











# Botswana

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>52.5</b>	<b>13.3</b>	<b>57.5</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Botswana, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Gaborone). The scores for Botswana are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	25.0	100.0	25.0	75.0	100.0	0.0	25.0	25.0	50.0	100.0
Supportive frameworks score	0.0	33.3	0.0	0.0	33.3	0.0	0.0	0.0	66.7	0.0
Expert opinions score	0.0	100.0	75.0	25.0	25.0	62.5	25.0	87.5	100.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Botswana (52.5 out of 100.0) is lower than the global average (64.2) and lower than the Sub-Saharan Africa regional average (57.4). When it comes to constraints on freedom of movement, constraints related to marriage and laws affecting the size of a woman's pension, Botswana obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Botswana is on the indicator measuring laws affecting women's work after having children. To improve on the Parenthood indicator, Botswana may wish to consider providing paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, providing paid leave available to fathers and prohibiting the dismissal of pregnant workers.

The **WBL 2.0 supportive frameworks score** for Botswana (13.3 out of 100.0) is lower than the global average (39.5) and lower than the Sub-Saharan Africa regional average (24.5). Botswana does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Botswana is on the indicator measuring supportive frameworks affecting women's safety. To improve on

the Safety indicator, Botswana may wish to consider developing comprehensive mechanisms to address violence against women, putting in place special procedures for cases of sexual harassment, designating a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Botswana (57.5 out of 100.0) is lower than the global average (65.7) and higher than the Sub-Saharan Africa regional average (54.6). When it comes to expert opinions on freedom of movement and expert opinions on women's property and inheritance, Botswana obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Botswana is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Domestic Violence Act, Sec. 2 and Part II; Penal Code, Sec. 141
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	No	No applicable provisions could be located
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	No restrictions could be located
Can a woman choose where to live in the same way as a man?	Yes	Abolition of Marital Power Act, Art. 16
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Citizenship Act, Arts. 4(1), 5(1) and 14
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Abolition of Marital Power Act, Arts. 4, 5 and 11
Does the law prohibit discrimination in employment based on gender?	No	No applicable provisions could be located
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Abolition of Marital Power Act, Arts. 4 and 5
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Matrimonial Causes Act 1973, Arts. 7 and 19
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	No	Employment Act, Sec. 117
Are leave benefits for mothers paid solely by the government?	No	Employment Act, Sec. 117

Is there paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	No	No applicable provisions could be located
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Gaborone Council Daycare Center By-Laws, Secs. 2, 3 and 6
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Abolition of Marital Power Act, Arts. 4, 5 and 11
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Married Persons Property Act, Art. 4(1); The Deeds Registry Act 1996, Sec. 18(3); Abolition of Marital Power Act, Arts. 4 and 5; Botswana Land Policy
Do sons and daughters have equal rights to inherit assets from their parents?	No	Administration of Estates Act, Ch. 31:01, Sec. 3; Customary Law Act, Ch. 16:01, Sec. 4
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Succession Act, Ch. 31:03, Sec. 4
Does the law provide for the valuation of nonmonetary contributions?	No	Married Persons Property Act, Art. 4(1)
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Universal Pension and Orphan Care Act 1996
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	No applicable provisions could be located
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Universal Pension and Orphan Care Act 1996

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	No	Insufficient evidence located
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		

Are passport application processes the same for women and men? No Passport application form; Passport application procedures

Are the application processes for official identity documents the same for women and men? Yes ID application procedures

Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation? No Insufficient evidence located

#### Workplace

Has the government published guidelines on non-discrimination based on gender in recruitment? No Insufficient evidence located

Has the government published guidelines on flexible work arrangements? No Insufficient evidence located

Is there a specialized body that receives complaints about gender discrimination in employment? No Insufficient evidence located

#### Pay

Are there pay transparency measures or enforcement mechanisms to address the gender pay gap? No Insufficient evidence located

Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis? No Insufficient evidence located

#### Marriage

Is there a fast-track process or procedure for family law disputes? No Insufficient evidence located

Are there specialized family courts? No Insufficient evidence located

Is legal aid available for family law disputes? Yes Legal Aid Botswana - Family Law Unit

#### Parenthood

Is it possible to apply for maternity benefits through a single government application process? No Insufficient evidence located

Are incentives in place to encourage fathers to take paternity leave on the birth of a child? No Insufficient evidence located

Has sex-disaggregated data on unpaid care work been published? No Insufficient evidence located

#### Childcare

Is there a publicly available registry or database of childcare providers? No Insufficient evidence located

Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents? No Insufficient evidence located

Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers? No Insufficient evidence located

Has the government published any reports on quality of childcare services within the last 3 years? No Insufficient evidence located

#### Entrepreneurship

Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis? No Insufficient evidence located

Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment? No Insufficient evidence located

Is there a current national government plan or strategy with a focus on women's access to financial services? No Insufficient evidence located

#### Assets

Are there mechanisms or incentives to encourage women to register immovable property? Yes Deeds Registry (Amendment) Act, Sec. 43

Are there awareness measures in place to improve women's access to information about marital and inheritance rights? Yes Ministry of Nationality, Immigration and Gender Affairs

Is anonymized sex-disaggregated data on property ownership published on a regular basis? No Insufficient evidence located

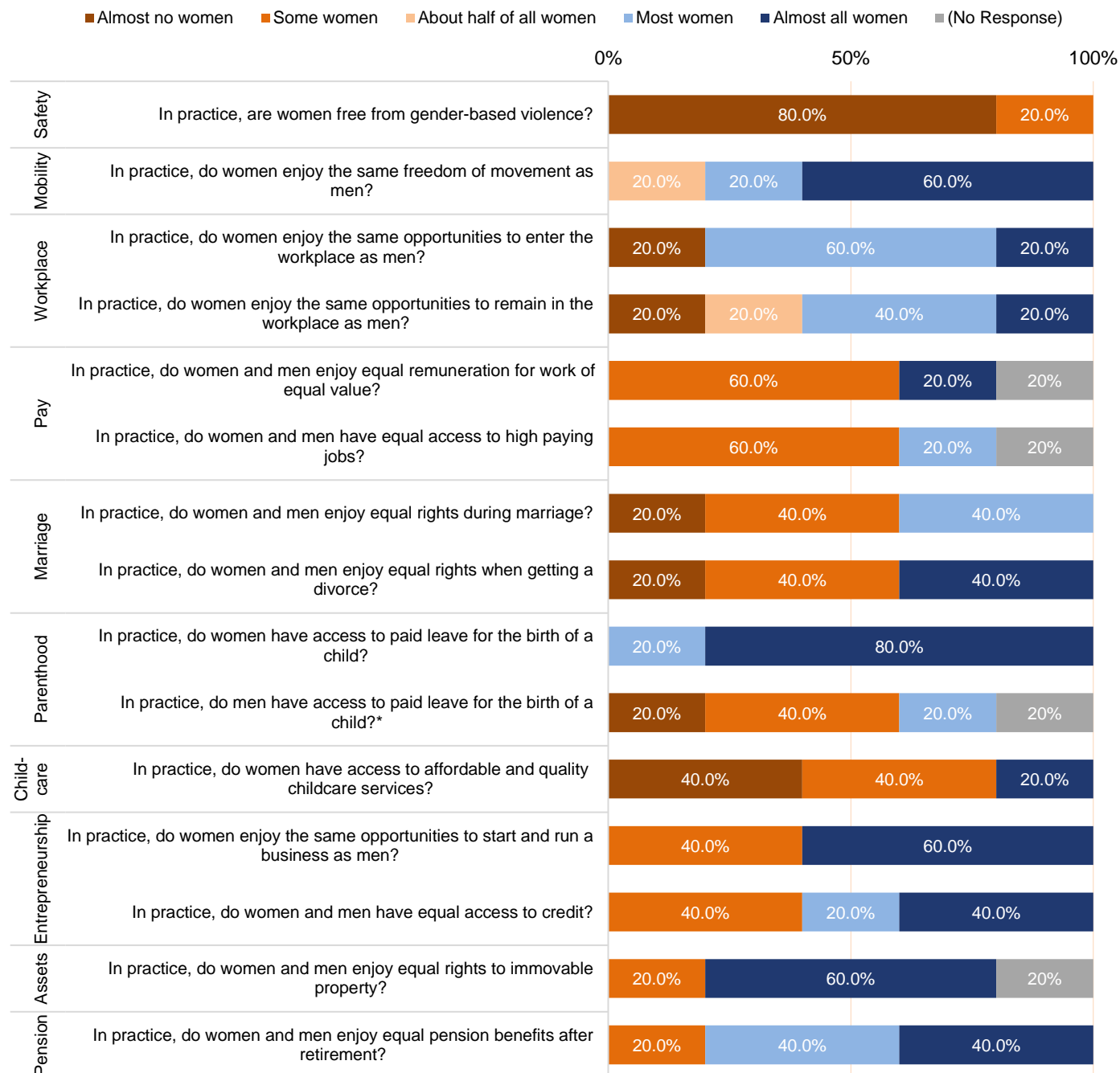
#### Pension



Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	No	Insufficient evidence located

---

## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.