

South Africa

MINIMAL ADVANCEMENT

In 2024, South Africa made minimal advancement in efforts to eliminate the worst forms of child labor. The Department of Employment and Labor partnered with the International Labor Organization in KwaZulu-Natal and Western Cape provinces to train community organizations, workers, employers’ organizations, and government officials to identify child labor. In addition, the labor inspectorate conducted a blitz of targeted inspections in agriculture. However, social programs are not sufficient to address the scope of child labor, especially regarding the use of children in illicit activities and the commercial sexual exploitation of children. In addition, the government did not uniformly implement victim identification and referral mechanisms for cases of trafficking in persons, including children. Children who may have been trafficked for forced labor in mining were detained and charged with trespassing and contravening South Africa’s Immigration Act, and there were no reports that the children rescued from the Stilfontein mine were screened for trafficking indicators.

PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education		
Children	Age	Percent and Population
Working	5 to 14	15.0% (1,559,791)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	97.4%
Combining Work and School	7 to 14	17.7%

Children in South Africa are subjected to the worst forms of child labor, including in forced begging, use in illicit activities, and commercial sexual exploitation, sometimes as a result of human trafficking.

Overview of Children’s Work by Sector and Activity	
Agriculture	Commercial and smallholder farming, including harvesting crops.
Industry	Mining.
Services	Food service, domestic work, and street work, including vending.
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking; use in illicit activities, including gang-related activities; use in the production of pornography; and forced labor in mining, domestic work, street vending, and begging.

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

Area	Suggested Action
Legal Framework	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.
Enforcement	Publish criminal law enforcement data on investigations, prosecutions, convictions, and penalties imposed concerning the worst forms of child labor.
	Ensure that all child labor victims, including children used in illicit activities, are screened for trafficking indicators and not charged with crimes as a result of their exploitation.
	Ensure that the South African Police Service has sufficient resources and investigates all suspected cases of child trafficking and forced child labor.
	Ensure that victim identification and referral mechanisms function effectively to provide services to victims of child trafficking.

Area	Suggested Action
Coordination	Ensure that the National Intersectoral Committee on Trafficking in Persons includes meaningful participation from relevant agencies, including the Department of Employment and Labor.
Government Policies	Include a timeframe and benchmarks in child labor policies to effectively monitor and assess the progress of efforts to eliminate child labor.
Social Programs	Remove barriers to education by eliminating indirect costs, improving school infrastructure and sanitation, and ensuring accessibility for students with disabilities.
	Ensure shelter services receive sufficient funding to carry out their mission.
	Institute programs to address the worst forms of child labor, including in forced begging and the use of children in illicit activities. Ensure that programs target children at higher risk, including exploited children from other countries, rural children, and children with disabilities.

CHILDREN AT HIGHER RISK

In South Africa, undocumented foreign-born children, children from rural areas, and children with disabilities are more vulnerable to child labor. Research suggests foreign children are vulnerable to recruitment and use in illicit activities by gangs, commercial sexual exploitation, forced begging, domestic labor, and work in illegal mining. In addition, children from impoverished families in rural areas are often more susceptible to child labor in agriculture, and to child trafficking for commercial sexual exploitation in cities.

BARRIERS TO EDUCATION ACCESS

Although there are designated no-fee schools, fee exemptions, and subsidies for low-income students, research indicates that at some schools, parents must pay for school uniforms and other supplies. Other barriers to education include poor school infrastructure, inadequate sanitation, lack of transportation, overcrowded classrooms, and lack of accommodations for students with disabilities.

LEGAL FRAMEWORK FOR CHILD LABOR

South Africa has ratified all key international conventions concerning child labor. However, South Africa's laws do not meet international standards because there is no criminal prohibition on non-state armed groups using children.

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Minimum Age for Work	15	✓	Article 43 of the Basic Conditions of Employment Act (BCEA)
Minimum Age for Hazardous Work	18	✓	Regulations on Hazardous Work by Children in South Africa; Articles 4–10 of the Basic Conditions of Employment Act
Identification of Hazardous Occupations or Activities Prohibited for Children		✓	Regulations on Hazardous Work by Children in South Africa; Articles 4–10 of the Basic Conditions of Employment Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		✓	Article 48 of the Basic Conditions of Employment Act; Article 13 of the Constitution; Article 141 of the Children's Amendment Act; Sections 4 and 5 of the Prevention and Combating of Trafficking in Persons Act of 2013
Prohibition of Child Trafficking		✓	Article 141 of the Children's Amendment Act; Section 4 of the Prevention and Combating of Trafficking in Persons Act of 2013
Prohibition of Commercial Sexual Exploitation of Children		✓	Articles 17–18 and 20 of Criminal Law (Sexual Offences and Related Matters) Amendment Act; Articles 141, 284, 305, and Schedule 3-Article 3 of the Children's Act; Articles 1, 4, 7–8, and 13 of the Prevention and Combating of Trafficking in Persons Act

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Prohibition of Using Children in Illicit Activities		✓	Article 141 of the Children's Amendment Act
Minimum Age for Voluntary State Military Recruitment	18	✓	Article 52 of the Defense Act
Prohibition of Compulsory Recruitment of Children by (State) Military		N/A*	Article 52 of the Defense Act
Prohibition of Military Recruitment by Non-state Armed Groups		X	
Compulsory Education Age	15	✓	Article 3 of the South African Schools Act
Free Public Education		✓	Articles 5 and 39 of the South African Schools Act

* Country has no conscription

ENFORCEMENT OF LAWS ON CHILD LABOR

In 2024, labor and criminal law enforcement agencies in South Africa took actions to address child labor. However, criminal law enforcement officials failed to properly identify and refer trafficking cases.

Agencies Responsible for Child Labor Law Enforcement
South African Department of Employment and Labor (DOEL): Enforces child labor laws by conducting worksite inspections, operates labor centers at which complaints may be lodged, refers victims of labor exploitation to social workers, and reports violations to the South African Police Service (SAPS) for further investigation. During the reporting year, the DOEL partnered with the ILO in KwaZulu-Natal and Western Cape provinces to train community organizations, workers, employers' organizations, and government officials to identify child labor.
South African Police Service: As per the Children's Act, investigates cases involving the worst forms of child labor. The Directorate for Priority Crime, a division of the Police Service, investigates trafficking cases, which are designated "priority crimes" in South Africa.

Enforcement Mechanisms and Efforts	
Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	N/A
Routinely Conducted Worksite Inspections	Yes
Unannounced Inspections Permitted	Yes
Has a Complaint Mechanism	Yes
Imposed Penalties for Child Labor Violations	N/A
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Imposed Penalties for Worst Forms of Child Labor Crimes	Yes

In 2024, **2,180** labor inspectors conducted **308,799** worksite inspections, finding **3** child labor violations. The government conducted at least **1** investigation into suspected worst forms of child labor crimes and initiated **1** prosecution.

COORDINATION, POLICIES, AND PROGRAMS

South Africa established a mechanism to coordinate its efforts to address child labor. However, agencies’ inconsistent participation limits the National Intersectoral Committee on Trafficking in Persons’ and the provincial TIP Task Teams’ effectiveness.

Key Mechanism to Coordinate Government Efforts on Child Labor
Implementation Committee on the Child Labor Program of Action: Led by DOEL, includes representatives from government agencies, organized labor, agricultural companies, and the ILO. Supports the implementation of the Child Labor Program of Action. During the reporting year, due to agencies’ poor meeting attendance, the government made child labor a standing agenda item for the National Steering Committee on the Rights of the Child.

South Africa established policies related to child labor. However, these policies lack timeframes and benchmarks to monitor and assess the progress of efforts to eliminate child labor.

Key Policies Related to Child Labor
National Child Labor Program of Action for South Africa (CLPA), Phase IV (2017–2024): Served as the primary policy instrument to prevent and eliminate child labor in South Africa. Provided a reciprocal referral mechanism through which SAPS informs DOEL of suspected child labor cases. The National Child Labor Program did not include a timeframe to meet identifiable benchmarks or to assess the progress and adequacy of implementation efforts. In 2024, the government organized workshops on strengthening the CLPA and discussed the planned fifth iteration of the action plan.
Prevention and Combating of Trafficking in Persons National Policy Framework (NPF): Guides interdepartmental coordination on human trafficking issues; outlines the development of procedures and training programs for police and labor inspectors on human trafficking for labor exploitation, including child labor; and calls for social assistance to address the needs of child victims of human trafficking, including psychosocial support and protection in care centers. During the reporting year, the NPF was updated to articulate an integrated strategy and action plan for 2023–2026, which includes the goal of increasing the number of labor trafficking cases prosecuted.

South Africa funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate because they do not fully cover all sectors in which child labor is present. DSD also has a significant shortfall of shelters to accommodate rescued victims of child labor and trafficking, particularly victims from foreign countries, boys, and teenagers struggling with substance abuse.

Key Social Programs to Address Child Labor
Program on Child Labor in Agriculture: Project funded through the European Union and implemented by the ILO in partnership with the DOEL. Aimed to address child labor in agriculture in KwaZulu-Natal and Western Cape provinces through enhanced enforcement and awareness-raising. During the reporting period, the project continued to support awareness-raising and capacity-building in the target provinces. The project ended in November 2024.
Direct Cash Transfer Programs: ‡ Includes the Child Support Grant, which provides monthly unconditional direct cash transfers to help low-income parents and guardians meet their children’s basic needs, and the Foster Care Grant, which provides monthly payments to caretakers of foster children. In 2024, 253,259 children received support through the Foster Care Grant, while 13,218,724 children received the Child Support Grant.
National School Nutrition Program: ‡ Provides one or two meals every school-day to about 9.5 million school children. During the reporting year, the Department of Basic Education conducted program monitoring visits at 132 schools, and phased in breakfast in select provinces and schools.

‡ Program is funded by the Government of South Africa.

For references, please visit dol.gov/ChildLaborReports