

STATEMENT

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ON AGENDA ITEM 4: HUMAN RIGHTS

**DURING THE 13TH SESSION OF THE PERMANENT FORUM
ON INDIGENOUS ISSUES**

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Madam Chair,

1. Allow me to join other delegations in congratulating you on your election as Chair of this session of the Forum. I assure you of the full support and cooperation of my delegation.

2. We welcome the opportunity to contribute to the discussions under this agenda item, to share perspectives and to interact with Professor James Anaya, Special Rapporteur on the Rights of Indigenous Peoples.

Madam Chair,

3. The promotion and protection of human rights remains a top priority for the Government of Botswana.

4. As a country with a strong democratic tradition and, guided by our entrenched belief in openness, transparency and dialogue at all levels as well as the commitment to the promotion and protection of human rights and fundamental freedoms of our people, we have remained steadfast in this regard.

5. The Constitution of our country guarantees fundamental freedoms and basic human rights which among others include equality before the law and proscribes all forms discrimination including on the basis of colour, race, ethnicity, religion, gender or social status.

6. Our national principles and foundation stones are guided by the values we share and cherish as a non-racial society, characterised by our diversity and united by our common beliefs based on the respect of the human person. To this end, our national plans are geared towards living in peace and harmony with one another and sharing the fruits of our land without discrimination or favour.

7. In doing so, we continue to be guided by the various international human rights instruments to which we are a party. We also attach great importance to the 1948 Universal Declaration of Human Rights as well as the Declaration on the Rights of Indigenous Peoples.

Madam Chair,

8. As a general principle, we do not describe ourselves in ethnic terms. Botswana Government's position therefore, is that all tribes and ethnic groups are indigenous to the country. However, we are cognisant of the fact that there are some segments of our population that are disadvantaged, marginalized and deserve special attention. To this end, there are several of these communities spread across the country.

9. In an endeavor to promote an inclusive society, our aim is to reach out to them through various schemes and initiatives. A number of National Policies and programmes have been put in place to address their concerns.

10. In this regard, Botswana continues to make significant progress in addressing the needs and concerns of marginalized communities. Among these are issues observed by the UN Special Rapporteur on the Rights of Indigenous Peoples during his visit to Botswana in 2009. Specifically, these include respect for cultural diversity, development programs, social services, land distribution as well as participation and consultation.

11. Several policies and programmes have been introduced to enable marginalized communities to actively participate in the development of the country's economy as well as areas of education, social and economic empowerment initiatives and employment opportunities. This is meant to uplift their livelihoods in conformity with their felt needs and priorities.

12. The Remote Area Development Programme was introduced specifically as one of those programmes. It involves regular consultations with marginalized communities, implementation of identified projects for their benefit and is regularly monitored by Government at Cabinet level for its effectiveness and impact.

Madam Chair,

13. It is acknowledged that land signifies cultural identity and the historical background of families and communities. The land policy and land management practices recognise and respect land rights related to distinctive cultural identities.

14. It is against this background that the settlement and regional land use and development plans and other relevant legislations designate, protect and preserve places of cultural or historical significance to various tribes including marginalized groups, for use as may be determined by the respective communities. Such uses may include exploiting medicinal, cultural, monumental or historical values of such sites for income generating activities like tourism run by the communities in their own localities.

15. Under Botswana laws, all citizens including the marginalized communities are entitled to settle at any place of their choice. Notwithstanding, marginalized communities are reserved land within a radius of 20km around their respective settlements. It is within this 20km radius that pastoral and arable farming, as well as gathering of veldt products is reserved for exclusive communal use by the respective communities.

16. In addition to the communal land around settlements, marginalised communities are issued with head leases for the utilization of adjacent Wildlife Management and Concession Areas under the Community Based Natural Resource Management (CBNRM) programme as well as leases for farms or ranches to be utilized for either pastoral or game farming.

Madam Chair,

17. Botswana has put in place laws, policies and programmes that are meant to address special needs of women and children, irrespective of their ethnicity. These special needs include protection against abuse, child labour and all forms of discrimination, consistent with UN Treaties and Conventions such as the Convention on the Rights of the Child and the Convention on the Elimination of all forms of Discrimination Against Women.

18. Botswana also recognizes traditional medical practices as encapsulated in the Botswana National Health Policy (2011). The policy commits to exploring and promoting the evidence-based utilization of herbal and other alternate medicines through mutual collaboration with alternative health practitioners and the establishment of a regulatory framework for the regulation of alternative medicine practices in the interest of public health.

19. In conclusion, Botswana reaffirms her commitment to continuously uplifting the lives of her people, including those of marginalized communities and to the full observance of human rights as enshrined in her Constitution.

I thank you for your attention.