

BOTSWANA

MODERATE ADVANCEMENT

In 2023, Botswana made moderate advancement in efforts to eliminate the worst forms of child labor. After several years of non-reporting on the matter, the government reported that labor inspectors were trained on the elimination of child labor through a month-long training program. Additionally, through a program offered with the International Labor Organization, the government trained officers from several civil society partners on the elimination of child labor. Botswana also renewed its anti-human trafficking national action plan and began using a model which allows for enhanced targeting of labor inspections towards problematic sectors, including those in regular non-compliance with child labor laws. Despite these efforts, gaps remain in the country's legal framework, including the lack of a minimum age for compulsory education and a list of hazardous work activities for children. The government also did not provide information on its criminal law enforcement efforts for inclusion in this report. In addition, the design and implementation of social programs to address child labor are insufficient to fully address the scope of the problem, especially in commercial sexual exploitation, cattle herding, and domestic work.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Botswana are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and services.

Overview of Children's Work by Sector and Activity



Agriculture

Herding, spraying, and rearing of livestock. Farming activities, including mending fences.



Services

Domestic work and street work, including vending.



Categorical Worst Forms of Child Labor[‡]

Commercial sexual exploitation, sometimes as a result of human trafficking. Forced labor in herding and in domestic service.

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



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Botswana's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Specify in the law's light work provisions the activities and conditions in which light work may be undertaken by children aged 14 and above.

Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.

Criminally prohibit the use of a child for prostitution.

Establish by law an age up to which education is compulsory that extends to the age of 15, the minimum age for employment.

Enforcement

Increase the number of labor inspectors from 50 to 69 to provide adequate coverage of approximately 1 million workers.

Provide the labor inspectorate with sufficient human and financial resources to adequately enforce labor laws, including on farms and cattle posts.

Publish information on labor law enforcement, including the labor inspectorate's funding.

Institutionalize training for all labor inspectors, including training on laws related to child labor.

Authorize labor inspectors to access worksite premises and conduct inspections at farms and in domestic households.

Suggested Government Actions to Eliminate Child Labor (cont.)

Publish information about criminal law enforcement efforts related to the worst forms of child labor, including information regarding the training for criminal investigators, number of investigations related to child labor, number of prosecutions and convictions related to child labor, and penalties imposed in criminal cases related to child labor.

Provide criminal law enforcement bodies with sufficient resources, personnel, and training to address the worst forms of child labor.

Coordination

Ensure that the Advisory Committee on Child Labor is active and able to carry out its intended mandate of overseeing government policies and efforts to prevent and eliminate child labor.

Government Policies

Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and forced child labor in cattle herding and in domestic service.

Implement key policies related to child labor and child well-being, like the National Youth Policy, and publish results from activities implemented during the reporting period.

Social Programs

Collect and publish data on the extent and nature of child labor to inform policies and programs.

Remove educational barriers and make education accessible for all children by taking measures to reduce travel distances to reach schools, preventing abuse in schools, increasing resources for students with disabilities, and expanding birth registration and national identification for migrants and children born outside of health facilities.

Publish activities undertaken to implement key social programs related to child labor, including the shelters for victims of human trafficking and the National School Feeding Program.

Establish official government-run shelters to assist child survivors of the worst forms of child labor, while ensuring that shelters have sufficient resources to attend to the care of older children.

Develop and implement programs to fully address the scope of child labor in commercial sexual exploitation, in domestic work, and in cattle herding, and ensure that the designs of these programs pay careful consideration to children in groups at a higher risk of child labor, including children of the San community and children living in rural areas.

**CHILDREN AT HIGHER RISK**












Children of the indigenous San community are particularly vulnerable to child labor, especially on private cattle farms, as they often lack identity documents and are therefore unable to attend school in Botswana. San parents frequently encourage their children to work to support their families. Some parents in poor rural communities also send their children to engage in domestic work in cities, or at farms or cattle posts, increasing their vulnerability to labor exploitation.

**BARRIERS TO EDUCATION ACCESS**

Insufficient transportation to schools in remote regions of Botswana creates educational barriers for children from minority ethnic groups. In addition, secondary school enrollment may require an identity document, such as a birth certificate or national identity card. Although students without these documents – such as migrant children, children born outside of health care facilities, or children whose parents did not register them at birth – may enroll in primary school, they may not be able to enroll in secondary schools or register for national exams, making them more vulnerable to child labor. Access to education for students with disabilities is also insufficient. Moreover, children of the San ethnic minority live far from schools and thus many attend boarding schools in Ghanzi. Poor conditions and abuse of children at the Ghanzi boarding schools lead many San students to drop out at an early age, rendering them vulnerable to child labor.

LEGAL FRAMEWORK FOR CHILD LABOR

Botswana has ratified all key international conventions concerning child labor. However, Botswana’s laws do not meet the international standards due to the absence of a compulsory education age and hazardous work list.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 15 Years		Articles 2 and 107 of the Employment Act
Minimum Age for Hazardous Work, 18 Years		Articles 2 and 110 of the Employment Act
Identification of Hazardous Occupations or Activities Prohibited for Children		
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 2 and 71 of the Employment Act; Section 114 of the Children’s Act; Articles 9 and 10 of the Anti-Human Trafficking Act; Section 262 of the Penal Code
Prohibition of Child Trafficking		Section 114 of the Children’s Act; Article 175 of the Penal Code; Articles 9 and 10 of the Anti-Human Trafficking Act
Prohibition of Commercial Sexual Exploitation of Children		Sections 25 and 57–59 of the Children’s Act; Sections 9 and 10 of the Anti-Human Trafficking Act
Prohibition of Using Children in Illicit Activities		Section 60 of the Children’s Act
Minimum Age for Voluntary State Military Recruitment, 18 Years		Section 17 of the Botswana Defense Force Act
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		Section 26 of the Children’s Act
Compulsory Education Age		
Free Public Education		Section 18 of the Children’s Act

* Country has no conscription

The Employment Act allows children to conduct light work activities at age 14, with restrictions on the number of hours a child can work during a single day and in a week and includes a requirement that the Labor Commissioner approve any form of work outside of domestic service; however, the government has yet to determine the conditions or types of light work activities permitted for children. Additionally, while the Employment Act prohibits night work and underground work for children, the government has not determined by national law or regulation the types of hazardous work prohibited for children. Moreover, legal protections for children from commercial sexual exploitation do not meet international standards because the use of children for prostitution is not criminally prohibited. Despite the provision of free basic education, there is not a compulsory education age, which may increase children’s vulnerability to child labor.

ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Botswana took actions to address child labor. However, insufficient human and financial resources hindered law enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Home Affairs: Enforces child labor laws and conducts inspections under the Employment Act. Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. Coordinates with the Ministry of Local Government and Rural Development (MLGRD), and MLGRD’s District and Municipal Council Child Welfare Divisions, to respond to cases of child labor and place children in safe environments. During the reporting period, the Ministry of Labor was active and conducted labor inspections. Reports indicate that the labor inspectorate lacks the human and financial capacity to maintain pace with industry growth.

Botswana Police Service (BPS): Responds to cases of labor law violation, including child labor violations, based on referrals from the Ministry of Labor. Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. During the reporting period, BPS opened three child-friendly police stations, in which officers trained to handle cases related to children are stationed.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **50** labor inspectors performed **1,141** worksite inspections, finding **1** child labor violation. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

Key Mechanism to Coordinate Government Efforts on Child Labor

Botswana established a mechanism to coordinate its efforts to address child labor. However, there is a lack of information on steps the coordination mechanism took to address child labor during the reporting year.

Advisory Committee on Child Labor: Oversees government policies and efforts to prevent and eliminate child labor. Reports to the government three to four times a year. Led by the Ministry of Labor, with participation from MLGRD, Ministry of Finance, Office of the President, various NGOs, worker federations, and employer organizations. Research could not determine whether the Advisory Committee on Child Labor was active during the reporting period.

Key Policies Related to Child Labor

Botswana established policies related to child labor. However, the government does not have a policy specifically intended to address the worst forms of child labor, including forced labor in cattle herding and in domestic service.

National Youth Policy (2010): Implemented by the Ministry of Youth, Sport and Culture. Outlines groups of children that may need extra support, development, and aid—including youth involved in child labor. Research was unable to determine whether actions were taken to implement the policy during the reporting period.

Anti-Human Trafficking National Action Plan (2023–2028): Provides a clear framework to guide, facilitate and enhance the national anti-human trafficking agenda. Outlines strategic interventions for the protection and support of victims of trafficking in persons, the investigation and prosecution of trafficking in persons, and effective cooperation on trafficking in persons interventions nationally and internationally. The newly enacted policy calls for the inclusion of human trafficking issues in schools and for a survey on human trafficking, inclusive of children trafficked for labor. The government allocated \$15.6 million to the plan for its 5-year duration.

Coordination, Policies, and Programs (Cont.)

Key Social Programs to Address Child Labor

Botswana funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs do not cover the full scope of the problem.

Government-Funded Programs to Prevent and Eliminate Child Labor:[†] Government-funded programs that aim to prevent child labor and increase protections for vulnerable children. These include: NGO-run shelters that cater to human trafficking survivors, 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 Development 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 MLGRD, which provides families with free meals, tuition exemptions, and school uniforms. Research indicates that these programs were active during the reporting period, but the government did not publish specific activities undertaken to implement them.

Addressing Child Labor in Botswana: U.S. Embassy-Gaborone-funded project, implemented by Humana People to People, a local NGO operating in Botswana that aims to raise local awareness and increase community engagement on child labor concerns, in coordination with Botswana’s Minister of Labor. Targets Gantsi and Tsabong, areas with high levels of poverty and close proximity to farms. During the reporting period, the project identified at least 10 children under the age of 15 who were probable victims of child labor. The cases were referred to the District Labor Office for validation and investigations.

[†] Program is funded by the Government of Botswana.

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
For references, please visit dol.gov/ChildLaborReports