

Botswana

<i>Selected Statistics and Indicators on Child Labor⁴³⁵</i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	Not compulsory
Free public education:	No
Gross primary enrollment rate (%), 2005:	108
Net primary enrollment rate (%), 2005:	86
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2003:	90
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

Children in Botswana work in agriculture, predominately in subsistence farming, in family businesses in the retail sector, and in the informal sector as street vendors and car washers.⁴³⁶ In remote areas, young children also work as domestic servants.⁴³⁷ Reports indicate that some children are exploited into prostitution, particularly along transit routes to South Africa.⁴³⁸ In addition, there are unconfirmed reports that Botswana is a country of transit for East African children trafficked into South Africa.⁴³⁹

Child Labor Laws and Enforcement

The law sets the minimum age for basic employment at 14 years and for hazardous work at 18 years.⁴⁴⁰ 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 is not harmful to their health and development for no more than 6 hours per day and 30 hours per week.⁴⁴¹ 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.⁴⁴² Children may not work more than 3 consecutive hours, and young persons no more than 4 hours, in industrial undertakings without a rest period of 30 minutes, absent the express permission of the Commissioner of Labor. The maximum penalty for illegally employing a child is imprisonment for up to 12 months and/or a fine.⁴⁴³

The law prohibits forced labor.⁴⁴⁴ The law does not explicitly prohibit trafficking in persons, although separate statutes make kidnapping, slave trafficking, and procuring women and girls for prostitution illegal.⁴⁴⁵ USDOS reports that law enforcement and immigration officials receive regular training on anti-trafficking methods.⁴⁴⁶ Child prostitution and pornography are criminal offenses, and “defilement” of persons less than 16 years is punishable by a 10-year minimum prison sentence.⁴⁴⁷ The law specifically protects adopted children from being exploited for labor, and orphans from being coerced into prostitution.⁴⁴⁸ Military service is voluntary and the minimum age for enlisting in the Armed Forces is 18 years.⁴⁴⁹

The Ministry of Labor and Home Affairs is tasked with enforcing child labor laws and the law authorizes the Commissioner of Labor to terminate the unlawful employment of children.⁴⁵⁰ According to USDOS, although its resources for oversight of remote areas in the country were limited, in general, the Ministry was effective.⁴⁵¹ The child welfare divisions of the district and municipal councils are also responsible for enforcing child labor laws.⁴⁵² The Government has also established an Advisory Committee on Child Labor comprised of NGOs, government agencies, and worker and employer organizations to provide oversight on child labor issues.⁴⁵³

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

During the reporting period, the Government collaborated with local organizations to raise public awareness of child labor and child trafficking issues through workshops and conferences.⁴⁵⁴ The Government of Botswana is participating in a USD 5 million USDOL-funded regional child labor project in Southern Africa implemented by ILO-IPEC. Activities under this project in Botswana include research on the nature and incidence of exploitive child labor and efforts to build the capacity of the Government to address child labor issues.⁴⁵⁵ The American Institutes for Research, with the support of the Government of Botswana, are implementing another regional USDOL-funded project. This USD 9 million project aims to improve the quality and access to education for children who are working in, or are at risk of working in, the worst forms of child labor.⁴⁵⁶ Over its lifetime, the project intends to prevent 10,000 children in five countries, including Botswana, from engaging in exploitive labor.⁴⁵⁷

The government included a module on children's activities in its 2005/2006 National Labor Force Survey. The preliminary results of the survey, released in 2007, have helped identify the extent and location of child labor in Botswana.⁴⁵⁸

⁴⁵⁵ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Botswana, *Employment Act*, 29, (1982), article 107; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm>. See also U.S. Department of State, "Botswana," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100467.htm>. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 8.

⁴⁵⁶ Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results*, Gaborone, November 2006; available from http://www.cso.gov.bw/html/labour/Stats_brief%20Nov%2030%202006.pdf. See also Eva Procek, *Discussion Document on Child Labor in Botswana*, Botswana Ministry

of Labor and Social Security, International Labor Organization (ILO) and Programme Towards the Elimination of the Worst Forms of Child Labor (TECL), October 2006, section 8. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, Dawie Bosch and Associates, Pretoria, August 2003, chapter 4.

⁴⁵⁷ U.S. Embassy- Gaborone, *reporting*, December 5, 2006, para 13.

⁴⁵⁸ Procek, *Discussion Document on Child Labor in Botswana*, section 3. See also Iwani Mothobi-Tapela, *A Rapid Assessment of Commercial Sexual Exploitation of Children in Botswana*, Botswana Ministry of Labor and Social Security, International Labor Organization (ILO) and Programme Towards the Elimination of the Worst forms of Child Labor (TECL), July 2007, 39. See also U.S. Department of State, "Country Reports- 2007: Botswana," section 5.

⁴³⁹ U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also ECPAT International CSEC Database, *Botswana*, accessed November 20, 2007; available from <http://www.ecpat.net>.

⁴⁴⁰ Government of Botswana, *Employment Act*, article 107. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 2.

⁴⁴¹ Government of Botswana, *Employment Act*, article 107. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 2.

⁴⁴² Government of Botswana, *Employment Act*, articles 108-109. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, 12. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 2.

⁴⁴³ Government of Botswana, *Employment Act*, articles 111, 172. See also U.S. Embassy- Gaborone, *reporting*, December 5, 2006, para 2, 4.

⁴⁴⁴ Government of Botswana, *Employment Act*, article 71. See also U.S. Embassy- Gaborone, *reporting*, November 29, 2007, para 3.

⁴⁴⁵ U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also Government of Botswana, *Children's Act*, 5, (1981), chapter IV; available from <http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter28/Chpt28-04%20Children%27s.pdf>.

⁴⁴⁶ U.S. Embassy- Gaborone, *reporting*, February 26, 2008, para 29i.

⁴⁴⁷ U.S. Department of State, "Country Reports- 2007: Botswana," section 5. See also Government of Botswana, "Botswana," in *Legislation of Interpol Member States on Sexual Offences Against Children*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaBotswana.asp>.

⁴⁴⁸ U.S. Department of State, "Country Reports- 2007: Botswana," section 6d. See also U.S. Embassy-Gaborone, *reporting*, November 29, 2007, para 5.

⁴⁴⁹ Government of Botswana, *Botswana Defence Force*, 23,

(1977), article 17; available from <http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter21/Chpt21-05%20Botswana%20Defence%20Force.pdf>.

⁴⁵⁰ U.S. Embassy- Gaborone, reporting, November 29, 2007, para 4. See also U.S. Department of State, "Country Reports- 2007: Botswana," section 6d. See also Government of Botswana, *Employment Act*, article 113.

⁴⁵¹ U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

⁴⁵² Ibid. See also U.S. Embassy- Gaborone, reporting, November 29, 2007, para 4.

⁴⁵³ U.S. Department of State, "Country Reports- 2007: Botswana," section 6d.

⁴⁵⁴ Ibid. See also U.S. Embassy- Gaborone, reporting,

February 26, 2008.

⁴⁵⁵ 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.

⁴⁵⁶ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington, DC, September 8, 2005, 17-18.

⁴⁵⁷ Ibid., 19.

⁴⁵⁸ U.S. Embassy- Gaborone, reporting, November 29, 2007, para 13. See also Government of Botswana, *Preliminary 2005/2006 Labour Force Survey Results*.

Brazil

Selected Statistics and Indicators on Child Labor⁴⁵⁹

Working children, 5-14 years (%), 2004:	5.2
Working boys, 5-14 years (%), 2004:	7
Working girls, 5-14 years (%), 2004:	3.3
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	57.8
- Manufacturing	7.2
- Services	33.7
- Other	1.4
Minimum age for admission to work:	16
Age to which education is compulsory:	14
Free public education:	Yes
Gross primary enrollment rate (%), 2004:	140
Net primary enrollment rate (%), 2004:	95
School attendance, children 5-14 years (%), 2004:	93.9
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

The rate of child work is higher in northeastern Brazil than in any other region, and it is equally common in rural and urban areas throughout the

country.⁴⁶⁰ More minors of African descent are working than of any other race or ethnicity.⁴⁶¹ Ninety percent of working children work in the informal sector. From that population, 20 percent of the 10 to 14 year old girls perform third-party domestic work for which they are paid half the minimum wage for more than 40 hours per week.⁴⁶² Children work in approximately 116 activities, including mining, fishing, raising livestock, producing charcoal and footwear, and harvesting corn, manioc, sugarcane, sisal, and other crops in rural areas. In urban areas, common activities for working children include shining shoes, street peddling, begging, and working in restaurants, construction, and transportation.⁴⁶³ In the Amazon region, children are victims of CSEC in mining settlement brothels.

Children work with their parents in forced labor activities such as charcoal production. Girls are trafficked overseas for commercial sexual exploitation, using fake personal identification documents. Boys are trafficked internally as slave laborers.⁴⁶⁴ Child sex tourism is a serious problem in 26 percent of the tourist destinations in the northern coast of Brazil, with children being sexually exploited by foreign pedophiles mostly from Europe and North America.⁴⁶⁵ Child sex tourism often involves a ring of travel agents, hotel workers, taxi drivers, and traffickers.⁴⁶⁶