

Botswana

Selected Statistics and Indicators on Child Labor

Percent of children 5-14 estimated as working:	Unavailable
Minimum age for admission to work:	14 ⁵⁸³
Age to which education is compulsory:	Not compulsory ⁵⁸⁴
Free public education:	No ⁵⁸⁵
Gross primary enrollment rate in 2004:	105% ⁵⁸⁶
Net primary enrollment rate in 2004:	82% ⁵⁸⁷
Percent of children 5-14 attending school:	Unavailable
As of 2003, percent of primary school entrants likely to	91% ⁵⁸⁸
Ratified Convention 138:	6/5/1997 ⁵⁸⁹
Ratified Convention 182:	1/3/2000 ⁵⁹⁰
ILO-IPEC participating country:	Yes, associated ⁵⁹¹

Incidence and Nature of Child Labor

Children in Botswana are employed in agriculture, predominately subsistence farming, and family businesses.⁵⁹² In remote areas, young children also work as domestic servants.⁵⁹³ Anecdotal evidence suggests that some children are exploited in prostitution.⁵⁹⁴ In addition, there are unconfirmed reports that Botswana is a country of transit for children trafficked into South Africa.⁵⁹⁵

Child Labor Laws and Enforcement

The law sets the minimum age for basic employment at 14 years, and for hazardous work, at 18 years.⁵⁹⁶ Under the law, children not attending school who have attained the age of 14 may be employed by family members, or as approved by the Commissioner of Labor, in light work that

⁵⁸³ U.S. Embassy- Gaborone, *reporting*, December 5, 2006, Para. 2.

⁵⁸⁴ U.S. Department of State, "Botswana," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78720.htm>.

⁵⁸⁵ *Ibid.* See also U.S. Embassy- Gaborone, *reporting*, December 5, 2006, Para. 8.

⁵⁸⁶ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

⁵⁸⁷ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

⁵⁸⁸ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

⁵⁸⁹ ILO, *Ratifications by Country*, accessed September 25, 2006; available from <http://www.ilo.org/ilolex/english/docs/declAFpr.htm>.

⁵⁹⁰ *Ibid.*

⁵⁹¹ ILO-IPEC, *IPEC Action Against Child Labour-Highlights 2006*, Geneva, October 2006; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

⁵⁹² Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, Dawie Bosch and Associates, Pretoria, August 2003, 10.

⁵⁹³ U.S. Department of State, "Country Reports- 2006: Botswana," Sections 5 and 6d.

⁵⁹⁴ *Ibid.*, Section 5. See also U.S. Embassy- Gaborone official, E-mail communication to USDOL official, May 26, 2005.

⁵⁹⁵ U.S. Department of State, "Country Reports- 2006: Botswana," Section 5. See also ECPAT International CSEC Database, *Botswana*, accessed September 22, 2006; available from <http://www.ecpat.net>.

⁵⁹⁶ U.S. Embassy- Gaborone, *reporting*, December 5, 2006, Para. 2.

is not harmful to their health and development and for no more than 6 hours per day and 30 hours per week.⁵⁹⁷ Children, defined as those under 15 years, and young persons, defined as those between 15 and 17 years, may not be employed in underground work, night work, or any work that is harmful to their health and development.⁵⁹⁸ Children may not work more than 3 consecutive hours, and young persons more than 4 hours, in industrial undertakings without a rest period of 30 minutes, absent the express permission of the Commissioner of Labor.⁵⁹⁹

The law prohibits forced labor, although it does not specifically mention children.⁶⁰⁰ The law does not explicitly prohibit trafficking in persons, although separate statutes make kidnapping, slave trafficking, and procuring women and girls for prostitution illegal.⁶⁰¹ Child prostitution and pornography are criminal offenses, and “defilement” of persons less than 16 years is punishable by a 10-year minimum prison sentence.⁶⁰² The law specifically protects adopted children from being exploited for labor, and orphans from being coerced into prostitution.⁶⁰³ Military service is voluntary and the minimum age for enlisting in the armed forces is 18 years.⁶⁰⁴

The Ministry of Labor and Home Affairs is tasked with enforcing child labor laws.⁶⁰⁵ Although its resources for oversight of remote areas in the country were limited, the Ministry was, in general, effective.⁶⁰⁶ The law authorizes the Commissioner of Labor to terminate the unlawful employment of children.⁶⁰⁷ The child welfare divisions of the district and municipal councils are also responsible for enforcing child labor laws.⁶⁰⁸ The maximum penalty for illegally employing a child is imprisonment for up to 12 months, a fine, or a combination of both.⁶⁰⁹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Botswana is working with ILO-IPEC on a USDOL-funded regional child labor project in Southern Africa. Activities under this USD 5 million project in Botswana include research on the nature and incidence of exploitive child labor and efforts to build the

⁵⁹⁷ Government of Botswana, *Botswana Employment Act*, Para. 107; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm#p11>. See also U.S. Embassy-Gaborone, *reporting, December 5, 2006*, Para. 2.

⁵⁹⁸ Government of Botswana, *Botswana Employment Act*, Paras. 2, 108,109 and 110. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, 5.

⁵⁹⁹ Government of Botswana, *Botswana Employment Act*, Para. 111.

⁶⁰⁰ *Ibid.*, Part VI, Para. 71.

⁶⁰¹ U.S. Department of State, "Country Reports- 2006: Botswana," Section 5.

⁶⁰² *Ibid.* See also Interpol, *Legislation of Interpol Member States on Sexual Offences Against Children: Botswana*, [online] 2006 [cited September 25, 2006]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaBotswana.asp>.

⁶⁰³ U.S. Department of State, "Country Reports- 2006: Botswana," Section 6d.

⁶⁰⁴ Coalition to Stop the Use of Child Soldiers, "Botswana," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=759.

⁶⁰⁵ U.S. Embassy- Gaborone, *reporting, December 5, 2006*, Para. 4. See also U.S. Department of State, "Country Reports- 2006: Botswana," Section 6d.

⁶⁰⁶ U.S. Department of State, "Country Reports- 2006: Botswana," Section 6d.

⁶⁰⁷ Government of Botswana, *Botswana Employment Act*, Para. 110.

⁶⁰⁸ U.S. Embassy- Gaborone, *reporting, December 5, 2006*, Para. 4.

⁶⁰⁹ *Ibid.*, para 4.

capacity of the government to address child labor issues.⁶¹⁰ The American Institutes for Research, with the support of the Government of Botswana, is implementing another regional USDOL-funded project. This USD 9 million project has been designed to combat the worst forms of child labor through the provision of quality, accessible education for children working or at-risk of working.⁶¹¹ This project aims to prevent 1,625 children from engaging in exploitive labor in Botswana.⁶¹²

The government included a module on children's activities in its 2005/2006 national labor force survey. The preliminary results of the survey will help identify the extent and location of child labor in Botswana.⁶¹³

⁶¹⁰ ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva, September, 2003, 38-39.

⁶¹¹ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington, D.C., September 8, 2005, 1.

⁶¹² *Ibid.*, 20.

⁶¹³ U.S. Embassy- Gaborone, *reporting, December 5, 2006*, Para. 12. See also Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results*, Gaborone, November 2006, 6; available from <http://www.cso.gov.bw/>.