

In 2018, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government provided funding for education programs and supported school feeding programs. However, children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, forced labor in cattle herding, and forced domestic work, each sometimes as a result of human trafficking. Key gaps remain in the country's legal framework, including the lack of a minimum age for compulsory education and insufficient prohibitions for hazardous work. In addition, social programs do not always reach intended child labor victims, especially those engaged in cattle herding and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, forced labor in cattle herding, and forced domestic work, each sometimes the result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Botswana. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		102.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (6)

Data were unavailable from International Labor Organization's analysis, 2019. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming activities, including picking beans (2,3,5,8)
	Herding cattle (1-4)
Services	Street work, including vending (3)
	Domestic work (2-4)
Categorical Worst Forms of Child Labor‡	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (2-4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,8-10)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Reports indicate that children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking, and debt bondage. (2,9) In addition, children of San ethnic minority groups may be subjected to forced labor conditions on private farms and cattle posts. (1,2,9) Research was unable to determine the sectors, types of activities, and hazards that children encounter as child laborers.

In its 2017 and 2018 budget, the Government of Botswana allocated 17.2 percent of total government spending (\$672 million) to education. (8) Primary education is free, and poor families receive free meals, toiletries, and school uniforms through government-funded programs. (3)




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II. LEGAL FRAMEWORK FOR CHILD LABOR

Botswana has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Botswana's legal framework to adequately protect children from the worst forms of child labor, including the lack of a compulsory education age that is consistent with the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Articles 2 and 107 of the Employment Act (11)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 108 and 109 of the Employment Act (11)
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Articles 175 and 262 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (11-14)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (12-14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57-59 of the Children's Act (12)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (12)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defence Force Act (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 26 of the Children's Act (12)
Compulsory Education Age	No		
Free Public Education	Yes		Section 18 of the Children's Act (12,16)

* No conscription (15)

Under Botswana law, children working without a contract do not benefit from minimum age protections. Although the Employment Act allows children at age 14 to conduct light work activities, the government has yet to determine the types of light work activities permitted for children. (17) In addition, the Employment Act prohibits night work and hazardous underground work for children, but fails to prohibit other types of hazardous work, including work with dangerous machinery, equipment, and tools. (11) Although the government compiled a comprehensive list of hazardous occupations in 2013, the list has yet to be approved. (18)

Despite the provision of free primary education, there is not a compulsory education age consistent with the minimum age of employment. (19)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Employment, Labour Productivity and Skills Development (MELSD) and the Ministry of Defense, Justice, and Security (MDJS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labour Productivity and Skills Development	Enforces child labor laws and policies. Authorized by the Employment Act to conduct labor inspections. (3,11) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (3)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels. (3)
Botswana Police Service	Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (3)
Ministry of Defense, Justice, and Security (MDJS)	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (3)
Ministry of Local Government and Rural Development	Houses the Department of Social Protection, which identifies vulnerable children, including those in the worst forms of child labor, and reports cases to the police. Works with the judiciary to place vulnerable children in safe environments. (20)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Botswana took actions to combat child labor (Table 6). However, gaps exist within the operations of the MELSD that may hinder adequate labor law enforcement, including the lack of authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (8)	Unknown (3)
Number of Labor Inspectors	Unknown (8)	53 (3)
Inspectorate Authorized to Assess Penalties	No (8)	No (3)
Initial Training for New Labor Inspectors	Unknown (8)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown (8)	Unknown (3)
Refresher Courses Provided	Unknown (8)	Unknown (3)
Number of Labor Inspections Conducted	2,335 [†] (8)	2,113 [‡] (21)
Number Conducted at Worksite	Unknown (8)	Unknown (3)
Number of Child Labor Violations Found	Unknown (8)	0 [‡] (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	0 [‡] (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	0 [‡] (3)
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	Yes (8)	Yes (3)
Unannounced Inspections Permitted	Yes (8)	Yes (3)
Unannounced Inspections Conducted	Yes (8)	Yes (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

[†] Data are from April 1, 2017 to March 31, 2018.

[‡] Data are from April 1, 2018 to January 31, 2019.

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An NGO reported that two children were found in child labor in domestic work. (8) The MELSD recently received eight new vehicles to support inspection and enforcement capabilities. (10) However, the number of labor inspectors is likely insufficient for the size of Botswana's workforce, which includes approximately 1,177,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Botswana would employ roughly 78 labor inspectors. Labor inspectors are not authorized to inspect domestic households, therefore hindering identification of certain instances of underage child domestic labor. (3) The government did not provide information regarding the funding of its labor inspectorate, the training of its labor inspectorate, and the number of inspections conducted at worksites for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Botswana took actions to combat child labor (Table 7). However, gaps exist within the operations of the MDJS that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (8)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	Unknown (3)
Refresher Courses Provided	Unknown (8)	Unknown (3)
Number of Investigations	1 (8)	0 (3)
Number of Violations Found	Unknown (8)	0 (3)
Number of Prosecutions Initiated	1 (8)	0 (3)
Number of Convictions	0 (22)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (8)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (3)

Currently, the Botswana Police Service (BPS) and Department of Social Services coordinate to provide referral services for victims of human trafficking. During the reporting period, the IOM, in collaboration with ministry officials, developed a draft national referral mechanism for unaccompanied and separated children and stranded migrants, which will include referral procedures specific to human trafficking victims as part of the updated Human Trafficking National Action Plan. (10) In addition, the MELSD and BPS operate toll-free hotlines to report crimes, including child trafficking. (10)

The government did not provide information on its training for criminal investigators and penalties imposed for child labor violations for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Advisory Committee on Child Labor	Oversees child labor issues and reports to the government three to four times a year. Includes representatives from government agencies, various NGOs, worker federations, and employer organizations. (3) Research was unable to determine actions taken by the committee during the reporting period.
Human Trafficking (Prohibition) Committee	Created by the 2014 Anti-Human Trafficking Bill and led by the MDJS. (3) Establishes a reporting and referral mechanism for children subjected to human trafficking. Met and facilitated a desktop review of the Anti-Human Trafficking National Action Plan, which has yet to be launched. (3,20)

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
Child Labor Committees	Identify child laborers at the village level. Include social workers; school teachers; members of the Village Development Committees, which are local government structures; labor inspectors; and community leaders, including chiefs and priests. (3) Research was unable to determine actions taken by the committees during the reporting period.

The MDJS reported the need for technical support, training, and increased coordination among agencies to address human trafficking. It indicated that referral and rehabilitation services for human trafficking victims are also needed. (3,10,23)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor	Outlines the government's plan to address child labor through legislation and policy, and includes awareness-raising programs and training on child labor for relevant stakeholders and implementers. (3) Research has not been able to confirm status of implementation.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.

Child labor elimination and prevention strategies are not included in some national policies, including the Education and Training Sector Strategic Plan, Ministry of Local Government Development Plans, National Plan of Action for Orphans and Vulnerable Children, and Botswana National Youth Policy. (24,25) During the reporting period, the government committed \$94,200 to implement the Anti-Human Trafficking National Action Plan, approved in 2017, but has yet to launch the policy. (3,10,20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-Funded Programs to Combat Child Labor†	NGO-run shelters, with financial support from the government, that cater to human trafficking victims, including children. (3) The National School Feeding Program focuses on providing meals to children (grades one through seven) in all public primary schools in the country. The Remote Area Dweller Program provides a second meal to school children living in remote areas and children from marginalized communities. (3,26) The Orphan Care Program provides orphans with meals and subsidizes the cost of school fees and transportation costs. (3) Poor families receive free meals, toiletries, and school uniforms through the Needy Children and Needy Students program managed by Ministry of Local Government and Rural Development. (3) Programs were active in 2018.

† Program is funded by the Government of Botswana.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (27)

Although Botswana has programs that target child labor, the design and implementation of these programs are insufficient to fully address the scope of the problem, especially in commercial sexual exploitation, cattle herding, and domestic work.

There are no official government-run shelters to assist child victims of human trafficking. The government authorized and partially funds NGO-run shelters, but the government does not provide its own services. (3,10)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Botswana (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish light work provisions specific enough to prevent children's involvement in child labor.	2016 – 2018
	Prohibit hazardous work for children younger than age 18 in all relevant sectors, including in agriculture.	2009 – 2018
	Ensure that the law's minimum age protections apply to children working without a contract.	2010 – 2018
	Determine a compulsory education age consistent with the minimum age of employment.	2010 – 2018
Enforcement	Authorize labor inspectors to assess penalties for labor violations.	2016 – 2018
	Publish information about the labor inspectorate's funding, number of labor inspections conducted at worksites, and training for labor inspectors on child labor issues.	2016 – 2018
	Publish information about the number of investigations, prosecutions, and convictions involving the worst forms of child labor.	2017 – 2018
	Ensure that labor inspectors are authorized to inspect domestic households.	2018
Coordination	Ensure that the Advisory Committee on Child Labor and Child Labor Committees are providing effective coordination between government agencies.	2018
	Ensure that the Ministry of Defense, Justice, and Security receives sufficient training and that there is increased coordination among agencies to address victims of human trafficking.	2017 – 2018
	Ensure that the Ministry of Defense, Justice, and Security provides rehabilitation services for human trafficking victims.	2018
Government Policies	Implement the Anti-Human Trafficking National Action Plan.	2018
	Integrate child labor elimination and prevention strategies into relevant policies, such as the Education and Training Sector Strategic Plan, Ministry of Local Government Development Plans, National Plan of Action for Orphans and Vulnerable Children, Botswana National Youth Policy, and National Action Plan for Youth.	2011 – 2018
	Implement key child labor elimination policies, such as the National Action Plan on the Elimination of the Worst Forms of Child Labor.	2017 – 2018
Social Programs	Collect and publish child labor data on the sectors in which children work, the types of child labor activities, and the hazards child laborers encounter, to inform policies and programs.	2013 – 2018
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2018
	Establish official government-run shelters to assist child victims.	2018

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