

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-seventh Session
Pre-sessional Working Group
June 2004

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the initial report of
Botswana (CRC/C/51/Add.9)

Under this section the State party is requested to submit in written form additional and updated information, if possible, **before 5 August 2004:**

Part I

A. Data and statistics, if available

1. While acknowledging the data on population provided in the report (table 1), please provide further disaggregated statistical data (by gender, age, ethnic groups and region) covering the years 2000- 2003 on the number and proportion of children under 18 living in the State party.
2. Please provide data disaggregated by region for 2002-2004, on budgets (in percentages of the national and regional budgets) allocated to the implementation of the Convention, in particular for activities and programmes for:
 - (a) education (different types of education, i.e. pre-primary, primary and secondary education);
 - (b) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children, including social insurance);
 - (c) programmes and services for children with disabilities;
 - (d) support programmes for families;
 - (e) the protection of children who are in need of alternative care including the support of care institutions;
 - (f) programmes and activities for the prevention of and protection from child abuse and child sexual exploitation and child labour;
 - (g) juvenile justice.
3. Please specify the number of children with disabilities, disaggregated by sex,

age, ethnic and minority group, covering the years 2001, 2002 and 2003:

- a) living with their families;
- b) in institutions;
- c) attending regular schools;
- d) attending special schools; and
- e) not attending school.

4. Please provide disaggregated statistical data (by sex, age, regions, urban or rural areas) covering the period 2001-2003 in percentage of the relevant age group on the:

- (a) rates of literacy, below and over 18 years;
- (b) enrolment in percentage of children in primary and secondary schools;
- (c) percentage of children completing primary and secondary education;
- (d) number and percentage of drop-outs, repetition and retention;
- (e) ratio teacher per children and number of children per class;
- (f) number of children in boarding schools and number and locations of these schools;
- (g) number of children who attend pre-school education;
- (h) number of teachers who have received formal training and in-service training.

5. Please provide disaggregated statistical data (by gender, age groups, minority and ethnic groups, urban, and rural areas) on infant and child mortality, early pregnancy, sexually transmitted infections (STIs), suicide, drug, alcohol and tobacco abuse for the years 2001, 2002 and 2003.

6. Please provide updated disaggregated statistical data (including by gender, age groups, region) on children infected or affected by HIV/AIDS, as well as on child headed household and number of children taken in by families.

7. Please provide the following statistical data for persons below 18 (disaggregated by sex, age, type of crime) for the last three years (2001-2003)

- (a) who allegedly committed a crime reported to the police;
- (b) who were sentenced by Courts to sanctions; the nature of sanctions (community service; detention; other types of sanctions);
- (c) detained and imprisoned, the location of their detention or imprisonment (e.g. police station, jail or other place) and the lengths of their detention or imprisonment, including pre-trial detention;
- (d) number of suspended sentences;
- (e) percentage of recidivism cases.

8. With reference to special protection measures, please provide statistical data (including by sex, age, urban/rural areas) per year between 2001-2003 on the number of children:

- (a) involved in sexual exploitation, including prostitution, pornography, sale and trafficking and the number of those children who were provided access with

- rehabilitation treatments;
- (b) involved in substance abuse and the number of those children who received rehabilitation treatments;
- (c) living in the streets and the number of them receiving social reintegration;
- (d) involved in child labour (formal or informal sectors).

B. General Measures of Implementation

1. In the light of the Declaration and Programme of Action of the Vienna 1993 Conference, please indicate whether the State party has considered withdrawing its reservation to article 1 of the Convention.
2. Please provide more information on the efforts undertaken by the State party to harmonize domestic law and customary law with the Convention. Please indicate whether the Convention can be directly invoked in courts, and if so, please indicate examples.
3. Please provide information on the impact of customary law on the enjoyment of their rights by children in the State party, as enshrined in the Convention.
4. Please provide more information on the progress made on Draft Amendments of the Children's Act of 1981.
5. Please provide information on the review and assessment of the implementation of National Plan of Action for the Children in Botswana 1993-2003 undertaken by the Ministry of Finance and Development Planning and please indicate whether the State party has or is developing a new National Plan of Action in the light of the 2002 UN General Assembly Special Session on Children.
- 6 Please provide information on any mechanism aimed at coordinating both at local and national levels the policies and programmes related to the implementation of the Convention on the Rights of the Child.
7. Please provide more information on the Ombudsman (its actual status, functions, budgets, powers etc.) and indicate if there is any mechanism within or outside this body which is mandated to receive and handle individual complaints from children.
8. Please provide additional information on how governmental institutions cooperate with non-governmental organizations, especially concerning the participation of representatives of civil society in the design and implementation of policies and programmes for children.

9. Please provide information on efforts made to provide training, awareness on the Convention to various groups of professionals, including those working with or for children.

8. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention using human rights based approach.

Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

Part III

Under this section, States parties are invited, whenever appropriate, to briefly (3 pages maximum) up-date the information provided in their report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects

Part IV

The following is a preliminary list (that does not contain issues already covered in Part I) of major issues that the Committee intends to take up during the dialogue with the State party. They do not require written answers.

1. Measures taken to end gender discrimination and discrimination against girls as well as discrimination against other children, including, street children, children with disabilities and indigenous children.
2. Child participation in decisions which affect them, including in schools and in the family.
3. Violence against children, in particular in the family, in public and private institutions, including schools and in the context of law and order.
4. Measures to address sexual abuse and access for victims and perpetrators to recovery and reintegration assistance after abuse.

5. Corporal punishment in the family, schools, and other institutions.
6. Quality of and accessibility to health services. Possible impact of current trade agreement negotiations on access to generic medicine.
7. Measures taken to address adolescent health concerns, including reproductive health, mental health and early pregnancy.
8. National HIV/AIDS Strategic Plan 2002-2006.
9. Access of children with disabilities to education and professional training, and physical access to public buildings. The availability of special education facilities and professional teachers for children with disabilities in need of such assistance.
10. Substance abuse.
11. Economic exploitation of children, including the situation street children.
12. Progress made in improving capacity to apply and respect international juvenile justice standards, including addressing the lack of institutions for persons below 18 in conflict with the law and in need of special protection.
14. Indigenous children.