

Swaziland

Incidence and Nature of Child Labor

UNICEF estimated that 11.8 percent of children ages 5 to 14 years were working in 2000.³⁷⁹⁵ Children work in agriculture (particularly in the eastern region), and as domestic workers and herders.³⁷⁹⁶ Children are also found working on the streets as traders, hawkers, bus and taxi conductors, load bearers, and car washers.³⁷⁹⁷ There are reports that girls from Swaziland and Mozambique are increasingly found working in child prostitution in Swaziland.³⁷⁹⁸

Education is neither free nor compulsory in Swaziland. In 2001, the gross primary enrollment rate was 100.4 percent, and the net primary enrollment rate was 76.7 percent.³⁷⁹⁹ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Swaziland. As of 2000, 73.9 percent of children who started primary school were likely to reach grade 5.³⁸⁰⁰ The government pays teacher salaries, while students are required to pay fees for books, transportation, uniforms, boarding, and building upkeep.³⁸⁰¹ These fees make it difficult for poor children, especially those affected by HIV/AIDS, to attend school.³⁸⁰²

³⁷⁹⁵ Government of Swaziland, *Multiple Indicator Cluster Survey Model: Full Report*, 2000, 25; available from <http://www.childinfo.org/MICS2/newreports/swaziland/swaziland.pdf>. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

³⁷⁹⁶ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Swaziland*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27754.htm>.

³⁷⁹⁷ ILO-IPEC., *Supporting the Time-Bound 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 30, 2003, Annex 2, 22-23.

³⁷⁹⁸ U.S. Department of State, *Country Reports- 2003: Swaziland*, Section 5. ILO-IPEC., *Supporting the Time-Bound 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*, Annex 2, 22 - 23.

³⁷⁹⁹ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. For a detailed explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

³⁸⁰⁰ Ibid.

³⁸⁰¹ U.S. Department of State, *Country Reports- 2003: Swaziland*, Section 5. See also Integrated Regional Information Network, "Swaziland: AIDS and economic decline hamper school enrolments", January 12, 2004; available from http://www.irinnews.org/report.asp?ReportID=38872&SelectRegion=Southern_Africa&SelectCountry=SWAZILAND.

³⁸⁰² Integrated Regional Information Network, "Swaziland: AIDS and economic decline hamper school enrolments".

Child Labor Laws and Enforcement

The minimum age of employment is set at 15 years for industrial work, although children may work in the commercial sector beginning at age 13.³⁸⁰³ Children under 15 are allowed to work in family industrial firms or in technical schools under supervision of a teacher or other authorized person.³⁸⁰⁴ The Employment Act prohibits children and young persons under 18 years working in mines, quarries or underground work, in premises that sell alcohol for consumption on site, or in any sector that is dangerous to their safety, health or moral development.³⁸⁰⁵ The Employment Act also prohibits children from working during school hours, between the hours of 6 pm and 7 am, and for more than 4 hours continuously.³⁸⁰⁶ Children are limited to 6 hours of work per day and 33 hours per week.³⁸⁰⁷ The Ministry of Labor is responsible for enforcing child labor laws, but its effectiveness is limited by shortages of personnel, according to the U.S. Department of State.³⁸⁰⁸

The Penal Code prohibits the procurement of a girl unless she is a “common prostitute” or “of known immoral character” for purposes of prostitution.³⁸⁰⁹ Forced and bonded labor, including by children, is also prohibited. Children are protected by law against child pornography and sexual exploitation.³⁸¹⁰ There is no law prohibiting trafficking in persons.³⁸¹¹

³⁸⁰³ The minimum age for light work varies between 13 and 15 years of age depending on the sector. See ILO-IPEC, *Report VI (1) Child Labour: Targeting the Intolerable*, Geneva, 1998, 77; available from <http://www.ilo.org/public/english/comp/child/publ/target/target.pdf>.

³⁸⁰⁴ U.S. Department of State, *Country Reports- 2003: Swaziland*, Section 6d.

³⁸⁰⁵ ILO-IPEC, *Child Labour: Targeting the Intolerable*, 74, 77. See also ILO-IPEC., *Supporting the Time-Bound 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*, Annex II, 21.

³⁸⁰⁶ ILO-IPEC., *Supporting the Time-Bound 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*, Annex II, 21.

³⁸⁰⁷ U.S. Department of State, *Country Reports- 2003: Swaziland*, Section 6d.

³⁸⁰⁸ Ibid.

³⁸⁰⁹ The Protection Project, "Swaziland," in *Human Rights Report on the Trafficking of Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, March 2002; available from <http://209.190.246.239/ver2/cr/Swaziland.pdf>. See also *The Crimes Act*, 6/1889, Section V, Article 42, n.d. 15.

³⁸¹⁰ U.S. Department of State, *Country Reports- 2003: Swaziland*, Section 5, 6c.

³⁸¹¹ Ibid., Section 6f.

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

The Government of Swaziland's Children's Unit collaborates with law enforcement on child protection issues, has developed guidelines for management of child abuse cases, and has established professional networks through cooperation with the government's legal branch and NGOs.³⁸¹² USDOL supports two regional child labor projects in Southern Africa that include Swaziland. The ILO/IPEC implements one USDOL-funded project which in Swaziland is focused on piloting small action programs aimed at children who are working or at-risk of working in exploitative labor; conducting research on the nature and incidence of exploitive child labor; and building the capacity of the government to address child labor issues.³⁸¹³ The American Institutes for Research was awarded a USD 9 million grant by USDOL in August 2004 to implement a regional Child Labor Education Initiative project in Southern Africa, and will work in collaboration with the Government of Swaziland on activities there.³⁸¹⁴

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	10/23/2002	✓
Ratified Convention 182	10/23/2002	✓
ILO-IPEC Member		
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan		

The government continues to fund a program to keep children already attending school in class when they become financially at risk of dropping out. In 2004, an additional USD 3 million was allotted to the program to allow children who dropped out of school due to AIDS in the family to re-enroll.³⁸¹⁵ At least 44 new community schools and 198 Neighborhood Care Points opened in 2004. These Care Points provide nutritional, medical, and counseling needs for orphans and vulnerable populations.³⁸¹⁶ In 2004, the Swaziland Schools Headteachers Association changed its policy to guarantee that girls who become pregnant will no longer be expelled from school.³⁸¹⁷

The government collaborates with UNICEF on the "Shoulder to Cry On" volunteer program. The program receives financial and technical assistance from UNICEF. The Deputy Prime Minister's office trains community volunteers through the Women's Resource Center. The volunteers assist orphans and

³⁸¹² The Honorable Dr. Phetsile Dlamini, Minister of Health and Social Welfare, Statement at the United Nations Special Session on Children, May 10, 2002; available from <http://www.un.org/ga/children/swazilandE.htm>.

³⁸¹³ ILO-IPEC., *Supporting the Time-Bound 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*, Annex 2, 38-39.

³⁸¹⁴ The AIR project aims to improve quality and access to basic and vocational education for children who are working or at-risk of working in the worst forms of child labor. See *Notice of Award: Cooperative Agreement*, U.S. Department of Labor / American Institutes for Research, Washington D.C., August 16, 2004, 1,2.

³⁸¹⁵ Integrated Regional Information Network, "Swaziland: Campaign to Help Aids-Hit Education System", March 31, 2004; available from <http://allafrica.com/stories/200403310055.html>.

³⁸¹⁶ Integrated Regional Information Network, "Swaziland: Plight of orphans and vulnerable children highlighted", 2003. See also Integrated Regional Information Network, "Swaziland: Innovative project cares for AIDS orphans", May 25, 2004; available from http://www.irinnews.org/report.asp?ReportID=41260&SelectRegion=Southern_Africa&SelectCountry=SWAZILAND.

³⁸¹⁷ Integrated Regional Information Network, "Swaziland: Pregnant school girls no longer face expulsion", June 21, 2004; available from http://www.irinnews.org/report.asp?ReportID=41797&SelectRegion=Southern_Africa&SelectCountry=SWAZILAND.

vulnerable children with their nutritional, medical, educational, and psychological needs.³⁸¹⁸ The government also receives assistance from UNICEF on a pilot program aimed at collecting data on orphans and vulnerable children. Information from the data collection will be used to identify which children will receive government assistance for school expenses.³⁸¹⁹ UNICEF is also implementing the "Education for All Community Grants" initiative, which assists the most vulnerable children in reenrolling in school.³⁸²⁰

Save the Children Swaziland implements a program to promote inclusive education for disabled children, provides technical advice on school feeding programs, and carries out awareness-raising sessions on HIV/AIDS for children.³⁸²¹ A UN-supported local branch of the Global Campaign for Education was established in Swaziland in 2004. The goal of the group is to ensure that Swazi children are provided with free and quality education.³⁸²²

³⁸¹⁸ Integrated Regional Information Network, "Swaziland: Community provides "shoulders to cry on"", December 11, 2003; available from http://www.irinnews.org/report.asp?ReportID=38365&SelectRegion=Southern_Africa&SelectCountry=SWAZILAND.

³⁸¹⁹ Integrated Regional Information Network, "Swaziland: Project aims to identify vulnerable children", May 27, 2004; available from http://www.irinnews.org/report.asp?ReportID=41302&SelectRegion=Southern_Africa&SelectCountry=SWAZILAND.

³⁸²⁰ Integrated Regional Information Network, *Southern Africa: UNICEF appeals for assistance for region's children*, December 2, 2003 [cited February 5, 2004]; available from http://www.irinnews.org/report.asp?ReportID=38196&SelectRegion=Southern_Africa&SelectCountry=southern%20africa.

³⁸²¹ Save The Children, *Swaziland: What we do*, [website] November 18, 2003 [cited March 26, 2004]; available from <http://www.savethechildren.net/swaziland/>.

³⁸²² Integrated Regional Information Network, "Swaziland: Campaign to Help Aids-Hit Education System".