

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

The Government of Botswana has been implementing a 10-year National Program of Action for Children since 1997 that incorporates the 7 major global goals identified at the 1990 UN Summit for children.⁵⁴² The government is working with NGO's, community-based organizations, and the private sector on a National Orphan Programme tasked with policy development, capacity building, and coordinating inter-institutional activities, as well as developing a comprehensive National Orphan Policy based on the Convention on the Rights of the Child.⁵⁴³ In September 2003, USDOL funded a USD 5 million regional project in Southern Africa, which includes Botswana, aimed at combating child labor.⁵⁴⁴

In 2000, the Government of Botswana signed a USD 4.5 million funding agreement with UNICEF to improve the situation of children in the country. The money is being used to serve children who are pregnant and children in remote areas by providing more learning facilities.⁵⁴⁵ Additionally, UNICEF implements a girls' education program in Botswana aimed at improving the primary school curriculum, supporting the formulation of an early childhood care and education policy, developing pregnancy prevention policies and programs, and improving the environment at boarding schools where boys and girls enrollment is low.⁵⁴⁶

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 13.95 percent of children ages 10 to 14 years in Botswana were working.⁵⁴⁷ In urban areas, increasing numbers of street children, many of them HIV/AIDS orphans, allegedly engage in begging and prostitution.⁵⁴⁸ Child prostitution is also reported to occur on the border road between South Africa and Botswana and in tourist areas.⁵⁴⁹ In remote areas, young children reportedly work as cattle tenders, domestic servants and babysitters.⁵⁵⁰

Primary education is free for seven years, but it is not compulsory.⁵⁵¹ In 2000, the gross primary enrollment rate was 108.3 percent, and the net primary enrollment rate was 84.3 percent. Total net and gross enrollment rates for girls and boys are relatively equal. In 1999, 86.8 percent of children enrolled in primary school reached grade 5.⁵⁵² Primary school attendance rates are unavailable for Botswana. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.⁵⁵³

⁵⁴² U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Botswana*, Washington, D.C., March 31, 2003, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8265.htm>.

⁵⁴³ UNICEF, *Children Orphaned by AIDS: Front Line responses from eastern and southern Africa*, New York, 1999, 8, 9; available from <http://www.unaids.org/publications/documents/children/young/orphrepteng.pdf>.

⁵⁴⁴ ILO-IPEC, *Supporting the Time-Bound 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.

⁵⁴⁵ Panafrikan News Agency, "UNICEF Signs Child Protection Agreement With Botswana", [online], November 3, 2000 [cited June 13, 2003]; available from <http://allafrica.com/stories/200011030023.html> [hard copy on file]. For currency conversion see FX Converter, *Currency Converter*, [online] [cited September 30, 2003]; available from <http://www.oanda.com/classic>.

⁵⁴⁶ UNICEF, *Girls' Education in Botswana*, [online] [cited June 13, 2003]; available from <http://216.239.37.104/search?q=cache:ap1N3NnpGfEJ:www.unicef.org/girlseducation/Botswanafinal.PDF+Girls+education+in+Botswana&hl=en&ie=UTF-8>.

⁵⁴⁷ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

⁵⁴⁸ U.S. Department of State, *Country Reports- 2002: Botswana*, Section 5.

⁵⁴⁹ ECPAT International, *Botswana*, [online] 2003 [cited June 12, 2003]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

⁵⁵⁰ U.S. Department of State, *Country Reports- 2002: Botswana*, Section 6d.

⁵⁵¹ *Ibid.*, Section 5. See also U.S. Embassy- Gaborone, *unclassified telegram no. 3277*, September 2001.

⁵⁵² In 1998, the net primary enrollment rate for boys was 82.5 percent and 86 percent for girls. The gross primary enrollment rate for boys was 108 percent for both boys and girls. World Bank, *World Development Indicators 2003*.

⁵⁵³ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

Child Labor Laws and Enforcement

The minimum age for basic employment for children is 14 years, and 18 years for hazardous work.⁵⁵⁴ However, family members may employ children under the age of 14 in family businesses.⁵⁵⁵ The law protects adopted children from being exploited as cheap labor or coerced into prostitution.⁵⁵⁶ The government does not prohibit forced or compulsory labor of children, although there are no reports that such practices occur.⁵⁵⁷ Child prostitution and pornography are criminal offenses and punishable by a 10-year minimum sentence for “defilement” of persons under 16.⁵⁵⁸

The Child Welfare and Juvenile Services Division at the Ministry of Local Government is the government agency that oversees the protection and welfare of children.⁵⁵⁹ The Employment Act authorizes the Commissioner of Labor to investigate cases of child labor and to terminate unlawful employment of a child.⁵⁶⁰ Child labor laws are enforced by the child welfare divisions of the district and municipal councils.⁵⁶¹ The highest penalty for unlawful child employment is imprisonment up to 12 months, a fine of 1500 Pula (USD 322), or a combination of both.⁵⁶²

The Government of Botswana ratified ILO Convention 138 on June 5, 1997, and ILO Convention 182 on January 3, 2000.⁵⁶³

⁵⁵⁴ U.S. Embassy- Gaborone, *unclassified telegram no. 3277*.

⁵⁵⁵ U.S. Department of State, *Country Reports- 2002: Botswana*, Section 6d.

⁵⁵⁶ *Ibid.*

⁵⁵⁷ *Ibid.*, Section 6c.

⁵⁵⁸ *Ibid.*, Section 5. See also Interpol, *Legislation of Interpol member states on sexual offences against children: Botswana*, [database online] 2003 [cited June 13, 2003]; available from <http://www.interpol.com/Public/Children/SexualAbuse/NationalLaws/csaBotswana.asp>.

⁵⁵⁹ Government of Botswana, *Ministry of Local Government*, [online] 2003 [cited June 12, 2003]; available from http://www.gov.bw/government/ministry_of_local_government.html.

⁵⁶⁰ U.S. Embassy- Gaborone, *unclassified telegram no. 3277*.

⁵⁶¹ U.S. Department of State, *Country Reports- 2002: Botswana*, Section 6d.

⁵⁶² U.S. Embassy- Gaborone, *unclassified telegram no. 3277*. For currency conversion see FX Converter, *Currency Converter*.

⁵⁶³ ILO, *Ratifications by Country: Botswana*, ILOLEX, [online] 2003 [cited June 13, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.