

Swaziland

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

In 1992, Swaziland produced a National Program of Action for the Children of Swaziland, 1993-2000, which addressed most articles of the Convention on the Rights of the Child, including child labor.²⁴⁰³ The Ministry of Education is also involved in improving the quality of schooling by assessing the need for new teachers, constructing new schools, and improving the schools currently in existence.²⁴⁰⁴

Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 12 percent of children between the ages of 5 and 14 in Swaziland were working.²⁴⁰⁵ Children work in agriculture, particularly in the eastern cotton growing region, domestic service, herding, street work, and prostitution. Street children in the capital city of Mbabane are subjected to physical and sexual abuse.²⁴⁰⁶ The trafficking of children for prostitution is a problem throughout the Southern Africa region.²⁴⁰⁷

Education is neither free nor compulsory in Swaziland. The Ministry of Education pays teacher salaries, while student fees and money raised from the community pay for costs such as building upkeep and teacher housing.²⁴⁰⁸ In 1996, the net primary school enrollment rate was 90.8 percent, with gender parity at the primary level.²⁴⁰⁹ In 1998, 80.5 percent of children reached grade

²⁴⁰³ Government of Swaziland, Ministry of Education, and UNICEF, *African Girls Education Initiative: Baseline Data* (Mbabane, 1993), as cited in M. D. McDermott, *Common Country Assessment—Swaziland* (Mbabane: Environmental Consulting Services, 1997) [hereinafter *Common Country Assessment*], at <http://www.ecs.co.sz/cca/>.

²⁴⁰⁴ *Swaziland Business Yearbook 2001*.

²⁴⁰⁵ UNICEF, *Multiple Indicator Cluster Surveys: End of Decade Databases*, at <http://www.childinfo.org/eddb/work/database.htm> on 12/5/01. According to the ILO, in 1999, 12.6 percent of children between the ages of 10 and 14 were working. See *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [hereinafter *World Development Indicators 2001*] [CD-ROM].

²⁴⁰⁶ *Country Reports on Human Rights Practices for 2000—Swaziland* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6d, at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=863>. See also *Common Country Assessment* and Swedish International Development Agency, *Looking Back, Thinking Forward: The Fourth Report on the Implementation of the Agenda for Action Adopted at the First World Congress against Commercial Sexual Exploitation of Children in Stockholm, Sweden, on 28 August 1996, 1999-2000* (Bangkok: ECPAT International, 2000) [hereinafter *Looking Back, Thinking Forward*], 38.

²⁴⁰⁷ *Looking Back, Thinking Forward* at 38.

²⁴⁰⁸ *Country Reports 2000* at Section 5.

²⁴⁰⁹ *World Development Indicators 2001*.

5.²⁴¹⁰ Primary school attendance rates are unavailable for Swaziland. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²⁴¹¹ In 1996, 91.3 percent of the teachers were certified to teach according to national standards, and the pupil to teacher ratio was 33:9.²⁴¹²

Child Labor Laws and Enforcement

The Employment Act of 1980 establishes a minimum age of 15 years for employment in non-hazardous industrial work, although children may begin working in the commercial sector at 13 years of age.²⁴¹³ Children under the minimum age may be hired in enterprises that employ only family members and may work at technical schools under the supervision of a teacher or authorized person.²⁴¹⁴ Children may not work more than 6 hours a day and 33 hours a week, with restrictions on night work during the school year.²⁴¹⁵ Employment of children under 18 years is not permitted in mines, quarries, or underground work or in any sector that is dangerous to their safety, health, and morals.²⁴¹⁶ The Ministry of Labor is responsible for the enforcement of the Employment Act and other labor legislation; however, its effectiveness is hampered by a shortage of personnel.²⁴¹⁷

Article 42 of the Criminal Code of Swaziland makes procuring girls and women for prostitution punishable by 5 years in prison or a fine of 1000 Rand (USD 89), and conspiracy to defile a girl or woman is punishable by 2 years in prison or a 600 Rand (USD 54) fine.²⁴¹⁸ Swaziland has not ratified either ILO Convention 138 or ILO Convention 182.²⁴¹⁹

²⁴¹⁰ UNESCO, *Education for All: Year 2000 Assessment* (Paris, 2000) [CD-ROM] [hereinafter *EFA 2000*].

²⁴¹¹ For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

²⁴¹² *EFA 2000*.

²⁴¹³ ILO, *Child Labour: Targeting the Intolerable*, Report 6 (1) (Geneva: ILO-IPEC, 1998) [hereinafter *Targeting the Intolerable*] at <http://www.ilo.org/public/english/comp/child/publ/target/target.pdf>. See also International Confederation of Free Trade Unions, *Internationally Recognized Core Labour Standards in the Five Countries of the Southern African Customs Union*, report for the WTO General Council Review of the Trade Policies of the Five Countries of the Southern African Customs Union, paper presented at the ILO, Geneva, April 21-23, 1998 [hereinafter *Internationally Recognized Core Labour Standards*].

²⁴¹⁴ *Country Reports 2000* at Section 6d. See also *Targeting the Intolerable*.

²⁴¹⁵ *Internationally Recognized Core Labour Standards*.

²⁴¹⁶ *Targeting the Intolerable*.

²⁴¹⁷ *Internationally Recognized Core Labour Standards*.

²⁴¹⁸ The Protection Project: Swaziland at <http://www.protectionproject.org/> on 12/7/01. For currency conversion, see <http://www.carosta.de/frames/convert.htm> on 1/25/01.

²⁴¹⁹ ILO, Table of Ratifications and Information Concerning the Fundamental Conventions of the ILO, at http://www.ilo.org/public/french/standards/norm/sources/rats_pri.htm on 12/20/01.

Note: Hard copies of all Web citations are on file.