceived]. It is the same issue when we say the Penal Code helps us deal with GBV, it can't because GBV is complicated. We are talking about a crime committed by somebody with whom you sleep in the same bed. A woman's risk is greater [than a man], she can't even fall asleep, she doesn't know when her partner is going to strike. So, our laws ought to be aligned to the type of crime. The Programs Co-ordinator added that BONELA and other NGOs recommended during a consultation / workshop in 2017 that marital rape should be expressly penalised.

The Form manager noted that a key intervention should be sensitising traditional leadership because it has to change. As long as this mindset [of woman's perceived role / position in society] remains the victim will not have agency to seek recourse or support. There isn't even the option to go and talk to somebody about it. **The FFM team asked if there had been some efforts to sensitive traditional leaders**, the **Form manager** noted that there had been some – a couple of years ago there were projects to raise awareness about child marriage and a lot of engagement with traditional leaders on which BONELA did some great work. Although discussions were primarily about child marriage, it included GBV. But not enough, more is needed and to cover the whole country.

The FFM team noted that they had heard there are a lot of reports of GBV to the police, but these do not necessarily lead to prosecution and conviction. Did BONELA know what the reasons were for this. EXECUTIVE DIRECTOR

noted that the perpetrator is in most cases the breadwinner, so a woman will drop the charges because they say to themselves ‘What am I going to do?’, ‘What is the family going to say?’. We’ve also had women say that the perpetrator is the father of my child/children and she does not want to deprive them of their father. There are also issues relating to societal stigma. There's this phenomenon where people want to maintain a certain facade which is not necessarily true. This especially happens for families who have a link to religious or Christian backgrounds where there's concern about what people say. If [the perpetrator] is a pastor, even worse - what do people say about the men of God?

EXECUTIVE DIRECTOR continued that there are also cultural issues. In BWA culture, when a woman gets married there is a tradition of older women providing counsel, asking the bride to put a blanket over her shoulders and telling her that everything that happens in your household must stay under this blanket. So, this is socialising a woman not to say anything if she has issues [problems within the marriage]. That's exactly what happens, people experience GBV and don't tell anyone.

But EXECUTIVE DIRECTOR added the main reason [women do not report issues] is the economic situation of women.

The FFM team asked if BONELA were aware of any examples of convictions and sentencing of perpetrators of GBV, BONELA were aware of cases of convictions but, **EXECUTIVE DIRECTOR**, noted that what is concerning is that GBV cases where a woman is killed are reduced from murder to manslaughter [for a killing of a woman] because the law recognises ‘a crime of passion’. There is a case we are using to raise this as an issue although we can do nothing about the case as it was decided by the Court of Appeal [BWA’s highest court]. A woman was killed by her boyfriend who was given a death sentence, but this was reduced to 25 years. The family came to us for help about this case and reduction in the sentence. So, we/our lawyer are looking at the case to see if there were loopholes that merited a reduction in sentencing. **EXECUTIVE DIRECTOR** noted that there are quite a lot of similar instances. For example, there is the case of the Botswana Defence Force soldier who killed his girlfriend and his wife. The perpetrator claimed that his girlfriend made him kill his wife and is claiming self-defence; he is out on bail.

EXECUTIVE DIRECTOR noted that we need better handling of GBV cases in the way the victims are prepared for evidence, the way that the prosecution handles evidence. Women feel that justice is not working for them. Even the language we use - ‘passion killing’ - it's almost as if we are unnoticed.

The FFM team asked what issues there are with preparing the prosecution case? EXECUTIVE DIRECTOR noted, for example, a case where a question arose about whether the perpetrator was a good father. But if the man has killed his wife, why bring up the question – it is not a test about how good a father he is. It is a test about the man becoming something not human to the extent that they ended someone’s life. Now he is with the children, but he hired people to kill his wife. Can’t the children are [sic] subjected to an alternative situation, maybe living with relatives or taken into foster care [not clear what was said, source did not clarify].

The FFM team noted that it is difficult to assess the merits of a case without knowing all the facts. They asked if BONELA knew of cases of GBV other than femicide – rape, sexual or physical violence – committed by men against their partners which have gone through the courts and resulted in disposal – do men get convicted for rape, sexual assault, as well as murder? EXECUTIVE

DIRECTOR noted they do.

The FFM team asked about timeliness in the criminal justice system (CJS). EXECUTIVE DIRECTOR noted that it is a general problem of disposing cases. As there are many GBV cases it becomes even more evident that cases are taking longer than they should through the CJS.

The FFM team asked if overall the CJS deals with GBV worse than other types of cases? Or is it the CJS generally? EXECUTIVE DIRECTOR it is the CJS more broadly. There is not a peculiar system for GBV cases, they follow the same route for being disposed as other cases. **Form manager** added that timeliness is a challenge. If GBV cases are handled in the same way as other cases, you create a bottleneck and that is when people are more likely to withdraw their case and thought this needed to be looked into. There is a propensity for victims to withdraw case but the government should take these cases forward anyway, this would make a difference.

EXECUTIVE DIRECTOR also noted that there was another issue, protection for service providers. We have had a number of cases where lawyers supporting victims have become victims, so that they end up moving houses because they are being threatened. Their families are threatened, so a programme around defending the defenders is needed. **The FFM team clarified that the lawyers were being threatened by the perpetrators and their families, EXECUTIVE DIRECTOR** agreed. **The FFM team asked if this depended on the perpetrator, and what did BONELA mean exactly.** The **EXECUTIVE DIRECTOR** noted we have a case right now of lawyer who is being harassed by a perpetrator who is using the government infrastructure and the police to harass the lawyer, claiming defamation. They are even using the police to facilitate them, to harass the lawyer who in this case is a victim because they are subjected to this just because they provided a service. The lawyer helped a woman leave BWA for the UK, running away from an abusive partner. **The FFM team asked, is the partner politically connected?** The EXECUTIVE DIRECTOR clarified that she was not sure if the man was politically connected but he is influential in the community. **The FFM team asked if it is a live case [in BWA]? EXECUTIVE DIRECTOR** noted yes, it is. The man is out [of detention] now, it went to court not sure if the case has stopped now. This was a case BONELA were involved in. **The FFM team asked if the wife got assistance from the government / police? EXECUTIVE DIRECTOR** explained, it is a female lawyer [who is facing harassment]. The perpetrator went to the police claiming that the lawyer has defamed him and brought instability in his family by facilitating the departure of his wife and children to the UK. The lawyer wrote to the authorities pleading to be protected. The victim is still assisting the BWA government in the case.

The FFM team asked whether apart from the police is there any state support for survivors of GBV? EXECUTIVE DIRECTOR said no, there isn't much. We know of a victim of GBV in South Africa who fled to BWA, left everything, came only with her children but could not get assistance in getting justice in South Africa or BWA. Her expectation was that the BWA government would help her and her children. But there was nothing in place to help her and her family.

The FFM team asked about support from NGOs, and if this is accessible nationwide. Form manager said there are only 2 shelters. **The FFM team asked if these were BGBVPSC shelter in Gaborone and the War Against Rape shelter in Maun**, BONELA confirmed this was the case. The **Form manager** added that there is a framework to expand these, the government is keen to expand them but

resources are problem. **The FFM team asked whether these additional shelters had been planned by the government or something the government would like to do**. The **Form manager** noted that under Global Funding round 6 (GC6) during COVID, part of the bid for funding was to build 5 additional shelters for vulnerable populations and adolescents / women as there was a spike in young people being violated at that time. But not sure what happened. The ideal would be to have shelters in each of the main cities/towns.

EXECUTIVE DIRECTOR added that BONELA had had an emergency fund to assist sex workers, who experience a lot of violence. When they experience violence they could notify us, we provide support and connect them to the police. If they needed immediate shelter, we would provide this. We also provided toiletries and medical supplies. This was a 3-year project that ended in 2024, funded by Dutch government. The same is needed for victims of GBV as most needs are not met at the time of reporting an incident. For instance, victims spend a lot of time at a police station before there can be any form of incarceration. There needs to be rapid response support from that point which would help facilitate access to the justice system in a more dignified way. Some might go to the police station not properly dressed or needing medication.

The FFM team asked how realistic or viable it is for somebody to move away from the area where their abusive partner is to escape the violence and set up a new life? The form manager said that sounds like a witness protection system, we don't have mature system like that as in other countries. **The FFM team asked if the barrier would be that the perpetrator would find the woman or is the financial difficulties in relocating. EXECUTIVE DIRECTOR** thought some women experience difficulties in taking their children to another area, as the law requires the woman to have an affidavit to take the children. The **Form manager** noted that the affidavit was needed to leave the country, it is easier to move within BWA. **The FFM team clarified that the affidavit is only need for women who intend to take their children out of the country and there is no legal barrier for moving within the country.** BONELA agreed. **The FFM team asked if internal relocation is possible within the country?** Form manager answered yes, the only barrier is financial resources.

LGBT+ people

During discussion on GBV Community and Advocacy Assistant noted that one of BONELA's projects was to be in-service delivery training on human rights focussing on LGBT+ people for healthcare workers and law enforcement officers at the police college and rehabilitation and detention officers. This was to be part of the Global Fund's grant cycle 7 (GC7) but there have been delays in receiving the money. BONELA has had high level consultation meetings with the Police Commissioner to bring them on board about the challenges in relation to the LGBT+ people as [these were mentioned in the legal environment assessment just mentioned?]. BONELA was going to do the training with the human rights office at the National AIDS and Health Promotion Agency [unclear if correct agency, source did not clarify]. BONELA has created modules for how service providers include human rights based on the Triple A Framework [?] and on the 7 principles of the right to health, such as non-discrimination and treating people with dignity regardless of their [sexual] orientation or how they express themselves.

The **Form manager** added that regardless of a person's sexual orientation or how they identify the case should be taken forward. The challenge is that oftentimes

needs a person needs to be accompanied when they are referred to a service provider. This is so that the person is safe in that process, when they get to a police station or go to a health facility. So, the person does not feel alone and stigmatised and someone to help the person get access to whatever service they need. As Community and Advocacy Assistant says sometimes the barrier is stigma, so there is need to train people on sensitisation and change attitudes as well as simultaneously providing services to people.

Community and Advocacy Assistant noted in the context of the law and access justice a lot of key populations - marginal groups - are unable to access because of the way the law disrespects these people. For example, if a LGBT+ person goes to the police it is difficult for them to get assistance because of the attitudes towards and stereotypes about LGBT+ people or sexual acts. The police might say 'Why are you standing by the road?' or Why are you dressed like a woman when you are a man? That's why these guys are trying to rape you because you want to be a woman.' These are some of the attitudes of law enforcement [officers] that are sometimes a problem.

The FFM team asked whether the unhelpful / discriminatory treatment of LGBT+ people seeking help from the police described previously is widespread and representative of the police in general or the views of individual officers. Community and Advocacy Assistant gave an example, which arose when BONELA were training the police. We asked what they do if a transwoman came into a station and had to be detained. Would they put her with men, women or by herself? One of the officers said they would look at the person's ID and check the gender marker. If a man, they would put them with men who were detained. They may even charge the individual for impersonating someone else. Sometimes it is like this. There was also case of a transwoman being beaten up at a nightclub, this occurred while the court case to decriminalise same-sex sex was going on but before the judgement had been reached (which occurred in 2019).

The Community and Advocacy Assistant added that we cannot really say if 50% of the police are on board or not [with handling LGBT+ cases appropriately and sensitively], we haven't done a dipstick [survey] of attitudes. The government's relationship study of 2018 is old and did not specifically analyse the context for LGBT+ people. There is a gap in evidence which makes it a challenge in convincing government officials of the support needed for LGBT+ people - we have referred LGBT+ people to BGBVPSC for shelter. We only have anecdotal evidence, but government officials consider this anecdotal and want official data. So, this makes it difficult to respond to the challenges faced by LGBT+ people.

The FFM team asked if there are different ways or additional ways in which the LGBT+ experience GBV violence in Botswana, EXECUTIVE DIRECTOR noted that with regard to BONELA's data that IPV is the most prevalent form of violence but also see also cases of extortion, blackmail, harassment and forced disclosure [from strangers?]. GBV against LGBT+ in our data is mostly from intimate partners more than GBV experienced in communities or within the family. **The FFM team** clarified that LGBT+ that it was from intimate partners not stranger violence, **EXECUTIVE DIRECTOR** agreed. Form manager added that it was not like [the violence experienced] in South Africa. **EXECUTIVE DIRECTOR** noted that what is prevalent is stigma, quite a lot of online based. **The FFM team** checked if online stigma / abuse would be considered GBV and captured in statistics by BONELA, **EXECUTIVE DIRECTOR** confirmed yes.

The FFM team asked what is society's view of the LGBT+ community at the moment? Form manager said if you had asked this question 2 years ago the answer would have been different. There has been a good shift around acceptance by the government. There is more public engagement than there used to be. However, because of global anti-gender movements and the rise of religious extremism there seem to be pockets of religious leaders trying to push back, who see their counterparts in other African countries coming up with extreme laws and say, 'Why aren't we doing the same?' So, it's basically more a religious backlash. But in terms of the governments, service provision and at a community level, there seems to have been more progress.

The Form manager continued that now the new US administration's rhetoric has almost given people permission to say, 'This is an issue. This is wrong.' Previously people had resigned themselves to LGBT+ issues not being a big deal, life goes on, you can provide services, you can do whatever you're doing. Now people/society feel they have agency to be a little bit more negative and anti [LGBT+].

The FFM team asked what the government's views are. EXECUTIVE DIRECTOR noted that there was a case that challenged the constitutionality of the Penal Code law criminalising same-sex sexual conduct. The High Court ruled [in 2019] that the law was unconstitutional and recommended that it was struck down, making the issue final. But the issue was then how to take this a step further and ensure that there are protections for LGBT+ people, and most importantly that the law was actually struck down from the Penal Code. **EXECUTIVE DIRECTOR** continued that the government of that time decided that a bill was needed to remove the law from the Penal Code, which was when we gained an appreciation of society's views. Whilst LGBT+ have always existed in BWA and have experienced stigma but not to the extent that life became uncomfortable. But during the debate on the bill there was a lot of hostility and hate.

The FFM team asked how this hostility was manifested, in discrimination or violence? EXECUTIVE DIRECTOR noted that there were media statements and protests, to the extent that the bill was withdrawn from parliament and the law remains on the statute books [but not active] because it was causing so much instability with the 2 distinct camps at each other's throats. In the process the LGBT+ community were bruised, they were described as worse than dogs because even a dog knows which hole to use! Those were some of the horrible statements articulated in the public domain. **EXECUTIVE DIRECTOR** wondered how LGBT+ people who were directly affected felt, what it did to their self-esteem. She felt – as a non-LGBT+ person – they had been rendered a non-entity, as non-human beings.

EXECUTIVE DIRECTOR continued that BWA may not have the greatest numbers of violent [incidents] against the LGBT+ people, but it doesn't mean we have the most welcoming environment where people can thrive, feel accepted and feel included.

Programs Co-ordinator remembered that BONELA was contacted by the media for an article asking BONELA what they thought about LGBT+ people marrying. The article was published online and the response was appalling. There was stigma everywhere, people saying that this was unchristian, coming from the Devil. Programs Co-ordinator thought the article incited a lot of rage against LGBT+ people.

The FFM team noted the situation described above was before the last 2 years, so have things improved? Form manager noted that when the bill was withdrawn from Parliament the conversation ended, and life went back to how it was. The FFM

team asked when the bill was withdrawn, BONELA were unsure – in the last one to 2 years [media reporting states parliament deferred the debate of the bill in August 2023]. **The FFM team asked if the anti-LGBT+ statements were made by parliamentarians, religious groups and other members of the community?** Form manager stated both [parliamentarians and others members of the community]. **EXECUTIVE DIRECTOR** noted that some parliamentarians represented the views of some religious groups who were organising in a co-ordinated way to have their voices heard. They even threatened parliamentarians by saying if you support the bill, forget about the Christian vote.

The FFM team clarified, since the bill was withdrawn [public discourse] has gone quiet about [LGBT+ issues]. BONELA agreed. **EXECUTIVE DIRECTOR** added that we don't know how the current government will approach the issue. It says it is a human-rights focussed government, but this is politics and we doubt if they will bring the bill back.

The FFM team asked if in the current environment can LGBT+ people be open about sexuality and/or gender identity. Form manager noted there was Pride in the same year [of the bill's withdrawal from parliament in 2023 [date unclear, source did not clarify]. We have Pride in Gaborone and Francistown [International Day Against Homophobia, Biphobia, Intersex-phobia and Transphobia, 17 May]. **The FFM team asked if the people who attend Pride are NGOs and international groups, not ordinary people**? Form manager noted it is activists. **EXECUTIVE DIRECTOR** said you find ordinary youngsters from the community, those from who are open and out. But a lot of people are in the closet. But it doesn't matter whether a person is out or not, there should be environment where everyone feels safe. Wouldn't say that is the case.

The FFM team noted that BONELA suggested there were not high levels of violence. Did they have any idea of the numbers of cases? EXECUTIVE DIRECTOR noted that BONELA do not have any numbers. **The FFM team asked if there are reports of anti-LGBT+ violence in the media**. BONELA agreed there are. **The FFM team asked who the perpetrators were? EXECUTIVE DIRECTOR** noted the case of 2 trans people in Maun. Programs Co-ordinator added there was a case of a trans woman who was beaten by a mob of boys because she dressed like a woman. **The FFM team asked if the cases reported in the media are mostly about trans people? EXECUTIVE DIRECTOR** agreed they are mostly against trans people, not heard of cases against lesbian or gay [in the media]. We handled a case of a lesbian who faced violence from the family. The family consulted a pastor who advised that they needed to beat the girl – Form manager added to 'beat the devil out of her'. We had to take her to a safe space. She has since relocated to Canada.

The FFM team asked if an openly LGBT+ who experienced violence could go to the police and get redress? Form manager thought alone it would be hard. As we mentioned earlier, one of BONELA's community monitoring programmes is to accompany a victim through the [reporting] process, to make sure she gets assisted and that the service provider understands the person is not alone. Quite often a person starts the process but gets shunned at some point and then the case disappears. But if the service provider [such as the police] knows the victim has support from an organisation like BONELLA they are more inclined to assist. **The FFM team asked if a LGBT+ person with the support could approach the police and get help**. Form manager and Programs Co-ordinator said yes, with support. If they get abused, we find out on social media. Programs Co-ordinator noted that, for example, that a person might say I was abused by this mob of boys or by these

people at Sunday soccer, I went to the police but they laughed at me saying that of course they are trans. We identify they need assistance. Alone it is very hard to get assistance.

The FFM team asked if there are examples of people having been convicted of violent attacks against LGBT+ people? EXECUTIVE DIRECTOR noted that there was one case. Even though there was evidence that the person was assaulted, nobody came forward to say they witnessed the incident. Most of these cases just die out.

The FFM team asked if LGBT+ people's experiences vary, for example in Gaborone compared to a smaller settlement. The **Form manager** thought they would get more support in towns, rural areas they would not understand.

The FFM team asked in Gaborone there were safe places or areas of the city where the LGBT+ community can meet openly? BONELA said yes. EXECUTIVE DIRECTOR noted that there are safe spaces where LGBT+ people can come together. Most NGOs create safe spaces where people can be free, be themselves. They can address social security issues, those living with HIV are able to access help. Stigma free space.

The FFM team asked without NGO support, were there places LGBT+ people could go. BONELA thought no. Form manager thought perhaps a club but it may not be for LGBT+ people. But more LGBT+ people may hang out there, so it becomes known.

The FFM team asked if LGBT+ people would be accepted in the clubs. Form manager noted there have been some situations where people drink and claim they have been deceived [by a trans person] and results in violence. LGBT+ people hook up but may be drugged and robbed. **EXECUTIVE DIRECTOR** noted that there are dating platforms – tinder, grindr – there is 'gay for pay', where LGBT+ people – gay men - are targeted, they experience sexual violence, extortion, blackmail. **The FFM team asked if this is growing**, **EXECUTIVE DIRECTOR** and Form manager thought it was. When LGBT+ people have groups and discussions, they talk/share about these issues.

The FFM team commented that the situation described by BONELA sounded negative but at the same time they considered things had improved for LGBT+ people. In what ways had the situation improved? EXECUTIVE DIRECTOR considered that it had moved positively on the side of government in terms of service provision and [funding for key populations with grants] providing vulnerable populations with grants, but there are still gaps in accessing health services, gender changing surgery, therapy, change of gender marker [on ID] is not available. The decriminalisation case was a historic moment, but it did not have such a big impact on the day-to-day struggles of the LGBT+ community.

The FFM team stated that they had heard that there was a court case which determined that it was possible to change a person's gender marker on their ID, as long as the person had the correct medical documents. **EXECUTIVE DIRECTOR** thought it not possible and added that not everyone who wants to change their marker will present from a hormonal point of view in the same way. For instance, if the person wants to present as a woman but has male [sexual] organs the government want evidence of more oestrogen than testosterone. In most cases, people do not have the correct hormone levels.

The FFM team commented that if a person has sex-change treatment it may be

possible to change their gender marker. EXECUTIVE DIRECTOR noted that people self-medicate. The court case has set a precedent for those individuals with a particular medical history. Form manager noted that a person still needs resources. **EXECUTIVE DIRECTOR** anyone who says they have been born the wrong sex, there should be a process: for counselling and surgery. Currently there is not that process. Programs Co-ordinator noted that most trans people do not have the resources to transition. Form manager said BONELA knew of only one person who had transitioned. They had transition surgery in BWA and Thailand. Not clear if the surgery in BWA was on done on the public or private healthcare.

The FFM team asked if it is possible for an (openly) gay or lesbian couple to live together. EXECUTIVE DIRECTOR noted that most gay men are married (to a woman). **The FFM team asked if 2 people of the same sex could live together.** EXECUTIVE DIRECTOR said it is possible, BONELA knew of cases. They referred to 2 women who had married in another country and come to BWA and lived together. Also, the case of a trans woman BONELA knew, but she had got married [to a woman] while her ID still stated she was a man. **The FFM team confirmed that the law does not allow 2 people of the same sex to marry**, BONELA agreed.

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Annex S - Interview with Lesbians, Gays, and Bisexuals of Botswana

Date	16 July 2025
Location	Lesbians, Gays, and Bisexuals of Botswana (LEGABIBO), LEGABIBO office, Gaborone
Attendees	Chief Executive Officer (CEO), LEGABIBO; Health and Wellness Officer (second half of interview), LEGABIBO; 3 HO officials

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people)

CEO explained that LEGABIBO's work is primarily the promotion and protection of the human rights of sexual minorities. She had [previously] heard people say '[LGBT+] rights', but that wasn't quite correct because there is no such thing. It's just the human rights of people. It's not that [LGBT+] people are in search of special rights. [For example], the same right to housing that a heterosexual person wants is the same right to housing that a lesbian wants. LEGABIBO has been operational since 2016 legally, by registration, but in terms of their work and their reach, they have been in existence since the late '90s when they were housed under BONELA [Botswana Network on Ethics, Law and HIV/AIDS]. LEGABIBO is primarily focused on sexual minorities and the intersections of human rights, so issues of gender-based violence, intimate partner violence, are at the core of the work that they do.

The FFM team asked CEO to describe the position of LGBT+ people in Botswana in relation to the government and society at large. CEO explained that the legal status of LGBT+ persons in this country is that, [following] a [High] court decision in 2019 that was reaffirmed [by the Court of Appeal] in 2021, consensual same-sex acts are not illegal. Prior to that, it was a very contentious issue in this country, particularly because the government was of the view that Batswana as a population were not, quote unquote, ready for homosexuality. A lot of research had to be done primarily by LEGABIBO and other stakeholders to prove the

case of, firstly, our visibility as [LGBT+] people and also to prove the case of it being a discriminatory clause to have in our statutes.

CEO added that in 2019, there was a case called [Attorney General v. Motshidiemang], in which sections 164, 165 and 167 of the Penal Code were contested. Everyone can appreciate where the language used in these – [such as] 'carnal knowledge' – comes from, because even though, strictly speaking, Botswana wasn't colonised, the laws that inform the country to date are still very much [British] Victorian era-led. In 2019, it was decided at the High Court that, indeed, [LGBT+] people are entitled to non-discrimination just like everybody else; they're entitled to freedom of movement, dignity and so forth. The government then appealed that decision and went to the Court of Appeal, where it was decided in 2021, finally, that indeed non-discrimination has no place in the society of Botswana, particularly as it pertains to [LGBT+] persons. That's the legal [position].

CEO explained that the societal part is quite different. In fact, LEGABIBO's organisational strategy at the moment is called 'Beyond the Rainbow' because we're trying to see beyond the legal realm. **CEO** thought a lot of people revered the country as having made wonderful strides [in changing the law] and quite early on, at a point where people didn't think that would happen in Botswana, but it did. But what we then found was that there was still a disconnect with the average person about what the legal rulings mean. So we've had to do the tremendous work of translating legal wins into digestible sentiments for the average person, whether they're there [at a point of acceptance – unclear, source did not clarify] or not, because again, it is important to emphasise that those 2 judgments were important, not just for [LGBT+] persons, but for human rights in general.

CEO further explained that the legal status is that consensual same-sex sex is not criminalised. However, [the constitutionality of] section 167 of the Penal Code remains [untested at the Court of Appeal, although the High Court declared it unconstitutional – unclear, source did not clarify]. We are deeply concerned about that as an organisation because [section 167] speaks to gross indecency and that is yet to be defined by the courts. You can appreciate the danger of not defining it. [Gross indecency] tends to have a slightly more harmful impact on lesbians and queer women because the carnal knowledge aspect of [the Penal Code] was more centred around men who have sex with men. So nobody has quite confronted the movement of queerness as it pertains to women and lesbians and bisexual women, which I might argue is a very patriarchal thing, but that's the status of things legally.

CEO noted that as an organisation, we maintain that there is still a lot to do in terms of sensitisation. Even just the country in and of itself, we've gone through 2 very different government changes since 2019. We have a new government now that wants to be human rights centred. We are hopeful and remain hopeful that they will carry the conversation forward in terms of making sure that human rights are not just an ideology but a lived reality for all, not just for certain people in society. In our instance, we still see instances of homophobia. People come in here all the time because a lot of our work also is documenting human rights violations. In a month, we have at least 3 cases of people coming in citing discrimination on the basis of their sexual orientation or perceived gender expression or identity, even though again, we have wonderful legislation. For example, section 23 of the Employment Act makes it clear that we cannot discriminate against somebody at their workplace on the basis of their sexual orientation. So you have this wonderful legal framework, but a huge disconnect. With the police, for example, people from our community have cited instances of either not reporting violations [to avoid being] further

stigmatised or – particularly amongst the trans community – being misgendered [when they do report] because there's a disconnect between how they present themselves versus their legal gender recognition. [The latter happens] even though, again, in 2017, Botswana did wonderfully by having 2 cases that clearly outlined that to change a gender marker is a human right, so ideally a trans person should be able to just go to the relevant [government] office and have their ID changed. But we receive at least 6 of those [cases] per month where they're unable to access the service because there's a disconnect between what [documents] they presented and who they are. Legally, on paper, Botswana is doing great, but there's a long journey ahead of us in terms of contextualising what that legal status means for the average person.

The FFM team asked whether anyone has ever been prosecuted for gross indecency. The law is there, so has it ever been used? CEO noted that she feels very passionately about this because it speaks to issues of democracy and separation of powers. Under the current legal framework of Botswana, the highest court is the Court of Appeal. The understanding is that once the courts have decided on something, it becomes a thing for Parliament to table, whether it's scrapping a provision or fixing it. But it's not an issue for debating. However, what we witnessed the last year [mid-2024 to mid-2025] and the year before that [mid-2023 to mid-2024] was pushback from the faith-based organisations, particularly the Evangelical Fellowship of Botswana. [In July 2023], they staged a very intense protest across [Gaborone], essentially [forcing] the government to send the amendment bill [to remove the Penal Code provisions criminalising same-sex sex] back to Parliament for debate. It was meant to go for debate in the previous Parliament. My question and my concern is what does it mean for the Court of Appeal to decide something and then for a religious group to say, 'No, think about it again.' And then the judiciary thinking about it means there's no separation of powers. It also means that there's no recognition and value of a legal judgment, because what is the value of it if it can be debated? Even in [previous] judgments, the judges have unanimously said that somebody's sexuality is not a morality issue, that it's not about whether you like it or not, or about giving it the green light; it's an innate part of a human being. **CEO** thought that [the decline in] the funding space this year [from international donors], and just global politics, have emboldened certain stakeholders like the churches. With the mobilisation that we do, now we're witnessing a regression where they've said harmful things even to members that attend the church.

The FFM team summarised that provisions in the Penal Code were annulled by the courts and the matter went to Parliament for the provisions to be removed from the statute books. CEO agreed**. The FFM team further summarised that this then ended up being debated in Parliament and publicly, about which the churches were quite animated about. So the provisions still remain on the law books but they're not applied because the court annulled them. CEO** noted that unfortunately it was due to be tabled by the previous government. Now we're waiting to see if this new government will pick it up again.

On the issue of a transgender person changing their gender marker, the FFM team noted that they understood there were cases where this had been allowed but that the individual who is transitioning is required to provide medical evidence. Was that correct? What was CEO's understanding? CEO noted that the requirement to do that is a distinct disconnect from what the courts have decided. In 2017, there were two legal cases, the first one being [ND v. Attorney General of Botswana and others]. ND is a trans man and chose to remain

anonymous. Then there was also the Kgositau case [involving] a trans woman. [Both litigants] had decided to be quite vocal about it. Both of those cases were decided maybe 2 months apart. Their legal arguments are basically the same and the takeaway from both of the cases is that to change your gender marker is a human right because it resonates with your identity and it's an iCEOate part of who you are. It's like your sexuality, just like any other part. They even handed down specific instructions to say, 'I should be able to go to a certain office to say I would like to change my gender.' Even we as LEGABIBO had drafted guidelines for them to say, 'OK, given what the judgment has said, these are the step-by-step ways in which people should be assisted when they're seeking to change their gender markers.' But in our experience, people are now being sent to court to get a court order and to then come back to the [government] office to say 'OK, the court has said I can do this', which is not what's meant to be happening. There have been other instances where people have had to seek psychological counselling almost to [confirm] it's not some sort of gender dysphoria, which is quite dehumanising.

The FFM team summarised that the court ruling was in effect that you could just go to an immigration office (which issues ID documents). CEO noted absolutely, yes. **The FFM team further summarised that the court ruling was that you could just tell the office and they would change your marker, but now there are barriers. You have to provide evidence. CEO** agreed, adding that these are barriers that were not prescribed by the court at all.

The FFM team asked whether it was individual officers creating barriers or a government position. CEO explained that the ND case was versus the government, but the way it is, for example, if someone wants to sue a police person, they end up suing the Commissioner, and the Commissioner is the body of the government. [In the gender marker cases] it was particularly the ministry that deals with immigration and so on. **The FFM team asked whether it was that department that had introduced the barriers. Was it a government policy to make people provide evidence? CEO** explained that her sense was that they hadn't taken it seriously enough in terms of translating what this means to the requisite people. So, for example, if a health bill comes, she understood that there would be training for nurses and doctors to induct them on [how to implement it]. But that's yet to happen [for gender markers] because government has not spelled out exactly what it is that is expected. We, in collaboration with other CSOs [civil society organisations], have put together a toolkit of sorts to [show] this is how we should go about it, using the judgment itself, and they remain unwilling to engage. **The FFM team asked whether some people are able to change their sex markers on their ID cards or whether they are all facing barriers, CEO** noted that, honestly, she was not sure she knew of anyone outside of the two litigants in the court cases [who had been able to change their marker].

The FFM asked whether the government has a position towards LGBT+ people since these various rulings. CEO explained that the previous government had made a very sharp [unclear, source did not clarify] in agreement with the community to say, 'We stand with them, we stand with human rights.' **CEO** thought that even towards the end of the previous [government's] tenure, there was a constitutional review that was actively engaging on these matters to [address the question] of whether sexual orientation should be added as a basis of non-discrimination in the Constitution. As things stand, it just has your typical sex, race, colour, but the argument from a lot of CSOs was that we need to include sexual orientation as a basis. The pushback was that we've already decriminalised same-sex sex, so why

do we now need to include sex again?

The CEO added that you get the sense that there's a hesitancy pertaining to queerness as an umbrella term. But the government has been willing to engage quite positively when it comes to matters of intersex. **CEO** thought that was because it's a pathologized identity. It's a lot easier to [think], '[What a] shame,' [about intersex characteristics as opposed to] trans identities, which are seen more as an active choice to be contrarian. She thought the government had a lot of sympathy towards [intersex people]. Even intersex-based and [intersex-]led CSOs have had a lot more success with engaging with the government, perhaps because they're seeing it through a health lens.

CEO added that she was not sure but she thought that because of the country's history with HIV, gays and transgender men had always been the focal point through a health lens because of HIV. For example, the health programming that we used to have even prior to the stop work order was very much male-centric. She thought that had a lot to do with the origins of how people understood HIV. But very rarely do you see there being an intersection between HIV and lesbian women, for example, or intersections between HIV and bisexual women. [As for] the health responses you see if you walk into a government health facility, you're more than guaranteed to come away with condoms; [lubricants], not so much.

The FFM team asked if CEO had any sense of numbers in terms of the LGBT+ community broadly and of those who are open about their sexual orientation or gender identity. CEO noted that she did not have numbers, but LEGABIBO was in the process of doing such a study because they are trying to evaluate public perceptions pre- and post-[unclear, source did not clarify] to see if there's really been empirical changes in people's demands and hearts. But research is deeply underfunded in Botswana, so they would need to beg and beg. **CEO** noted that she did have numbers for the people that were affected during the funding freeze. LEGABIBO did a very rapid study on the number of people that were able to access services, for example, versus before the funding freeze. **CEO** offered to share that report. They got the stop work order on 28th January [2025] and only resumed activities under [a] waiver a month ago [mid-June]. **The FFM team asked whether they had done a quick survey of the population groups affected, CEO** confirmed yes. **The FFM team asked whether she was referring to the USAID [United States Agency for International Development] funding freeze, CEO** confirmed that she was.

The FFM team noted that they had heard there had been a Pride event in Gaborone attended by about 200 to 300 people in June 2025. CEO confirmed this. **Asked how often this takes place and whether there are Pride events in cities other than Gaborone, CEO** noted that it was important to say that, from a long time ago, whenever the global North coughs, so to speak, it's the [African] continent that gets the flu. We really underestimated the wonderful work that USAID and PEPFAR [the US President's Emergency Plan for AIDS Relief] were able to do, not just on a development level, but also with health and gender equality. **CEO** thought that the current US administration capitalises a lot on misinformation, so a lot of what was being churned out from the States at the time emboldened [anti-LGBT+ people] and discouraged [LGBT+] people on the [African] continent who already knew what their rights were. Now people were hearing, 'Oh, I can't be a lesbian anymore because Trump said 1,2,3,4,' 'I can't be trans anymore because Trump said there's only 2 genders,' which again is just an extension of colonialism.

CEO added that [comparing] this year's Pride activities with the previous year's, there's a real, palpable difference in terms of there being almost the resistance of the community itself. Partners are more than willing, but the community itself in a lot of ways feels ostracised. We as an organisation have had to do a lot of reassurance work and also just restorative justice as well to assure people because the impact of [the funding freeze] was quite dire for us at multiple levels. For example, we have our offices here in Gaborone, but we also have drop-in centres [DICs], one in Francistown, one in Kasane. We used to have one in Maun and we have one in Letlhakane. As a result of the funding freeze, because those were predominantly funded by Epic and PEPFAR, we had to close them down. They were not just offices; they were also safe spaces where you could come in and just play a game of snooker, play cards, utilise the Internet. We were intentional about creating those spaces because we understand that members of our community aren't necessarily people that are going to feel comfortable walking into a health facility to say, 'Can I please have ARVs [antiretrovirals]?' The closures were hard-hitting. **CEO** noted that having to send that e-mail [about the closures] was one of the toughest things she had had to do this year because [it meant that] they couldn't afford it, and also from the viewpoint of staff retention. They went from having close to 30 staff to a skeleton staff of about 8, so the layers are far-reaching.

The FFM team asked if that was during the freeze. And had they now been able to reopen the clinics and re-recruit? CEO explained that, fortunately, we have been able to open our DICs across the region. But the [USAID] waiver has very specific parameters under which we can operate, which limits the scope of the work that we were doing before. For example, gender-based violence [GBV], particularly [intimate partner violence], was a huge component of the work that we were doing to the extent that we were having outreach activities, knowledge dissemination, just community building around getting to understand what GBV looks like. Under the waiver, we can't actively discuss GBV. We can't discuss abortion or contraceptives. What we're now being tasked with is having to either find alternative funding or to get creative about the ways in which we mobilise around such thematic areas. But the scary thing is – and this is also evident in the Health and wellness officer et I'll share based on research we conducted during the funding freeze – that a lot of members of our community indicated witnessing a spike in violence in their lived experience. For one lesbian woman in Maun, [the problems] were at multiple levels. Firstly, it was having to lose her job because she was working for a CSO that [had its funding frozen], and in the absence of a job that meant she didn't have her own space where she could stay. So she's been compelled to move back home with her parents, where she hasn't lived for many, many years, and they are deeply homophobic towards her. Now the homophobia has escalated at home because even the family members are [saying], 'Well, you see, the world was right about you guys.' So it has very far-reaching consequences.

CEO added that, at this moment in time, even going to the police is a very difficult thing to do because [the police] themselves are also a structural barrier, a reason why people often don't report, particularly if they're the same gender [as the police officer]. For men, **CEO** had noticed, [if you say that the man who hit you is also your boyfriend, the police will ridicule you]. For women who want to report violence, then for starters, in this country, same-sex activity between women is deeply sexualised. It's not seen for what it is; it's more like erotica. Nobody takes women's sexual attraction to each other seriously. It's more like, 'OK, that's cute. You'll grow out of it,' or, 'Everybody gets curious, but at the end of the day, we all know you're going to marry a man and have 6 kids.' So even for them, when they get there, there's also

the intersecting identities of being a woman and [therefore] inherently unsafe because the country itself is unsafe. Then there's an added layer of your sexuality, so those things combined make it very discouraging for survivors of violence.

The FFM team summarised that men in a patriarchal society have the expectation of being ridiculed for being gay and women are expected to be mothers and have children and not have relationships with women. CEO agreed.

The FFM team asked whether, despite there being discrimination, the government itself doesn't go out its way to harm LGBT+ people. CEO noted that the question was a tricky one to answer. She would argue that just because they're not actively doing anything to protect [the LGBT+ community] doesn't necessarily mean that they're doing enough to prevent it either. They're being passive.

The CEO noted that as at the festive season last year [Christmas 2024], the GBV [statistics] were incredibly high], and that she was a little discouraged because the government's response to GBV had been to pray about it. She thought the FFM team would have heard about the National Week of Prayer [in June 2025]. LEGABIBO had written back to the [Ministry of Youth and Gender Affairs] and said, 'Listen, sure, but we also understand that GBV is a very structural issue, and so, we would like to help the government understand CSOs because there are things that they're not going to be able to understand as well as we do.' The **CEO** noted that she didn't know if the hesitancy was towards LEGABIBO or CSOs in general, but there had been a reluctance by the new government [to engage]. If the hesitancy was towards LEGABIBO, it would be ironic because it was the president who, as a lawyer, had represented the organisation in [LEGABIBO's] registration case, so it's not like he doesn't know LEGABIBO exists.

The FFM team summarised that the government is not proactive in helping the LGBT+ community, but it doesn't go out of its way to cause them harm. CEO agreed. **The FFM team asked what type of discrimination and violence LGBT+ people experience, CEO** thought these questions were always going to go unanswered because the research isn't there. Nobody views research as something worthy of investment. More often than not, we have to do our lobbying to get research passed. Rather than speak to [actual data or statistics], **CEO** explained that unfortunately she could only speak to the normative things that inform how [LGBT+] people are seen in the country. There's almost this tension that's happening at the moment where Botswana is under the impression that homosexuality is a European import, almost like a consequence of colonialism. However, at the same time – and **CEO** thought this was happening generally across the continent – there's a need almost for decoloniality and embracing who we are as Africans. But then the clash comes here because homosexuality precedes colonialism.

The CEO noted that what's been interesting is that when we go into the more remote areas, the grandmothers and the grandfathers are a lot more receptive of trans and lesbianism and gayness, more than, say, somebody in Gaborone. **CEO** thought this was because they're able to make a linkage between our inherent history as people and the knowledge that has always persisted amongst Africans, that homosexuality has always existed. It's not like we invented this thing. There are parts of the country that you can go to, and on the markings on the wall, you can see that it's visibly 2 women or visibly 2 men. And Health and wellness officer ore – if you sit with adults in a rural area, enough stories will come up about how trans people back in the day used to be rainmakers and revered and honoured, as opposed to [being ostracised].

CEO noted that her retort has always been that what has been imported is inhumanity, because as Africans, we've always been understanding. There's never been this ostracism that happens and we've never been defined by our differences. She thought the country was still grappling with [LGBT+ people] being seen as a Western import. But the country is also having almost an existential personality crisis: who are we? Because again, if we're going to say that we want to embrace more of our culture, that means a lot of things that have come as a consequence of colonialism then have to be rubbished and that means throwing away capitalism, and nobody's going to throw that away.

The FFM team asked if LEGABIBO collects data on types of discrimination faced by LGBT+ people who come to report cases. How does society manifest its discrimination, or is there acceptance in some cases? CEO explained that there is a standard template form that people fill out. We try to make it clear to people that we're trying to document very specific kinds of cases, because what does happen is that sometimes, for example, we've had a married couple come to see us, a heterosexual couple, even though we are a human rights organisation with our primary focus on LGBT. They came in genuinely wanting to report an incidence of marital rape between the 2 of them, so we reported it. But that doesn't do anything for the numbers that we need for the advocacy and the policy changes that [LGBT+ people] need as a community.

The CEO thought [the question of discrimination] was also tied very closely to the absence of requisite legislation around hate crime and hate speech. There has been a much greater prevalence of hate speech. You see it on social media. If an effeminate man, for example, has pink nails and eyelashes, the comments are absolutely horrendous to the extent of, 'We should kill you. You're not even going to make it to hell.' **CEO** thought there was also a scary religious fundamentalism creeping into the country and contributing to what we're seeing within the community. Now you have people who were allies or activists calling themselves former gays and repenting, saying, 'What possessed me for being lesbian for so long? I'm straight now, guys'.

The CEO added that there's quite a lot [of discrimination – unclear, source did not clarify], so it's hard for us to have the numbers in terms of the reporting. But [it occurs at] very different levels [depending on location]. No [2 places are] the same. For example, when we were doing our research, it was interesting that a place like Letlhakane [unclear, source did not clarify], which is synonymous with mining, was documenting higher incidences of violence. [Gay] miners, who tend to be in the closet, so to speak, when they weren't working were forcing themselves onto young gay men in the region. And you see that kind of context isn't something that you're going to necessarily experience a lot of [primarily] because there's no mining town per se.

The CEO continued that there are different nuances in different regions, but she thought that a lot of it [possibly violence or discrimination] is formed by the patriarchal nature of society. Society is deeply patriarchal and the country is deeply violent as well. Unlike our neighbouring countries, it's not that we've been on the brink of a civil war, because we haven't had political killings. People assume it's peaceful, but if you also look at the political history of this country, people are deeply suppressed. There was a time when you couldn't speak candidly because there'd be dire consequences. So it's patriarchal, inherently violent, and it's cultural nuances that contribute to that. [It's also] culture without nuance, that culture where people just assume that because you're a man, it means you must be in a suit and you must

do this. If you're a woman, you must have 6 kids by the time you're 30. **CEO** observed that she was considered an alien for being 30 without a kid. **The FFM team noted that such expectations would cause stress. CEO** agreed.

The FFM team asked what problems LGBT+ people experience. Are there differences between the experiences of different groups within the LGBT+ community, for example, trans people, who tend to be more exposed (because of their profiles)? Did CEO have a sense of the scale of the problems? CEO observed that we can never speak about violence without recognising the intersectionality of violence. A person's identity or social identity is always going to be informed by their gender, race, class, etc. **CEO** thought that for lesbians, for example, the fact that they are women already disenfranchises them because of gender equities or equality. Adding a layer of being [LGBT+] says to society that they don't want to be with a man, and [society thinks], 'How dare you?' because that's what women are meant to do, to procreate. The churches say that, society says that, traditional leaders say that, and the solution to that is to fix it. In this country, things are fixed through violence, so that's how we [end up with] corrective rape. It's somebody saying, 'I don't like the fact that you don't want to be with me, so I'm going to fix it for you.' **CEO** noted that she did not have numbers but that she could confidently say there are at least 6 incidences [of corrective rape] nationally every month. **The FFM team asked whether this was based on news media reports, CEO** confirmed that it was, but added that sometimes in a focus group discussion, somebody describes something without using [the term 'corrective rape'] and you have to deduce it. If someone says, 'I'm going to rape you because you're a lesbian,' then unless you know that it's corrective rape, you're just going to think that you got raped because you're a lesbian. **CEO** thought it was also an issue of language and that the language had not evolved. For marital rape, men still don't think it's a crime to rape their wives because legally it's not [marital rape is not sanctioned within the law]. But many times, they had sat there listening to women say they had sex last night even though they didn't want to. [Yet] it would be very rare for a woman to wake up and say she had been maritally raped.

The **CEO** thought that the [issue for] lesbians would be the compounded notion of being a woman and the multiple identities that intersect with that. For bisexual people, [society's] response would be that they were confused. They are belittled quite a lot, or thought of as selfish, or thought to have an insatiable desire almost like they can't help themselves. [Society thinks] they don't even know whether they want a man or a woman and this is viewed very negatively, as if they are so [greedy] that they want everything.

The CEO noted that it would be difficult for her to speak about gay men from a personal perspective because, as men, they tend to be the focus of everything. Even when it comes to healthcare interventions, they're the ones consistently catered for through condoms and programmes. But she thought there was also a masculinity crisis amongst gay men, because if someone in Botswana was asked who they thought was gay, they would choose the most feminine [man] they could think of because in people's perceptions, that's what being gay is. If someone were to mention the most macho, the tallest, the buffest man in the world and say he was gay, nobody would be able to compute that because of the notions of masculinity associated with that. **CEO** noted that this is quite prevalent in schools, where we're witnessing incidences of young boys being bullied on the basis of their sexuality. Other boys are going to beat up the more effeminate, quiet boy on the basis of him being perceived to be gay. Again, the patriarchal [culture] won't allow the boy to

stand up and say why he is bullied, because he wouldn't want to be thought of as fragile.

The FFM team asked whether a person could be openly gay or lesbian in Botswana and live safely. CEO noted that a person can be openly gay or lesbian, but she thought safety was often a comparative thing. For example, in South Africa, [LGBT+] protections are constitutional, and they've done absolutely everything right [legally] speaking. Yet in South Africa, one in 3 women are raped, so it's hard to say. **The FFM team asked whether the one in 3 was women generally, CEO** confirmed yes. She noted that gay people in Botswana don't wake up in the morning with the fear of not returning to their home that evening. But **CEO** thought it was necessary to [rethink] use of that metric of whether it's safe or not. A woman [could have to] severely conform. For example, if a lesbian woman wants to dress in her preferred way, her work will compel her to dress in a certain way so that she's perceived to be heterosexual to avoid the violence associated with being perceived to be a butch lesbian, because men see butch lesbians as a threat to their own masculinity. **CEO** noted that she wasn't sure that there had [ever] been a hate crime on the basis of sexual orientation in Botswana, but that she stood to be corrected on that. However, she thought there were nuances [in the treatment of LGBT+ people] that were worthy of greater interrogation, and that if such research was undertaken seriously, people would be quite shocked by what came up.

The FFM team summarised that on the surface, Botswana appeared to be a more tolerant environment [for LGBT+ people] than its peers. CEO agreed. **The FFM team asked whether there had been any mob violence or lynchings of LGBT+ people, CEO** observed that there had been an incident maybe 3 or 4 years ago in which a visibly openly gay man in Gaborone had tried to get in a taxi or another mode of transport and had been stoned by quite a number of people, which caused a spectacle. She noted that this is the irony of society, because if you're waiting for a bus and you scream that your phone has been stolen, the community will rally around you because there's a belief in mob justice. However, nobody supported the gay man or came to his aid because there was a rationale that he deserved what happened to him. This was why research was always going to be important. **CEO** noted that her strong suspicion was that these things are happening, but that they continue to be undocumented because nobody's asking the questions, nobody's funding the research. Physical violence should not be used as a metric for whether violence is happening because there are cultural things, systemic nuances, gender biases, all kinds of things that fuel violence as we know it now.

The FFM team summarised that physical violence was only one manifestation but there were also psychological and cultural practices and expectations that shrink the space people can exist in if they don't conform to heterosexual [norms]. CEO noted that she agreed 100%. Even the inability to report cases to the police would make an interesting study. **The FFM team asked whether the police have no sexual orientation or gender identity category in their record keeping. CEO** noted that they do not but that it is something LEGABIBO should embark on. It would be really interesting to see on average how many LGBT identifying people walk into the police station to report a crime. **The FFM team asked whether CEO had come across a case in which an LGBT+ person who reported a crime had received some sort of response, whether positive or negative. CEO** noted that she didn't have numbers but that LEGABIBO have a current case of a gender non-conforming person who was consistently verbally harassed by their neighbour. This escalated [and turned] physical and the victim in question [strongly believed] that the

violence was rooted in their sexuality, so they came to us. We're not a legal firm and although we can do strategic litigation, as an organisation we don't litigate per se. The victim had gone to the police a number of times and when they got there, they would either be dismissed or told to come back later. Through our network and coCEOection with the Office of the Ombudsman, we reached out to the Ombudsman, and they advised that the survivor should go back and get the number and name [of the officer they reported the incident to]. Once you report a crime, the officer dealing with the incident must give you a response or take further action within 2 weeks. As we suspected, 2 weeks [passed] and the issue is now with the Ombudsman. We're looking to sue the Commissioner of Police for negligence. That kind of case doesn't happen every day for us. It's only that this person felt a lot more comfortable coming to us. **The FFM team asked whether that was the only example of a person coming to LEGABIBO to pursue a case after they've not had much help from the police, CEO** noted that it was.

The FFM team asked whether there were other cases where LGBT+ people had been to the police, CEO explained that LGBT+ people do not feel comfortable going to the police. She noted that even as somebody with a number of privileges, she herself does not feel comfortable going to the police. She thought that was by design. **The FFM team asked whether this was a general thing or to do with being LGBT+, or being a woman, or anything else. CEO** explained that it's not very encouraging to go, and that [the issue] is the nuances. As an example of nuances, the **CEO** noted that in order to vote, people need to show their ID. For trans people, because of the gender marker issue, their ID might not reflect who they are as a person, which also speaks to issues of democracy. As another example, **CEO** observed that an activist who is visibly trans had mentioned how, during Covid, she would have rather sat at home and died than gone to the hospital because she was unsure which ward they were going to put her in.

The CEO continued that even with the police, she strongly suspected that the fear, particularly for trans and intersex people, would be what would happen if things escalated. For example, if a trans person or intersex person was arrested, which cell would they be put in? If an intersex person got into a brawl, which hospital bed would they be put in? Those kinds of nuances aren't clear [just from looking at the person]. It's not even clear with someone whose gender marker resonates with their gender expression. **CEO** noted that she's a woman and her sexuality would precede her only in certain circumstances because otherwise people would ordinarily perceive her as being heterosexual, whereas she is not. She thought there was a privilege in being able to do that, to be perceived as something, whereas fundamentally you're not. Trans and intersex people don't have that privilege.

On the issue of civil society support for the LGBT+ community, the FFM team asked whether there were other groups who provide support in various ways. CEO noted that the fact there are only 2 million people in Botswana is both a good thing and a bad thing. Collaborative efforts are quite easy to do, and LEGABIBO does quite a lot of work with BGBVC [Botswana Gender-Based Violence Support and Prevention Centre] and Women Against Rape in Maun. On the intersectionality of violence as it's experienced by [LGBT+] people, she thought there was yet to be that kind of collaboration so that all of the CSOs could speak about sexual assault and rape. She thought there had never been a convening [specifically] to discuss sexual violence as it pertains to [LGBT+ people]; rather, the title would just be sexual violence and then they would speak about it. The CSOs are there and the energy is there, but quite a lot of CSOs are in a very tricky place because of funding and

geopolitics.

The CEO added that LEGABIBO is like an umbrella organisation. A lot of grassroots [organisations] have emanated from us because they want to focus on their area of expertise in a way that we aren't always able to. For example, Botswana Trans Initiative focuses purely on trans and intersex issues. They've been able to foster really interesting relationships with the government and the police in terms of bringing them in for training, etc. We also have Black Queer DocX, which is more centred on bisexual and lesbian women, and they approach things from a feminist perspective. **The FFM team asked whether Black Queer DocX focuses on advocacy and research, CEO** confirmed that they do. **The FFM team asked whether there are CSOs that provide counselling and safe spaces, CEO** noted that there is Tebelopele, an [HIV] testing partner. There's a GBV aspect to their screening because if you come in for a test and you have a black eye, they're legally compelled to ask how you got it. They just recently celebrated 25 years combatting HIV in the country.

The CEO added that although she doesn't say a lot of great things about her country, she thought the fight against the HIV was really phenomenal. Botswana had been exemplary in its fight and she thought this was because of the understanding that things are intersectional. It wasn't a case of targeting a specific group. It was everybody, including sexual minorities. **The FFM team asked whether that ecosystem created with NGOs (non-governmental organisations) and government which had formed to address HIV/AIDS has persisted and is moving to other human rights issues such as the LGBT+ situation. CEO** noted that she wished the government saw it that way, but she remained hopeful.

The FFM team asked whether LGBT+ people can live together openly as a couple. CEO observed that she grew up having an aunt whose lifelong housemate was a woman. It took getting older to realise that they weren't just really good friends. **CEO** thought it was not strictly illegal in a sense, but was more a question of whether the couple could sign a lease and pay the rent. In Kenya, there have been instances where people have been forced out of their homes for cohabiting. **CEO** noted she had never heard of an instance [in Botswana] where people of the same gender had been [forced] out of their home for cohabiting. **The FFM team asked whether this was the case in cities only, CEO** thought it was mostly in cosmopolitan areas, and noted that she couldn't imagine [cohabiting] happening in Maun, for example. She could see a white couple living together in Maun but not a black couple, although she didn't think cohabitation was criminalised. **The FFM team asked how society treats same-sex cohabitation, CEO** thought women would be thought of as roommates and the situation [viewed] as being cute. For 2 men, people would think they were really close. **The FFM team asked what would happen if people knew they were in a relationship, CEO** thought derogatory terms would be used. She noted that she had been out with her girlfriend before in a very public place and comments were made but they weren't kicked out. The waiters made very derogatory remarks about them that were not nice. **CEO** noted that this was why she wanted to [push back against the idea that] if there's no physical violence, it doesn't mean that violence doesn't exist at all, because name-calling is a psychological thing that can really affect someone. Nobody would classify it as violence, and the police themselves would ask, 'Did she hit you though?' It's almost like we have to wait for something to happen.

The FFM team summarised that a same-sex couple cohabiting openly may face harassment and get remarks, but physical violence would not happen often.

CEO agreed.

The FFM team asked whether it would be possible for an LGBT+ person to move and relocate around the country, CEO thought it would be quite possible. She noted that she was actually glad now that the decriminalisation of same-sex activity in Botswana took as long as it did and that the government said Botswana was not ready because that compelled LEGABIBO to do the research so that we could counter the court's arguments. In the early '90s, the position was that fairness was a weird, strange thing, and then there was [the HIV crisis]. **CEO** noted she had definitely seen the evolution over time and thought it was fully attributable to advocacy and to research and to movement-building and all these things that now are severely underfunded. There was a moment in time when it genuinely felt like we were on the verge of acceptance because we had infiltrated every crevice of the country, from speaking to traditional leaders and humanising it. Sometimes when you say to somebody, 'How would you feel if your neighbour was gay?' it's quite easy to be indifferent. But it's a different question when you say, 'How would you feel if your grandson was gay?' That humanises the question. In the level of work and the advocacy that was being done over the years, it was very little about whether or not you have a vagina or penis; it was about acceptance, just being accepting, and that phrase of Ubuntu about recognising neutral humanity amongst people.

CEO continued that this was why she is so angry at this [US] administration, because they've set us back years. She noted that she had a strong feeling that, for example, if you'd asked somebody how they felt if their neighbour was gay in 1998 versus today, [the answers would be] star Health and wellness officer y different. What we're witnessing now is more, 'Well, as long as it doesn't affect me.'

The CEO added that we also can't underestimate the impact of the anti-gender movements that we see creeping in through East Africa in particular. She noted that she was glad that Botswana had protected its legal wins so there'd be no legal regression. But when you look at countries like Zambia, for example, who have it in their Constitution that they're a Christian nation, you can easily see how that would be ripe ground for that kind of rhetoric, and with first ladies, people are getting quite creative now. First ladies are being invited for conferences to be taught about family. This is a religious fundamentalist theory and it's coming in at warp speed. **CEO** noted that she worried about that.

The FFM noted that underlying the previous question was the implication that there are different tolerances in different parts of the country. Asked whether it would be fair to say that there are, CEO noted that [there are differences even between] religious stakeholders themselves. The only religious faction that has categorically said they have an issue is the Evangelical Fellowship of Botswana, but you have the Botswana Council of Churches, which is more like the umbrella for all the churches, and the former leader of Botswana Council of Churches is a huge ally of [LGBT+] people and the community. He has performed many unions abroad for same-sex couples. We were actually just with him 2 weeks ago. He was marching in solidarity with us. **The FFM team asked whether this was at Pride, CEO** confirmed that it was. She noted that he's never shied away from categorically saying these are God's people and that God preaches love, not discrimination. So there are those nuances as well, where there are some people that are using biblical texts to preach for love and for humanity. It's just that those minute, few who happen to be a lot louder than the positives [church groups] that are debunking the work. **The FFM team asked whether it was Botswana Council of Churches that is generally an ally and has been tolerant, and if there are other Christian groups more**

fundamentalist in nature who are less welcoming. CEO agreed. She observed that it's worthy of applause for the Council of Churches to categorically stand with an organisation like ours on the question of human rights and love, but [more broadly, religious stakeholders are] a mixed bag for sure.

The FFM team asked if there was anything to add, particularly in relation to GBV, CEO explained that she would introduce LEGABIBO's healthcare officer, in particular because she deals with a lot of the programming around gender-based violence and is the person who clients predominantly meet first when LEGABIBO receives them.

The HEALTH AND WELLNESS OFFICER joined the meeting.

The FFM team asked what the role of health and wellness officer at LEGABIBO involves, HEALTH AND WELLNESS OFFICER explained that she is a healthcare officer and assists the health and wellness manager with programming to help provision for the [LGBT+] community, specifically provision of health services in terms of HIV programming cycles. We are currently trying to move to programming for incidents for the community, so non-communicable disease, because our main focus for the longest time has been HIV.

The FFM team asked what laws there are to protect women against GBV. HEALTH AND WELLNESS OFFICER explained that in Botswana there are different forms of violence. For the population we serve, which is the [LGBT+] community, one of the forms of violence that people face is rape [as well as] physical assaults and murder. We don't serve kids below the age of 18 so we can't speak on defilement, but across Botswana there's been a rise in defilement cases as a form of violence against children. **The FFM team asked who the main perpetrators of GBV are, HEALTH AND WELLNESS OFFICET** noted that physical assault [is committed by] family members. Most cases of rape are correctional rape, and most [are committed by] community members trying to correct someone's gender identity, and then there are cases from the community due to how someone identifies. **The FFM team asked whether family members meant partners or the wider family, HEALTH AND WELLNESS OFFICER** noted family from brothers and sisters to your intimate partner, so there is also intimate partner violence in the [LGBT+] community. This is usually physical assault.

The FFM team asked whether HEALTH AND WELLNESS OFFICER had a sense of numbers. How many cases had LEGABIBO dealt with? HEALTH AND WELLNESS OFFICER noted that they would go back to their database and share [the information]. A lot people are not comfortable sharing lived experiences like that. They are slow in terms of reporting to the police. There are other service providers that come to LEGABIBO seeking help but [survivors] would say that they don't want to go to the police and report the matter with the police because they're not comfortable being assisted by a police officer or a social worker. **The FFM team asked why they are uncomfortable going to the police, HEALTH AND WELLNESS OFFICER** noted [that there are] issues of discrimination and stigma. It's because our service providers in Botswana aren't queer-friendly in respect of how people identify. It's from the lived experiences of our clientele, who say, 'I tried going to the police to report the matter but I was shunned because I'm currently dating a female. They mocked my relationship status to ask how I could date a female and why I was thinking like a male,' something like that. **The FFM team asked whether people had tried going to the police, HEALTH AND WELLNESS OFFICER** confirmed that they had tried. **The FFM team asked whether the police had**

responded, HEALTH AND WELLNESS OFFICER noted that [those who tried going to the police had met with] resistance. **The FFM team asked whether the police ever help or sometimes help, HEALTH AND WELLNESS OFFICER** observed that they do help sometimes, one out of 5 [times]. The statistic is very low because [so few [unclear, sourced did not clarify] provide queer-friendly services. But as an organisation, we are trying by all means to capacitate service providers.

The FFM team asked whether LEGABIBO also works with other service providers such as health services. HEALTH AND WELLNESS OFFICER noted that they work with nurses, social workers, the police, the dikgosi (traditional chiefs) and district commissioners. **The FFM team asked whether LEGABIBO goes out and provides training and guidance, HEALTH AND WELLNESS OFFICER** confirmed that they do. **The FFM team asked whether that was a rolling programme, HEALTH AND WELLNESS OFFICER** explained that it depends on the programme that they are currently aligning to, and that it depends on the funding. **The FFM team noted that they had understood from [CEO] that funding is a problem at the moment. HEALTH AND WELLNESS OFFICER** observed that funding has been very, very scarce with regard to the [LGBT+] organisations. **The FFM team asked whether that had particularly been an issue this year [2025] because of US funding being paused, HEALTH AND WELLNESS OFFICER** confirmed this.

The FFM team summarised that LEGABIBO would share their numbers and that the [scale of GBV] was hard to gauge. People don't often go to the police and when they do, the police often don't help. HEALTH AND WELLNESS OFFICER agreed. **The FFM team asked whether LGBT+ people are able to get healthcare, HEALTH AND WELLNESS OFFICER** noted that they can't. That's why LEGABIBO is there as an organisation. We have a clinic to offer healthcare services for them because they're not comfortable being seen and accessing health services outside community-based organisations because of the issues stated. **The FFM team asked whether this was because if LGBT+ people went to a healthcare facility they might get ridiculed, HEALTH AND WELLNESS OFFICER** confirmed that it was. **The FFM team asked whether this would be at an individual level rather than a government policy to discriminate, HEALTH AND WELLNESS OFFICER** noted that it's [at an] individual level. **The FFM team asked whether they bring their own values to the workplace, HEALTH AND WELLNESS OFFICER** confirmed this. **The FFM team asked whether LEGABIBO also trained healthcare workers. If so, did they think it made any difference? Did they see any signs of more acceptance? HEALTH AND WELLNESS OFFICER** noted that they had conducted training for healthcare workers this year. They had conducted sensitisation training for healthcare workers and other service providers such as police officers and soldiers. They went around the country. Some of our community members feel like there was an impact, so there has been something somewhat different in terms of the provision of services from the service providers.

The FFM team asked whether there were NGOs besides LEGABIBO providing support in this sphere. HEALTH AND WELLNESS OFFICER noted that there are many organisations. We have BONELA and BTI [Botswana Trans Initiative]. We also have Men for Health. In terms of psychosocial support services, there is BOFWA [Botswana Family Welfare Association] and BGBVC, which is at the forefront of providing psychosocial services and safe shelter for everyone, regardless of how they identify.

The FFM team asked whether there had been any changes in the GBV situation

over time. Was the situation getting better or worse? HEALTH AND WELLNESS OFFICER noted that it's getting worse by the minute. **The FFM team asked whether there was more violence, or whether people were reporting more because of campaigns to raise awareness about gender-based violence. HEALTH AND WELLNESS OFFICER** observed that it's because there's been a rise in violence and the law is not doing anything to hold people accountable. It's taking a long time to litigate. If you were assaulted today, the litigation process of the case would be [concluded] after about 3 years. **The FFM team asked whether people were becoming more violent, or whether [the change was occurring] because they could do things and not be held to account. HEALTH AND WELLNESS no**ted that it's because you can do something [today] and get bailed tomorrow. The bail laws are really lenient to perpetrators. You could kill someone today and then tomorrow you'd be out on bail. **The FFM team noted that they had heard that a Bail Act was introduced last year. Had it improved things? HEALTH AND WELLNESS OFFICER** noted that the other thing is that laws were being passed but were not being implemented, so you could have a bail law passed by Parliament but not effectively put into place.

The FFM team asked whether there are quite strong anti-GBV laws to protect women, but implementation is the problem. HEALTH AND WELLNESS OFFICER confirmed this. **The FFM team sked why she thought the laws were not being implemented, HEALTH AND WELLNESS OFFICER** noted that this was a big question and suggested asking the police and social workers why the laws are not being implemented because they are the ones who are supposed to [be responsible for] the implementation process.

The FFM team asked whether these levels of violence are countrywide, HEALTH AND WELLNESS OFFICER confirmed that they are. She noted that there is underreporting of cases in remote, rural locations. If you're in a group setting and having a conversation, for example, with LBQ [lesbian, bisexual and queer] women around mental health or GBV, someone will say they've been assaulted before but they didn't go to report it. **The FFM team asked whether that meant there is better reporting in bigger places like Gaborone, HEALTH AND WELLNESS OFFICER** noted that there is, in the towns and cities. **The FFM team asked whether people feel more confident that they can get services and support in the towns and cities, HEALTH AND WELLNESS OFFICER** confirmed this.

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Annex T - Interview with Pink Triangle LGBTQ Support Group

Date	**25 July 2025**
Location	Online – Microsoft Teams
Attendees	GG – Pink Triangle LGBTQ Support Group; 2 HO Officials

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people)

The FFM team ask GG for background about herself and work. GG explained that they are a human rights activist in Maun [Ngamiland, Botswana] focusing on LGBT[+] persons. They had been doing this since 2018 but begun working for [Lesbian, Gays and Bisexuals of Botswana] LEGABIBO in 2020. Had worked as a

human rights activist with different organisations – currently with Safe Place International (SPI), an international organisation whose founder is in California [USA], the Executive Director in Greece, Director of Operations in India, and Global Director in Cape Town, South Africa. There are different country directors in Kenya, Uganda, Greece and Spain. GG is the country director for Botswana. **The FFM team noted that GG was linked to the Pink Triangle LGBTQ Support Group (PT) and asked about this. GG** noted PT is a personal project, but SPI is their job. PT is a LGBT[+] support group [operating] in [Maun]. GG is trying to register it [with the government], they do not have a website yet only a Facebook page that they are trying to revamp.

GG continued that currently they are using their life as an example that [LGBT+ people] are here in real life [be]cause for [a] long time [they have] been told and taught that being queer is just a western thing, it does not exist in Botswana, we are just copying [what's on] the TV. So, **GG** holds sensitization workshops, capacitation trainings [to empower or equip people], campaigns to raise awareness on sexual orientation and gender identity and expression (SOGIE). [This is] because [Batswana] have [been taught] that there are only 2 sexes - being female and male. Intersex [people] and [people of same-sex sexual orientations are] not really recognised. We have [been told] that being heterosexual is the only way to go. So, GG has different workshops teaching people [about] SOGIE.

GG continued that they have a programme for family interventions. When they receive a case that [a LGBT+ person] has been disowned by their family, we step in to try and talk to and teach their family that what this [LGBT+] person is doing [being gay, lesbian or trans], [is] not the worst [thing as] seen [by the family], [it is] just [the person] expressing who they are. So we try to get families to group counselling [sessions], teaching them and exposing them to more queer people and queer lives so that they can finally understand who they live with.

GG added we have another programme called 'Sexuality and Spirituality' where we engage with religious leaders of [different] congregations and have Bible studies with them, sit down, talk about being queer. [We] have queer people [coming into this] space, to sit down with pastors, bishops, [and] read the Bible together. [We] try to show them that it's OK to be queer [and] still worship God or Allah.

GG continued [w]e also train health professionals [which GG was doing the following week] on SOGIE. We have a lot of cases where LGBT+ people resort to backstreet health measures because they're being stigmatised and discriminated when they get to [a] health post. Instead of [LGBT+ people] being assisted when they get to the clinics, instead of [being] given medication, they [are] told what they're doing is demonic. So we train [healthcare professionals to understand] that being LGBT+ does not mean that you are an evil person as people perceive it.

GG [summarised that] generally my job is raising visibility on being queer, putting themselves out there. They [also] capacitate different heads of villages, train[ing] traditional leaders because that you cannot get in [a] village and do something without [the] chief knowing. So, we sit down [with] chiefs, train them [and] call different LGBT+ people to come [and] share their lives, their life stories, and how they wish they [could] be supported by the audience [traditional chiefs].

GG added [w]e also trained police officers because that they don't even record intimate partner violence (IPV) cases [between LGBT+ couples] that come to them as GBV or IPV. They just take them as a fight between 2 women that were just fighting or caught drunk. [The police] omit [to document] that this was a couple that

came in and one person beat the other person. So we are also capacitating [the police], training them to [understand about GBV / IPV between LGBT+ people and that these are also violent cases that need us to stand up and [take] act[ion] on. **The FFM team asked if the police were not documenting these cases correctly because the people involved were LGBT+ or because it was GBV. GG** noted it's [because they are] LGBT[+] cases. **The FFM team clarified that the police don't record the cases because they are LGBT+ individuals. GG** agreed. [The police] don't record [the incident as GBV / IPV] because it's from LGBT[+] couples. **GG** added that when you ask [the police] why [they do] not document [cases] as [IPV] or GBV because this person was hitting the other one because they feel like they have an upper hand in the relationship, the response is always [that it was] just 2 men [fighting], men fight all the time, that is not something that we can waste our resources on. **GG** continued, we are trying to [stop] th[e] unnecessary omission or stigma or discrimination just because the relationship is not hetero by teaching [the police] and capacitating them, having [training sessions] on a quarterly basis as much as [our] funds allow. GG [had] been trying to make sure that each quarter [they] have one training [session] with different police officers. [PT/SPI] cannot afford to [do the training] monthly as the [Maun] district is big and we are trying to capacitate every single police officer, but funds do not allow that to happen. **The FFM team asked if GG tries to train police officers at different stations in the district on a quarterly basis. GG** explained that they don't train each [police] station, but take representatives from each police station - for example 3 from one station, 3 from another - then bring them to one [place] because we want all stations to have someone that is capacitated, to [being able to] step in and help [in LGBT+] cases.

The FFM team asked if raising awareness and talking to different elements of society is making a difference? Are people receptive and responsive to these conversations you are having? GG stated yes. Before February [2025] - before the unnecessary executive orders that happened in US [which cut USAID] - we were [making] beautiful progress. We [had] adults voluntarily reaching out to us, to me, saying, 'Can I be part of the P flag?' 'Can I be part of the movement to also help this and this and this? Because I realised that my niece is giving me [the] sense that they might be gay' or 'I realised that me violating people that are different from me was not OK'. Even the police [have engaged], **GG** noted that [they have] now a good number of police officers on their speed dial that I know if I'm not in town or if I hear I about a case of violence or assault [against a LGBT+ person they can] call [a] specific police officer [and] they will handle [the] case well till they see the end of it.

GG added that we have a number of lawyers [who can assist]. They also [know] a number of nurses and doctors if we need any health assistance and we are not sure if the people that are on duty are homophobic. There's a good number of people that we can call. [It is the same with the traditional leaders, same with religious leaders [we know people who we can call on to assist]. But after [the US] executive orders we have seen those numbers declining and we had seen some of [these people] questioning if supporting the [LGBT+] movement and being there for queer people is worth it because if [the US] – where [some people think] being LGBT+ comes from – is saying [being LGBT+] is not allowed, how would we allow it in Africa? **GG** noted that [people think this] even if we say [being LGBT+] does not originate in [the US], we are here in Botswana, we are [a]live, I found out that I'm gay before watch[ing] television, I found out that I'm gay when I knew America only [as a place] on a map, [before] knowing what [was] going on there. So now, with the AIDS card, [people] are relating it to Trump not condoning [people] as being gay. **The FFM team clarified**

that the executive orders GG referred to were the US administration's decision to cut USAID, specifically programmes supporting gender identity, and the accompanying rhetoric about gender rights? GG agreed.

The FFM team asked GG for an overview of how LGBT+ people are treated generally in Botswana and in Maun specifically. GG as [SPI] country director, they could talk about the [situation] [nationally]. Generally, if compared to South Africa, GG [thought the situation in Botswana] [is] similar. The only difference is that Botswana is not [as] openly violent as South Africa where you can be killed for being queer. In Botswana families will disown you, we get LGBT[+] people on a daily basis being disowned by their families. On a daily basis [LGBT+ people] get fired from their jobs, right after their supervisors or their bosses have found out about their sexuality. On a daily basis, [LGBT+ people] get chased out from churches. The minute that sexuality is disclosed, [people] in Botswana would choose not to physically violate you, but emotionally they will. Financially [people] will cut you off and from jobs or the support that you might get.

GG continued [the issue] that happen[s] most in [Maun] district is [that there are] a lot of forced marriages. [When a LGBT+ person] share[s] with [their] family that [they] are queer or [a woman/girl] give signs [of] masculine presenting – [they] get into soccer, play mostly with the boys – [they] get into a forced marriage, they [have] even [been] cases of child marriage. [A]fter [the] decriminalisation [of same sex sexual relations] in 2019, the defence mechanism that most families [have] is that [if the] teenage [girl] show[s] signs of being masculine [their family] get[s] them married to someone that is older. [These girls] don't even have time now to say 'I would [like to] date a woman' because [they're] already married to [a] man. We are trying to fight child marriage cases time and again, same with forced marriages.

GG further noted on collective rape, we have queer people and kids [whose] mothers give consent and permission to uncles to sexually assault them in the name of correcting their sexuality. And when you talk to family members the excuse is, 'This girl says she's lesbian just because she never tasted what a man is.' They don't care about consent, when you say [to the family], 'But you violated them and this is defilement'. The fact that they're under 18 and [the family] gave an old man permission to have sex with [the girl] goes against all laws in Botswana. [The families] will find ways to hide behind culture. They hide [the girls/women] from our organisation, it is only when GG/PT/SPI do village canvassing, [travelling] around small villages in Maun [for a month or 2] when we [find out] a 15-year old [girl] is pregnant. When you follow up the case, not only is it defilement [sex with a minor] but it is corrective rape because [the girl] came out to their family that they're lesbian or that they're bisexual. [The family] were trying to give [the girl] a 'taste' of what a man is like. That is how LGBT[+] people are mostly treated in Botswana.

The FFM team noted that GG referred to girls who were lesbians but asked if it is different for boys who gay. Were they, for example, forced into marriages too? GG said, yes. For gay men, yes, they are also forced into marriage. The only difference is that they're forced to marriage when they're adults - when they're 20 and upwards. For [girls/lesbians] it's different because they get forced into child marriages, but for gay [men] they get forced into marriages [when they are older]. For trans people, their identity is invalidated and not appreciated at all. They [are] forced to identify as something that they're not just because they [are] told that no one can be trans. If you were born female bodied, of course you are a woman. They don't have room for being nonbinary, for transitioning to the other sex. A trans woman [will not be allowed to do roles traditionally done by women]. [Families] force

[them] to do the [roles] that are supposed to be done by men.

The FFM team asked if GG had specific examples and numbers of these incidents of abuse and discrimination against LGBT+ people? GG [needed to] refer to their [organisation's] database [for accurate numbers] but [estimated] that only 2% of people [who] are queer in Botswana are living freely [openly], and that is because of the privileges that they receive from their families. Either you're from a progressive family or you stay in a city - if you stay in Gaborone – [then] you have a higher chance of living a good life. But if you stay in the north of Botswana where you live in villages you have [a] high chance of not fully being yourself or not being allowed to live your full truth because on a daily basis they [family / community] will repeatedly remind you that what you're doing is not allowed. When a person goes to university in cities [then] comes back home to the village and tells [their family] about [their] sexuality, the [family's] first [response] will always be, 'You learned that in school, which is why you are not going back there. You learnt that in university, instead of them teaching you good things, they are teaching you to have sex with different people, with wrong people.'

The FFM team asked if GG had personally dealt with or had any number of cases they had assisted. GG noted that they would have to consult their database, with cases they had assisted going back to 2022. But yes, personally they've dealt with cases like that. **GG** was one of the cases, disowned by their family, and their sexuality and identity blamed on their education. **GG** was also a victim of not being given medical assistance at [a] clinic when [staff] found out about their sexuality.

The FFM team noted that GG had referred to 2% of LGBT+ people living openly. Is that something based on cases you're aware of or a number you have estimated? GG it's based on the update that we had [in November 2024] at the national LGBT[+] conference. We shared statistics, the percentages were based on that. **The FFM team asked where the conference was held and who organised. GG** noted it was in Gaborone organised by LEGABIBO.

The FFM team asked if GG had any numbers on the number of openly LGBT+ people in Botswana? **GG** did not know but said they could try and call other LGBT+ organisations to [find out], maybe we can get a rough number from the members that we each have as organisations.

The FFM team noted that there was a pride event in Gaborone in June 2025. Was there also a Pride event in other towns, for example Maun or Francistown? GG said no, [Pride] only happens in Gaborone. That's where [LGBT+ people] sort of feel safe because our families are not [there] – most of our families are in villages. The only Pride things that GG had done in Maun was a small movie and a games night where attendance was restricted. You have to have a RSVP because most people here are not 'out' [with] with their families. So [Pride] mostly happens [in] Gaborone.

The FFM team asked if a LGBTI+ person can get protection from the police? GG noted that we had a march on Saturday [12 July 2025] against IPV and GBV, and stigma and discrimination [against] LGBT[+] persons. We had protection from the police. If you talk to [the police] in Maun it's sort of possible to get protection because we have formed [a] partnership with the station commander. We have sat down with him and agreed that [if] we communicate in time he will always release some of his staff to assist [us] when needed for any activities that we do. That helps in making [Maun] safe for everyone in it.

The FFM team clarified, how easy is it to get protection from the police, for

example, if an LGBT+ person suffers violence, harassment, or, in an extreme case, corrective rape. GG noted it's a 70-30 thing: 70% [of LGBT+ people seeking help from the police] are likely to find homophobic people there, homophobic officers on duty [who] blame [the violence/harassment] on [the LGBT+ person]. Then there is a 30% chance they might go [when there are police] that we have trained on handling LGBT+ matters and they'll get their case assisted like any other case. But if [the victim is] forced to get a restraining order, it will mean the case would have to be documented [in] the same way that you'd record a complaint from a person in a heteronormative relationship because we have Legal Aid Botswana [LAB], [which] provides free lawyers to everyone that cannot afford private law firms. **The FFM team confirmed that LGBT+ people can also access LAB? GG,** noted yes.

The FFM team noted that GG had 70% of LGBT+ people might not find a police officer who was helpful? GG, agreed. **The FFM team asked what happens in those circumstances if someone goes into a police station, finds a police officer who is not pro LGBT rights? Will that case not be recorded or will not be given any protection? GG** noted that most of [these LGBT+ people] give up and [do not] seek justice for what happened to them. [Those people who] know of our organisation [PT/SPI] and the work that we do end up coming to our office or calling for help. Then we step in and follow up the case till we make sure that they get justice. [But] if they don't know of the work we do and they don't have our contact [details], they end up giving up and never reporting. We still have cases of LGBT[+] people that say they don't trust police officers and they don't feel safe about reporting [incidents to the police]. So, they stay at home and [accept] the violence [they have experienced or] retaliate[d] [against] the people violating them because they feel the justice system has failed them.

The FFM team asked if GG had dealt with cases where a LGBT+ person came for help and they went to the police, the perpetrator was arrested and, sometimes, prosecuted? **GG** noted the only punishment that [a police officer] would probably get from not fully helping a client [a LGBT+ person] [would be] a suspension and a warning letter. But all of the cases brought to us we always make sure they get the assistance that they need. So we don't have any that we did an active referral, and we failed it.

The FFM team clarified that the police investigate and there is some sort sanction for the perpetrator. GG noted [that once a LGBT+ person / woman] lets us [PT/SPI] know that they were not assisted [by the police] we make sure that we get involved in that case fully from the beginning. [Finding out if] the investigation [is] still ongoing.[asking the] station commander [to tell] the [responsible] officer to always keep us [i]n the loop and if there [are] any developments [in] the case and update the [GG/SPI] because it is no longer [only the police's] case now because [they] failed the client at the beginning.

The FFM team asked if the protection that the police provide is effective? GG noted that it is, but they do not give detail[ed] protection like in other countries where a police officer check[s] in on you at your [home]. The only thing that we can get them [to provide is] a restraining order against [the perpetrator] and getting [the LGBT+ person] to a safe house. [T]he safe houses that we use are [provided by] Women Against Rape (WAR) and our safe house that we opened on 27 March 2025. But the safe house that we have been using [is provided by] WAR. If we cannot get a restraining order, we need to get [the LGBT+ person] to a place of safety as soon as possible. Our first choice has always been [WAR's] safe house [for women only].

The FFM team noted that the police have established gender-based violence (GBV) branch, which was present at the police station in Maun. Has that made any difference to how the LGBT+ population is treated and is able to get protection from the police? GG noted that yes, it has. Now instead of walking into the public section [of the police station] to report their cases, [LGBT+ women] go straight to the gender unit and report [there]. **The FFM team clarified if the GBV unit and reporting place was in a separate, screened off area in the Maun station (than the desk for other crime reports). GG** noted that, yes, [the GBV branch] have their own office.

The FFM team asked if GG had any numbers of LGBT+ cases were reported and how many were prosecuted? GG noted that for all the numbers [statistics] the FFM team had asked for, GG needed to call the person they work with and [other LGBT+ organisations] so that they can give solid numbers and not only give numbers from my organisation [but] all the organisations that assist LGBT[+] persons.

The FFM team asked how easy is it for a LGBT+ person to get legal aid? GG noted that it's as it is [for] everyone. All you have to do is report your case [to LAB], go through a screening process [to] show that you are not financially [able] to get a private [lawyer]. [T]hen after that has been established, your case goes ahead. The only discrimination that you might be unlucky [enough to experience] is if the person that is helping you [is] homophobic. But for people that GG has referred to LAB in Maun [no-one] had call[ed] back to say [they didn't] want to follow up [the] case because [they were] ill-treated [by the lawyer], they all went on with their cases.

The FFM team summarised the government's position towards to LGBT+ people: it is not (actively) to discriminate against them, but there may be individuals in healthcare or in the police who are homophobic? GG thought the government also have a hand in fuelling the homophobia that is in all government offices. [That is] because the forms that we have [to complete] in Botswana [only refer to] female and male, intersex [is not] included. But [if a healthcare worker is going] to assist me in a hospital [or] clinic [they] only pay attention to [my sex] - the fact that I am female bodied - and overlook that I'm dating another person [who] is female bodied [they are] not going to fully assist me.

GG continued, so our request [of the government is for] forms showing both sex and gender. [If] a trans man [goes to a government office but the official only] pay[s] attention to the fact that [they are] female-bodied and overlook[s] that [they are] taking Testosterone as part of gender-affirming hormone therapy] which means there are a lot of changes in [their] body. So, the help that [an official is] going to give [the person is] for someone [who is female bodied and] only has oestrogen very active in their body overlooking that now testosterone is also active, that [the person is] taking [testosterone] shots on a monthly basis. So, we have always thought our government is fuelling that [discrimination or lack of acceptance of people's identities], turning a blind eye to any request to make forms inclusive of everyone. For example, the Marriage Act has no provision where it says people of the same sex cannot get married, but the district commissioners tell us that they cannot wed [people] of the same sex because they have not got anything [in writing] from the [government], something from Parliament, that will say you can go ahead and marry these people. The Marriage Act does not say you cannot marry same-sex people, it is a grey area. Most of our statues are just grey areas on what to be done and what not to be done.

The FFM team summarised: the government is not actively discriminating against LGBT+ people but it is not going out of its way to help or change things to be inclusive and support them. There are grey areas in the law, such as the Marriage Act, which applies to hetero-normal people but not same-sex couples. GG agreed. **The FFM team also noted that same-sex sexual relations had been decriminalised in a court case in 2019 and that LEGABIBO had successfully brought a court to case against the government to allow it to register as an NGO in 2016. Both were positive steps. GG** – acknowledged this.

The FFM team asked if there are any other civil society groups that operate in Maun to support the LGBT+ population? GG noted that it is only them because LEGABIBO recently closed their office after the foreign aid cuts. GG makes sure not to get overwhelmed with implementing [support] and [training] in the district by keeping all stakeholders active and involved in cases that they do and in the work that they do.

The FFM team asked if there were safe spaces for LGBT+ population in Maun? GG, noted yes, the safe houses that we and WAR have**. The FFM team asked if GG's safe house was supported by Pink Triangle, GG** said yes.

The FFM team asked if there were places where LGBT+ person can socialise in Maun? GG, noted yes. There [are a] number of restaurants and bars [owned / run by] people we have [been] trained [by PT/SPI] and some are beneficiaries of our SPI programme. So they are open to queer people and make sure that everyone that [goes is welcome]. They use the rainbow design [to indicate they are LGBT+ friendly]. There's one that's written 'Open for everyone, but mostly if you are queer'. There are menus with rainbow designs to show that there are [LGBT+] allies. So we have a number of restaurants that have benefited from the SPI [programme] - they continue to be a good space for [LGBT+ people]. We [SPI] have also train[ed] managers and staff at hotels.

The FFM team summarised that despite there being discrimination and harassment, there are also spaces in Maun where an LGBT+ person can go to socialise and be accepted? GG said yes.

The FFM team asked how many people can stay at the Pink Triangle safe house. GG noted that it is small, the maximum number that can be accommodated is 12 - but right now we [have] 15 - because it's only a 3-bedroom house. And we have a micro grant from SFI of only USD1,000. **The FFM team asked how long can people stay there and if it was for both men and women? GG** noted it's for everyone [male bodied and female bodied]. The plan for the safe houses [is to] give [a person] shelter for a maximum of 6 months. But [during this time] we try to get [the person] jobs, we try to come up with all possible and different ways to empower [them] so that [they] can get to be independent because [the reason] most people come to the shelter is because they lost their jobs. Some of them have been disowned by their families, so they don't have financial support to cover the rents. So, we bring in different people, [to provide advice on] different business aspects for inspiring entrepreneurs, [support] on how total to write business ideas, how to apply for small loans, how to write proposals to fund their passion projects so they can finally, be out and about, and [support] themselves. So far there isn't anyone we have failed get independent in the 6 months.

The FFM team asked how long has the safe house and support process been operating and how many people have you helped? GG – we have been operating [only] since March 2025 and we are currently assisting 15 people [who

stay at the safe house]. [There are also people] that come in during the day for Wi-Fi and [other support] they can find [at the house]. [As of] [l]ast week, [we had helped] 210 people. [They] are still in the closet [not open about their SOGIE and] still stay with their families. So they would come in for therapy sessions, training on how to write [business] proposals, to access Wi-Fi [to do] free online courses or the online courses that we are paying for them.

The FFM team summarised the Pink Triangle safe house has been open since March 2025, and provides training, access to education, healthcare, and psychosocial counselling? GG agreed. We provide psychosocial support [and] psychological support with counsellors from WAR and a [counsellor] from the Red Cross. We also have one private doctor [who] comes in once [every] 2 weeks for group counselling and we have a psychologist that is on call, who works with Letsholathebe II Memorial Hospital.

The FFM team asked if there are other staff members in your team? GG noted we are a team of 5 volunteers. [There is a team member] managing the shelter. She is a social worker by profession. The [PT] board chair [helps with] empowerment – for example finding different proposals to help empower people. There are 2 [working] on health needs and 2 on community health work, HIV testing and counselling. Most of the 'general' work is me. [We] [u]s[e] our personal qualifications or exposure in the [LGBT+] movement to try and serve the people.

The FFM team asked if all the team are volunteers, does the money for project (safe house and support to LGBT+ people) come from grants provided by Safe Places International? GG noted yes, it's our only source of money. We [have a] grant [from] them this year in March [running until] March [2026]. It's a [one year] year micro grant and most of the funds we have only covers the rent. Most of the things we [have] are donations from stakeholders in the village [Maun].

The FFM team asked if an openly LGBT+ couple are able to together in Botswana and in particular Maun. GG most of the time it is choosing to sacrifice your relationship with your family, to be with your partner. Or if the other person is out and their family has accepted them, and then the[ir] [partner] [can be] more out. People that cohabitate or stay with their partners [are] renting their own spaces and for most of them their family members don't know [they are in a same-sex] couple – [the family] they're just friends. **GG** continued, using myself as an example, I [can] stay with my [female partner] because my family disowned me in 2020, Maun is not [her] hometown - she comes from the south of Botswana and [her family] don't know that she's queer, she has not [come out] back home - and I have my own place. So [the] way to stay with your [partner] if you [are] queer is if you have your own place. If you don't have your own place, [you cannot live with your partner] unless you sacrifice your relation[ship] with your family.

The FFM team asked, if a person has the means to rent a place, what the societal view is of a LGBT+ couple living together. GG noted that back in 2018/2019, [people] were shunning [LGBT+ people / same-sex couples] and we [would] not risk letting people know that we are a couple. We'll let people know that we're just roommates, housemates, sharing bills not a couple. [Since then with] the work that we have been doing in Maun, we have seen good adjustment [by people generally] and we have got exposure to people who are [now] OK and are tolerant [of LGBT+ people / couples]. For example, my landlord is OK with my sexuality and knowing that I have a [female partner]. My previous landlord was OK as well and I know a number of people that are renting, and their landlords know they are gay and

have no problem with that.

GG continued, so it's a progressive thing, but we have people [who have had] homophobic landlords, and they're forced to move out and go somewhere else. So, there's a good share of people that don't want [LGBT+ people] in their [properties], who would prefer not to give [them] a place if they found out [their SOGIE. There is also a] good number of people that will not care that [a person is] gay long as [they are] paying rent, long as [they] are respecting the rules of their place.

The FFM team checked that the situation described was in Maun. GG, confirmed that it was. **The FFM team asked if the situation was different in cities like Gaborone or Francistown. GG** noted that in the city it is fine whether you're gay or not – [people there] don't care [as] long as you pay [rent]. Also, city life is so busy [landlords] barely care about what you're doing and what you're not doing, you can get in a place and start renting a place without meeting your landlord - all you have to do is you receive a lease agreement. You exchange the document, dealing with xx of this number and the ID number is this, and you sign [and] e-mail the lease agreement, meet [the landlord] over a zoom call or over a phone call, find the keys and that's it. [People in Gaborone] don't get to meet [their landlords] and sit down with them as compared to the village. [In the village] you have to meet with the landlord, sit down with them, listen to them – to the rules for their house, the rules for their yard and what time you have to be back and what you can and cannot do.

The FFM team clarified that when GG referred to city, they meant Gaborone? GG noted that they [were] specifically referring to Gaborone because although Francistown is the second city, it is also culturally and traditionally 'saturated', there are a lot of cultures that do not condone being queer and are very big on child and forced marriages. So, this freedom you can mostly find it in Gaborone and a few surrounding areas of Gaborone.

The FFM team asked if it is possible for a LGBT+ person to access services such as healthcare, education (other public services), if they were to move from one area to another, for example, from Gaborone to Maun. GG, noted yes, they can. Botswana is big on the right to education for everyone. For accommodation, the way to get this is keeping your sexuality private, show up as an apparently 'normal' straight human being and make sure they don't get to know that you are queer or you're gay. As for health, unfortunately, there's no way you can withhold your sexual orientation / gender identity because health workers will eventually ask if you are sexually active [and if you have a partner]. So, you are forced to disclose and share this with them, but LGBT+ people can get services. But it is not as easy as it is for heterosexual people. So GG summed up for:

- education, it's a green light
- accommodation LGBT+ people have to be smart with it, don't just show up and [be open about their sexual orientation / gender identity] if [they] desperately need accommodation because there is a high chance [of coming across] homophobic landlords
- health – there are occasions a LGBT+ person won't get assisted once they reveal their sexuality

The FFM team clarified that with regard to healthcare, the negative experience / discrimination is because of the views / values of the individual healthcare worker not because of institutional discrimination. GG agreed. **The FFM team clarified if GG's comments with regard to healthcare were about Maun or**

nationally? GG noted they were talking about nationally. **The FFM team further clarified, within the country is Gaborone the most tolerant, Maun less so and in small villages it is very difficult for LGBT+ people.** GG agreed.

The FFM team asked if it is the same for employment – do LGBT+ people face discrimination? GG, there is a lot of discrimination on the employment side, [but the] people [who] suffer [most] are the trans community. [Employers see an] ID telling [them] that [a trans woman is] male-bodied, but [the person sitting before them [is p]utting on a dress or makeup. So those [trans people] are really feeling the 'heat' when it comes to employment. [Employers would think], 'I would not have my company be associated with people like you or things like you' ([we've reached a point where trans people] as things now). If you ask [employers] about [what is the] dress code, they don't have anything solid to [say why the trans person's] dress code is against [the company's policy - why the trans woman is not conforming] but on [a] personal basis they will choose not to hire [the trans person], saying it will tarnish the company's image. For [LGB+ people], if you identify with your sex, if you are cisgendered, it's easy for you to get a job. The only risk is after some time [the employer] find[s] out about your sexuality.

The FFM team clarified, if a LGBT+ person – a lesbian – is open about their sexual orientation, they may it difficult to get a job, or if a person is discreet about their sexual orientation but this becomes known they may risk losing their job. GG agreed**.** Yes, if you are discreet and later [the] employer finds out you have a greater chance of losing your job.

The FFM team asked in all these areas of potential discrimination how often this happens and how many people are involved – are there statistics? GG, as already mentioned they will need to gather together the statistics after the meeting. But off the top of my head for June, I have received emergency requests from about 10 people that lost their jobs [after] their supervisor or bosses learning about their sexuality. **The FFM team asked clarified if that was in Maun only. GG** noted, no, different parts of Botswana. Those are people that are the alumni of the leadership course provided by SPI, not general queer people.

The FFM team asked if the attitudes of employers change with different types of job or in different industries? GG noted yes. We have not [had] any complaint[s] from private law firms or someone saying the government did not hire me because I identify as queer. We have nurses that are LGBT+. We have lawyers that are LGBT+. We have police officers that are LGBT+. We have a lot of LGBT+ people that are soldiers, and none of them has ever filed a complaint during our training saying, 'I was ill-treated because I'm masculine presenting'. [The] big problem [is in] the private sector. GG [speculated] in the private sector, let's say I'm in HR [human resources], [there is a] high chance of me being a best friend with the boss or sharing with the boss people [information about who they met] and not really following the [company's employment] rule[s]. But in the private sector we have a lot [of complaints], shops, companies, restaurants, bars, tourism.

The FFM team asked about the treatment of soldiers, does the government say that it will recruit people who are openly gay? GG noted [the government] put[s] out an [advert] and memo for the whole country. GG thought that every year [the government] recruit[s] people and the requirements are to be fit, not have any chronic illness[es], to be a certain height, a certain weight [but there is] nothing [about how you identify], nothing [about] where you come from, nothing singling out anyone. So that's the reason why LGBT+ people run to be soldiers or police officers,

because the qualifications are basically fitness. **The FFM team asked if anyone can be openly gay in the army? GG** thought yes.

The FFM team asked if gay men and lesbians are treated differently, is gender an issue? GG, yes, they are different. Lesbians are very vulnerable to corrective rape. Feminine presenting gay men are very vulnerable to random assaults, physical assaults. For trans people, [they are most] vulnerable to unemployment because of how they present themselves. And for bisexual people, [they] are vulnerable to all of [these issues] because they assaulted in marriages because they're attracted to the other sex, when they get to healthcare providers they'll called it upon themselves because they're dating 2 different people, why not stick to one sex? Because there is a stereotype that [bisexual people] spread HIV or [sexually transmitted diseases] STIs. These are the top issues that GG had seen reflect[ed] in different groups as they come [to PT / SPI]. [So] corrective rape is mostly for lesbians, physical assaults for feminine gay men and unemployment or retrenchment from jobs for trans people. It is very difficult for a transgender person to get a job compared to any other [LGBT+] group.

The FFM team asked are transgender individuals also vulnerable to physical assault and violence? GG noted that they are. Which is why, for example, if I'm born and bred in Maun, the best way for me to live my life and be safe is [to] relocate to a different place and be trans there because people won't know that I was born male. They're only going to see the female version of me. That way I'm not prone to any violence or abuse as compared to if I am fully transitioning and in Maun. So always safe thing to do is relocate into a different place.

The FFM team asked if relocation within the country is possible, are there any barriers? GG, thought no [problem]. Within the country it is easy, if you have means to fund your life, you have a place to live and you manage to get a job.

The FFM team asked besides Pink Triangle, LEGABIBO and BONELA, are you aware of other organisations, NGOs, that help out and provide any form of support - counselling, financial, healthcare - to LGBT+ people? GG noted, yes, there is Botswana Trans Initiative and Success Capital [**GG** provided contact details at each organisation].

The FFM team asked since the same-sex law was decriminalised in 2019, has there been a noticeable change in attitudes towards LGBT+ people? GG funnily enough, we feel like the decriminalisation has put us in danger. Now if you are little diverse, our parents associate this with being gay. Before the change of law they ignored it, they did not care. Now they have been exposed to new terms, now you can be lesbian or gay. The parents used to think a same sex couple were just best friends. Also, we did not have [the] pressure of 'coming out'. Now, after the decriminalisation, parents are questioning everything, you are forced to explain yourself. They see you putting on any pants [trousers] that you bought, they say, 'So now you're also a lesbian?', 'Now you're also gay because you're a man and you're doing your hair?'. Parents / people before the decriminalisation were just ignorant, [they] even had a traditional term if you were male bodied [but] feminine presenting that explains you are only comfortable around women [but] [acknowledged] that you are a man. They didn't know anything about being gay. So, the decriminalisation legally was a good win, but in practice it was a gun to our heads because now we are forced to come out, explain everything we do, why we are different, where we are diverse.

[NB GG did not provide the UKHO FFM with statistics subsequent to the meeting.]

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Annex U - Interview with the Botswana Police Service

Date	11 July 2025
Location	Botswana Police Service, Zambezi Towers, Gaborone
Attendees	6 BPS senior officials; 3 HO officials

Women and gender-based violence (GBV)

OFFICIALS explained that Botswana Police Service (BPS) had prepared a brief to share the FFM team on the gender-based violence situation (GBV) in Botswana:

'Botswana Police Service is mandated to ensure the safety and security of the people of Botswana and the residents of Botswana by section 6 of the Botswana Police Act, Chapter 21:01. The mandate of the Botswana police is to prevent and detect crime, repress internal disturbances, maintain security and public tranquillity, apprehend offenders and bring them to justice, and to enforce all written laws with which it is directly charged to generally maintain peace. Therefore, as a result, the Botswana Police Service has prioritised the fight against gender-based violence in its policing agenda. Maybe there's a need for us to inform you about the staff complement of the Botswana Police Service, or the BPS. I'll keep on referring to it as the BPS. The country of Botswana is policed by 5 divisions, and from the 5 divisions, 17 districts, 84 police stations and 384 police posts.

'Over the years, the BPS has continually employed various measures and interventions to ensure prompt response to GBV reports, safety of parties involved and protection of the vulnerable. I wish to state that a surge in GBV-related reports and child abuse noted over the years the advent of Covid-19, escalating statistics on GBV were reported. That is, during the Covid era, we recorded an increase in the number of GBV cases. There was a very sharp increase in the number of GBV-related offences during the lockdowns imposed from April 2020 as well as offences against children. This has not only raised awareness on the prevalence of GBV issues, but also served as an urgent demand for a change in the BPS responsiveness towards combatting GBV and child-related offences.

'As a result, BPS found it imperative to establish a Branch dedicated to dealing with cases of GBV. So in April 2021, the Gender and Child Protection Branch was established as a strategic initiative towards efficient and effective tackling of these crimes. The mandate of the branch is to provide investigative support in cases of GBV and crimes involving children in all environments they are in, including offences which are facilitated by the use of the Internet. The formation of this branch was necessitated by a number of factors, such as the prevalence of GBV-related offences and also compliance with international and regional instruments and protocols, such as the Universal Declaration of Human Rights, the [UN] Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child and the [UN] Convention on Elimination of All Forms of Discrimination Against Women. Furthermore, recommendations from various studies and reports – inter alia, the 2012 GBV study [The Gender based violence indicators study], the 2018 relationship study [Botswana National Relationship Study] and the 2004 CRC reports placed a demand on the police for specialised and focused services, specifically tailored on GBV victims and vulnerable groups such as children. Since its inception,

the branch has been working progressively towards improving response and handling of GBV cases, integration of child-friendly policing concepts to our processes, strengthening partnerships for a seamless and comprehensive service, improving the experience of victims on reporting cases and ensuring that police officers are equipped with the necessary training to respond to GBV and all crimes against children.

‘We do have some achievements that we would like to share with you that were made after the establishment of the branch itself. We have seen improved access to services. We have the GBV toll-free number [0800 600 144] where victims can call from the comfort of their homes at any time. We also have created safer spaces for reporting. Furthermore, we make case follow-ups from social media platforms. There there's also the integration and child-friendly policing concept. The BPS established victim- and child-friendly spaces as a measure to eliminate disparities in accessing of justice for all victims, including key populations and those in vulnerable situations. We have 8 child-friendly centres across the country. These centres were developed to strengthen child-friendly and age-sensitive procedures for children in contact with the law. The objective of establishing these facilities was to create a justice system which is more aligned with children's specific and development needs and to facilitate child participation. This is a step in the right direction to attain improved access to justice. The BPS has also developed a set of guiding principles aimed at ensuring that officers are committed to integrating GBV into their work and are adequately skilled to do so. We have also developed the standard operating procedures [SOPs] for the reception, interviewing and referral of cases involving children at police stations. These are the tools that deal with GBV and child-related cases to ensure that interventions are well-coordinated, comprehensive and synchronised.

‘In term of training or capacity of police officers, the BPS has developed some training programmes in achieving best evidence-based practice in interviewing children. Officers have been and continue to be capacitated with appropriate competencies and skills for preventing acts of violence and providing the needed care to survivors of violence and abuse. Hence developments brought by the organisation facilitated effective and comprehensive provision of medical and psychological care to GBV survivors and children exposed to any form of abuse or harm. In order to protect victims, we also have the virtual juvenile courts. The BPS collaborated with the Ministry of Justice and Correctional Services and they have adopted video teleconferencing. Equipment is fitted in the child-friendly centres to enable virtual hearings in children’s cases. The new model is being heralded as a ground breaking, making court more accessible and convenient for the children. The BPS in its efforts has a strategic approach for promoting gender equality across all sectors and levels of policy-making, development and organisational practices. This is to ensure the integration of the gender perspective into the design, implementation, monitoring and evaluation of all the policies, programmes and processes within the BPS.

In terms of prevention, the BPS mission is to provide professional policing services and partnership with the community. This was formulated in the quest to bring the community on board to assist in policing and prioritising prevention. So we have got the promotion of community-led prevention programmes or strategies. There are also programmes geared towards empowerment of men, as we believe that men are the agents of change. There is also use of science and technology in GBV investigations. Furthermore it is important to coordinate and cooperate with partners,

therefore the BPS continues to collaborate with key stakeholders in the fight against GBV and child abuse.

‘The BPS has also benefited from development partners such as UNICEF, SADC [Southern African Development Community] Debswana, who continuously support our efforts in providing quality and comprehensive services for all victims of GBV, including children. Future efforts to improve our operational efficiencies include promoting community-led prevention programmes, enhancing reporting and support systems, and prioritising the establishment of the GBV one-stop service centre. We're also developing the caring for the carers programme to support officers that are involved in the investigation of GBV and child involved offences. We are also going to expand the victim- and child-friendly spaces that we already have, and lastly integrate the restorative and reformative approach to policing.

‘I think I've touched on a lot of issues, but in conclusion, we are saying that through all these efforts, it is evident that the BPS continuously aligns to the country's obligations to international and regional instruments and protocols to ensure compliance and enhance community-led policing programmes and deployment of science and technology and intelligence-led policy initiatives that will over the years yield the desired outcomes of a safe and secure Botswana free from GBV and violence against children’.

[**OFFICIALS** joined the meeting.]

The FFM team noted that OFFICIALS mentioned there are 12,200 or so police officers. How many women and men are in the police force? How is it split? OFFICIALS explained that there were around 30% women. He thought that number had grown now because in [recent] intakes, they’d been recruiting around 50:50 [men: women], so he expected it to be around 35%.

The FFM team asked whether all police officers receive training that includes gender-sensitive or GBV training. OFFICIALS explained that yes, all police officers are trained on gender-sensitive approaches to policing. There are a select few officers who are then deployed to the Gender and Child Protection Branch, and those officers are given even more specialised training and investigative tools to deal with GBV as a whole. That includes human trafficking and child protection issues. But all police officers are trained to adequately be able to provide assistance should there be an issue of GBV.

The FFM team asked how big the Gender and Child Protection Branch (GCPB) is. How many people are in it and what are their functions? Does it provide training? OFFICIALS explained that The Gender and Child protection Branch has officers across all the 84 police stations in the country. **The FFM team asked whether this is all the main towns and not every post, but most of the stations. OFFICIALS** confirmed yes, all of the big stations. **The FFM team asked for clarification as to whether it is all stations. OFFICIALS** noted that it is all of the 84 police stations. **OFFICIALS** added that it’s a fairly new branch, every year the branch is getting a manpower boost to increase the number of officers within each and every police station.

The FFM team asked whether they are actively recruiting to that unit. Did they intend to expand it? OFFICIALS noted yes, recruiting to the branch.

The FFM team asked whether these officers receive and investigate GBV cases. Are they investigatory officers, what is their role exactly? OFFICIALS explained that they receive, investigate and provide referrals [of GBV cases], and

look at the safety measures that are needed for the victims, like shelters in cases where you can't take the victim back to the same environment that they come from. **The FFM team asked whether, when OFFICIALS mentioned referrals, that is from other police officers or from other organisations. OFFICIALS** explained that it is other institutions like healthcare, or the social workers that the person might need the services of. **The FFM team asked whether this meant the officers have a mixed role, a variety of roles. OFFICIALS** confirmed that that officers are from different professional backgrounds such as social work, psychology, investigations, early child development, counselling, etc.

The FFM team asked whether the GBV branch operates the SOPs and also trains other officers in GBV. OFFICIALS confirmed yes. **OFFICIALS** added that GCPB is responsible for cascading all of its training, all the specific techniques that are needed to attend to GBV cases, to all police officers, so that at any point in time when somebody comes with an issue, they'll be attended to.

The FFM team asked whether a victim coming to the station could therefore be attended to soon. OFFICIALS confirmed that she could. **The FFM team asked whether, if a woman comes in and says, 'I've been abused by my partner,' she can access the station and she'll be directed to them. OFFICIALS** confirmed yes.

The FFM team noted that the police mentioned the 8 child-friendly spaces. Are these only for children, or can women access them as well? OFFICIALS explained that they are for children. These are child-friendly police stations. The police are realising that to take a child and expect them to be interviewed in a regular police station with uniformed police officers is not conducive for a child, so they have strategically identified residential houses that have been turned into police stations for children, but they look very much like houses. And if you get a chance to see them, we'll actually take you to one of them so that you can see it. It's just a house resembling a home with televisions, play areas, toys etc, to help the child relax when they are being interviewed, and the police officers deployed there do not put on uniform.

OFFICIALS added that we have shelters for other GBV victims. **The FFM team asked for confirmation that they have shelters. OFFICIALS** noted that they have – well, not the government, they are owned by NGOs and the police refers victims to them for safety. **The FFM team asked whether these were the NGO shelters referred to earlier. OFFICIALS** confirmed that they were.

The FFM team asked whether there is a separate process when the police handle cases where adult women have experienced GBV, and what is that process? OFFICIALS explained that adults are generally attended in normal police stations but in what are called victim-friendly spaces. The police haven't always had them; they're a new development. All the new police stations that are being built come with victim-friendly spaces. But the thing they feel is more important is the knowledge within the police officers themselves in terms of what the victim needs, in terms of privacy, in terms of proper risk assessment. That's why they concentrate on the police officers, so that even if there's no space to hold an interview, they realise that the victim still needs privacy. So even if there's no office, the victim can be taken aside somewhere and they'll still be able to have a private space where they can be interviewed.

The FFM team summarised that victim-friendly spaces don't exist in many stations or posts yet, but the training is that you should take the person aside

and allow them to explain the situation. OFFICIALS agreed, adding that they should also be given privacy.

The FFM team noted that some sources they had spoken to had said that's not always the case that victims get privacy to report their case. Sources have also said that it could be quite traumatic or difficult to explain your circumstances, maybe because of stigma or fear. So is there space to do that in police stations, and the process is to do that? OFFICIALS noted that it's possible that some victims may not have been afforded privacy because many of these victim friendly efforts are a new development. However, the BPS is doing its best to close the gaps. A lot of effort is put into training police officers to understand victim centred approaches so as to provide sensitive handling and response to GBV. **OFFICIALS** explained that he wouldn't be surprised if at one or 2 stations there could be a situation where somebody may not have been given the right treatment, but in general, police officers are trained to understand that if somebody – anybody – comes into a police station and needs to be attended to, they will be afforded the necessary assistance.

OFFICIALS added the issue of affording victims privacy dates back to 2001. Police officers have been instructed to afford [victims] the privacy that they need. So if a rape victim comes to the office, they'll not be interviewed in a Community Service Centres (CSC) where there are lots of complainants. They will be taken out of the CSC to a safe private room, so they are not interviewed in the presence of other complainants. This has been in place since 2001. But we can't dispute that someone could say, 'I was interviewed in the presence of so many officers.' The other arrangement that we practise is for female victims to be interviewed by female police officers so that they are comfortable. But sometimes a rape victim might feel more comfortable to be interviewed by a different gender and if that aids the case, they are afforded that choice.

The FFM team asked whether every station has male and female officers. OFFICIALS noted yes. She added that there are more female than male officers deployed in the GCPB, to deal with such issues surrounding cases of GBV.

The FFM team asked how many officers there are typically in a station. How big are the 84 stations, and what populations do they usually serve? OFFICIALS explained that the number of police officers is determined by the size of the policing area as well as the crime situation. He noted that as he said earlier, the ratio of female to male officers is around 35:65.

The FFM team asked whether some of the police posts are quite small. Is there a ratio for the size of a community that has access to a police post? As it's quite a big country with a small population, is it difficult in some places to get access to the police sometimes? OFFICIALS thought accessibility to police services is quite good in Botswana. Even the smallest villages would have access to at least a Police Post. **The FFM team asked whether that would be one or 2 officers. OFFICIALS** confirmed that it would, and explained that even in posts, they try as much as possible to have the representation of both female and male officers.

OFFICIALS added that there are also customary courts, and that at every customary court, there's a police office. Customary courts are in almost every village.

The FFM team asked what the police department's relationship with the customary court is, and how closely they work with each other. OFFICIALS explained that they work closely because there are some cases that are handled by the customary court, and the police officers take those cases to the court. In some

instances, the police are housed at the customary court; they have an officer at the customary court in the same building where their offices are. **The FFM team asked what the title of that officer would be, OFFICIALS** explained that because it's a police post, the person would be a Post Commander.

The FFM team asked whether, under the dual legal system, it is possible for a case to jump from the customary courts to the non-customary (statutory or common law) courts. OFFICIALS explained that the customary courts have 2 responsibilities: they try criminal cases as well as civil cases, the same as a magistrate. **The FFM team asked whether this is under the Penal Code. OFFICIALS** explained that this is determined according to seriousness. Serious cases are taken to the higher courts and less serious cases are taken to the customary courts. Generally speaking, GBV cases go to the Magistrates' courts.

The FFM team asked whether the victim has a choice, or is it mandatory for them to first go to the customary court and then to the civil court? OFFICIALS explained that the victim doesn't decide; the determination is made on the basis of the nature of the case that's been reported.

The FFM team asked whether the police officer would decide. OFFICIALS confirmed that the prosecution would decide. The prosecution decides where the case goes. In terms of GBV, those cases don't go to the customary courts.

OFFICIALS added that normally, the police officers take cases to the customary courts. In higher courts Director of Public Prosecutions (DPP) takes charge. A police officer may be delegated responsibility to prosecute at Magistrate's Court by DPP.

The FFM team asked whether there is a national database of reported crimes and ongoing investigations that all police stations and posts can access. If someone commits a crime in Francistown and then comes to Gaborone, do the police [in Gaborone] know about it and can they find those records? OFFICIALS explained that they have the CCRS, the Crime and Criminal Recording System. However, the Gender and Child Protection Branch has also developed their database which they use to record GBV and child involved offences. There's a lot of other communications that is shared between police stations on criminals including digital platforms on criminal/wanted person particularly those that are on the run thus increasing police capability to catch criminals.

OFFICIALS asked to provide more information about 'wanted' communications, etc.

OFFICIALS explained that normally, when the police investigate, they circulate via safe links by the station, using our systems, our radio communications, or publish on the police Facebook page. **The FFM team asked whether the first method OFFICIALS mentioned was electronic communication by e-mail and then the Facebook page. OFFICIALS** confirmed this.

The FFM team asked whether there was, however, no database as such. OFFICIALS explained that in addition to the CCRS and the manual recording in the registers, there is an office at police headquarters responsible for the collation of statistics. On a quarterly basis, they do the crime returns and that is done online. We also have the strategy department and monitoring branch, which produces the annual reports. So that's where you get all the statistics for all reported cases. **The FFM team asked whether this means individual stations collate their cases and then submit them to the central branch, who collate for the whole country. OFFICIALS** confirmed yes, exactly. **OFFICIALS** added that, for example, if you file at the central police station in Gaborone, then it's in an automated data centre and

you can find it in that database. **OFFICIALS** noted that they do [therefore] have a database.

The FFM team noted that part of the reason they were asking about a database was because everyone they had spoken to had mentioned the case of the murder of a woman at the University of Botswana 2 weeks ago by her former partner, and it was documented in the newspapers that he was subject to a restraining order. A magistrate was quite critical that despite the restraining order, the perpetrator had been able to find his former partner and kill her. A source had suggested to the FFM team that the restraining order may have been issued in Francistown, but the murder took place in Gaborone. So was there not communication between the police in the 2 cities? Is this a just a sensational example or is it representative of police handling of GBV cases more generally? OFFICIALS observed that normally the problem where the victim has a restraining order is that [they] apply for it themselves [via the courts]. They are issued with the restraining order and then they have to disclose it to the police. The problem will be that they tend to obtain it themselves, and most of the time the police might not be aware of it. **The FFM team asked for clarification as to whether the police do not know about restraining orders. OFFICIALS** confirmed that this was the case in some instances.

The FFM team asked whether the victim therefore has to go to the police and say, 'There's a restraining order'? OFFICIALS noted that we have to realise that the issue of restraining orders is outside the police because the police are not necessarily involved in getting the restraining order. **The FFM team asked whether this is because it's a court order. OFFICIALS** confirmed that it is.

OFFICIALS observed that the social environment in the country, however, is such that a lot of people will still go and get a restraining order against another person but then later make the first request for the same person to come over, forgetting completely about the restraining order, and where the police did not know anything about this, we may end up seeing a serious situation like this when people have been together this whole time. Also, in many cases, men are the primary providers for the family. Sometimes, because of that, transactions end up being done after the restraining order has been issued, between the very person who took out the restraining order and the perpetrator, without the police knowledge.

The FFM team asked whether there are any plans to strengthen that system, for example through the use of electronic tagging. RB explained that there is a plan to start a pilot. But the police role in this instance is enforcement. So if there is a court order, they enforce it; the actual policies should be from the Ministry of Justice. The Ministry of Justice mentioned that there is a proposal, even though they are not sure how effective that proposal will be, to tag criminals [who are subject to] restraining orders.

The FFM noted that there has been talk about a Sex Offenders Bill. Is a sex offenders register something that exists already? OFFICIALS explained that the register is almost there, making it easy to connect the other stakeholders involved: the police, the judiciary and immigration at the border so that whenever somebody leaves the country, they can just check in the system if it's a sex offender or whatever is in the register. **OFFICIALS** thought that before the end of this year [2025], that should be functional.

The FFM team asked whether that requires the bill to become law, OFFICIALS explained no, it has been passed but there were a few sections that have just been

amended. **OFFICIALS** added that manual registration is in place, it's just that the electronic system needs to be in place so everything can be connected. **The FFM team asked whether he/she expected that to be this year, OFFICIALS** confirmed that he/she did.

OFFICIALS explained that a process is underway to digitalise most of the government's systems. One of them is the Sex Offenders Registry. There have been a couple of visits to countries like Estonia, who are also assisting with the project to help digitalise all of the government's services. With digitalised systems, there would be integrated electronic records for everything, including records like the police were talking about. **OFFICIALS** noted that he was very hopeful they would have something up and running by the end of this year [2025].

OFFICIALS added that the starting point, which the president said should be a priority, is a digital ID. We have ID cards and these just need converting to digital IDs, and then we'll have what we call a single source of truth from the IDs, and that will include the Sex Offenders Registry and all the other government systems and so on.

The FFM team asked whether the police document (record) reported GBV crimes. OFFICIALS confirmed that yes, they are documented. Every year, the police compile reports.

The FFM team asked whether these crimes are broken down into types of GBV. OFFICIALS confirmed that yes, in terms of GBV, they are categorised. There is: rape, common assault, assault occasioning actual bodily harm, murder, unlawful wounding, defilement of person under the age of 18, cruel punishment of children etc. Those are the offences we have categorised, and that's GBV.

The FFM team asked whether the numbers have changed. OFFICIALS observed that the recent GBV statistics indicate an increase in GBV statistics. This, however, does not in itself indicate an increase in GBV crime. Factors that could explain this trend include increased reporting resulting from increased awareness creation. Another possible reason is the improvement in the handling of GBV victims thus leading to victims generally feeling safer within the police stations. Therefore, generally speaking, the numbers are going up, but this doesn't necessarily indicate a worsening crime situation.

The FFM team asked whether the police as an organisation have been campaigning on GBV. OFFICIALS observed that they are campaigning with everything they have. For example, there is an organisation called the Organisation of First Ladies of Africa. All of our first ladies belong to that organisation – the previous one and the current one – and they've been targeting GBV. The police work with the First Lady together with other stakeholders across the country, and generally what we see is that as soon as we have been doing a campaign in a certain place, the reporting goes up. **The FFM team asked whether the BPS itself campaigns, too, OFFICIALS** confirmed that yes, they have intensive campaigns that are specific to GBV coming up. In November every year, there's an annual 16 days of activism against GBV, where it's just the BPS. There's also an annual 60-days of action on Crime and Road Safety Campaign coded Operation Pabalesego where GBV is among the targeted crimes. Both operations are held across the country.

OFFICIALS explained that there are many other efforts. The police collaborate with village leadership in what they call Pitso where they call all stakeholders to come and talk about GBV. He further explained that they just had a Commissioner's Run

against GBV in March, and many others yet come.

OFFICIALS noted that BPS also conducts operations with neighbouring countries, operations that are co-ordinated: Operation Thunder, Operation Basadi – an operation that was led by police officers in the region. These operations target specific offences such as human trafficking, drug trafficking, GBV related offences and so on.

The FFM team asked whether regional campaigns are held annually or just every so often. OFFICIALS observed that these are held annually in some cases more than once a year.

The FFM team asked, turning back to the statistics, whether the police also keep records of the number of arrests for GBV-related incidents. And if the police are also prosecuting, do they keep records of the number of prosecutions? OFFICIALS observed that they do, because in the investigation cycle, all activities such as report, arrest, bail, investigation, and trial are documented. **The FFM team asked whether that data is available for the FFM team to see, OFFICIALS** confirmed that it is.

The FFM team noted that there is published data from 2021, and the courts published data, too, that shows Botswana had a high number of reported incidents of rape but very low prosecution and disposal rates. What was the view of the police as to why there is this attrition from reporting to disposal?

OFFICIALS observed that what you realise is there has always been a problem. It's a general problem; it's not specific to rape cases. It's an issue of just the general justice system in BWA. Conversion of cases from report to prosecution takes a bit long. But it's across all the cases, it's not specific to rape cases. Now we are trying to move to electronic courts because most of our courts are still manual [paper-based]. If everything is being captured manually, it's tedious, so it takes a bit of time. So what we are trying to do is that process of digitalisation of everything, which includes the court system itself, so that even with the records, it makes the process more efficient. Then justice will be served, on time.

The FFM team noted that in the UK, the reported number of prosecutions for rape is also low. It's the process of justice. You have a report but that doesn't mean it's credible. You have to investigate, and maybe the person withdraws their case. Is that similar here? Maybe the evidence is not strong enough? Are there weaknesses in the process? OFFICIALS noted that there are different kinds of rape: gang rape, stranger rape, date rape. So depending on the type of rape that has been committed the difficulty of detection varies. For example if it's stranger rape, it's not going to be easy to arrest the perpetrator. It will take time looking for the perpetrator, unless they're habitual offenders. For example, in the recent past the Forensic Science Laboratory was able to link old rape cases with the offenders though DNA analysis. In all cases of rape, samples or specimens are taken to the lab, which are analysed to help detect the perpetrator.

OFFICIALS added that, in the UK, the age of defilement is 16. In BW it is under 18. **The FFM team asked whether he meant the age of consent, OFFICIALS** confirmed that he did. He explained that, due to the higher age of consent in Botswana (18) as compared to the UK (16), the number of persons that experience defilement (statutory rape) will generally look higher in Botswana thus inflating the crime statistics in Botswana.

OFFICIALS observed that there are multiple reasons: there's that, and besides,

justice continues to take quite a bit of time and through that time, you lose a lot of information because things aren't digitalised, etc. But there are many other situations. There are a lot of cases that are withdrawn. As the police, we've taken a stance to say that we will not withdraw any GBV cases. But they can still be withdrawn at the magistrate level in court, and I think these withdrawals are poverty-related. So there are many reasons that play into it. And it's not specific to GBV, it's across the board. **The FFM team asked whether it is correct that if someone comes to a police station with a GBV complaint, before it goes to court or the police decide to send it to court, the person cannot withdraw it, the police will not let them withdraw it. OFFICIALS** confirmed that, only for GBV, that is correct.

The FFM team asked for clarification that the only time a GBV case can be withdrawn is when it moves from the hands of the police to the courts. **OFFICIALS** confirmed this. **OFFICIALS** added that there was a general observation that cases were being reconciled at family level so that the cases would be withdrawn. So the police made a decision to disallow withdrawal of GBV cases at investigation (police) level and register all GBV cases with the courts.

OFFICIALS observed that in respect of the speedy delivery of justice, BW is actually collaborating now with the UK. They extended an invitation to us. When Lord Collins [of Highbury, former undersecretary in the Foreign, Commonwealth and Development Office who had various roles including the UK's Special Representative on Preventing Sexual Violence in Conflict] was here at the beginning of the year, we met with the President because the UK also had a similar problem. Just after Covid, there was a backlog of cases. So they extended an invitation to us to go to the UK and have conversations with them on how we can actually speed up the process of justice. It's something that we are working on. It's not really specific to GBV cases, it's all [criminal] cases.

The FFM team thanked OFFICIALS and asked whether the statistics will show that some of these GBV cases are prosecuted and lead to sentencing, and that people end up in prison for their crimes. The OFFICIALS confirmed this.

[NB the BPS did not supply the requested statistics in follow up correspondence.]

The FFM team noted that one point that had been mentioned to them was bail, and that sometimes bail is issued to perpetrators of crimes in GBV cases who then commit further crimes while out on bail. How often is bail issued and what are the criteria? Did the police have any comments about crimes committed while on bail, and is that something they track? OFFICIALS noted that the issue of bail is a big concern for all residents of BW. Citizens generally praise the police for arrests in GBV offences however they complain that unfortunately following the arrest, the perpetrators are then let out on bail. According to Botswana laws, one is presumed innocent until found guilty in court, hence the reason why bail is given whilst awaiting trial. This unfortunately leads to a lot of reoffending in GBV. The issue is being discussed in many platforms in attempts to find a lasting resolution. Furthermore, the Bail Act 2024 has also narrowed the existing gaps.

The FFM team asked what the criteria are for bail to be granted. OFFICIALS noted that there's the Bail Act now.

OFFICIALS explained that with GBV, it depends on the seriousness of the offence. If it's common assault, normally the police would arrest [the suspect] and detain them for 48 hours, then they'd release them on what's called police bail. For serious offences, they might be held until [the case was heard before a] court. In the past,

there used to be that problem of bail being granted. Now there's a new Bail Act, which is [tougher]. It passed last year [2024]. He explained that the act is specifically a Bail Act and there was no such Act before.

The FFM team asked whether the act provides clearer guidelines on when to provide bail, OFFICIALS confirmed that it does and that they should be followed before the accused can be released. All necessary process should be followed involving the victim and the [police] station commander of the area, and any other person who is involved in the matter should also be involved. **The FFM team asked whether that is likely to have an impact on bail, or has already had an impact, OFFICIALS** noted that it has, because the accused in the University of Botswana case has been refused [bail]. Even the relatives were involved. **The FFM team asked for clarification as to whether the suspect in that case had been arrested and bail refused. OFFICIALS** confirmed that he continues to be remanded in prison and that stakeholders were called to come and show why he should or should not be bailed, in accordance with the new Bail Act.

OFFICIALS observed that on paper, as a country, there are lots of efforts to try and fix all these problems. However, in terms of effectiveness in cascading new initiatives such as this one [the use of bail], we have a challenge as a country because of resource limitations. The way the Bail Act is set, we shouldn't really see a lot of people being granted bail.

The FFM team observed that in terms of resourcing do the police have the equipment and the facilities they need to do their job? OFFICIALS noted that we can never say we have enough resources, but we do. **OFFICIALS** observed that the government puts a lot of resources into supporting the police to do their work.

Lesbian, gay, bisexual, trans, intersex people and people of other minority sexual orientations and gender identities (LGBT+ people)

The FFM team explained that the second group they are interested in is LGBT+ people. They noted that they understood that, in effect, same-sex sex is no longer illegal. But what is the police stance towards this community? If a LGBT+ person was assaulted by another Motswana how would the police react? OFFICIALS noted that it's simple: an assault is an assault. Currently, there's a task force within the police that has been tasked to work with the Global Fund to develop curriculum to sensitize police officers on human rights approaches specifically to improve police capacity on dealing with Key populations. That's because it's one thing to say an assault is an assault, but in practice, sometimes you will find some differences in the sense that we are from different cultures as much as we may be trained. Sometimes the culture comes into effect. Botswana is many years behind western countries, therefore our understanding of some issues is still limited, but we are doing the best we can as a country to bring ourselves up to speed. We are aware we've got some gay communities in the country, and they are entitled to support just like anyone else who [approaches the police]. I do think that they still have challenges just because of our own personal and cultural beliefs, and because we're still not used to these differences. But in terms of where the law stands, everybody has the same entitlements. **OFFICIALS** observed that the police are non-discriminatory. **OFFICIALS** noted that the enlistment into the BPS is non-discriminatory and hence gay people have equal opportunities to be employed within the organisation.

The FFM team asked whether there is more acceptance of LGBT+ people in the cities than in rural areas. Are they able to move around? And if they had any

issue, would the police help? OFFICIALS noted that he did not know of any situation in which anybody had been attacked because they are gay, but that he could not say it had never happened. In cities, people understand better about different sexual orientations, but in a smaller villages, they may not understand these differences as well. Even so, he doubted that it would ever reach the point of a person being attacked.

The FFM team asked whether there were any examples of the police having been asked for assistance by an openly LGBT+ person. OFFICIALS asked if the FFM team meant a case in which [male partners] had had a misunderstanding. **The FFM team explained that they meant, for example, where a gay man had been attacked and had come to the police saying, 'I've been assaulted because I'm gay.' OFFICIALS** and **OFFICIALS** noted that they could had not had such a case. **OFFICIALS** added that where they state that they are partners, they do come: 'I had gone away for 2 days and my boyfriend beat me because he's cheating on me with this other one.' They do come but we cases are opened as with any other demographics.

The FFM team asked whether this meant cases are not treated as LGBT+ cases, but are treated in the same way as other cases. OFFICIALS confirmed this. **OFFICIALS** added that they do not disaggregate data on LGBT+ [people] but that they may need start doing so because international conventions require it. **OFFICIALS** noted that [the phrase used in Botswana laws] is 'any person'.

Witchcraft and traditional practices

The FFM team asked whether crimes relating to witchcraft, traditional practices or female genital mutilation (FGM) have been reported to the police, maybe in the north, near the borders with Zimbabwe and Angola?

OFFICIALS noted that there are no [reports of] mutilations [FGM] in BWA. **OFFICIALS** noted: definitely not [FGM]. **OFFICIALS** agreed – not in our country. **OFFICIALS explained that if** [FGM] happens here, we're not aware of it. There's definitely no case reported to the police.

The FFM team asked whether there are instances of witchcraft/ritual killing. OFFICIALS explained that there are only 3 sections in the Witchcraft Act. **OFFICIALS** explained that calling someone a witch is an offence. **OFFICIALS** observed that regarding ritual killing, she didn't know whether it's a perception by Batswana because at times, maybe the person will be reported as missing, then they'll later be found dead, maybe in the bush with some body parts missing. The assumption by the Batswana might be that it's a ritual killing, whereas [it might have been] scavengers. **The FFM team asked whether OFFICIALS meant animals. OFFICIALS** confirmed that she did.

The FFM team asked whether it would be unusual for body parts to go missing. OFFICIALS observed that it is not completely unusual for body parts to go missing. This, however, in many cases is attributed to other factors such as anger by the perpetrator, scavengers, etc., rather than ritual killings.

[NB the BPS did not provide the UKHO FFM with statistics subsequent to the meeting.]

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Annex V - Fact finding mission terms of reference

Purpose

To obtain information about the situation and treatment of women, particularly those faced gender-based violence (GBV), and LGBT+ people; availability of protection and scope to relocate.

Terms of Reference (ToR)

- Demography
    - size of subsets of female population such as ethnic minority groups
    - size of LGBT+ population, specifically L and B women
- Legal context
    - positive / negative laws protecting women / LGBT+ people
    - other (policy) measures taken by the government to support women / LGBT+ people
- Social, economic and political rights and attitudes
    - societal and family attitudes including towards lone women
    - economic participation
    - political participation
    - single women
- Prevalence of violence / discrimination
    - type of GBV/discrimination including LGBT+ people
    - levels of GBV/discrimination, including official statistics, surveys and studies, and reports to the police / state
    - profile of victims – age, gender, location, education, socio-economic background
- Criminal justice system
    - size and distribution of police including GBV/LGBT+ specialist units
    - training and guidance for police and judiciary on GBV / LGBT+ rights
    - numbers of reported crimes, arrests and prosecutions from GBV against women / LGBT+ people
    - number and distribution of courts, including GBV / LGBT+ specialist courts
    - numbers of cases heard and outcomes
    - legal aid – availability and accessibility
- Assistance available to women/LGBT+ people
    - state agencies
    - civil society - number and location of organisations
    - nature of support services provided including
        - financial
        - legal aid

        - counselling
        - shelter
        - safe social spaces
- Freedom of movement taking into account:
    - legal / physical barriers
    - access / availability of
        - accommodation
        - education
        - healthcare
        - employment
    - circumstances of single women

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Annex W - Fact-finding mission introductory note

The following note was provided to all sources before and/or at each meeting:

UK Home Office Fact-Finding Mission (FFM) to Botswana, 6 to 17 July 2025

Aim of mission

The purpose of the FFM is to obtain information about gender-based violence (GBV) and the treatment of lesbian, gay, bisexual, trans and people of other minority sexual orientations and gender identities (LGBT+) (with a focus on lesbian and bisexual women).

We would like to meet with you to fill gaps in our knowledge on these subjects.

The fact-finding mission team is made up of 3 Officials from the UK Home Office's Country Policy and Information Team (CPIT): [redacted].

About the Home Office and CPIT

The Home Office is the UK government department responsible for immigration and asylum. CPIT's role within the Home Office is to collate information about countries which is used to support Officials (and immigration judges) involved in asylum and human rights decision-making in the UK. Many of CPIT's country reports are published on the UK government's website.

More information about CPIT's range of products, including reports of other FFMs, can be found on GOV.UK.

Format of the FFM

During our visit we intend to meet a range of sources who can provide an informed view on the issues of interest listed below.

The FFM team will take notes of the meetings. These notes may be included a **report made publicly available** on the GOV.UK website and used in litigation proceedings.

However, we will not publish any information you provide if you do not consent to this. If you prefer that the information is not made publicly available, this will be respected.

We will provide you with an opportunity to review and amend the meeting notes to ensure they are an accurate reflection of our discussions. We will also ask you how you wish to be cited. If you prefer not to be named personally you can choose to be identified in more general terms. Examples include by the name of your organisation or department ('an Official from the Department of Health', 'representative of a NGO'), or by your occupation (an 'academic' or 'journalist').

Areas of interest

These include:

- Demography of women / LGBT+ people
- legal rights
- societal and family attitudes
- types of gender-based violence (GBV) and discrimination
- prevalence of GBV and discrimination
- the criminal justice system and state protection
- civil society support and assistance
- freedom of movement

For further information contact: [redacted]

July 2025

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Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

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Terms of Reference

The ‘Terms of Reference’ (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context (considering laws that protect and/or discriminate constitution, criminal, penal and civil codes) applicable to
    - general anti-discrimination provisions
    - specific to women and girls in political, economic, social, cultural, civil or any other field
    - government statements
    - government departments, policies, and programmes
- Societal attitude - cultural and family status and attitudes, including attitudes of religious groups, and representation and discourse in media.
- Domestic and public violence against women (from state and non-state. Violence may take many forms including sexual, such as rape, honour crimes, and harassment (particularly in the workplace) child marriage, FGM. For each:
    - nature of violence and perpetrators
    - prevalence, including variations amongst particular groups.
- State protection.
    - security services and judiciary, size, composition, capability and effectiveness, including specific units or groups with the remit to assist women or particularly vulnerable groups.
    - attitudes of security forces and judiciary to women
    - accessibility to protection and justice
    - enforcement - arrest and detentions, prosecutions, and convictions
    - assistance and support - witness protection, shelters and other support, and compensation
- Civil society assistance
    - legal advice and support
    - financial
    - accommodation, shelters, helplines
- Freedom of movement
    - geography
    - legal freedoms/restrictions
    - safety of movement

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **February 2026**

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

Updated COI incorporating information obtained during a fact-finding mission undertaken in July 2025.

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Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

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Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

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