

Botswana

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
52.5	13.3	57.5

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
Safety		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	No	No applicable provisions could be located
Does the law address domestic violence?	Yes	Domestic Violence Act, Sec. 2 and Part II; Penal Code, Sec. 141
Does the law address femicide?	No	No applicable provisions could be located
Mobility		
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 internationally in the same way as a man?	Yes	No restrictions could be located
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Citizenship Act, Arts. 4(1), 5(1) and 14
Workplace		
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 explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
Pay		
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 a job deemed dangerous 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
Marriage		
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 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
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
Parenthood		
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 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
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Gaborone Council Daycare Center By-Laws, Secs. 2, 3 and 6
Does the law establish any form of support for families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support for nonstate childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
Entrepreneurship		
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 for 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
Assets		
Do a woman and a man 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?	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)
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Universal Pension and Orphan Care Act 1996
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	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

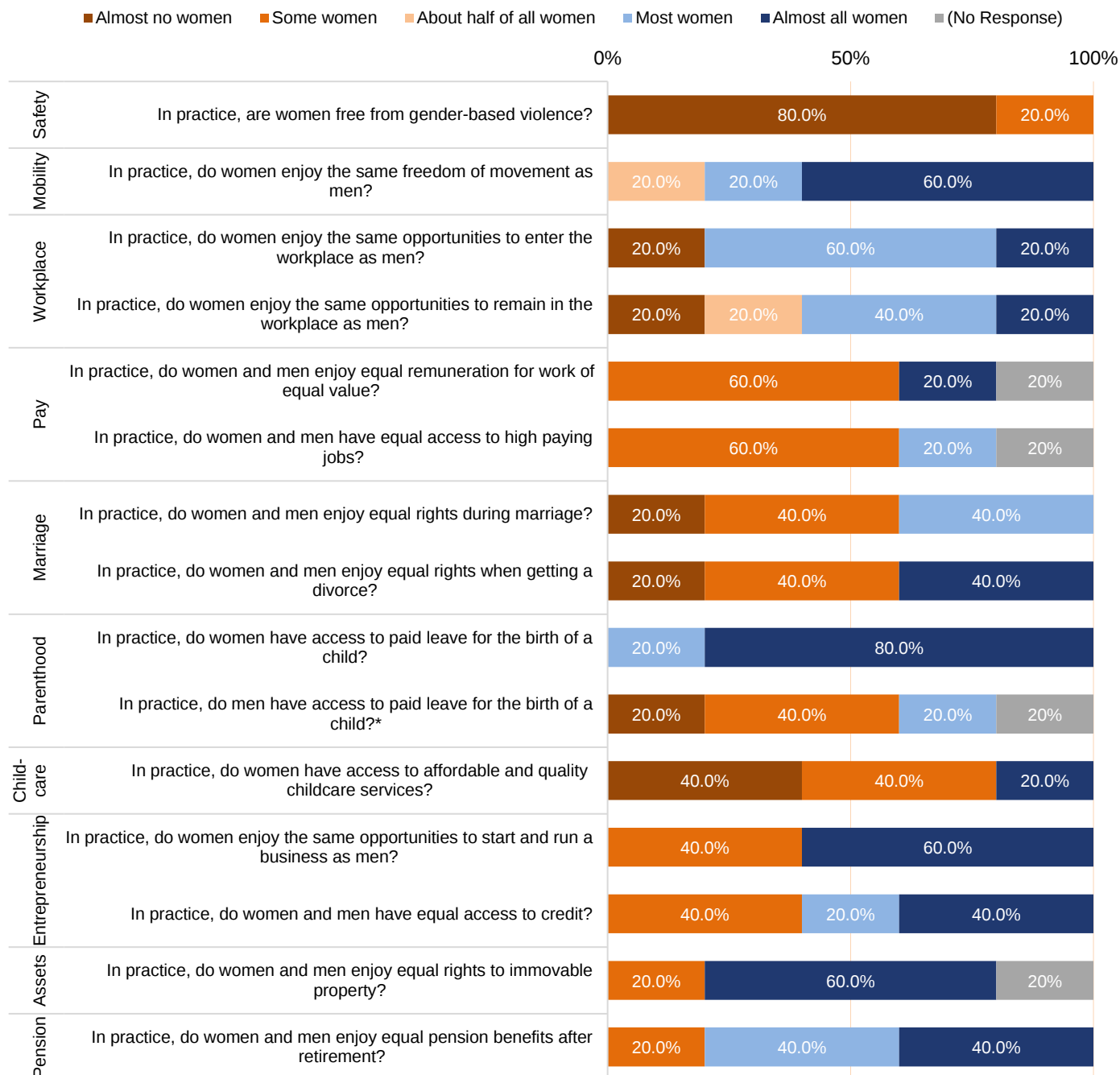
QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring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



Are passport application processes the same for a woman and a man?	No	Passport application form; Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	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
Have 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 nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	No	Insufficient evidence located
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Deeds Registry (Amendment) Act, Sec. 43
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Ministry of Nationality, Immigration and Gender Affairs
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
Pension		

Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is 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.