

*In 2015, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. In response to the Anti-Human Trafficking Bill's mandate, the Government established the Human Trafficking (Prohibition) Committee comprised of government agencies and non-governmental organizations collaborating to address trafficking in persons, including the trafficking of children. During the year, the Ministry of Defense, Justice, and Security, in collaboration with the International Organization for Migration, sponsored training sessions for the Botswana Police and the Namibian Police Service on how to identify and combat trafficking in persons. The Government continued its Stay-in-School Program, which trains teachers and social workers on how to talk to parents about the importance of education. However, although research is limited, there is evidence that children are engaged in child labor in cattle herding in Botswana. Key gaps remain in the country's legal framework, including the lack of a compulsory minimum age and insufficient hazardous work prohibitions, and labor law enforcement data are not made publicly available.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children are engaged in child labor in cattle herding in Botswana.(1, 2) 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)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	5-14 yrs.	Unavailable
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(3)  
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(4)

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	Farming,* activities unknown (5, 6)
	Herding cattle* (1, 2)
Services	Street work,* including vending* (1)
	Domestic work* (1, 7)
Categorical Worst Forms of Child Labor†	Forced labor on farms and cattle posts,* sometimes as a result of human trafficking* (8)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (8, 9)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

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Children in Botswana are trafficked internally along major highways by truck drivers for commercial sexual exploitation.(8) Two NGOs reported that children are engaged in cattle herding in remote rural villages, especially among the San population.(2, 9) Although research found no laws making education compulsory, the Government reported to UNESCO that education is compulsory for children up to age 16.(10, 11) Primary education is free and poor families receive free meals, toiletries, and school uniforms.(5, 12) However, secondary school costs between \$38 and \$43 per year, which may deter families from sending their children to school and increase the risk of children engaging in child labor.(12)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF 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, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Articles 2 and 107 of the Employment Act (13)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (13)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 2 and 108 of the Employment Act; Section 24 of the Children's Act (13, 14)
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 and 10 of the Anti-Human Trafficking Act (13-16)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (14-16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57–59 of the Children's Act (14)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (14)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Section 17 of the Botswana Defense Force Act (17)
Compulsory Education Age	No		
Free Public Education	Yes		Revised National Policy in Education, White Paper No. 12 of 1994; Section 18 of the Children's Act (14, 18)

\*No conscription (19)

The minimum age protections in the Employment Act do not apply to children who work without a contract, and therefore do not apply to children in domestic work. Although the Employment Act prohibits hazardous underground work for children under age 18, the law fails to prohibit hazardous work in other child labor sectors, such as in agriculture.(13) While the Government has made efforts to compile a comprehensive list of hazardous occupations in recent years, it has yet to be approved.(20-22)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

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

Organization/Agency	Role
Ministry of Labor and Home Affairs	Enforce child labor laws and policies. In the case of the Commissioner of Labor, authorized by the Employment Act to conduct labor inspections.(5, 13, 20) To facilitate coordination with the local leaders and law enforcement officers, labor inspectors are posted to District Council offices to carry out their duties.(23)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels.(5) During the year, the council met on a quarterly basis.(24)
Ministry of Defense, Justice, and Security	Monitor suspected human trafficking cases.(25) During the year, the Ministry of Defense, Justice, and Security held four trainings on trafficking in persons for citizens in the Selebiphikwe, North East District, Central District, and Sown Town Councils.(26)

On July 30, 2015, the Ministry of Defense, Justice, and Security (MDJS) led efforts to celebrate World Day Against Trafficking in Persons in collaboration with the UNODC, the European Union Delegation, and the Southern African Development Community.(26)

#### *Labor Law Enforcement*

In 2015, labor law enforcement agencies in Botswana took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	\$50,000 (23)	Unknown* (23)
Number of Labor Inspectors	55 (1)	Unknown* (23)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (23)
Training for Labor Inspectors		
■ Initial Training for New Employees	N/A	Unknown* (23)
■ Training on New Laws Related to Child Labor	N/A	Unknown* (23)
■ Refresher Courses Provided	No (1)	No (23)
Number of Labor Inspections	1,378 (1)	250‡ (23)
■ Number Conducted at Worksite	1,378 (1)	250‡ (23)
■ Number Conducted by Desk Reviews	0 (1)	Unknown* (23)
Number of Child Labor Violations Found	0 (1)	0 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	N/A (23)
■ Number of Penalties Imposed That Were Collected	N/A (1)	N/A (23)
Routine Inspections Conducted	Yes (1)	Yes (23)
■ Routine Inspections Targeted	Yes (1)	Yes (23)
Unannounced Inspections Permitted	Yes (1)	Yes (23)
Unannounced Inspections Conducted	Yes (1)	Yes (23)
Complaint Mechanism Exists	Yes (1)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (23)

\*The Government does not make this information publicly available.

‡ Data are from the Government of Botswana for period from January 1, 2015 to November 1, 2015.

#### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Botswana took actions to combat the worst forms of child labor (Table 7).

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**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown* (23)
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (26)
■ Refresher Courses Provided	Unknown	Yes (26)
Number of Investigations	Unknown	Unknown* (23)
Number of Violations Found	0 (1)	Unknown* (23)
Number of Prosecutions Initiated	0 (1)	Unknown* (23)
Number of Convictions	0 (1)	Unknown* (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (23)

\*The Government does not make this information publicly available.

In 2015, the MDJS reported that it conducted human trafficking awareness trainings and media interviews, and formed an anti-human trafficking network that trained 379 police officers, social workers, pastors, and young persons on trafficking in persons. In addition, the MDJS, in collaboration with the IOM, held 10 sessions for law enforcement officers, including the Botswana Police and Namibian Police Service to address human trafficking issues.(26) Despite these efforts, it has been reported that police are not sensitive in handling cases of violence against women and children, and do not have adequate investigative training, which inhibits them in identifying, prosecuting, and preventing trafficking violations.(21, 25, 27)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Human Trafficking (Prohibition) Committee	Establish a reporting and referral mechanism for children subjected to human trafficking. Created by the Anti-Human Trafficking Bill.(1)
Advisory Committee on Child Labor	Oversee child labor issues and report to the Government three to four times per year. Include representatives from government agencies, various NGOs, worker federations, and employer organizations.(7, 20)
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.(12)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Botswana has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Policies Related to Child Labor**

Policy	Description
National Action Plan on the Elimination of the Worst Kinds of Child Labor	Outlines the Government's plan to address child labor through legislation and policy, awareness raising, programs, and training on child labor and its worst forms for relevant stakeholders and implementers.(1)
National Plan of Action for Orphans and Vulnerable Children*	Outlines the Government's response to challenges faced by orphans and vulnerable children. Facilitates operational planning and encourages the development of communication tools among key players. Provides long-term objectives related to child protection and the implementation of the Children's Act and other relevant regulations.(28)
Presidential Task Group on Long-Term Vision for Botswana's Vision 2016 Strategy	Aims to provide universal access to school and improve families' social and economic conditions so that children in poor and rural areas are no longer viewed as essential sources of labor and income. Acknowledges that parents sometimes intentionally choose not to send their children to school.(29)
UN Development Assistance Framework (2010–2016)	Supports reducing child labor to help create a protective and supportive environment for children.(30)
Botswana National Youth Policy and National Action Plan for Youth* (est. 1996)	Addresses issues affecting youth, such as abuse and access to education. Includes plans for government-funded programs and nationwide seminars to encourage youth entrepreneurship.(12, 31, 32)

**Table 9. Policies Related to Child Labor (cont)**

Policy	Description
Ministry of Labor and Home Affairs Sustainability Plan	Aims to incorporate addressing child labor issues into the regular duties of labor inspectors. Calls on local leaders and volunteers to identify and refer cases of child labor to social workers and school teachers to monitor attendance and promote retention.(33)
Ministry and Department Action Plans	Plans to address child labor by the Ministry of Education, Ministry of Gender and Child Welfare, Department of Social Services, and the Police.(34) Contains implementation strategies that include the safety and protection of children, and identify and help vulnerable children in need.(34)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Botswana funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

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

Program	Description
Decent Work Country Program (2011–2017)	ILO Decent Work Country Program for Southern Africa that focuses on employment creation, social protection, tripartism, social dialogue, and workers' rights. Addresses HIV/AIDS and child labor issues.(34, 35) The program was extended to 2017.(36)
Stay-in-School Program†	Government program that trains teachers and social workers to communicate with parents about the importance of education.(5, 20)

† Program is funded by the Government of Botswana.

Although Botswana has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Botswana (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits hazardous work for children younger than age 18 in all relevant sectors, including in agriculture.	2009 – 2015
	Ensure that the law's minimum age protections apply to children working without a contract.	2010 – 2015
	Establish a compulsory education age equal to or higher than the minimum age of employment.	2010 – 2015
Enforcement	Make information publicly available about the labor inspectorate's level of funding, number of labor inspectors, and trainings related to child labor, including its worst forms.	2015
	Make information publicly available about criminal law enforcement's number of investigations, violations found, prosecutions, and convictions concerning the worst forms of child labor.	2015
Government Policies	Integrate child labor elimination and prevention strategies into the existing youth policies.	2011 – 2015
Social Programs	Ensure that children can complete secondary school by subsidizing or defraying the cost of tuition, meals, and school uniforms.	2015
	Conduct research on child labor, including its worst forms, to inform policies and programs.	2013 – 2015
	Develop programs to address child labor in domestic work and cattle herding.	2012 – 2015

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