

International Lesbian and Gay Association (ILGA)

Item 6- UPR Botswana 2013

23rd Session of the Human Rights Council

- *Delivered by Lame Charmaine Olebile*

Thank you Mr. President.

This statement is also read on behalf of the lesbians, gays and bisexuals of Botswana. I would like to thank the government of Botswana for engaging in the UPR process and in consultation with civil society.

We would like to acknowledge the steps government has taken to engage with LGBT persons particularly in the workshop on the development of the National Action Plan on Human Rights. LEGABIBO, a group of LGBT persons in Botswana, which was also involved in the civil society consultation, has been trying to formerly register over several years but has been denied registration thus making it difficult to support the community and raise awareness on the violations and human rights abuses faced by the LGBT people. In pursuing this registration case at the High Court we hope to be granted our right to be recognized as a legal entity.

We call on the government of Botswana to continue to take concrete steps to implement comprehensive anti-discrimination laws. Although we praise the amendment made in 2010 of the Employment Act which now includes sexual orientation as a protective ground against unfair dismissal, we would like to draw attention to other forms of discrimination faced by LGBT people in their lives such as access to health services.

We regret that the government of Botswana has rejected recommendations made by a number of states to decriminalize same sex sexual relations between consenting adults. Although the government has rejected the recommendations from Canada and Australia to engage in dialogue to repeal laws which criminalize consensual adult same sex relations and to take steps to implement anti-discriminatory laws particularly to eliminate discrimination on the basis of sexual orientation respectively, we welcome Botswana's position to conduct educational campaigns on these issues and encourage the participation of civil society in this endeavor.

Finally, we call on the government of Botswana to strengthen engagement with civil society on issues of sexual orientation and gender identity and we would be willing to share our expertise in this regard.

Thank you.