

Protection of Victims and Witnesses of Human Trafficking who are citizens of Bosnia and Herzegovina, [online] [cited December 22, 2008]; available from <http://www.anti-trafficking.gov.ba/?otvori=vijest&id=29&lang=eng>.

⁴³⁸ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, *First Report Under Article 12, Paragraph 1 of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography*, May 2008, 12; available from www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPSC.BIH.1.doc.

⁴³⁹ U.S. Embassy- Sarajevo, *reporting, March 3, 2008, 2c*.

⁴⁴⁰ U.S. Department of State, "Country Reports- 2008: Bosnia and Herzegovina."

⁴⁴¹ Commission of the European Committees, *Bosnia and Herzegovina 2008 Progress Report*, Brussels, May 11,

2008, 58; available from http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/bosnia_herzegovina_progress_report_en.pdf. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Bosnia and Herzegovina," 75. See also Ministry of Human Rights and Refugees of Bosnia and Herzegovina, *Ministry of Human Rights and Refugees Report on CRCPSC*, 12.

⁴⁴² U.S. Embassy- Sarajevo, *reporting, March 3, 2008*, section 5f.

⁴⁴³ *Ibid.*, sections 3g and 4i. See also U.S. Department of State, "Country Reports- 2008: Bosnia and Herzegovina," section 5.

⁴⁴⁴ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 19, 2008.

Botswana

*Selected Statistics and Indicators on Child Labor*⁴⁴⁵

Population, children, 5-14 years:	-
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:	15
Free public education:	No
Gross primary enrollment rate (%), 2005:	107.0
Net primary enrollment rate (%), 2005:	84.0
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2004:	83.0
ILO Convention 138:	6/5/1997
ILO Convention 182:	1/3/2000
CRC:	3/4/1995*
CRCOPAC:	10/4/2004
CRCOPSC:	9/24/2003*
Palermo:	8/29/2002
ILO-IPEC participating country:	Yes

*Accession

Incidence and Nature of Child Labor

Children in Botswana work in agriculture, predominately in subsistence farming, and as street vendors, car washers, and scrap metal collectors.⁴⁴⁶ Children also work in domestic service, the performing arts, and family businesses.⁴⁴⁷ Boys and girls tend to engage in different types of work. Boys herd cattle and other livestock, and girls are employed in restaurants, nightclubs, and grocery stores.⁴⁴⁸ Reports indicate that some children are exploited in prostitution, particularly in bus and railway stations, truck stops, and near hotels.⁴⁴⁹ In addition, there are unconfirmed reports that Botswana is a country of transit for East African children trafficked into South Africa.⁴⁵⁰ Some children are also employed in liquor stores.⁴⁵¹

Child Labor Laws and Enforcement

The law sets the minimum age for basic employment at 14 years and for hazardous work at 18 years.⁴⁵² Under the law, children not attending school who have reached 14 years 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.⁴⁵³ Children, defined as those under 15

years, may not work more than 3 consecutive hours, and young persons, defined as those between 15 and 17 years, may not work more than 4 hours in industrial undertakings without a rest period of 30 minutes, absent the express permission of the Commissioner of Labor. Children and young persons may not be employed in underground work, night work, or any work that is harmful to their health and development.⁴⁵⁴ The maximum penalty for illegally employing a child is imprisonment for up to 12 months and/or a fine.⁴⁵⁵

The law prohibits forced labor.⁴⁵⁶ The law does not explicitly prohibit trafficking in persons. Separate statutes, however, that make kidnapping, slave trading, and procuring children for prostitution illegal could be used to prosecute trafficking cases.⁴⁵⁷ Child pornography is a criminal offense under the law. Sex with a child under the age of 16 is punishable by a 10-year minimum prison sentence.⁴⁵⁸ The law specifically protects adopted children from being exploited for labor and orphans from being coerced into prostitution.⁴⁵⁹ The law states that military service is voluntary and that potential recruits must appear to be 18 before they can enlist in the armed forces.⁴⁶⁰

The Ministry of Labor and Home Affairs, as well as the child welfare divisions of the district and municipal councils, are responsible for enforcing child labor laws. The Commissioner of Labor is also authorized to eliminate the employment of children.⁴⁶¹ According to USDOS, law enforcement and immigration officials receive regular training in anti-trafficking methods.⁴⁶² In 2008, there were no reports of prosecutions, convictions, or fines for exploitive child labor.⁴⁶³

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

In 2008, the Government of Botswana collaborated with local organizations to raise public awareness of child labor issues and hosted conferences on human trafficking issues.⁴⁶⁴ The Government participated in a regional project funded by USDOL and implemented by the American Institutes for Research. This 4-year, USD 9 million project aimed 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 in five countries, including Botswana.⁴⁶⁵ Over its lifetime, the project withdrew 2,388 children and prevented 8,739 children in five countries, including Botswana, from engaging in exploitive labor.⁴⁶⁶ The Government also participated in another regional project funded by USDOL and implemented by ILO-IPEC. This 4-year USD 5 million project drafted national child labor plans of action and conducted targeted research on the worst forms of child labor in five countries, including Botswana.⁴⁶⁷ The Government of Botswana is participating in a USD 4.75 million regional project funded by USDOL and implemented by ILO-IPEC to support the implementation of national child labor plans in three countries, including Botswana. Over 4 years, this project aims to withdraw 2,800 children and prevent 5,600 children in three countries, including Botswana, from engaging in exploitive labor.⁴⁶⁸

During 2008, the Government released the results of a module on children's activities in its 2005/2006 National Labor Force Survey, which helped identify the extent and location of child labor in Botswana.⁴⁶⁹ As of this writing, data were not available to UCW for analysis for use in this report. For information on data used in this report, please see the data sources and definitions section.

⁴⁴⁵ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Botswana, *Employment Act*, (1982), article 107; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/842/64792/E82BWA01.htm>. For age to which education is compulsory, see UNICEF, *Education Statistics: Botswana*, May 2008, 3; available from http://www.childinfo.org/files/ESAR_Botswana.pdf. For free public education, see U.S. Department of State, "Botswana," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100467.htm>. See also U.S. Embassy- Gaborone, *reporting*, January 20, 2009, para 8.

⁴⁴⁶ Government of Botswana, *2005/2006 Labour Force Report*, Gaborone, February 2008, section 7.3; available from http://www.cso.gov.bw/labour_stats_table1-5/LFS_Report_Feb_20_2008.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 6.

⁴⁴⁷ Procek, *Discussion Document on Child Labor in Botswana*, section 6. See also Duma G. Boko, *Scoping Study on Child Labour in Botswana*, Dawie Bosch and Associates, Pretoria, August 2003, sections 4.2.3-4.2.4.

⁴⁴⁸ Procek, *Discussion Document on Child Labor in Botswana*, section 5. See also Tawanda Runhare and Rosemary Gordon, *The Comprehensive Review of Gender Issues in the Education Sector*, UNICEF, November 2004, 27; available from http://www.unicef.org/evaldatabase/files/Gender_Review_REPORT_final.pdf.

⁴⁴⁹ 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, 38 and 39.

⁴⁵⁰ U.S. Department of State, "Country Reports- 2008: Botswana," section 5.

⁴⁵¹ Procek, *Discussion Document on Child Labor in Botswana*, sections 4.2.3-4.2.4.

⁴⁵² Government of Botswana, *Employment Act*, articles 2, 107(2)-107(4), 110(1). See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 2.

⁴⁵³ Government of Botswana, *Employment Act*, article 107(2). See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 2.

⁴⁵⁴ Government of Botswana, *Employment Act*, articles 108-109. See also Duma Gideon Boko, *Scoping Study on Child Labour in Botswana*, Dawie Bosch and Associates, Pretoria, August 2003, 12. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 2.

⁴⁵⁵ Government of Botswana, *Employment Act*, articles 111 and 172. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, paras 2 and 4.

⁴⁵⁶ Government of Botswana, *Employment Act*, articles 2 and 71. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 3.

⁴⁵⁷ U.S. Department of State, "Botswana," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105660.pdf>. See also Government of Botswana, *Children's Act*, 5, (1981), chapter IV (12); available from

<http://www.laws.gov.bw/Docs/Principal/Volume3/Chapter28/Chpt28-04%20Children%27s.pdf>.

⁴⁵⁸ U.S. Department of State, "Country Reports- 2008: 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>.

⁴⁵⁹ U.S. Department of State, "Country Reports- 2008: Botswana," section 6d. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 5.

⁴⁶⁰ 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>. See also Coalition to Stop the Use of Child Soldiers, "Botswana," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=28>.

⁴⁶¹ U.S. Department of State, "Country Reports- 2008: Botswana," section 6d. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 4. See also Government of Botswana, *Employment Act*, articles 110(2) and 113.

⁴⁶² U.S. Department of State, "Trafficking in Persons Report- 2008: Botswana ". See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 4.

⁴⁶³ U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 4. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Botswana ".

⁴⁶⁴ U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 7. See also U.S. Department of State, "Country Reports- 2008: Botswana," sections 5 and 6d.

⁴⁶⁵ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, Project Document, Washington, DC, September 8, 2005, 1, 31-33.

⁴⁶⁶ American Institutes for Research, *Reducing Exploitive Child Labor in Southern Africa (RECLISA)*, Final Technical Progress Report, Washington, December 8, 2008, 20.

⁴⁶⁷ ILO-IPEC, *Towards the Elimination of the Worst Forms of Child Labor (TECL)*, Project Document, Geneva, September 15, 2003, 1. See also ILO-IPEC, *Towards the Elimination of the Worst Forms of Child Labor (TECL)*, Final Technical Progress Report, Geneva, September, 2008, 1-4.

⁴⁶⁸ ILO-IPEC, *Towards the Elimination of the Worst Forms of Child Labor (TECL)*, Phase II, Project Document, Geneva, September 25, 2008, 1, 3, 84.

⁴⁶⁹ Government of Botswana, *2005/2006 Labour Force Report*, i. See also U.S. Embassy- Gaborone, *reporting, January 20, 2009*, para 13.