

Eswatini

MINIMAL ADVANCEMENT

In 2024, Eswatini made minimal advancement in efforts to eliminate the worst forms of child labor. The government increased funding for its Education Fund for Orphaned and Vulnerable Children by 20 percent and provided an additional \$1 million to further reduce school-related costs the Fund did not ordinarily cover. However, significant gaps in the legal framework remain, including a lack of legislation regulating the labor conditions under *kuhlehla* and other customary practices. In addition, children who complete primary education between ages 12 to 14 are vulnerable to child labor, as they are not required to be in school but also cannot legally work because they are under age 15, the minimum age for work. The government also has not taken actions to implement its Action Program on Combating Child Labor in Eswatini.

PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education		
Children	Age	Percent and Population
Working	5 to 14	25.7% (Unavailable)
Boys		25.1%
Girls		26.3%
Urban		13.3%
Rural		28.4%
Hazardous Work by Children	15 to 17	0.7% (Unavailable)
Boys		0.6%
Girls		0.9%
Urban		0.5%
Rural		0.8%
Attending School	5 to 14	92.5%
Combining Work and School	7 to 14	36.7%

Children in Eswatini 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 the agriculture sector.

Overview of Children’s Work by Sector and Activity	
Agriculture	Rearing and herding livestock, including bovines; carrying water and firewood.
Services	Domestic work; street work, including working as vendors, porters, and car washers.
Categorical Worst Forms of Child Labor‡	Forced labor in livestock herding, domestic work, farming, portering, and market vending; commercial sexual exploitation, sometimes as a result of human trafficking; use in illicit activities, including growing drugs.

‡ 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 Eswatini’s implementation of its international commitments to eliminate the worst forms of child labor.

Area	Suggested Actions
Legal Framework	Criminalize the recruitment of children under age 18 by non-state armed groups.
	Ensure that the hazardous occupations and activities prohibited for children under age 18 are comprehensive and include herding (including exposure to dangerous tools, substances, and temperatures).

Area	Suggested Actions
	Establish laws that provide criminal penalties for the use of children in prostitution.
	Increase the compulsory education age to 15 to align with the minimum age for work, and establish by law 9 years of free basic public education to cover lower secondary education for all children, including non-citizens.
	Adopt legislation that regulates the work performed through the practice of <i>kuhlehla</i> , in which people render services such as seasonal weeding to the king or local leaders, and ensure that the law explicitly states that participation in such work is voluntary.
Enforcement	Increase the number of labor inspectors from 13 to 26 to ensure adequate coverage of the labor force of approximately 399,100 people, provide adequate resources to labor inspectors, including transportation and fuel, so they can fulfill their mandates, and train labor inspectors on laws and concepts related to child labor.
	Use data analysis to conduct targeted inspections of sectors prone to child labor and showing patterns of serious child labor incidents, and impose penalties for child labor violations.
	Establish and maintain effective procedures and mechanisms for coordination among enforcement agencies, including the Ministry of Labor and Social Security, the Royal Eswatini Police Service, and the Office of the Director of Public Prosecutions, to properly prioritize child labor enforcement efforts.
	Conduct investigations into suspected worst forms of child labor crimes, initiate prosecutions, and convict perpetrators.
Coordination	Ensure that the Combating Child Labor Task Force is active and has the necessary resources to fulfill its mandate as intended.
Government Policies	Implement child labor-related policies, including ensuring that the Action Program on Combating Child Labor in Eswatini is active and working toward the elimination of child labor.
Social Programs	Ensure that all children have access to free basic education, including by eliminating school fees; expanding school access for children in rural areas; reducing barriers to obtaining documents required for enrollment; employing the necessary number of teachers; and providing safe environments free from sexual violence, especially for girls.
	Ensure a minimum quality of standard care in shelters for child trafficking victims.
	Develop and implement social protection programs to assist children engaged in child labor in domestic work; informal agricultural work, including herding; and commercial sexual exploitation.

CHILDREN AT HIGHER RISK

Boys perform physically arduous tasks herding in the grasslands and mountains, and they risk occupational injury and disease from exposure to dangerous tools and chemicals. Traffickers exploit Swati and Mozambican boys in forced labor in agriculture, including cattle herding. Injuries sustained during livestock herding include open wounds, fractures, dislocations, sprains, fever, extreme fatigue, and snake bites. Human traffickers abroad lure orphaned and vulnerable girls from poor families into sexual exploitation through promises of employment. Orphans are vulnerable to exploitation due to the lack of parental support and HIV/AIDS-related health issues.

BARRIERS TO EDUCATION ACCESS

The government provides free primary education for all Swati children from grades 1 through 7 and subsidizes secondary education for some of the approximately 70 percent of Eswatini's children who are orphaned or vulnerable. However, barriers exist to receiving subsidized education, including challenges in applying for and obtaining documentation. Some parents do not register their children at birth, and sometimes schools did not admit children without identification. Secondary school fees are also a barrier for students whose families lack funds to sustain their enrollment. Some primary schools charge students extra fees not sanctioned by the Ministry of Education and Training. The government does not provide free primary education grants to non-citizens. In addition, many areas need teachers and rural residents have difficulty accessing transportation, especially during the rainy season. Pregnancy

and sexual violence represented barriers to education for girls. Children with disabilities experienced unequal education access including a lack of trained teachers.

LEGAL FRAMEWORK FOR CHILD LABOR

Eswatini has ratified all key international conventions concerning child labor. However, Eswatini's laws do not meet international standards on the prohibition of commercial sexual exploitation of children because the use of children in prostitution is not criminalized; compulsory education because the law only requires parents to send their children to school through grade seven, making children who complete grade seven but under the minimum age for unrestricted work vulnerable to child labor; and free public education because the law only funds schooling for citizens for 7 years.

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Minimum Age for Work	15	✓	Articles 2, 234, and 238 of the Children's Protection and Welfare Act; Sections 2, 97, 98, and 109 of the Employment Act
Minimum Age for Hazardous Work	18	✓	Articles 236 and 238 of the Children's Protection and Welfare Act; Article 29 of the Constitution
Identification of Hazardous Occupations or Activities Prohibited for Children		✓	Articles 2, 97, 98, and 109 of the Employment Act; Articles 2, 233, and 236–238 of the Children's Protection and Welfare Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		✓	Sections 144 and 145 of the Employment Act; Articles 2, 12, and 13 of the People Trafficking and People Smuggling (Prohibition) Act; Article 17 of the Constitution
Prohibition of Child Trafficking		✓	Articles 2, 3, and 13 of the People Trafficking and People Smuggling (Prohibition) Act
Prohibition of Commercial Sexual Exploitation of Children		X	Sections 2, 13–15, 24, and 25 of the Sexual Offences and Domestic Violence Act; Articles 2, 12, and 13 of the People Trafficking and People Smuggling (Prohibition) Act
Prohibition of Using Children in Illicit Activities		✓	Articles 16 and 49 of the Children's Protection and Welfare Act
Minimum Age for Voluntary State Military Recruitment	18	✓	Sections 5 and 17 of The Umbutfo Swaziland Defense Force Order
Prohibition of Compulsory Recruitment of Children by (State) Military		✓*	Sections 5 and 17 of The Umbutfo Swaziland Defense Force Order
Prohibition of Military Recruitment by Non-state Armed Groups		X	
Compulsory Education Age	12/13‡	X	Section 3 of the Free Primary Education Act
Free Public Education		X	Sections 3, 5–7, and 10 of the Free Primary Education Act

*Country has no conscription.

‡ Age calculated based on available information

Section 10 of the Free Primary Education Act requires parents to send their children to school through grade seven, when children are typically ages 12 to 13. As a result, children who complete grade seven are vulnerable to child labor because they are not required to be in school but also cannot legally work until they turn 15 years old, the minimum age for unrestricted work. Under international standards, free basic education should be provided for 9 years and include lower secondary education. The Free Primary Education Act, however, only funds schooling for citizens for 7 years, which may increase the risk of children's involvement in the worst forms of child labor. Laws related to commercial sexual exploitation of children also do not meet international standards because the use of children in prostitution is not criminalized.

In addition, the law does not prohibit children from engaging in all hazardous jobs in Eswatini. For example, the Employment Law does not cover herding, for which there is evidence of exposure to dangerous substances and temperatures. In addition, reports indicate that local traditional leaders required residents, including children, to participate in non-communal tasks such as seasonal weeding. This work was performed through *kuhlehla*, a customary practice in which people render services to the king or local leaders. The ILO has requested that the government adopt legislation to regulate the nature and conditions of *kuhlehla* and ensure that participation is explicitly voluntary in nature under the law.

ENFORCEMENT OF LAWS ON CHILD LABOR

In 2024, labor and criminal law enforcement agencies in Eswatini took actions to address child labor. However, a lack of financial and human resources hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement	
Ministry of Labor and Social Security: Enforces child labor laws and promotes relations between labor, government, and business through tripartite dialogue. Accepts walk-ins and written complaints from workers, as well as complaints from other government agencies. Limited staff, funding, transportation and vehicles, and other resources were challenges to inspection and enforcement, and the inspector workforce may have been insufficient to effectively monitor all sectors and areas at risk of child labor. The Ministry's lack of coordination with the Royal Eswatini Police Service and the Office of the Director of Public Prosecutions may have hindered enforcement efforts.	
Royal Eswatini Police Service: Investigates cases involving the worst forms of child labor and informs victims of sexual offenses, including commercial sexual exploitation, and of counseling and other support services. During the reporting period, police received refresher training and recruits received new employee trainings on the Children's Protection and Welfare Acts, including on how to investigate and respond to child labor and child trafficking, commercial sexual exploitation, and use of children in illicit activities.	

Enforcement Mechanisms and Efforts	
Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	Yes
Routinely Conducted Worksite Inspections	Yes
Unannounced Inspections Permitted	Yes
Has a Complaint Mechanism	Yes
Imposed Penalties for Child Labor Violations	No
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	No
Imposed Penalties for Worst Forms of Child Labor Crimes	No

In 2024, 13 labor inspectors conducted 1,100 worksite inspections, finding 0 child labor violations. The government also conducted 0 investigations into suspected worst forms of child labor crimes, initiated 0 prosecutions, and convicted 0 perpetrators.‡

‡ Data are from April 1, 2024, to December 31, 2024.

COORDINATION, POLICIES, AND PROGRAMS

Eswatini established a mechanism to coordinate its efforts to address child labor. However, it is unclear whether activities were undertaken during the reporting period.

Key Mechanism to Coordinate Government Efforts on Child Labor
Combating Child Labor Task Force: Comprises ministries and NGOs. Responsible for overseeing the Action Program on Combating Child Labor in Eswatini and leads the government on child labor issues. The Department of Social Welfare, a Task Force member, continued to run the Primero Child Protection and Information Management System, which aims to enhance data collection and standardize operating procedures for child protection across agencies. The Task Force did not meet in 2024.

Eswatini established a policy related to child labor. However, a lack of resources led to this policy not being implemented during the reporting period.

Key Policies Related to Child Labor
Action Program on Combating Child Labor in Eswatini (2021–2026): Outlines key strategies the government should use to prevent children from engaging in child labor and for removing those already in child labor situations. The government reported taking no actions during the reporting period due to a lack of resources for the Combating Child Labor Task Force.

Eswatini funded and participated in programs that include the goal of preventing child labor. However, these social programs are inadequate because they do not address the full scope of the child labor problem, and it is unclear whether some of these programs were implemented during the reporting period.

Key Social Programs to Address Child Labor
Education Fund for Orphaned and Vulnerable Children:‡ Funds school fees for orphans and vulnerable children. During the reporting period, the government increased funding for the grant by 20 percent to expand coverage of eligible students. Despite this effort, rural students who faced long travel distances to school were less likely to apply for and benefit from the grant.
Decent Work Country Program (2022–2025): ILO-funded program that promotes decent work in Eswatini, including the elimination of child labor, by promoting sustainable and inclusive economic growth, investing in human resources and social development, and promoting accountable governance, justice, and human rights. The program was active during the reporting period.
Free Primary Education Program:‡ Funds free education to children for grades ones through seven. Although the program was active during the reporting period, some schools charged additional fees, limiting the program's effectiveness.

‡ Program is funded by the Government of Eswatini.

For references, please visit dol.gov/ChildLaborReports