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United Nations Development Programme

GENDER EQUALITY AND WOMEN'S EMPOWERMENT IN PUBLIC ADMINISTRATION

# BOTSWANA CASE STUDY





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## KEY FACTS

<b>HUMAN DEVELOPMENT INDEX RANKING</b>	118 out of 185 <sup>1</sup>
<b>GENDER INEQUALITY INDEX</b>	102 out of 146 <sup>2</sup>
<b>TRANSPARENCY INTERNATIONAL RANKING</b>	32 out of 182 countries in 2011 (Corruption Perceptions Index)
<b>% MEN AND WOMEN IN CENTRAL GOVERNMENT</b>	Women: 51% Men: 49%
<b>% MEN AND WOMEN IN SUBNATIONAL GOVERNMENT/LOCAL AUTHORITIES</b>	Women: 47.1% Men: 52.9%
<b>AFFIRMATIVE ACTION</b>	No affirmative action policies and laws in the public administration Policies on recruitment, retention, promotion, training, and transfers are gender-neutral
<b>NEED TO KNOW</b>	The policy framework that guides the operations of public administration system is gender-neutral

1 Human Development Index Ranking 2011. Accessed from <http://hdr.undp.org/en/data/trends>, 13/03/2012.

2 Gender Inequality Index and related indicators. Accessed from [http://hdr.undp.org/en/media/HDR\\_2011\\_EN\\_Table4.pdf](http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf), 13/03/2012.





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## EXECUTIVE SUMMARY

Botswana is considered a middle-income country. The country has also enjoyed a stable democracy since 1996. Botswana is committed to upholding the rule of law and affords its citizens and all people in the country 'the protection and the enjoyment of freedoms and rights, without discrimination' as provided for by the Constitution. The rapid spread of HIV/AIDS in Botswana has become a major threat to the progress that the country has made in the area of economic and social development.<sup>3</sup>

Women in Botswana constitute 52 percent of the country's population.<sup>4</sup> Within this population, there are social differences depending on regional location, occupation, ethnicity, religious affiliation, and educational attainment. For example, some women have attained high levels of education that have enabled them to climb up the career ladder, and others have never been to school.<sup>5</sup>

Prior to the UN declaration of the 'Decade for Women' (1975-1985), there was generally a lack of awareness about gender issues in Botswana.<sup>6</sup> However, there were several positive developments that had taken place prior to 1985. These include the existence of groups such as Young Women Christian Association (YWCA) and Botswana Council on Women (BCW), which were implementing a wide range of programmes for the advancement of women in Botswana as well as the accumulation of data on the situation of women and the impact of development on them.

With the declaration of the period 1975 to 1985 as the 'Decade for Women', women became more visible in social and economic development. There was a worldwide movement to highlight discrimination against women as well as their unequal access to income, employment and the enjoyment of individual freedoms and human rights that were guaranteed in most national constitutions. During the decade for women, Botswana had no clearly defined policy or strategy for the advancement of women in society.

**'However there was just sufficient understanding of the commitment to women's advancement by the World body to encourage Botswana to set up a Women's Affairs Unit in 1981.'**<sup>7</sup>

Recent statistics show that in 2009, women accounted for 45 percent of senior management positions in the public service, up from 37 percent in 2005.<sup>8</sup> Although these figures seem relatively high, it should be noted that the highest positions/officers in the civil service such as permanent secretaries, deputy permanent secretaries and directors of departments<sup>9</sup> are held largely by men.<sup>10</sup> Middle management in almost all departments is predominantly women; the lower levels of all departments are also predominantly women.<sup>11</sup>

3 Ntseane and Solo (2007).

4 Central Statistics Office (2001).

5 Women's Affairs Department (1998).

6 Women's Affairs Division and The National Preparatory Committee for the Regional and World Conference on Women, (1995).

7 Women's Affairs Division and The National Preparatory Committee for the Regional and World Conference on Women (1995, p. 5).

8 Republic of Botswana and United Nations (2010).

9 These are not political appointments.

10 See Table 1 in Annex 1 for this information.

11 Women's Affairs Department (2008).



# EXECUTIVE SUMMARY

In the current parliament, women account for only 7 percent, down from 11 percent in the 1999-2004 Parliament and 18 percent in the 1994-1999 Parliament.<sup>12</sup> Only 20 percent of Botswana's councillors are women and traditional leadership is another male dominated area, with only 9 percent of leadership positions held by women.<sup>13</sup> These rates are well below the Southern African Development Community (SADC) goal of parity representation. The over-representation of men in top policy making positions effectively means that women are unable to contribute to policy making.

Most initiatives to address gender equality in the country have focused on issues such as gender-based violence, HIV/AIDS and poverty and there is a gap in terms of gender equality in the public administration.

Policy recommendations that could promote gender equality in public administration include:

- Systematic review of existing public administration laws and policies to ensure that they are gender-sensitive and not just gender-neutral;
- Formulation of a gender equality and mainstreaming policy, including an affirmative action that clearly specifies a commitment to achieving gender parity at all levels, including guidelines, principles, targets and redress mechanisms.

Programming recommendations include:

- Sensitization campaigns to ensure all managers know their legal obligations and regional goals for parity representation in women's leadership;
- Sensitization of public administration managers to address deeply rooted cultural stereotypes about women as leaders;
- Capacity-building support to high potential women to rapidly be promoted to senior positions, whilst respecting the principle of merit-based appointment;
- Capacity-building for gender focal points in ministries and local government;
- Improvement of women's access to existing women's empowerment programmes/training, capacity-building (e.g. workshops, seminars, etc.);
- Adoption of a comprehensive and proactive approach involving all stakeholders, including men. There is urgent need to establish a cross-cutting coordinating and monitoring mechanism that can periodically assess progress as well as recommend proactive and practical strategies. This could be in the form of a National Gender Policy-level commission established by act of Parliament with representation from central and local governments. There is also a need for a more active gender parliamentary committee to advocate and monitor the gender mainstreaming agenda. This committee will undertake research, consult relevant stakeholders, and design a national strategy to change the status quo;
- Support to women's networks within the public administration (PA), as they can contribute to policy solutions and identify key issues to be addressed;
- Support to NGOs to advocate for women's empowerment, and consultation of those NGOs when PA policies and laws are formulated or amended;
- Mobilization of the media to advocate for gender equality and women's equal access to decision-making in all private and public spheres.

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12 Republic of Botswana and United Nations (2010).

13 Republic of Botswana and United Nations (2010).





## METHODOLOGY

Data for the Botswana country case study was collected through desk research and key informant interviews to gather information on the following key questions:

- What is the current status of women's representation in the public administration, and what are the patterns and trends if any?
- To what extent does policy and implementation support gender equality in the public administration?
- What seems to be working, what is not working and why?

A specific issue for Botswana was to understand what could explain the relatively high participation of women.

A review of published and unpublished documents that focus on the socio-economic context, including, relevant cultural factors, gender equality, public administration, and gender equality in public administration in Botswana, gender-related key national legal and policy frameworks and reports on relevant international conventions, initiatives on gender equality in Public Administration Reforms (PAR) at national or sub-national level, and interventions by UN agencies and other international organizations was done.<sup>14</sup>

The second major source of information was in-depth interviews with key stakeholders. One-on-one interviews were held with officials of the following key government ministries, departments and committees between November 2011 and January 2012.

- Ministry of Local Government (MLG)
- Ministry of Finance and Development Planning (MFDP)<sup>15</sup>
- Department of Women's Affairs (WAD) in the Ministry of Labour and Home Affairs
- Department of Public Service Management (DPSM)<sup>16</sup>
- Oversight agencies such as the office of the Ombudsperson, Caucus for Women in Politics
- Botswana Council of Non Governmental Organizations (BOCONGO)

14 See Annex 3 for a list of documents that were reviewed.

15 The MLG and MFDP have almost equal numbers of women and men in top decision-making positions, except in the highest cadre of Permanent Secretaries. The original intention was to include two ministries that have low numbers of women who hold top decision-making positions, but this was not possible.

16 According to the Women's Affairs Department (2008), DPSM is the employing body of government employees.



## METHODOLOGY

Moreover, members of the University of Botswana's Gender Policy and Programme Committee (GPPC), Botswana Network on Ethics Law and HIV/AIDS (BONELA), Emang Basadi<sup>17</sup> as well as a representative of one national<sup>18</sup> parastatal-Local Enterprise Authority (LEA) participated in the interviews.

Lastly, representatives from UNDP and other organizations were interviewed: SADC, UNAIDS, and Friedrich Ebert Foundation.<sup>19</sup> Table 2 in Annex 1 presents information on the people who were key informants.

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17 Emang Basadi means 'Stand up, women'. It is one of the oldest NGOs in the country that focuses on the empowerment of women.

18 In Botswana, there are no subnational parastatals, only national ones.

19 Friedrich Ebert Foundation is one of the few international donor organizations that still provide funding to some organizations in Botswana. Most international donor agencies have stopped funding Botswana's NGOs under the contention that the economy of Botswana is doing far much better than those of many developing countries.



## CONTEXT

This section gives an overview of the socio-economic, cultural and gender equality context, as well as key issues in the public administration.

### SOCIO-ECONOMIC AND POLITICAL CONTEXT

Botswana is one of the African countries that have enjoyed a stable democracy. Since independence in 1966, the country has held free elections every five years. Botswana has never experienced a civil war or the civil strife that has characterized the political turf in many African countries. Therefore, the peace and stability that prevails in the country in many ways provide a conducive environment for the promotion of gender equality. Wars tend to disrupt the entire fabric of social, economic and community relations, creating a fragmented and disempowered society - an environment that violates human rights.<sup>20</sup> However, another aspect of this is that it tends to promote cultural conservatism, which works against gender equality or any major change.<sup>21</sup>

Botswana has made considerable progress economically as well as in the provision of social services. At Independence in 1966, the country was so poor that it could not even meet its recurrent budget obligations, hence recurrent and development budgets depended heavily on foreign aid.<sup>22</sup> The discovery of minerals in the late 1960s and early 1970s, combined with good economic management and democratic governance, contributed significantly to the country's economic growth such that, by the mid-1990s, Botswana was designated a middle-income country by the World Bank.<sup>23</sup> On average, real GDP grew by 9 percent per annum between the years 1966 and 2006.<sup>24</sup>

In addition, the government of Botswana is committed to upholding the rule of law and affording its citizens and all people in the country "the protection and the enjoyment of the fundamental freedoms and rights that injure to the human race, without any distinction whatsoever, as provided for by the Constitution of Botswana".<sup>25</sup> This is an important foundation for the promotion of gender equality.

Any person can go to the High Court and the Court of Appeal if he or she feels that his or her rights are being violated. There have been cases where the state was accused of violating the rights of certain people and the government proceeded to amend its laws accordingly. The case of the Attorney General of the Republic of Botswana vs. Unity Dow is an example of such a case.<sup>26</sup> It resulted in the Government amending the Citizenship Act in 1995 to allow Botswana women married to spouses of foreign origin to pass citizenship to their children as the case proposed that the law was discriminatory against women.<sup>27</sup>

<sup>20</sup> Maundeni, T. (2010a).

<sup>21</sup> Maundeni, Z. (2008).

<sup>22</sup> Kapunda & Moffat, 2010.

<sup>23</sup> Kapunda & Moffat, 2010.

<sup>24</sup> Kapunda & Moffat, 2010.

<sup>25</sup> Ministry of Local Government, Lands and Housing (2001: 10).

<sup>26</sup> Dow, U. The Citizenship Case: The Attorney General of the Republic of Botswana vs Unity Dow. <http://www.law-lib.utoronto.ca/Diana/fulltext/dow2.htm>. Accessed on 8 May 2012.

<sup>27</sup> Dow, U. The Citizenship Case: The Attorney General of the Republic of Botswana vs Unity Dow. <http://www.law-lib.utoronto.ca/Diana/fulltext/dow2.htm>. Accessed on 8 May 2012.



Botswana's positive political and policy context is well summarised by Hope (2002: 1) when he states that:

**'[...] Botswana remains as an exceptional state in sub-Saharan Africa. It practices prudent economic management; it is a tolerant democracy with a penchant for good governance; it remains an apolitical and generally effective bureaucracy; it boasts an environment that is conducive to private investment and promotes market-oriented sustainable development; and it engenders macroeconomic stability [...].'**

One important social aspect is that Botswana has been hard hit by the HIV pandemic. Existing literature<sup>28</sup> shows that unlike males, females are at a higher risk of HIV/AIDS infection. Another issue that confronts Botswana is Gender-Based Violence (GBV). Research shows that three out of every five women in Botswana has been subjected to one or more of the following forms of gender-based violence: assault; sexual harassment; sexual exploitation; severe beating; rape; incest; socio-economic abuse; verbal and emotional abuse, or even murder.<sup>29</sup> They suffer this violence regardless of social class, ethnic background and age. Poverty is another challenge that confronts women.<sup>30</sup>

## PUBLIC ADMINISTRATION CONTEXT

This section briefly describes the public administration context in Botswana, including how it is organized, what has shaped it and what drives it, as well as how human resources management operates.

### Organization of the public service

The Public Service covers all the spheres of governance, such as political administration, public administration and law and justice administration. Each ministry appoints its own leadership team. There are also numerous structures such as independent bodies and the DPSM manages the human resource needs of agencies and directorates such as the Ombudsman, National AIDS Coordinating Agency (NACA), Directorate on Corruption and Economic Crime (DCEC), Independent Electoral Commission (IEC) and other government establishments.

The government of Botswana is the sole employer of all public service employees. Employment of government workers in the country is overseen by the Department of Public Service Management (DPSM), which was established in 1986.<sup>31</sup> Prior to that, matters such as appointments, promotions, transfers and disciplinary issues were handled by the Public Service Commission. As the human resource agency of government, DPSM is responsible for:

- Public service manpower planning, recruitment and development, grading and deployment
- Public service administration and management
- Public service performance and productivity improvement<sup>32</sup>

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28 Republic of Botswana and United Nations (2010); Phaladze and Tlou (2001); Montsi, et al. (2001).

29 Women's Affairs Department - WAD (1999).

30 Fako and Sechele (2010).

31 Source: [http://www.dpsm.gov.bw/index.php?option=com\\_content&view=article&id=83&Itemid=29](http://www.dpsm.gov.bw/index.php?option=com_content&view=article&id=83&Itemid=29) Accessed on 8 May 2012.

32 Republic of Botswana Public Administration Country Profile. <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan023251.pdf> Accessed on 27 December 2011.



This means that the DPSM is a very important actor in terms of the public administration, with a major role in how human resources issues and gender equality are treated. DPSM supports all 15 government ministries and departments in human resource policy formulation, monitoring and evaluation and as well as upholding ethical public service oriented values in line with the code of practice.<sup>33</sup>

### Key issues facing the public administration

The public administration in Botswana is faced with a number of crucial issues, including diminishing financial resources. As is the case in many countries, Botswana's PA system is impacted by the current global recession. While many African countries have embarked on structural adjustment programmes (SAPs) since the 1980s Botswana has not engaged in such programmes. However, the Minister of Finance and Development Planning (the Honourable Mathambo) mentioned during his budget speech in January 2012 that, with effect from April 2012, each ministry should start to cut its spending by 5 percent. Moreover, the government has imposed a recruitment freeze unless absolutely necessary. This is likely to further limit opportunities to increase the number of women in the public administration at all levels.

The second challenge that Botswana's public administration is facing is declining productivity and growing indiscipline.<sup>34</sup>

The third challenge that has confronted the civil service is HIV/AIDS. This issue was of great concern to the government as well as to BCSA. Consequently, in 2001, after consultations with BCSA, the government launched the Public Service Code of Conduct on HIV/AIDS in the workplace.<sup>35</sup> One of the objectives of the code was to articulate the public service's position and practices as they relate to officers who are infected or affected by HIV/AIDS. The impact of the Public Service Code of Conduct on HIV/AIDS on gender equality in public administration is not known, since no rigorous evaluations have been conducted. However, because the number of women who are infected by HIV in Botswana outweighs that of men, it is hoped that the Code will help to address the HIV-related needs and circumstances of both men and women in the public administration.<sup>36</sup>

## GENDER EQUALITY CONTEXT

### Patriarchal society

Botswana is a patriarchal society, characterized by cultural norms, beliefs and practices that perpetuate gender inequalities.<sup>37</sup> For example, the Setswana language<sup>38</sup> has proverbs that cast women in a negative light, such as *'ga di nke ke etelelwa ke manamagadi pele, di ka wela selomo – Banna ke baeteledipele ka tholego'*. This literally translates to 'A team of oxen is never led by females, otherwise the oxen will fall into a ditch – men are natural leaders'. Proverbs like this encourage females to be submissive and weaken their self-esteem and confidence.<sup>39</sup>

33 Interview with the Deputy Director of Human Resources at DPSM, February 13, 2012.

34 Makgala, J. C. and Maundeni, Z. (2010).

35 Makgala, J. C. and Maundeni, Z. (2010).

36 Republic of Botswana and United Nations (2010).

37 Maundeni, T. (2001).

38 The mother-tongue of the majority of people in Botswana.

39 Datla, et al (1998); Maundeni, T. (2001).



Indeed the popularity of the proverb that women should not lead is such that it has to a large extent resulted in women being excluded from positions of power.<sup>40</sup> At the time of writing, only 11 percent of chiefs were women.<sup>41</sup> On a similar note, in 2012, the percentage of female members of parliament was seven.<sup>42</sup>

### Gender patterns in access to education

Cultural beliefs that females/women are minors and subordinate have played a role in shaping parents' views about the importance of education for male and female children. For example, from time immemorial, Botswana men have been migrating to South African mines, leaving women behind. Even when modern education was introduced in Botswana, males were the ones who were sent to school in large numbers because the elders believed that females did not need education as they would soon get married and then be taken care of by their husbands.<sup>43</sup>

This is important, as education is the most important foundation for entry and promotion in the job market, including in the public administration with its special focus on merit-based human resources policies. In an effort to redress inequalities of access to education, the government followed the recommendations of the Commission on Education in 1977 and adopted a policy of access to education for all irrespective of ethnicity, gender, location, disability, etc. The Ministry of Education has also passed a re-entry policy that allows female students who have been affected by pregnancy to re-enter the school system. The policy reads thus:

1. If a pupil becomes pregnant the parent or guardian of such a pupil shall be required to withdraw her from the school at which she is enrolled; and her admission to a school, which shall be other than that from which she was withdrawn, shall be at least one calendar year after cessation of pregnancy and subject to the written approval of the Minister.
2. The parent or guardian of a pupil who is responsible for the pregnancy of another pupil shall be required to withdraw him from the school and his return shall be subject to a written approval from the Minister.
3. A pupil shall not be allowed to write an examination at school while she is pregnant.
4. A pupil who was withdrawn from a school on account of her pregnancy shall not be allowed to write an examination at a school until at least six months after such pregnancy has ceased.

The requirement that a pregnant pupil shall stay away from school for one year after the cessation of pregnancy was discriminating against pregnant girls on the basis of their gender. Pregnant public administration employees are given three months of maternity leave because, under normal circumstances, medical practitioners determine this to be adequate for a person to recover from childbirth and related complications. Therefore, one may wonder why the policy stated that pregnant girls should stay away from school for one year.

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40 Somolekae (2000).

41 Chiefs are traditional tribal authorities. The positions are hereditary and, from time immemorial, they were reserved for men only. A female chief could only be appointed when there was no male in the family.

42 Republic of Botswana and United Nations (2010).

43 Interview with the Deputy Director of Department of Social Services, 1 February 2012.





School-based statistics show that Botswana has made and sustained significant progress towards universal access to basic education for boys and girls.<sup>44</sup>

At a programme level, a number of programmes are in place to enable working men and women to further their studies. These include: education programmes offered by the department of non-formal education; Botswana College of Distance and Open Learning (BOCODOL); as well as those offered by the University of Botswana's Centre for Continuing Education (CCE). These institutions offer part-time programmes that enable women and men to work full-time and enrol on the programmes on a part-time basis. Percentages of men and women who had enrolled for the Diploma in Accounting and Business Studies (DABS<sup>45</sup>) during the first semester of the 2011/2012 academic year were 37 percent and 63 percent, respectively.<sup>46</sup> Moreover, informal discussions with representatives of other institutions that offer distance education programmes revealed that there are more women than men who enrol on these programmes annually. This promotes women's empowerment.

The pregnancy policy has been reviewed to allow the girl to continue schooling for as long as she is comfortable and to return to school six months after the baby is born to a school of her choice. These issues are important, as, without a sustainable pool of qualified women, it will be almost impossible to improve the gender balance throughout and at the top in the long term. It is an example of how gender equality in the public administration is affected by many social issues beyond its immediate domain.

The following section looks at the gender and development responses adopted in Botswana. These include the establishment of the national gender machinery, the ratification of CEDAW in 1996; the review of all laws affecting the status of women in 1998 - as well as subsequent changes made to most laws which perpetuate gender inequalities, the adoption of a National Policy on Women in Development, the formulation of the National Gender Programme Framework (NGPF) in 1998 as well as the ongoing formulation of the National Gender Policy.<sup>47 48</sup>

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44 Chilisa, Maundeni and Tabulawa, Un-dated; Republic of Botswana and United Nations (2010).

45 DABS is one of the part-time programmes that is offered by the University of Botswana's Center for Continuing Education (CCE).

46 Interview with the coordinator of DABS, 15 March 2012.

47 Women's Affairs Division and The National Preparatory Committee for the Regional and World Conference on Women (1995)

48 Laws that were amended are: The Citizenship Act 1995; Mines and Quarries Act, 1996; Criminal Procedures and Evidence Act 1997; Deed Registry Act, 1996; Penal Code 2004; Affiliations Proceedings Act 1999; Public Services Act 2000; Marriage Act 2001; and the Employment Act. In addition, the Constitution was amended in 2004 to add sex-based discrimination as a form of discrimination. The 'Abolition of Marital Power Act' was also enacted in 2004. The enactment of this law has necessitated review of other related laws to ensure consistency. The amendments of these laws have significantly contributed to 'Policy Measures' (Article 2) leading to women's empowerment socially, economically and politically. They have also contributed to the balancing of power relations and equity in decision making under the jurisdiction of the Common Law. For example, one of the legislation changes that were effected after the review is the obligation placed on financial institutions to require consent from both partners in the event that one wants to enter into financial transactions. This has increased women's control of family resources to some extent and it will be interesting to note if this will extend to the workplace.



## Civil society

Besides the government, women-centred NGO initiatives include women's rights training, gender awareness and sensitization as well as lobbying and advocacy for policy and legal reforms. Such organizations have also spearheaded research projects contributing to the advancement of gender equality. Most initiatives on gender in the country focus on gender issues in a broader sense rather than in the public administration.<sup>49</sup>

## Care burden of women

The burden of caring for the elderly, disabled and other sick people lies with women and yet there is little support available to them.<sup>50</sup> There are no nursing homes that provide caregiving services for the elderly in the community.<sup>51</sup> Moreover, it is not easy to find housemaids to look after the sickly elderly. This puts working women under pressure as they juggle the roles of employee and caretaker.

## Customary law

Although the government and its partners have made progress in the area of gender equality, there remain challenges to be overcome. One of them is that Botswana operates under a dual legal system: Common Law and Customary Law. The amendments made in the Common Law in line with international instruments/conventions have no effect on the administration of justice under the Customary Law. Consequently, while certain practices have been abolished under Common Law, their application continues under the Customary Law. The endorsement of this dual legal system continues to disadvantage women.<sup>52</sup>

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49 Interviews with key stakeholders January to March, 2012.

50 Tlou (1999).

51 Shaibu and Wallhagen (2002).

52 Women and Law in Southern Africa Research Trust, Botswana (1997).



## WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION

This section looks at the participation of women in the public administration.

### OVERALL NUMBERS

At the time of writing this report, the percentage of men in the central government was 49, while that of women was 51.<sup>53</sup> The percentage of men at the subnational level/local authorities was 52.9, while that of women was 47.1.

### SECTOR SEGREGATION

Statistics that are on Table 3 in Annex 1 show men and women are over-represented in certain ministries and not in others. For example, 20.5 percent of employees of the Ministry of Defence, Justice and Security are females, while 79.5 percent are males. On a similar note, 65.1 percent of employees in the Ministry of Health females, while 34.9 percent are males. This shows that there is segregation by sector.

However, Botswana employs women in its Defence Force, the Botswana Police Service and the Prisons' Service.<sup>54</sup> The continued efforts of women-centred NGOs provide advocacy, education, skills training, counselling, health services, income generation and legal education services have helped.

**'These strategies and activities have contributed positively to the creation of gender awareness and sensitivity as well as the improvements of the economic, political and social status and participation of women in development.'**<sup>55</sup>

### VERTICAL SEGREGATION

Table 4 in Annex 1 shows that there is segregation by level of seniority in Botswana's PA. Grade A reflects the lowest grade of payment, while grade F shows the highest paid staff. L stands for locally engaged staff, i.e., those who are in missions. The table shows that the percentage of men and women whose salaries fall on the D scale (middle management positions) is almost equal, whereas men are over-represented in the group that falls in the highest scales (E and F). This shows that there is horizontal segregation by level of seniority. Moreover, the pattern at national/central level is similar to that at local government level.

There has been a slight increase in the percentage of women who hold top decision-making positions in the public administration of Botswana. For example, in 2002, the proportion of women was 30 percent,

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53 Infinium HR (02/2012).

54 Female Cadets <http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana-Defence-Force-BDF/Training--Recruitment/Officer-Cadets3/Officer-Cadets9/>. Accessed May 8 2012.

The first female soldiers in Botswana were employed in 2007 (Interviews with the Botswana Defence Force Public Relations Officer, March 2012).

55 Kwelagobe (2001: p. 6).



# WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION

while, in 2008, it was 37 percent (WAD, 2008) and, in 2009, it was 45 percent.<sup>56 57 58</sup> The relatively high numbers of women who hold management positions in Botswana's public administration can be associated with several factors. One of them is the enabling policies, which give women opportunities to advance in education. For instance, the education system in the country does not discriminate against anyone on the basis of gender. Females and males alike are given equal access to education. Moreover, education is highly subsidized by the government. In addition, the pregnancy policy has been amended to allow pregnant students to continue schooling as long as they are comfortable and to return to school after six months of childbirth.<sup>59</sup>

Literature on gender equality issues in the public service of Botswana is fairly recent and scanty. However, there are reasonably good statistics on the gender balance in various decision-making bodies and in the public administration, and this is to be encouraged.<sup>60</sup> More detailed breakdown on underlying issues would be able the government to identify issues and strategies. For example, if there is a sharp drop-off in the number of women at child-bearing age, who then leave the public administration this can be addressed through more supportive policy and childcare.

## WOMEN'S HIGH PARTICIPATION IN PUBLIC ADMINISTRATION: POSSIBLE FACTORS

One other factor that accounts for the relatively good numbers of women in positions of power in Botswana's public administration is that it is an attractive employer for women and men largely because the salaries are reasonable compared to salaries in other sectors. Furthermore, women in Botswana are able to hold positions of authority because often, families live with, or near, parents and grandparents, providing an in-built childcare infrastructure, which allows mothers to go out and work.<sup>61</sup> Another reason that accounts for the relative progress that women have made in the public administration is the high level of determination that characterizes some women leaders. One of the local newspapers – the Sunday Standard dated 11-17 March 2012, page 3 – cited Anjana Suresh, a female partner at Grant Thornton Botswana, who said:

**'Often, female senior managers are self-motivated and determined to succeed. They foster a collaborative and empowered team atmosphere and believe in decentralized decision making. Women are effective communicators and display strong networking abilities – all of which are fantastic qualities in a business leader.'**

56 Questionnaire to Governments on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcome of the 23<sup>rd</sup> Special Session of the General Assembly (2000) for Preparation of Regional Review and Appraisals in the Context of the 15<sup>th</sup> Anniversary of the Adoption of the Beijing Declaration and Platform for Action in 2010. Submission by the Botswana Government, Women's Affairs Department, Ministry of Labour and Home Affairs. Available at: <http://www.uneca.org/acgs/beijingplus15/Questionnaire/DAW/English/Botswana.pdf>. Accessed 29 December 2011.

57 WAD (2008) Gender disaggregated data on decision making positions. Ministry of Labour and Home Affairs.

58 Republic of Botswana and United Nations (2010). It should however, be reiterated that most women in the country hold middle management positions, while men are over-represented in the highest positions.

59 Chilisa et al. (undated).

60 For example see: <http://www.gov.bw/en/Ministries--Authorities/Ministries/Ministry-of-Labour--Home-Affairs-MLHA/Gender-Issues/Gender-Disaggregated-Data-on-Decision-Making-Positions/>

61 Sunday Standard, 11-17 March 2012, page 3, 'Botswana Continues to Embrace Female Leadership'.



Others have linked the progress that women has made to the fact that, from time immemorial, Botswana men have migrated to South African for employment leaving behind women.<sup>62</sup> This resulted in women raising children alone, as well as performing duties that were supposed to be done by men – a phenomenon that made women independent and resilient.<sup>63</sup> Consequently, girls learned from their mothers that it is acceptable to be independent as well as to be hardworking. By and large, women are able to multitask, hence they achieve more within a short period of time.<sup>64</sup> Moreover, they can withstand pressure and stress better than men largely because they open up easily, while men tend to bottle up or close up.<sup>65</sup>

Mulinge's study (2001) of the perceived nature and extent of gender discrimination in the public sector in Botswana found that women in the public sector did not perceive greater gender discrimination in general and in recruitment practices. She asserts that the low levels of perceived overall discrimination realised in her study could be attributable to one or both of the following factors:

- Gains made by Botswana women as a whole in their struggle for gender equality;
- Clear terms of service in the public sector that stress qualification, experience and tenure as basic conditions.

In addition, the finding could be explained in terms of the so called 'own-gender referents' hypothesis.<sup>66</sup> This is the tendency for women in the workplace mainly to compare themselves to other women rather than to men. 'This diminishes the experience/perception of discrimination that may accrue in the process of justice evaluation.'<sup>67</sup> Mulinge cautions, however, that the lack of perceived gender discrimination in the public sector for women does not necessarily suggest that *de facto* gender discrimination does not exist at all in the sector. It may be an indication of lack of awareness of its presence on the part of female employees. This calls for programmes that sensitize male and female employees to gender issues in the workplace as well as to gender issues in general.

The government's attention to education is also a factor.

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62 Interview with the deputy director of the department of social services, 1 February 2012; Interview with a representative from the Population and Development Section – Ministry of Finance and Development planning, 16 February 2012.

63 Interview with the deputy director of the department of social services, 1 February 2012; interview with a representative from the Population and Development Section – Ministry of Finance and Development planning.

64 Interview with the deputy director of the department of social services, 1 February 2012.

65 Interview with the deputy director of the department of social services, 1 February 2012.

66 Crosby (1982); Hodson (1989).

67 Mulinge (2001: p. 153).



## POLICY AND IMPLEMENTATION REVIEW

This section looks at the main policies and legislation impacting on gender equality and gender balance in the public administration. The country does not have a gender policy, which is still being formulated. Nevertheless, its approach to gender issues in general, including gender equality issues in the public administration, is guided by the following documents:

The Constitution of Botswana  
The National Gender Program Framework  
The Public Service Act  
The General Orders  
The Trade and Disputes Act  
The Trade Union and Employer's Act  
The CEDAW  
The SADC Declaration on Gender and Development  
The Trade Disputes Act  
The Worker's Compensation Act  
The Trade Unions and Employers Organizations Act

These are reviewed below.

In its approach to the public administration, including gender issues, Botswana is driven and guided by several factors. These include: international conventions, influence from trade unions and cultural norms. The government is the key actor in terms of policy formulation and one feature is that it works in partnership with the workers' unions.<sup>68</sup>

## CONSTITUTION

In 2004, the Constitution was amended to reflect gender equality concerns (see below). There are no affirmative action provisions as in South Africa.<sup>69</sup>

## GENDER EQUALITY POLICY AND LEGISLATION

### International and regional frameworks

*Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979*

Botswana is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in which governments voluntarily commit to take appropriate measures to ensure equality of women and men as well as to adopt laws and other mechanisms to promote the substantive enjoyment of all human rights for women. CEDAW also requires the removal of statutory subordination of women to men from policies and laws.

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<sup>68</sup> Makgala, J. C. and Maundeni, Z. (2010).

<sup>69</sup> <http://www.commonlii.org/bw/legis/const/1966/>. Accessed January 2012.





Botswana ratified CEDAW in 1996 and has responded to some of the issues raised by its committee. For example, following ratification the Government had added 'sex' to the list of types of discriminatory acts described in section 15 (3) of the Constitution. In 2010, the CEDAW Committee in its consideration of the Combined initial, second and third periodic reports of Botswana:

- Welcomed the High Court's clear statement that the Constitution took precedence over customary law and noted the use of education to ensure that customary law evolved in parallel with common law;
- Called for more information about the Ombudsman's office – the complaints procedure, the number of gender-related cases, whether it had a special gender unit, any decisions in gender-related cases and follow-up of decisions.<sup>70</sup>

This touches on two important issues: the right to redress of women if their rights have been infringed and the status of customary law.

## *Beijing Platform for Action (BFPA), 1995*

The BFPA sets out a clear range of targets and actions for various actors to increase the number of women in decision making, including in the public administration.<sup>71</sup>

## *SADC Declaration on Gender and Development*

The SADC Declaration on Gender and Development commits member states to ensuring the equal representation of women and men in decision-making, and the achievement of at least 50 percent target of women in political and decision-making structures by the year 2015.<sup>72</sup> This is up from the previous target of 30 percent. The Gender Protocol has not been signed by Botswana (Mauritius has also not signed) but it provides that:<sup>73</sup>

- Gender is to be mainstreamed in all government policies and programmes;
- Economic empowerment of women is central to the achievement of gender equality;
- Adequate resources must be set aside to ensure that gender mainstreaming takes place;
- Appropriate training to improve knowledge, skills and attitudes in gender analysis and gender equality be provided to all policy makers;
- Efficient machinery is to be set up at district and national levels and in public and private organizations to ensure that gender is mainstreamed in all areas of work;
- Effective collaborative strategies to enhance synergies between formal political structures such as Cabinet, the bureaucracy and civil society;
- Specific attention to eradicating gender violence and sexual harassment.<sup>74</sup>

70 <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW-C-SR-920.pdf>. Accessed July 2012.

71 Strategic objective G: Women in decision-making. <http://www.un.org/womenwatch/daw/beijing/platform/decision.htm>. Accessed July 2012.

72 <http://www.genderlinks.org.za/page/sadc-protocol-policy>. Accessed July 2012.

73 <http://www.genderlinks.org.za/page/sadc-protocol-policy>. Accessed July 2012.

74 Women's Affairs Department and UNDP-Botswana (undated).



The above mentioned policy framework is guided by the Gender and Development (GAD) Framework. The GAD recognizes that improving the status of women cannot be adequately achieved without taking into account the status of men and women, their different situations and the fact that equal treatment will not necessarily produce equal outcomes.

The above international and national frameworks are an important policy driver in Botswana's national gender policy, but there are some implementation challenges. Some of the key informants who participated in this study asserted that the requirements of some of the existing or ratified conventions are not implemented the way they are written. They pointed out that, in 2012, gender was mainstreamed in some but not all government policies and programmes as required by the international commitments that Botswana has made.<sup>75</sup> Nevertheless, these frameworks have clearly stimulated national policies and it is translating into action, if variable.

## National Gender Equality policy

As mentioned, Botswana does not have a gender policy, which is still being formulated. This means that there is an important window of opportunity to ensure that gender equality in the public administration is explicitly mentioned. There is special emphasis on tackling the gender imbalance at the very top decision-making positions and supporting the DPSM to assess which policies could be made more gender-responsive.

## National gender machinery and gender focal points

Respondents mentioned several challenges in implementing gender-related initiatives. One of them relates to the placement and location of the national gender machinery, the Women's Affairs Department (WAD), in relation to its mandate. WAD is under the Ministry of Labour and Home Affairs, a ministry that deals with security issues such as immigration, and registration of births and deaths. This poses a challenge because, in times of shortage of resources, resources are channelled to security issues rather than gender, which is a development issue.<sup>76</sup> Lack of appropriate allocation of resources for gender mainstreaming can work against successful implementation. Another challenge relates to the name of the national gender machinery (WAD).<sup>77</sup> Participants mentioned that the name gives society the impression that the department only focuses on women's issues, not gender issues.

Gender focal people (GFPs) exist in some (but not all) ministries, but they are not solely employed to focus on gender issues.<sup>78</sup> They are existing officers in the various ministries who already have other responsibilities. For example, some are HIV coordinators. The GFPs are supposed to be senior in rank and a part of management. However, in reality, they are not.<sup>79</sup> Their role is to:

- Provide a link between WAD and the ministry/department involved;
- Advise the ministry or department on how gender issues can be integrated into development programmes and take a lead in monitoring this process;

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75 Examples of programmes in which gender was mainstreamed include: District Development Plans that are implemented by the Ministry of Local Government.

76 Interviews with the director and deputy director of WAD, 5 February 2012.

77 WAD's is responsible for mainstreaming gender in various areas, including in the PA.

78 Interviews with the director and deputy director of WAD, 5 February 2012.

79 Women's Affairs Department and UNDP-Botswana (undated).



- Organize training on gender issues and help to establish GFPs at other levels within the ministry or department.<sup>80</sup>

These roles take time and need to be carried out by people who are employed specifically to focus on them, not as an add-on to day-to-day responsibilities of staff. The appointment of GFPs was a move in the right direction, but failure to employ full time GFPs to focus only on this work is a missed opportunity, as the mechanism has some potential to mainstream gender into public administration.

## PUBLIC ADMINISTRATION STATUTES AND POLICIES

These are very important and directly impact on equal participation in public administration as they regulate issues such as recruitment and retention.

Botswana has ratified several ILO conventions, and its public administration laws and policies have to some extent incorporated the requirements of such conventions. In addition, the public service is also under the eye of institutions such as the Public Accounts Committee, Office of the Auditor General, Parliament, Ombudsperson, and the Directorate on Corruption and Economic Crime.<sup>81</sup>

### *Gender-sensitive budgeting*

It is worth noting that almost all laws and policies that guide the public administration are silent on gender budget measures in the public administration.

### *General Orders 1996 – Governing the conditions of service of the Public Service*

These are also referred to as the Public Service Charter and set out the basic principles that guide officers, both in relation with each other and in their dealings with the public. It is the core legal instrument governing the public administration and outlines key guiding principles:

- Regard of the public interest;
- Neutrality;
- Accountability;
- Transparency;
- Freedom from corruption;
- Continuity;
- The duty to be informed;
- Due diligence.

The concept of gender is mentioned under the principle of neutrality as follows: 'Equality demands fair and equal treatment of all persons without discrimination on the grounds of religion, gender, status, place of origin, tribe, colour of religious affiliation.'<sup>82</sup>

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<sup>80</sup> Women's Affairs Department and UNDP-Botswana (undated).

<sup>81</sup> Interview with the Deputy Director of Human Resources at DPSM, 13 February 2012.

<sup>82</sup> Republic of Botswana (1996: p. 3).



# POLICY AND IMPLEMENTATION REVIEW

Aside from this there are no further specific reference to men or women, apart from in Part II (General Orders), which deals with salaries, allowances and benefits, housing as well as retirement benefits. Section 9, paragraph 152 is the only provision that makes specific reference to women. According to it, women are entitled to 84 calendar days' maternity leave on full pay for each confinement, up to a maximum of three confinements, the General Orders even providing for circumstances where there is miscarriage or still-birth. There are no provisions for affirmative action or even stating equal representation as a principle or goal, despite Botswana's signing up to specific regional and international commitments. There is need to make the General Orders gender sensitive and harmonize them with regional and international commitments.

There is some gender insensitive language. According to subsection 8.4.1. (page 13) of the General Orders Governing the Conditions of Service of the Public Service:

**'When a vacancy occurs or is expected to occur in a public office of grade B3 or above, the Permanent Secretary shall inform the Appointing Authority giving full particulars of the post, accompanied by a Vacancy Report on Form DPSM 1 Rev.94 (Annex 1) and stating whether in his opinion the vacancy should be filled by an officer in his Department or Ministry, or whether it is likely that a suitable candidate will be found in some other Department or Ministry.'**

One striking word in the above quoted sections of the General Orders is the word 'his', which refers to the Permanent Secretary. This language is gender-biased as it implies that all permanent secretaries are men and may give women who aspire to hold positions of power the impression that such positions are reserved only for men and perpetuate stereotypes.

Moreover, the General Orders specify the cadres that are eligible for allowances and other benefits and a close analysis shows that they are those that are male dominated. For example,

- Section 80.1: Private practice allowance: for medical officers on grade E.2 and below are eligible for private practice allowance. Any medical officer who reaches the salary level E1 or above automatically ceases to receive private practice allowance;
- Section 80.2: Medical officers on grade E.2 or below will not qualify for private practice allowance unless they frequently perform clinical duties and functions at clinics and hospitals as part of, or in addition to their regular duties;
- Section 85: Computer bureau bonus: officers employed by the computer bureau as Punch/Verifier Operations are entitled to receive a productivity bonus;
- Section 88: Flying allowance for pilots.

## LIFE-WORK ENABLING POLICIES

These are widely acknowledged to be important for women's equal access to public administration careers, as one of the main challenges for women is to reconcile work and family responsibilities, especially in a patriarchal society. Existing literature shows that, in Botswana, like in many African countries, women and girl children are the primary caretakers of children and people living with AIDS, yet they



have few resources such as good nutrition, transport and professional support.<sup>83</sup> Because of the multiple roles that women play, they need a certain level of flexibility in their jobs to enable them to attend to caretaking and caregiving responsibilities.

## Child care

Botswana experienced rapid economic development in the late 1970s and 1980s, leading to a rise in early childhood care and education (ECC&E) in particular. With household incomes rising families had more disposable income and they could afford to send their children to ECC&E centres.<sup>84</sup> The same economic development meant better job opportunities for women, something that removed many of them from domestic chores that have traditionally defined the place of women in society. The growing cadre of women in formal employment, combined with the growing disintegration of the traditional family structure under the weight of modernity, necessitated new social structures for the care of children. ECC&E was a natural successor.

In 2001, the government responded to the social demand for early childhood care and education when it adopted the Early Childhood Care and Education Policy (ECC&E).<sup>85</sup> The formulation of the Early Childhood Care and Education Policy (ECC&E) was a step in the right direction, however, a majority of children in the country do not have access to ECC&E programmes. This is largely because the government does not provide free ECC&E programmes, hence many parents cannot afford to pay the fees charged by the private sector as well as some non-governmental and community based organizations.

According to a UNICEF report dated 2007:

**‘Only 17% of pre-school going age children [in Botswana] access early childhood education and these children usually come from middle to upper class families who can afford the fees charged in pre-schools. Because of the fees charged for pre-school education, the programme tends to cater for the well-to-do only. The pre-primary education is predominantly privately run or provided by non-governmental organizations.’ (A World Fit for Children, p. 25)**

Large-scale public-funded ECC&E facilities that are adjacent to work places are non-existent in Botswana. This results in situations wherein working mothers spend many hours at work far from their young children – a phenomenon that can affect performance and productivity in the workplace.<sup>86</sup> Until now there has been support from traditional family structures, but as demographics change the government should pay further attention to reducing reliance on informal care for children.

## Maternity and paternity

Female employees of the public administration as well as those of parastatals are eligible for maternity on full pay for each confinement, up to a maximum of three confinements. For one year, they are also granted one hour every working day to feed their children. Although allowing women one hour to

83 Tlou, 1999; Mathebula, 2000; Maundeni, 2005.

84 Ministry of Education (2009).

85 Ministry of Education (2009).

86 Interviews with stakeholders.



breastfeed their babies is a positive development, the time is not enough taking into account the period that the women take to reach their homes.

Until recently, officers on probation were not entitled to full pay while on maternity leave, but, at the time of conducting the study, a directive had been issued by DPSM director to the effect that officers on probation are entitled to full maternity leave with full pay.<sup>87</sup> In the National Consultant's view, this is a welcome development, and DPSM needs to be commended for this initial gender sensitive move.

The General Orders are silent on paternity leave. However, the Human Resource Policy for the Local Enterprise Authority (LEA) – the only parastatal that participated in this study – has a provision for one week's paternity leave. This can be recommended as good practice.

## Flexible and part-time work

Section 13 of the Public Service Act of 2008 identifies part-time employment as one of the types of employment that employees of the Public Service could be employed under. However, interviews with the Deputy director of DPSM-Human Resources showed that part-time employment is not practiced in Botswana's public administration. Moreover, there are no guidelines to implement it.

Flexible working arrangements are non-existent in the country's PA sector. Almost all employees are hired on a full time basis and they fall under the following categories: permanent and pensionable; contract terms; or temporary terms.<sup>88</sup> The absence of flexible working arrangements as well as part-time arrangements does not suit the unique needs and challenges faced by working women, particularly those who have young children as well as those who take care of sick family members.<sup>89</sup>

### *Public Service Act (2000)*

The Act makes many references to the employment act, trade dispute act, trade union and employers' organization act, the General orders of 1996 as well as public service regulations.<sup>90</sup> The Public Service Act (Cap. 47:03) does not make any special reference to women or men, even though it was quite recently amended in 2008, which could have been a good opportunity to update its lack of gender equality provisions.

Sexual harassment regardless of sex is prohibited in the workplace (Section 38). The government amended the Public Service Act to include sexual harassment as misconduct subject to penalties.

Existing literature shows that sexual harassment prevails in the various employment sectors of Botswana, but victims are not willing to report it, partly because of fear of victimization and the difficulty of proving sexual harassment.<sup>91</sup>

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87 Interview with the Deputy Director of Human Resources at DPSM.

88 Interviews with key stakeholders.

89 Interviews with key stakeholders.

90 The Deputy Director of Human Resources at DPSM mentioned that some of the issues highlighted in the general orders are outdated. Consequently, the director of DPSM occasionally issues directives to update some of the issues – an excellent entry point. Unfortunately, the NC was unable to get copies of such directives.

91 Mmereki (2001).





Mmereki further noted that most organizations in the country do not have sexual harassment or workplace romance policies in place, and this makes it easier for the behaviour to spread. He asserts that, by and large, employees are not aware of what constitutes sexual harassment and the remedies that could be employed if they feel they have been harassed. It should be noted that these studies were conducted almost ten years ago, and therefore there is a need to explore the current situation in terms of sexual harassment in Botswana's public administration. As a major employer and a sector that is expected to set an example, gains in this area have good potential to transform gender relations more widely in society.

## *Employment Act (1982 as amended)*

The Employment Act defines an employee in gender-neutral terms and the basic terms and conditions set out in the Act (as well as in the Trade Disputes Act, Workers' Compensation Act, Trade Unions and Employers Organizations Act, Employers of Non-Citizens Act, and Factories Act) apply to all employees regardless of sex.<sup>92</sup> Potential employees are considered on the basis of education and technical competencies. Hence the laws related to employment are considered 'non-discriminatory' on the basis of gender.

This section will now look at various issues such as appointment and recruitment and performance appraisals in more detail as they are important in determining women's access to the public administration.

## *Appointments to the Public Service*

Section 14 of the Public Service Act of 2008, states that:

**'Entry into and advancement in the public service shall be based on a proven record of performance and skills and competencies. However, the academic requirements and price of admission competencies, as determined from time to time, shall apply for entry-level posts.'**

Gender is not mentioned in the recruitment process of Botswana's public administration. Section 17 of the Public Service Act outlines the criteria for appointment as follows:

**'In selecting candidates for appointment, the appointing authority shall have regard primarily to the efficiency of the public service. And where any public office is vacant, the following persons shall be qualified for appointment to such office in the following order of priority:**

- a) A citizen;
- b) Any other person who is a non-citizen but whose appointment to such office is approved under section 21 or deemed to be approved under section 21(3);
- c) The persons mentioned in subsection (2) shall be qualified for appointment if they satisfy any competency requirements or qualifications specified by the Director by Order published in the Gazette in respect of the public office;
- d) The provisions of subsection (2) may be waived with the written approval of the Minister if it facilitates the localization of the public service or is otherwise in the interests of the public service.'

<sup>92</sup> <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm>. Accessed February 2012.



# POLICY AND IMPLEMENTATION REVIEW

The process does not take into account that women and men do not start from the same point when it comes to educational background as well as job competencies. In other words it is gender-neutral.

Other procedures are also gender-neutral, such as advertisements and appointments to public office on pensionable terms other than on promotion or transfer. According to Subsection 8.4.1. (page 13) of the General Orders Governing the Conditions of Service of the Public Service (see above):

**‘When a vacancy occurs or is expected to occur in a public office of grade B3 or above, the Permanent Secretary shall inform the Appointing Authority giving full particulars of the post, accompanied by a Vacancy Report on Form DPSM 1 Rev.94 (Annex 1) and stating whether in his [emphasis added] opinion the vacancy should be filled by an officer in his [emphasis added] Department or Ministry, or whether it is likely that a suitable candidate will be found in some other Department or Ministry.’**

One striking word in the above quoted sections of the general orders is the word ‘his’ that refers to the permanent secretary. This language is gender-biased as it implies that all permanent secretaries are men.

Some key respondents felt some of the policies that guide the public administration are not sensitive to the unique circumstances of female employees. One for them, for example, said:

**“Actually as someone who has worked at WAD before, I would say that not much has been done in the country about gender equality in the PA. Almost all policies and guidelines for promotion, recruitment, etc are not gender sensitive. DPSM – the major employer will tell you that our employment policies and guidelines are gender neutral, they don’t discriminate against men and women, but when you look at their adverts, they will require qualities that are possessed largely by men. For example, when they are looking for a Permanent Secretary, the advert may state that in order for one to qualify she/he must have been a deputy permanent secretary with 15 years. How many women fall in that category? Almost none, Instead the advert should say 5 years’ experience to accommodate women.”**

This means in practice that:

- Eligibility criteria and promotions criteria need to be reviewed and amended to ensure they do not automatically exclude many women
- Maternity and other kinds of leave should count as service in order to not to penalize women for exercise their basic rights.

A more results- and performance-oriented system, which takes into account the quality of service as well as length of service, could support greater gender equality.

## Performance and evaluation systems

Numerous public service reforms have been mounted in Botswana in order to modernize and improve efficiency in service delivery. In 1966, when Botswana gained independence, the public service was relatively small in size; however, as the years passed, it expanded.<sup>93</sup> Therefore, it began to be confronted with new and multifaceted challenges, requiring certain reforms. One such challenge was the culture of

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93 Hope (2002).



'jacket on the chair' syndrome: civil servants had a tendency to leave their jackets on their office chairs to go and conduct private errands. 'Members of the public would queue all day long outside the office for service because the jacket was used as a ruse giving the impression that the officer was around.'<sup>94</sup> Public concern on poor service delivery and 'jacket on the chair' syndrome led to the introduction of various measures. These were introduced as and when loopholes of existing provisions were detected.

At the time of writing this report, the main performance management strategy in Botswana's PA was the performance management system (PMS).<sup>95</sup> The primary objective is to improve overall productivity and continuously monitoring results at all levels. At the beginning of each year, the employee and his or her supervisor develop the Individual Performance Contract (IPC).<sup>96</sup> This is then monitored on an ongoing basis, and employees receive feedback on performance. Individual employees and their direct supervisors hold biannual formal performance review meetings that culminate in the end-of-year overall review. The PMS treats men and women equally – in other words, it does not disadvantage any group.<sup>97</sup>

## *Promotions*

The issue of progression and promotion has long been of concern to the Botswana Civil Service Association (BCSA).<sup>98</sup> In 1975, for example, the BCSA president expressed dissatisfaction about the system of promotion, which the BCSA held to be unjust. Eventually, BCSA requested the government to establish a promotions board or similar appointed by the minister for public service. BCSA also decided that board members should be men and women of proven integrity.<sup>99</sup> This achievement also supports gender equality as the promotions board provides for women and men to be represented.

There are no conscious decisions in place for involving women in interview panels, promotion boards.<sup>100</sup> The decision to involve women in important committees or boards depends on the people responsible for appointing people to such boards and committees. For example, in January 2012, the only three women in the board of one parastatal in the country – Botswana Development Corporation (BDC) – were dropped and replaced with three men. This resulted in the board's being comprised only of men – a scenario that shows that the country still has a long way to go in reaching gender equality. Moreover, a majority of board members of the various boards such as the Botswana Innovation Hub, LEA Board, and Bank of Botswana Board are men.<sup>101</sup>

There are no incentives or recognition mechanisms specifically for women. Existing incentives treat men and women equally but because already there are more men than women who are eligible for promotion to the highest positions, the status quo tends to prevail.<sup>102</sup>

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94 Makgala, C. J. and Maundeni, Z. (2010, p. 172).

95 Makgala, C. J. and Maundeni, Z. (2010).

96 Interviews with stakeholders, January to March 2012.

97 Interviews with stakeholders, January to March 2012.

98 According to Makgala, J. C. and Maundeni, Z. (2010), the name BCSA was changed to Botswana Public Employees Union in 2007.

99 Makgala, J. C. and Maundeni, Z. (2010).

100 Interviews with key stakeholders.

101 Interviews with key stakeholders.

102 Interviews with key stakeholders.



## CHALLENGES IN IMPLEMENTING POLICY AND OBSTACLES FACING WOMEN

This section expands on the challenges above and draws on the interviews with key respondents in order to deepen an understanding of how some policies play out in practice and the implications.

### Social attitudes

Societal resistance to gender issues is a challenge. Some people resist because they believe that women's empowerment breeds divorce and other social ills. They argue that most women who advocate for gender equality are single, divorced, or married to foreigners so gender equality issues are not in line with cultural norms and traditions. These sentiments are illustrated by the following statement by one of the key informants:

*"People in our society look at a woman leader as a woman first, then they doubt her capability. Even when a woman presents, people do what is called selected listening, they choose what to pick and disregard some of the things that the woman says. Age is another factor that influences the way people see a woman leader. Young female leaders are sometimes undermined just because of age. Some people believe that the older one is the more wise the person is and vice versa. You must also remember that gender issues are personal, therefore the manner in which officers handle/approach these issues is to some extent influenced by their own personal experiences and cultural backgrounds."*

This highlights the need to institutionalize as far as possible the necessary framework to support gender equality in the public administration, as there is a need to ensure it is not subject to personal whims. Solid research would also help present facts in the face of resistance, as would sensitization. These changes take time, but, as the public administration has a fundamentally conservative culture, it is likely that a clear directive from the top, backed up by policy linked to performance management for managers in the public administration, would begin to have an impact in support of gender equality.

Some women face resistance from their spouses when it comes to issues of career advancement and promotion.<sup>103</sup> For example, a woman whose husband is insecure may turn down a transfer and promotion opportunity for the sake of "peace and stability in her marriage".<sup>104</sup>

In addition, gender issues are personal issues, so the manner in which an officer responds to them is often influenced by his or her own experiences. If, for example, a male supervisor or policy maker is experiencing verbal abuse and is being dominated by a wife who is too controlling, he is likely to resist initiatives that aim to empower women in the workplace.<sup>105</sup>

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103 Interviews with stakeholders January to March 2012.

104 Interviews with stakeholders.

105 Interview with the director and deputy director of the Women's Affairs Department, 5 February 2012.



## Implementation and policy gap

The other challenge mentioned by respondents is that Public Service reforms intended to improve productivity and bring objectivity to issues such as training and promotion (e.g. Performance and Development Plans) are not always implemented as intended. Interviews with stakeholders revealed that there is often a discrepancy between the *de jure* existence of policies and regulations and the *de facto* implementation of those policies in the public administration at national and subnational levels, as seen by decision makers, civil servants and women target groups. They gave examples of promotion decisions that were taken without following the right procedures. These sentiments are echoed by one of the respondents:

“Public service reforms (such as performance and development plans - PDP) that are meant to improve productivity and bring objectivity in issues concerning progression of staff such as training and promotion are sometimes not used to achieve the purpose they were meant to achieve. I will tell you why, these evaluations are done on a quarterly basis, and various staff members are evaluated by different supervisors who differ in assessment marks. For example, one supervisor may give an average performing subordinate 96 percent while another supervisor may give a subordinate who is very hardworking 60 percent. I once had an incident in which a colleague of mine who was a supervisor expressed concern about the performance of one employee. He then suggested that particular employee should be placed in a different unit and given different responsibilities because she was underperforming in the unit that she was currently placed in. I agreed to my colleagues’ suggestion. Only to realize at the end of the year that the same subordinate whom my colleague was complaining about was given very high marks in the PDP. I approached my colleague to seek clarification, and he really had a tough time explaining what exactly happened/ accounted for the disjointed story.”

## Sexual harassment

The relatively low number of women who report sexual harassment cases is another challenge that was mentioned by respondents. They associated this trend with the fact that it is very difficult for women to produce evidence that can convince the authorities that sexual harassment did indeed take place. Consequently, the few female public administration employees bold enough to report sexual harassment tend to lose the case mainly because the authorities would say there is no evidence that sexual harassment took place.

A vivid example of the difficulties women go through in reporting sexual harassment cases was depicted in a case that was filed last year. The case concerned one female employee who worked for the Botswana Railways (BR), one of the old parastatals in the country. The matter was taken to the BR disciplinary and appeal procedures committee, which concluded that the allegations of sexual harassment were not sustainable as no case of sexual harassment was proved.<sup>106</sup> The complainant then resigned from BR.<sup>107</sup> The woman was described as hardworking, honest and kind.

<sup>106</sup> The committee comprises mainly staff members from the human resource office of BR.

<sup>107</sup> The Midweek Sun, page 3. Complainant in BR Sex Scandal Quits, Wednesday, 29 February 2012.



# POLICY AND IMPLEMENTATION REVIEW

One of the key informants who, works for an oversight agency that handles cases of maladministration said the following words:

**“[S]o far, since I joined this organization more than 10 years ago, there has been only one case of sexual harassment but the complainant lost the case at the court of appeal because of lack of evidence. Evidence on sexual harassment cases is very difficult to find partly because complainants fear victimization.”**

The low numbers of reported sexual harassment cases creates, among other things, a situation wherein the relevant authorities are not well-equipped with knowledge and skills to deal with such cases. The absence of guidelines that specify how sexual harassment cases should be handled also means many women avoid coming forth and reporting instances of sexual harassment.

## Women supporting women

Another challenge that undermines effective implementation of gender equality programmes and policies is that women are often not supportive of each other. The few women who hold positions of power do not mentor or foster junior female colleagues. This may be because they have no time or because they feel under pressure to distance themselves from the gender agenda. This is an interesting area to research as there may be a need to create a more enabling environment and even establish mentoring schemes as other countries have done.

## Lack of political will

A fundamental challenge is the lack of political will to promote gender equality.<sup>108</sup> Botswana has experienced a reduction in the numbers of women who hold the top political leadership positions. This trend is not peculiar to Botswana; it also prevails in countries such as Namibia, Zambia and South Africa.<sup>109</sup>

This in part is a result of resistance to the notion of changing the gender order and challenging culturally-based patriarchal beliefs and practices; the absence of a strong political voice from the women's movement, which is hardly visible in the political and policy arenas; shortage of resources to implement gender equality initiatives in the public administration; gender stereotypes that place women at a disadvantage; the absence of guidelines to address sexual harassment; the over-representation of men in promotion boards and disciplinary committees; as well as inadequate training of senior management on gender issues.<sup>110</sup>

## Women's work and care burdens

Respondents mentioned numerous obstacles for women. At individual level, they mentioned that the multiple roles that women play hinders some women from rising up the career ladder as fast as their male counterparts.

This is largely because of the heavy demands on women's time and energy that arise from the multiple roles that women play as family members and as employees, the rigid conditions such as authoritarian spouse, violence in the home, social expectations regarding motherhood, and unsafe community

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108 Interviews with key stakeholders.

109 Interviews with key stakeholders.

110 Interviews with stakeholders.





environments that limit their physical mobility, primary caregivers, especially in the context of HIV and AIDS.<sup>111</sup> All this highlights that gender equality in the public administration cannot be separated from gender equality in the home. But the opposite is also true: if the public administration has greater equality and women are present and active in decision-making positions, this sets an example and can impact society as a whole.

## Limited role of civil society

Respondents further mentioned the following challenges: limited capacity that impacts on the way gender equality issues are addressed in public administration; challenges related to managing a unionized Public Service as it requires continuous dialogue, yet, the government sometimes does not appreciate why unions should be involved; as well as civil society's lack of involvement in women's empowerment policies and programmes in the public administration.<sup>112</sup> Respondents asserted that NGOs that focus on women's rights in the country are not consulted by the government when it comes to the formulation of policies, laws and programmes that guide the public administration. Consequently, civil society's role in gender equality in public administration is very limited. Omission of inputs from gender experts and women's rights organizations may lead to policies that are not gender-sensitive.

## Exercising rights of redress against unfair decisions

According to some key informants, the procedure for contesting recruitment and promotion decisions that have discriminated against employees is as follows:

First, the concerned employee resorts to internal mechanisms that are as follows: submission of a letter or complaint to his or her supervisor or to the authority/ties who took the decision that the employee is complaining about. The letter should specify reasons for lodging the complaint; then the said authorities will respond in writing; if the concerned employee is not satisfied with the response, s/he could appeal to the next supervisor/authority, until s/he has exhausted all levels in the hierarchy; then if the employee is still unhappy about the response, s/he could take the matter to the Public Service Commission, the highest level in the internal grievances procedure.

Second, if the matter is not resolved, the person can take the matter through the external procedure, which involves the office of the Ombudsperson, or to court.<sup>113</sup>

Interviews with the Acting Ombudsperson revealed that most cases reported to the Ombudsperson's office are reported by men. The office hardly receives cases from women. The few cases that women report to the office of the Ombudsperson do not deal with gender discrimination. The finding that the office of the Ombudsperson hardly receives cases from female employees of the public administration is striking, particularly taking into account that: Botswana's public administration comprises of more

<sup>111</sup> Interviews with key stakeholders.

<sup>112</sup> Interviews with key stakeholders.

<sup>113</sup> The office of the Ombudsman was established in 1997 with the aim of curbing acts of maladministration and violation of human rights in the public sector through advocacy, education, and timeous resolution of complaints in an independent, transparent and impartial manner. Its vision to be a trusted, effective and accessible institution that promotes administrative justice in the public sector.



women than men and that more females than males occupy junior positions in the public administration. Research is needed to establish factors that contribute to the relatively low numbers of women who lodge complaints with the office of the Ombudsperson.

## GOOD PRACTICES

Good practices exist. One clear example is that of the Human Resources policy of the Local Enterprise Authority (LEA) the only parastatal that participated in this study. Clause 2.1. states that LEA is an equal opportunity employer within the requirements of the Botswana's Labour Law.<sup>114</sup> The clause continues:

**'As such it prohibits any unlawful discrimination and is committed to giving equal opportunity to all employees and applicants regardless of race, colour, religion, gender, origin, age, disability, health status or other discriminatory feature.'**

Clause number 34.2.1. of LEA's HR policy has provisions for substantive equality and states:

**'[E]ach employee should be able to work in a satisfying and fulfilling environment free of discrimination, and free of any form of harassment, based on race, colour, religion, age, gender, sexual orientation, pregnancy, ethnic origin, and disability, marital or other status.'**

The policy also mentions that harassment in the policy includes sexual harassment, and it even defines the concept. The same policy also has provisions on maternity and paternity leaves. Expectant female employees are given 84 calendar days of leave on full pay for each confinement, while male employees are entitled to paternity leave of seven calendar days per confinement. On paternity leave this parastatal has basically taken the initiative as the public administration statutes are otherwise silent, as we have seen.

Another good practice is the government's partnership with trade unions, which has a long history. As early as 1966, for example, the Botswana Civil Servants Association (BCSA) played a role in advocating for favourable working conditions for civil servants in order to achieve efficient service delivery. BCSA influenced government to improve employees' working conditions that relate to remuneration, allowances, benefits, progression and others. BCSA also campaigned for gender equality.<sup>115</sup>

In 1975, BCSA advocated for mothers going on maternity leave to receive at least half of their monthly salaries and that mothers should be given time to feed their babies during working hours. In the early 1990s, BCSA continued to take rigorous measures to promote gender equality and women's empowerment by establishing a Gender Affairs Committee (GAC). The GAC aim to empower women at the national and sub-national levels, and handles gender issues that affected BCSA women.<sup>116</sup>

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<sup>114</sup> The equal opportunity here is given to citizens of Botswana.

<sup>115</sup> Makgala, J. C. and Maundeni, Z. (2010).

<sup>116</sup> Makgala, J. C. and Maundeni, Z. (2010).



## SPECIFIC INITIATIVES

This section outlines some national and internal initiatives and interventions.

### NATIONAL

By and large, existing capacity efforts for enhancing employees' skills are the same for men and women. However, a few initiatives that focus specifically on women's empowerment deserve to be singled out.

- First, organizations like Emang Basadi and SADC have conducted political empowerment programmes for women who are in politics.<sup>117</sup> Such programmes focused, among other things, on public speaking skills, campaign strategies, leadership skills, etc. Representatives of the above-mentioned two organizations who were interviewed pointed out that the political empowerment programmes that they ran for women equipped women with knowledge and skills to stand for political office as well as cope with challenges there-after.

Emang Basadi also used to run empowerment programmes for women who held positions of power in the PA, but, at the time of writing this report, such programmes had ceased due to financial constraints.<sup>118</sup> When asked about the content of such programmes as well as the their success and whether they worked, the representative from Emang Basadi said she did not have much information about the programmes since she was relatively new to the organization.

- The Women's Affairs Department (WAD) occasionally provides funds to women from various sectors (private, NGOs, and the public service) to attend courses and seminars on leadership skills.<sup>119</sup> One of them is the one that was entitled: Female Leadership and Management Excellence (FLAME). Below is a brief description of FLAME.

'FLAME brings together outstanding women from various sectors of the economy and society. The event is especially designed to offer women the unique opportunity to develop leadership skills through exposure to unmatched networking opportunities with professionals committed to the development of women's roles in business. The annual convention equips women leaders with the strategies and skills that enable them to be agents of positive change in both their micro and macro environment. It is about every professional woman playing a part in creating awesome role models for our daughters, one step at a time.'<sup>120</sup>

The objectives of FLAME were as follows:

- To equip women leaders with the strategies and skills that enable them to be agents of positive change in both their micro and macro environments.
- To offer women from all sectors the opportunities with professionals committed to the development of women's roles in business.

<sup>117</sup> Interviews with the programme officer at Emang Basadi, March 15, 2012; Interview with the Head of the SADC Gender Unit, March, 2012.

<sup>118</sup> Interviews with the programme officer at Emang Basadi, 15 March 2012.

<sup>119</sup> Interview with the director and deputy director of the Women's Affairs Department, 5 February 2012.

<sup>120</sup> Flyer that advertised FLAME.



## SPECIFIC INITIATIVES

Topics that were covered in the workshop are: embracing change in your life realize your 'power' theme; shaping possibilities with regard to inventing ourselves; entertaining, dining and cocktail etiquette workshop; investment options for women; becoming CEO of your PTY LTD; and professional grooming and etiquette.

Initiatives such as FLAME are a step in the right direction towards empowering women, but the challenge is that usually there are no follow-ups to determine and evaluate whether women who have gone through such empowerment programmes fair better than their counterparts who have not been exposed to such programmes. In other words, there is need to evaluate the success of programmes that empower women in the workplace.

- The work of the Women's Caucus also needs to be mentioned. This is summarized in the below words of the President for the Caucus:

*"We have held workshops and seminars to prepare for elections, encourage leaders to put women in positions of power when elections come. These were funded by Friedrich Ebert Foundation; we also held workshops for women's wing executive committees. We aim to meet central committees of various parties to sensitize them about gender issues, but they are reluctant.*

*We have lobbied the president to replace women with women in positions such as ambassadors, heads of parastatals, permanent secretaries, etc. We have very few women permanent secretaries, and more women as directors. We have even lobbied him about the appointment of cabinet ministers, e.g. only four are women. Cabinet ministers are not allowed to attend certain forums, e.g. SADC parliamentary forum, and the Commonwealth Forum.*

*However, I used to attend one of these when I was an assistant minister because I lobbied the then president and showed him that it was important for women to be represented. We have also advocated for new constituencies for women, i.e. -where only women will compete, the idea was thrown out, we proposed that the four specially elected/nominated members of parliament must be women, but the president said, he can only afford two."*<sup>121</sup>

- WAD has also started the process of mainstreaming gender in some ministries.<sup>122</sup> This process involved the following approaches and principles:
  - Identifying committed individuals inside ministries and working through them to maintain advocacy in gender work;
  - Building effective teams to support the gender mainstreaming process;
  - Tailoring strategies to each stakeholder, to include gender sensitive males as advocates and eventually targeting a critical mass (WAD and UNDP, undated).<sup>123</sup>

<sup>121</sup> Interview with the President of the Women Caucus for Politics, 23 February 2012.

<sup>122</sup> At the time of writing this report, gender mainstreaming was completed in four out of fourteen ministries (WAD and UNDP Botswana, undated).

<sup>123</sup> Women's Affairs Department and UNDP Botswana (undated).



It should be noted that the gender mainstreaming process that is highlighted above does not focus specifically on the empowerment of women in the PA, but on gender issues in general.

- Other initiatives that have been taken to empower women in the PA are the ones by the University of Botswana (UB) – the only university in the country that is fully funded by the government. The University's Gender Policy and Programme Committee (GPPC) has over the years organized events, conferences and workshops to disseminate information on gender issues. In addition, GPPC has participated in national efforts to promote gender equity in general through collaborative partnerships with the Women's Affairs Department, Civil Society and other key stakeholders. GPPC identified sexual harassment as a barrier preventing the attainment of gender equity among staff and students at the University of Botswana. Therefore, it developed the Sexual Harassment Policy and Procedures that came into effect in 2000 at the University of Botswana. Other initiatives at the University of Botswana include leadership seminars for women who are either holding positions of power or are aspiring to hold such positions.<sup>124</sup>
- Trade unions such as Botswana Public Employees Union (BOPEU) have also organized workshops to empower and sensitize women to gender issues such as sexual harassment and leadership skills.<sup>125</sup> They have also successfully convinced the government to provide maternity leave on full pay to women irrespective of whether there was a two-year interval from the time a woman had gone for the previous maternity leave. Moreover, BOPEU has also convinced the government to stop the practice of single employees sharing accommodation with others because it created enormous conflicts among employees – a phenomenon that adversely affects productivity of both men and women in the PA. Employees could only share accommodation in exceptional cases.<sup>126</sup>

Interviews with representatives of the national gender machinery Women's Affairs Department (WAD) revealed that the department is committed to designing and facilitating access to gender training for policy makers, but faces financial constraints. Consequently, it occasionally solicits funds from donors to engage in initiatives such as gender training. This approach is reflected in the below words of the director of WAD during an interview:

**"In 2011, the department (through the engagement of a consultant) trained some ministries on gender mainstreaming. We had sourced funds for the training from donors. Participants were among other things requested to: perform gender analysis of their organizations, e.g. who hold what roles/positions of power in their organizations, do the roles disadvantage women or men, how; as well as to reflect on gender issues that prevail in their ministries. The training went on for three weeks, with some breaks in between since participants were requested to do some assignments during the course of the training"**

It is important at this juncture to highlight that most of the initiatives that have been taken to address gender equality in the PA have not been rigorously evaluated, therefore their success is not documented. This shows that there is need to evaluate such initiatives.

<sup>124</sup> Interview with two representatives of the University of Botswana's (UB) Gender Policy and Programme Committee (GPPC), 16 March 2012.

<sup>125</sup> Interview with the Gender Officer of BOPEU, 3 February 2012.

<sup>126</sup> Interview with the Gender Officer of BOPEU, 3 February 2012.



# SPECIFIC INITIATIVES

## UNDP AND OTHER INTERNATIONAL AGENCIES

International agencies such as UNDP, UNAIDS, the Friedrich Ebert Foundation and SADC play an important role in the promotion of gender equality not only in Botswana's PA but in other areas as well. Such agencies' role is through the provision of technical expertise and funds to the national gender machinery to implement gender equality initiatives, as well as to advocate for change in line with development goals and international norms.

- For example, the Friedrich Ebert Foundation has funded Gender Links to conduct a barometer that analyses how far countries in the region have gone with the SADC gender protocol.<sup>127</sup> The Friedrich Ebert Foundation occasionally funds some NGOs that do gender-related work, such as Emang Basadi. International agencies have a good working relationship with the various government ministries, departments and NGOs, so they work hand in hand with such partners.
- An interview with a representative of UNDP revealed that UNDP funds 40 percent of WAD projects, while the government funds 60 percent. UNDP also delivers on behalf of UN Women.<sup>128</sup> A representative from UNAIDS explained that UNAIDS provides funds to WAD according to an agreed UN plan to support WAD.<sup>129</sup> The funds are provided annually.<sup>130</sup>
- Moreover, UNAIDS intends to do a gender audit of the public sector (involving one or two) ministries to explore how gender issues are addressed in recruitment, promotion, training, planning, etc., and chart the way forward.

The Head of the SADC gender unit explained the role of her unit in supporting gender equality in the public administration as follows:

*"We focus on gender mainstreaming and political empower of women. The unit is responsible for facilitating and coordinating and monitoring the implementation of SADC gender commitments, e.g. SADC Gender Protocol and various frameworks, e.g. SADC Framework for achieving gender parity in political and decision making positions by 2015; CEDAW; SADC Plan of Action on Gender and Development; SADC Women's Empowerment Strategy to guide member states; gender-based violence strategy; women in politics strategy, etc.*

*Our priority areas are: policy development and harmonization, e.g. development of protocols while member states domesticate and put in place plans of action to implement the protocols: gender mainstreaming at regional level, development of regional tools and guidelines into different sectors, we also provide capacity building, e.g. training of trainers on the gender mainstreaming tool kit.*

*We have also trained economic and finance experts on mainstreaming gender in their budgets and National Development Plans; we also conduct empowerment programmes for women. For example, on an annual basis, we hold workshops for women in politics and decision making – since the early 2000s the unit has been training women politicians on gender*

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127 Interview with the Regional Program Officer at the Friedrich Ebert Foundation.

128 Interview with UNDP's assistant resident representative (Program) February 2012.

129 Interview with the Social Mobilization Advisor UNAIDS, March 6, 2012.

130 Interview with the Social Mobilization Advisor UNAIDS, March 6, 2012.



issues, leadership skills, etc. We also coordinate women's economic empowerment. The SADC office reports annually to summit on the status of women in decision making positions."

It is not entirely clear to what extent the focus is on the public administration rather than political representation and decision making.

## KEY ISSUES, CHALLENGES AND GOOD PRACTICES

This section summarizes some key challenges and good practices identified above.

### CHALLENGES

- No clear national policy on women in decision making, gender equality generally or gender equality in the PA
- No temporary special measures such as fast track mechanisms, targets for recruitment and appointments
- Gender-neutral policies that impact negatively on women
- Gaps between policy and implementation
- Gender stereotypes mean that women are not seen as leaders
- Gender roles mean that women mainly have care responsibilities and therefore a double work burden, exacerbated by a lack of formal childcare
- In terms of gender equality more widely a respondent, who has done extensive research and activism on gender issues in the country summarised the challenges as follows:

**"The country has: a strong patriarchal culture and male dominated institutions that are resistant to change; a political leadership that is conservative and does not understand the value addition of female leadership and representation; gender-insensitive civil society that is not aware of the importance of gender as a development issue; a weak women's movement and generally civil society sector which makes it very difficult to promote gender transformation."**<sup>131</sup>

### GOOD PRACTICES

- Individual parastatals have initiated gender-sensitive policies
- Reasonably basic good data
- Relatively high participation of women in the PA, including in middle management
- Capacity building such as the FLAME initiative
- Government support for education
- Government partnership with the BCSA

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<sup>131</sup> Representative of UB's GPPC.





# RECOMMENDATIONS

## RECOMMENDATIONS

This study has shown that gender is not a strategic consideration in the laws and policies that guide the PA system in Botswana, despite international and regional commitments. Therefore, many policies and guidelines are not designed in a gender-sensitive manner. The following recommendations would go a long way to ensure that policies, guidelines and programmes that guide the PA are gender-sensitive:

### RECOMMENDATIONS FOR POLICY

RECOMMENDATION	RESPONSIBLE ORGANIZATION
<p>There are currently gender gaps and biases in staff in the proportion of PA employees who hold top decision-making positions. Men tend to dominate in the highest positions (e.g. ministers, permanent secretaries, deputy permanent secretaries and directors).</p> <p>The government should adopt an affirmative action policy (as in South Africa and Namibia) that clearly specifies the commitment to achieving gender parity at all levels. The policy should also outline the guidelines, principles, targets and processes for achieving this.</p> <p>The following recommendation focus on measures that should be advanced even in the absence of such a policy.</p>	DPSM with support from WAD, Attorney General's Chambers, NGOs that focus on gender issues and international agencies
A gender equality strategy in PA should be developed with a specific focus on gender balance and staffing issues	DPSM, WAD, BCSA, NGOs that focus on gender issues
Gender mainstreaming guidelines for the PA should be developed as in Uganda and as in South Africa, which could include many of the following provisions, and this should be promoted systematically and embedded in the performance evaluation principle.	WAD, DPSM, BCSA, Attorney General's Chambers, NGOs that focus on gender issues
Review existing laws and policies that guide the PA to ensure that they are gender-sensitive.	WAD, DPSM, Attorney General's Chambers, NGOs that focus on gender issues
Gender-insensitive language should be removed from all laws and policies that guide the PA. For example, Section 8.4.3 of the General Orders states that, 'If the Permanent Secretary is unable to recommend the promotion of any officer in <b>his</b> Ministry or Department, <b>he</b> will [...].'	DPSM Attorney General's Chambers



RECOMMENDATION	RESPONSIBLE ORGANIZATION
Sections 14 and 15 of the Public Authorities Act should be reviewed to ensure that the process/procedure for appointing officers/members of public bodies is gender-sensitive. Currently the provisions are silent on the gender composition of public boards.	Attorney General's Chambers DPSM
Section 152 of the General Orders talks about maternity leave, but it does not make any provision for paternity leave. It is recommended that paternity leave should be established and promoted, as in South Africa. Experiences in other countries shows that overcoming traditional gender roles needs active measures.	Attorney General's Chambers, DPSM
Section 38 of the Public Service Act defines sexual harassment, but it does not provide procedures/guidelines to be followed in cases of sexual harassment. There is need for such procedures to be specified.	Attorney General's Chambers DPSM
Section 107 of the General Orders talks about leave travel concession, but it is silent on whether unmarried men with children born out of wedlock qualify for the benefit/s. The relevant clause should be amended to make it gender-sensitive.	Attorney General's Chambers DPSM Groups that advocate for the rights of men
Support to the BCSA to enable it to advocate for and support gender equality in the PA.	International agencies
The proposed gender policy should be finalized as soon as possible and explicitly refer to gender equality in the public administration. To achieve this, WAD should make follow-up meetings with the legal counsel and Attorney general chamber's staff.	WAD Attorney general chamber's staff
The government should be lobbied to sign the SADC gender protocol.	NGOs that focus on gender issues
The name WAD should be changed to the department of gender, then later it should be upgraded to a Ministry of Gender.	WAD Ministry of Labour and Home Affairs



# RECOMMENDATIONS

## Short-term Recommendations for Programmes

RECOMMENDATION	
Ministries should design monitoring and evaluation systems through which statistical information that breaks down the impact of gender mainstreaming efforts could be compiled and tracked.	WAD Various Ministries
Sensitize PA employees, including managers and human resources staff, about existing recruitment and promotion guidelines and policies and empower them to report when they feel maladministration is being practiced.	DPSM, Office of the Ombudsperson
Improve women's access to existing women's empowerment programmes/ training, capacity-building (e.g. workshops, seminars, etc.)	WAD
Women's networks within the PA itself should also be encouraged, as they can contribute to policy solutions and identify key issues to be addressed.	DPSM, WAD
There is need to evaluate existing programmes that are designed to empower women in the workplace. The evaluation will identify the successes and areas that need improvement.	WAD

## Long-term Recommendations for Programmes

RECOMMENDATION	RESPONSIBLE ORGANIZATION
Sensitize the public (including employees of the PA) on gender issues in general. Issues that could be discussed include cultural beliefs that perpetuate gender inequalities, as well as gender issues in the workplace. The entry point for this initiative could be the wellness forums that are held once a week for 30 minutes in various government departments. GFPs and other gender experts could be used to facilitate such forums.	NGOs that focus on gender issues, WAD, Media
Chiefs are the custodians of culture; therefore, special efforts need to be taken to sensitize them about gender issues, particularly in relation to cultural beliefs and practices that perpetuate gender inequality.	WAD



RECOMMENDATION	RESPONSIBLE ORGANIZATION
Train PA decision makers on gender analysis and issues of gender budgeting.	WAD
Engage with men to move the gender agenda in the PA.	WAD Gender Focal People
NGOs that advocate for women's empowerment should be consulted when PA policies and laws are formulated or amended. In order to support this, they need themselves to be sensitized to the issues and their capacity developed. Currently, such organizations do not have any influence or role in the formulation of government policies and laws because their views are not solicited.	DPSM
The media should be part of the campaign to promote gender equality in the PA as they have the capacity to change mind sets and promote women leaders. Moreover, there is need for guidelines, at least for state sector (as in Sweden).	WAD, Various media houses
Address the child care needs of working mothers, e.g. some of the existing facilities such as community halls could be converted into day-care centres.	Ministry of Education, WAD, DPSM
<p>There is need for a collective and proactive approach involving all stakeholders, including male champions. There is a need to establish a cross-cutting coordinating and monitoring mechanism that can periodically assess progress as well as recommend proactive and practical strategies.</p> <p>This could be in the form of a National Gender policy -level commission established by act of parliament with representation from central and local governments. There is also a need for a more active gender parliamentary committee to advocate and monitor the gender mainstreaming agenda.</p> <p>This commission could undertake research, consult relevant stakeholders, design a national strategy to change the status quo.</p>	WAD, Women's Caucus



## CONCLUSIONS

This study has found out that gender equality has yet to be on the public administration agenda of the country; therefore, most of the laws and policies that guide the public administration are gender-neutral. Efforts to mainstream gender in the public administration are relatively recent. Moreover, such efforts do not cut across all ministries; they are non-existent in some ministries and do not necessarily include an internal focus.

Moreover, findings of this study reveal that: gender is not a consideration in selection and recruitment, career-pathing and promotions; programmes to promote gender equality in the public administration are inadequate; and deep-rooted cultural values, norms and beliefs about the abilities and roles of men and women exist, and these have a negative impact on women's empowerment and gender equality in the public administration in general. Moreover there are no affirmative action policies.

Consequently, more men than women hold key decision making positions such as ministers, chief executive officers, permanent secretaries and directors. Women, on the other hand, tend to hold middle-management and lower positions in the central government, local government as well as parastatals. The over-representation of men in policy making positions translates into men making laws and policies for women to implement on other women and perpetuating disempowerment of women.

Although men tend to be over-represented in the highest positions of power in Botswana's the public administration, the number of women who hold middle-management positions is increasing, as noted elsewhere in this report. It is hoped that, as this number increases, it will sooner or later lead to an increase in the number of women who hold the highest positions of power in the public administration, such as permanent secretaries.

It is encouraging that the ministry with responsibility for gender equality has identified these issues publicly and has published statistics to enable analysis.<sup>132</sup>

In order for gender equality to be in Botswana's PA agenda, there has to be a vocal women's rights movement with support and encouragement from the international community to lobby the government for affirmative action policies. Trade unions such as BOPEU are advanced in relation to gender equality in their structures;<sup>133</sup> therefore, they could partner with NGOs that focus on women's empowerment to advocate for approaches that empower women in the public administration. In addition, gender sensitization programmes for parliamentarians, chiefs and other officers who hold decision making positions in the government and parastatals should be intensified. This will go a long way in assisting such officers to ensure that the gender agenda is carried forward.

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132 <http://www.gov.bw/en/Ministries--Authorities/Ministries/Ministry-of-Labour--Home-Affairs-MLHA/Links/Gender-Disaggregated-Data-on-Decision-Making-Positions/>. Accessed December 2012.

133 For example, they have quotas for women in various committees. Interview with BOPEU's Gender Officer, 3 February 2012.



An important question to ask at this juncture is: What can other countries learn from Botswana's experience on Gender Equality in the Public Administration? There are several lessons that could be learned. The first one is that trade unions in Botswana play a role in influencing gender equality issues in the public administration. This has been evidenced by the various initiatives that they took to convince the government to take certain measures to address gender equality in the public administration. The second one that could be learned are the factors that account for the relatively good numbers of women who hold management positions in Botswana's PA. These factors include: the enabling policies that give women opportunities to advance in education; education programmes that allow men and women to work full-time and enrol in part-time programmes; the attractive nature of the salaries in the public administration compared to those in other sectors; as well as the support that women who live with, or near, parents and grandparents, receive in terms of child care.

Finally, some of the recommendations made in this report have financial implications, while others do not. Therefore, it is crucial that gender-responsive budgeting measures be used.



## ANNEX 1: TABLES

**TABLE 1: GENDER STATISTICS BOTSWANA 2011**

Numbers of women and men in decision making positions - February 2011

1.1 Number of women in decision-making at central, local government (Permanent Secretaries, Deputy Permanent Secretaries, Directors/Heads of Departments, Judiciary and Ambassadors/High Commissioners) and Politburo and Central/National Executive Committees	DECISION MAKERS IN THE PUBLIC SERVICE BY GENDER (WAD FEBRUARY 2011)				
		Males	Females	% Males	% Females
	Permanent Secretaries	12	6	66.7	33.3
	Deputy Permanent Secretaries,	21	10	67.8	32.2
	Directors/Heads of Departments	53	43	54.7	45.3
	Deputy directors	35	30	53.8	46.2
	<b>Judiciary</b>				
	<b>Court of Appeal</b>				
	President	1	0	100	0
	Judges	7	0	100	0
	<b>The High Court</b>				
	Chief Justice	1	0	100	0
	Judges	17	1 <sup>134</sup>	94.4	5.6

<sup>134</sup> It is important to note that there have been two female judges in Botswana. One of them is currently occupying the post of Attorney General (AG), while the other one has left the bench and is now in private practice. At the time of writing this report, there was no female judge in the country.





	Registrar	1	0	100	0
	Deputy Registrar	5	0	100	0
	Senior Assistant Registrar	5	2	71.4	28.6
	Assistant Registrar	0	1	0	100
	<b>Magistrates</b>				
	Regional Magistrates	1	1	50	50
	Chief Magistrates	5	1	83.3	16.7
	Principal Magistrates	2	9	18.2	81.8
	Senior Magistrate	7	6	53.8	46.2
	Magistrate Grade 1	4	2	66.7	33.3
	Magistrate Grade 2	4	6	40	60
	Magistrate Grade 3	3	9	25	75
	<b>Foreign Missions</b>				
	Ambassadors	6	2	75	25

Source: Research Division, Women's Affairs Department, February 2011



**TABLE 2: CATEGORY AND NUMBER OF KEY RESPONDENTS**

CATEGORY	ENTITY/DESCRIPTION AND DESIGNATION OF THE PERSON/RESPONDENT	NUMBER
Category 1: Multilateral and Bilateral Agencies	SADC - Head of the Gender Unit	1
	UNDP - Assistant Resident Representative (Program)	1
	UNAIDS - Social Mobilization Advisor	1
	Friedrich Ebert Foundation - Regional Program Officer	1
Category 2: Oversight Agencies	Ombudsperson Office - Acting Ombudsperson	1
	Women's caucus for politics -President	1
	Botswana Public Employers' Union (BOPEU) - Vice President and Gender and Human Rights Officer	1
	BOCONGO - Chairperson Gender Sector	1
	BONELA	2
Category 3: Employing body for government employees	DPSM - Deputy Director - Human Resources and Gender Focal Person	2
Category 4: National Gender Machinery	WAD - Director and Deputy director	2
Category 5: One non-governmental organization that focuses on women's empowerment	Emang Basadi - Programme Officer	1
Category 5: Line ministries	MLG - Acting Director Department of Social Services	1
	Director Local Government Development Planning	1
	MFDP - Representative from the population and development office	1
Category 6: Parastatal	LEA - Head of Human Resources Department	1
Category 7: Researchers and Research Institutions	University of Botswana - Gender Policy and Programme Committee (GPPC) - Vice Chairperson and the Chair of the Sexual Harassment Committee	2
<b>TOTAL</b>		<b>21</b>



TABLE 3: EMPLOYEES BY MINISTRY AND GENDER

SEX			
	FEMALE	MALE	TOTAL
MINISTRY	STAFF	STAFF	STAFF
010-Parliament	60.0%	40.0%	100%
020-Ministry of State President	54.4%	45.6%	100%
030-Ministry of Finance and Development Planning	70.1%	29.9%	100%
040-Ministry of Labour and Home Affairs	62.6%	37.4%	100%
050-Ministry of Agriculture	37.4%	62.6%	100%
060-Ministry of Education	53.4%	46.6%	100%
070- Ministry of Trade and Industry	68.5%	31.5%	100%
080- Ministry of Local Government	50.9%	49.1%	100%
090- Ministry of Works and Transport	33.3%	66.7%	100%
100- Ministry of Minerals, Energy, & Water Resources	35.0%	65.0%	100%
110- Ministry of Health	65.1%	34.9%	100%
120-Adminstration of Justice	75.1%	24.9%	100%
130- Attorney General's Chambers	62.5%	37.5%	100%
140-Auditor General	67.6%	32.4%	100%
150- Ministry of Foreign Affairs & International Cooperation	61.3%	38.7%	100%
160-Independent Electoral Commission	52.2%	47.8%	100%
170-Office of the Ombudsman	70.4%	29.6%	100%
180- Ministry of Lands and Housing	53.9%	46.1%	100%



# ANNEX 1

190- Ministry of Comm, Science and Technology	75.0%	25.0%	100%
200- Ministry of Environment, Wildlife and Tourism	42.8%	57.2%	100%
210-Industrial Court	54.5%	45.5%	100%
220- Ministry of Youth, Sports and Culture	62.7%	37.3%	100%
230- Ministry of Infrastructure, Science and Technology	29.1%	70.9%	100%
240- Ministry of Transport & Communications	36.5%	63.5%	100%
250- Ministry of Defence, Justice and Security	20.5%	79.5%	100%
270-Specified Officers	33.3%	66.7%	
<b>Total</b>	<b>51.7%</b>	<b>48.3%</b>	<b>100%</b>

Source: Infinium HR, 21 February 2012.

**TABLE 4: EMPLOYEES BY JOB GRADE AND GENDER**

SEX			
	FEMALE	MALE	TOTAL
GRADE PREFIX	STAFF	STAFF	STAFF
A	57%	43.0	100%
B	40.8%	59.2	100%
C	57.3%	42.7	100%
D	49.8%	50.2	100%
E	39.9%	60.1	100%
F	38.2%	61.8	100%
L	55.8%	44.2	100%
<b>Total</b>	<b>51.7%</b>	<b>48.3%</b>	<b>100%</b>

Source: Infinium HR, 21/02/2012.



## ANNEX 2: ABBREVIATIONS AND ACRONYMS

BCSA	Botswana Civil Service Association	IEC	Independent Electoral Commission
BCW	Botswana Council on Women	ILO	International Labour Organization
BOCODOL	Botswana College of Distance and Open Learning	IPC	Individual Performance Contract
BOCONGO	Botswana Council of Non-Governmental Organizations	KIIs	Key Informant Interviews
BDC	Botswana Development Corporation	LEA	Local Enterprise Authority
BNPC	Botswana National Productivity Centre	MLG	Ministry of Local Government
BONELA	Botswana Network on Ethics Law and HIV/AIDS	MFDP	Ministry of Finance and Development Planning
BOPEU	Botswana Public Employees Union	NGO	Non-Governmental Organization
BR	Botswana Railways	NACA	National AIDS Coordinating Agency
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women	NC	National Consultant
CCE	Centre for Continuing Education	NGPF	National Gender Programme Framework
DCEC	Directorate on Corruption and Economic Crime	O and M	Organization and Methods
DPSM	Department of Public Service Management	PA	Public Administration
ECC&E	Early Childhood Care and Education	PAR	Public Administration Reforms
FLAME	Female Leadership and Management Excellence	PMS	Performance Management System
FGDs	Focus Group Discussions	SADC	South African Development Community
GAC	Gender Affairs Committee	UB	University of Botswana
GAD	Gender and Development	SAPs	Structural Adjustment Programs
GE	Gender Equality	UN	United Nations
GFPs	Gender Focal Points	UNAIDS	Joint United Nations Program on HIV and AIDS
GPPC	Gender Policy and Programme Committee	UNDP	United Nations Development Programme
		WAD	Women's Affairs Department
		WITS	Work Improvement Teams
		YWCA	Young Women Christian Association



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- Sec 8.4.3 of the General Orders
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- Sec 15.2 of the General Orders
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- Sec 15 of the Public Service Act
- Sec 17 of the Public Service Act
- Clause 2.1 of LEA's Revised Human Resource Policy Manual
- Clause 34.2.1 of LEA's Revised Human Resource Policy Manual

## **NEWSPAPER ARTICLES**

Sunday Standard (March 11-17, 2012) Botswana Continues to Embrace Female Leadership.

The Midweek Sun, page 3. Complainant in BR Sex Scandal Quits, Wednesday, February, 29<sup>th</sup>, 2012.

Mmegi Monitor, 16 May 2011 The Impact of the Strike on Ordinary Botswana.



### ANNEX 4: LIST OF KEY INFORMANTS INTERVIEWED

SADC:	Magdeline Mathiba-Madibela
UNDP:	Rebonyebatho Bonang Moaneng
UNAIDS:	Irene Maina
Friedrich Ebert Foundation:	Kealeboga Gaboeletswe
Ombudsperson Office:	Dorcas Matshediso Bokole
Women's Caucus for Politics:	Moggie Mbaakanyi
Botswana Public Employee Union (BOPEU):	Masego Mogwera
Department of Public Service Management (DPSM):	Kebonye Moepeng
	Monametsi C. Moncho-Bahudi
Women's Affairs Department (WAD):	Thapelo Phuthego
	Valencia K. D. Mogegeh
Emang Basadi:	Segametsi Modisaotsile
Ministry of Local Government (MLG):	Ofentse Tiriinyana Modisa
	Ruth Radibe
Ministry of Finance and Development Planning (MFDP):	Kgalalelo Senne
Local Enterprise Authority (LEA):	Gaafele Mochabo
University of Botswana (UB):	Elsie Alexander
	Godisang Mookodi
Botswana Network on Ethics Law and HIV AIDS (BONELA):	Felistus Motimedi
	Tekanyo Mooki
Botswana Council of Non-Governmental Organizations (BOCONGO):	Peggie Ramaphane





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