

In 2019, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government conducted trainings related to countering trafficking in persons and exploitation of children. However, children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, cattle herding, and 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, cattle herding, and domestic work, each sometimes as a 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 (%)		100.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2020. (6)  
Data were unavailable from International Labor Organization's analysis, 2020. (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	Herding cattle (1,3,5,8)
Services	Street work, including vending (8)
	Domestic work (3,5,8)
Categorical Worst Forms of Child Labor‡	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (3,5)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,9-12)

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

There is little published information regarding the sectors and types of activities in which children are working. Children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking, and debt bondage. (5,11) Reports indicate that some children residing in the Dukwi Refugee Camp are engaged in commercial sexual exploitation as they await decisions regarding their refugee status. (8) Some parents in poor rural communities send their children to work as domestic servants in cities, or at farms or cattle posts, increasing their vulnerability to forced labor. (5,11) In addition, children of San ethnic minority groups are subjected to forced labor conditions on private farms and cattle posts. (1,5,11)

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Botswana law provides for free basic education; however, the costs of books, uniforms, and other materials are prohibitive for poorer families. (13) School enrollment requires an identity document, such as a birth certificate or national identity card. The government allows all children to enroll in primary education, even without these documents; however, migrant children and children born outside of health care facilities, or whose parents did not register them at birth, may not be able to enroll in secondary schools or register for national exams. (14) Schools also often lack adequate resources for students with disabilities. (8) Moreover, pervasive physical and sexual abuse within schools, including by teachers, contribute to children leaving education early and becoming vulnerable to the worst forms of child labor. (8,15)

## 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	Yes	15	Articles 2 and 107 of the Employment Act (16)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 108 and 109 of the Employment Act (16)
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 9–10 of the Anti-Human Trafficking Act (16-19)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9–10 of the Anti-Human Trafficking Act (17-19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57–59 of the Children's Act (17)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defence Force Act (20)
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 (17)
Compulsory Education Age	No		

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Section 18 of the Children's Act (17,21)

\* No conscription (20)

Although the Employment Act allows children to conduct light work activities at age 14, the government has yet to determine the types of light work activities permitted for children. (13) In addition, the Employment Act prohibits night work and hazardous underground work for children, but it does not prohibit other types of hazardous work, including work with dangerous machinery, equipment, and tools. (16,22) Although the government compiled a comprehensive list of hazardous occupations, the list has yet to be approved. (23)

Despite the provision of free basic education, there is not a compulsory education age, which may increase children's vulnerability to child labor. (22,24)

### 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 child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Labour Productivity and Skills Development (MELSD)	Enforces child labor laws and conducts inspections under the Employment Act. (2,16) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (2)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels. (2)
Botswana Police Service (BPS)	Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (2)
Ministry of Defense, Justice, and Security (MDJS)	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (2)
Ministry of Local Government and Rural Development	Identifies vulnerable children, including those in the worst forms of child labor, and reports cases to the police through its Department of Social Protection. (25) Responds to child labor cases on referral from MELSD or the police. (8) Works with the judiciary to place vulnerable children in safe environments. (25)

#### Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	Unknown (2)	Unknown (8)
Number of Labor Inspectors	53 (2)	Unknown (8)
Inspectorate Authorized to Assess Penalties	No (2)	No (2)
Initial Training for New Labor Inspectors	Unknown (2)	Unknown (8)
Training on New Laws Related to Child Labor	Unknown (2)	Unknown (8)
Refresher Courses Provided	Unknown (2)	Unknown (8)
Number of Labor Inspections Conducted	2,113† (26)	Unknown (8)

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2018	2019
Number Conducted at Worksite	Unknown (2)	Unknown (8)
Number of Child Labor Violations Found	0† (2)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0† (2)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0† (2)	0 (8)
Routine Inspections Conducted	Yes (2)	Yes (8)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (2)	Yes (8)
Unannounced Inspections Conducted	Yes (2)	Yes (8)
Complaint Mechanism Exists	Yes (2)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (8)

† Data are from April 1, 2018 to January 31, 2019.

The number of labor inspectors is likely insufficient for the size of Botswana's workforce, which includes approximately 1,177,000 workers. (8) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Botswana would employ about 78 labor inspectors. Labor inspectors are not authorized to inspect domestic households and landowners often deny them access to families working on large farms, which hinders the inspectors' ability to identify underage workers. (2,8) The labor inspectorate, moreover, has not conducted labor inspections in the Ghanzi District, where there are a significant number of farms and cattle posts, since 2014. (8)

The government did not provide information on the funding of its labor inspectorate, the number of labor inspectors, trainings, or the number of labor inspections conducted, including inspections conducted at worksites, for inclusion in this report. (8)

### **Criminal Law Enforcement**

In 2019, 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 investigation planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Yes (8)
Refresher Courses Provided	Unknown (2)	Yes (8)
Number of Investigations	0 (2)	Unknown (8)
Number of Violations Found	0 (2)	0 (8)
Number of Prosecutions Initiated	0 (2)	0 (8)
Number of Convictions	0 (2)	0 (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (2)	0 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

The MELSD and the Botswana Police Service operate toll-free hotlines to report offenses, including child exploitation, but research could not find information about the number of calls related to the worst forms of child labor. (8,12)

The MDJS implemented a tool kit related to trafficking in persons, which was used for training more than 1,000 individuals on countering child exploitation. (8) In addition, the U.S. International Law Enforcement Academy provided training on human trafficking and child exploitation to nine Botswana police and immigration officers. (27)

#### 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. (2) Led by MELSD, with participation from the Ministry of Local Government, Ministry of Finance, and the Office of the President. (14) Research was unable to determine actions taken by the committee during the reporting period. (8)
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. (2) Research was unable to determine actions taken by the committees during the reporting period. (8)
Human Trafficking (Prohibition) Committee	Provides an inter-ministerial reporting and referral mechanism for children subjected to human trafficking. (14) Led by MDJS, with representation from MELSD, BPS, the Directorate of Public Prosecutions, and ministries responsible for gender affairs, social protection, immigration, and transportation. (2,27) In 2019, the Human Trafficking (Prohibition) Committee oversaw the implementation of the Anti-Human Trafficking National Action Plan, including aligning the plan with other national programs and policies. (14)

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 victims of human trafficking are also needed. (2,12,28)

#### 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. (2) Research could not determine whether activities were undertaken to implement the National Action Plan on the Elimination of the Worst Forms of Child Labor during the reporting period. (8)
Anti-Human Trafficking National Action Plan (2017–2020)	Outlines the government's plan to implement the Anti-Human Trafficking Act of 2015. Establishes goals to strengthen national coordination mechanisms to combat and prevent human trafficking, through public awareness and cooperation among government departments and civil society. (29) During the reporting period, the Human Trafficking (Prohibition) Committee worked to align the Anti-Human Trafficking National Action Plan with other national policies. (14)

Child labor elimination and prevention strategies are not included in some national policies, including the Education and Training Sector Strategic Plan and the Botswana National Youth Policy. (30,31)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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.

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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Government-Funded Programs to Combat Child Labor†	Government-funded programs that aim to prevent child labor and increase protections for vulnerable children. Includes NGO-run shelters, with financial support from the government, that cater to human trafficking victims, including children; the National School Feeding Program, which provides meals to children (grades one through seven) in all public primary schools in the country; the Remote Area Dweller Program, which provides a second meal to school children living in remote areas and children from marginalized communities; the Orphan Care Program, which provides orphans with meals and subsidizes the cost of school fees and transportation costs; and the Needy Children and Needy Students program, managed by the Ministry of Local Government and Rural Development, which provides families with free meals, toiletries, and school uniforms. (2,32) Research was unable to determine whether government-funded programs were implemented during the reporting period. (8)

† 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. (33)

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 it does not provide its own services. (2,12)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish provisions specifying the types of light work acceptable for children age 14.	2016 – 2019
	Ensure that the hazardous work list extends to work that involves dangerous machinery, equipment, and tools.	2009 – 2019
	Determine a compulsory education age consistent with the minimum age of employment.	2010 – 2019
Enforcement	Authorize labor inspectors to assess penalties for labor violations.	2016 – 2019
	Ensure that labor inspectors are authorized and able to conduct inspections at farms and domestic households.	2018 – 2019
	Ensure that labor inspections are occurring across all regions.	2019
	Publish information regarding labor law enforcement efforts, including inspectorate funding, the size of the labor inspectorate, trainings, and number of inspections, including inspections at worksites.	2016 – 2019
	Publish information on the number of complaints related to the worst forms of child labor received through the Ministry of Employment, Labour Productivity and Skills Development and the Botswana Police Service toll-free hotlines.	2019
	Publish information about the number of criminal law enforcement trainings and investigations.	2017 – 2019
Coordination	Ensure that coordinating bodies, including the Advisory Committee on Child Labor and Child Labor Committees are active and able to carry out their mandates.	2018 – 2019
	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 – 2019
	Ensure that the Ministry of Defense, Justice, and Security provides rehabilitation services for human trafficking victims.	2018 – 2019
Government Policies	Ensure the implementation of key policies related to prevention and elimination of the worst forms of child labor, including the National Action Plan on the Elimination of the Worst Forms of Child Labor.	2017 – 2019
	Integrate child labor elimination and prevention strategies into relevant policies, such as the Education and Training Sector Strategic Plan, the Botswana National Youth Policy, and the National Action Plan for Youth.	2011 – 2019



**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2019
	Enhance educational access for all children by defraying costs for uniforms and school materials.	2019
	Enhance efforts to remove educational barriers and make education accessible for all children by taking measures to address physical and sexual violence in schools, increasing resources for students with disabilities, and ensuring that children can enroll in school regardless of their ability to provide identification documents.	2019
	Ensure the implementation of existing social programs to address child labor.	2019
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2019
	Establish official government-run shelters to assist child victims.	2019

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