



Action Programme on the
ELIMINATION OF
CHILD LABOUR
BOTSWANA 2008–2012



Republic of Botswana



National Action Programme towards the
ELIMINATION OF
CHILD LABOUR
in Botswana 2008–2012

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Acronyms and abbreviations

AIDS	Acquired immune deficiency syndrome	C138	ILO Convention on the Minimum Age for Admission to Employment Convention (Minimum Age Convention)
APEC	Action Programme towards the Elimination of Child Labour		
BCC	Botswana Council of Churches	C182	ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention)
BFTU	Botswana Federation of Trade Unions		
BIDPA	Botswana Institute for Development Policy Analysis	DLSS	Department of Labour and Social Security
BOCCIM	Botswana Federation of Commerce, Industry and Manpower	DNFE	Department of Non-Formal Education
BOCONGO	Botswana Council of Non-Governmental Organisations	DSS	Department of Social Services
BONASO	Botswana Network of AIDS Service Organisations	FBO	Faith-based organisation
BOTA	Botswana Training Authority	GOB	Government of Botswana
BNYC	Botswana National Youth Council	HBC	Home-based care
CAP	Chapter	HIV	Human immuno-deficiency virus
CASE	Community Agency for Social Enquiry	IDM	Institute of Development Management
CBO	Community-based organisation	ILO	International Labour Organization
CD	Compact disc	IPEC	ILO's International Programme on the Elimination of Child Labour
CRC	Convention on the Rights of the Child	LFS	Labour Force Survey
CSEC	Commercial sexual exploitation of children	M&E	Monitoring and evaluation
CSO	Central Statistics Office	MFDP	Ministry of Finance & Development Planning
CT	Child trafficking	MLG	Ministry of Local Government
CUBAC	Children used by adults to commit crimes	MLHA	Ministry of Labour and Home Affairs
		MOE	Ministry of Education

MOH	Ministry of Health	RECLISA	Reducing Child Labour through Education in Southern Africa programme
NCE	National Commission on Education	S&CD	Social and community development
NACA	National AIDS Co-ordinating Agency	SOS	Save Our Souls (SOS) Children's Villages
NDP	National Development Plan	STPA	Short Term Plan of Action on the Care of Orphans in Botswana
NGO	Non-governmental organisation	TECL	Programme Towards the Elimination of the worst forms of Child Labour
NLP	National Literacy Programme	UB	University of Botswana
NPA	National Programme of Action for the Children of Botswana	UN	United Nations
PACC	Programme Advisory Committee on Child Labour	UNDP	United Nations Development Programme
PTA	Parent/teacher association	UNICEF	United Nations Children's Fund
RA	Rapid assessment	VDC	Village development committee
RADP	Remote Areas Development Programme	WFCL	Worst forms of child labour
REC	Recommendation		

Resources enclosed on CD

Find attached to the BACK cover of the APEC two compact disks with the following information:

- CD1. A wide range of reports and resources on issues of child labour, mainly compiled by ILO/TECL from 2004 to 2008, in cooperation with the PACCs in the countries.
- CD2. An interactive lesson on child labour in Southern Africa, meant for senior learners at school. A video on the worst forms of child labour in South Africa, is also included. These resources may be of interest for many others as well, not only learners.

If there is no CD in this copy of the APEC, please contact the Department of Labour or ILO/TECL at the contact addresses on the back of the Cover page, giving your name, organisation, telephone number, postal address and email address (if you have one). Alternatively you can telephone the ILO library at +27 12 431-8805.

Definitions

Child A child is any person under the age of 18 years (Convention on the Rights of the Child of 1989)

Child labour Child labour is defined as work that is harmful to the child because it is economically exploitative, hazardous, interferes with the child's education, or is harmful to the child's health or physical, mental, spiritual, moral or social development (Convention on the Rights of the Child). It includes forms of child labour that are considered to be the worst forms of child labour (WFCL), for example: the commercial sexual exploitation of children (CSEC) which includes the prostitution of children; children being used by adults to commit crimes (CUBAC); and children engaged in very hazardous work.

Child labour exploitation Child labour exploitation means work which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. It also includes work done by children below the minimum age for admission to employment (International Labour Organization [ILO] Convention on the Minimum Age for Admission to Employment, C138 of 1973, Article.2)

Worst forms of child labour (WFCL) Article 3 of the ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (C182 of 1999) includes four pre-defined worst forms:

- All forms of slavery or practices similar to slavery, such as:

- The sale of a child.
- Trafficking of children.
- Debt bondage and serfdom, forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- Commercial sexual exploitation, which refers to the use, procuring or offering of a child for:
- Prostitution.
- The production of pornography or pornographic performances
- The use, procuring or offering of a child by others for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.
- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. The specific forms and circumstances of such hazardous work are to be determined by each country through consultations with employers and workers organisations.

Child trafficking A child has been trafficked if the child has been moved within a country, or across borders, whether by force or not, with the purpose of labour exploitation, including commercial sexual exploitation or other WFCL.

Executive Summary

The need for a national strategy to eliminate child labour

Since children are the future of any country, their healthy development must be promoted and they must be safeguarded against forms of work that are likely to harm their health and welfare or expose them to the exploitation.

This document, the national Action Programme towards the Elimination of Child Labour or APEC, describes the strategy to be followed in Botswana to address such kinds of work. The APEC has been put in place primarily to reduce the chances of children becoming involved in work that might be detrimental to their schooling, health and development. But it also considers the kind of action that is necessary to withdraw children from risky or harmful work situations and to heal the damage done to these children.

In developing this strategy, there was substantial consultation to determine, within the Botswana's social context, what kinds of child work should be viewed as excessive and harmful – and therefore be classified as child labour.

Work in and of itself is not necessarily harmful to children; it is often beneficial in terms of teaching the child essential skills and developing a sense of responsibility. The African Charter on the Rights and Welfare of the Child explicitly acknowledges that children have a responsibility to assist their families and communities in situations need. International Labour Organization (ILO) International Programme on the Elimination of Child Labour (IPEC) supports this principle, and it has also been incorporated into the APEC.

However, even activities that would be wholesome if done in moderation can become problematic when they interfere with a child's development. For example, when household chores take so long that children miss school or do not have time for homework, then government needs to consider whether it is possible to do something to improve the situation of such children.

The existence of child labour in Botswana

Child labour exists in Botswana and its extent is suggested – though not firmly established – by the figures obtained during the 2005/06 Labour Force Survey (LFS). This estimated that 83 400 children in the 7-17 year age group – that is 19% of all children of that age – were engaged in at least one form of child labour. The figure is not comprehensive because it does not include children involved in the worst forms of child labour (WFCL). The extent of these practices cannot be accurately established because of their hidden – and usually illegal – nature.

Qualitative studies have shown that some of the WFCL are practised in Botswana. These include the commercial sexual exploitation of children (CSEC), children used by adults to commit crimes (CUBAC) and the involvement of children engaged in very hazardous work.

Overall, studies conducted in Botswana since 1999 have indicated that the numbers of children engaged in child labour are not large, especially when compared with some other countries on the continent. But child labour remains a significant problem because of the actual or potential damage to the children who fall victim to it. The issue therefore requires the concerted attention of government and other stakeholders, especially in terms of strengthening existing policies and programmes that address social and economic issues impacting on children.

Policy directives requiring action on child labour

Botswana has ratified various international instruments on children and more specifically on child labour, indicating the country's commitment to improve the welfare of its children. The UN Convention on the Rights of the Child, the ILO Convention on the Minimum Age for Admission to Employment (Minimum Age Convention), the ILO Convention on the Prohibition and Immediate Action for

the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention) and the African Charter on the Rights and Welfare of the Child are the fundamental policy directives that require Botswana to identify work that is detrimental to children and to take steps to prevent children engaging in such work.

The **UN Convention on the Rights of the Child**, ratified by Botswana in 1995, provides that every child has a right to be “protected from economic exploitation and from any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”.

The **ILO Minimum Age Convention**, ratified by Botswana in 1997, requires that ratifying states pursue a national policy designed to ensure the effective abolition of child labour and to increase progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. It provides that the minimum age of employment is 15 years, the minimum age for work that may jeopardise health or safety is 18 years but that children aged 13 to 15 years may undertake light work that is unlikely to harm their health or development or prejudice their schooling.

The **Worst Forms of Child Labour Convention**, ratified by Botswana in 2000, defines the concept of worst forms of child labour (WFCL) and requires parties to the convention to take time-bound measures to eliminate the WFCL. The convention sets out four categories of WFCL:

- All forms of slavery or practices similar to slavery, such as:
 - The sale of a child.
 - Trafficking of children.
 - Debt bondage and serfdom, forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- Commercial sexual exploitation of children, which refers to the use, procuring or offering of a child for:
 - Prostitution.
 - The production of pornography or pornographic performances.
- The use, procuring or offering of a child by others for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.

- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. The specific forms and circumstances of such hazardous work are to be determined by each country through consultations with employers and workers organisations.

The ILO in its 2006 Global Report on Child Labour proposed two targets regarding this convention:

- By 2008: adoption of national time-bound programmes to eliminate WFCL.
- By 2016: elimination of the worst forms of child labour globally. In 2007, this target was changed to 2015 for Africa by ILO member states from the continent.

The APEC is a national time-bound programme as envisaged in the convention.

The **African Charter on the Rights and Welfare of the Child**, ratified by Botswana in 2001, reinforces the provisions of the Convention on the Rights of the Child but notes that in addition to their rights, children have responsibilities towards their families, communities, governments and the international community, including “the duty . . . to work for the cohesion of the family, to respect his (sic) parents, superiors and elders at all times and to assist them in case of need”.

The challenge of child labour in Botswana

The term “child labour”, as defined in the Convention on the Rights of the Child, refers to work that is harmful to the child because it is economically exploitative, hazardous, interferes with the child’s education, or is harmful to the child’s health or physical, mental, spiritual, moral or social development.

A preliminary analysis of the LFS 2005/06 data on children’s work activities, suggests that some children younger than 14 years may be working in breach of the Employment Act.

There is limited information on the extent of WFCL, which is unsurprising given its generally illegal and concealed nature. However, qualitative data and information provided during consultations with communities and stakeholders suggest that the WFCL occurring in Botswana are CSEC, CUBAC and forms of very hazardous work.

How common is child labour?

The LFS of 2005/06 addressed questions on employment to all persons aged seven years and older and incorporated some questions specifically addressed to children. The Central Statistics Office (CSO) released the statistics obtained on children’s work in November 2007 for evaluation by stakeholders pending finalisation of the full report. These figures are summarised below.

The definition of “child labour” used to analyse the LFS figures took into consideration three aspects of harm caused to children: hours-related, schooling-related, and hazard-related. The report also provided a composite measure that showed the number and percentage of children who were affected by one or more of these types of child labour.

Overall, approximately 82 400 children aged 7 – 17 years (19.3% of all children in that age group) were found to be performing at least one type of child labour. Child labour was more common for boys (21.0%) than girls (17.5%). The likelihood of a child performing child labour increased as the age of the child increased. Thus 25.2% of children aged 15 – 17 years were involved in at least one form of child labour, compared to 12.8% of children aged 7 – 11 years.

- More than 30 000 children aged 7 – 17 years (7.6% of all children within that age group) were found to be performing hours-related child labour. More than half were boys.
- Slightly more than 19 000 children aged 7 – 17 years (constituting 3.6% of all children within that age range) were found to be involved in at least one form of schooling-related child labour, and this form of child labour is more common for girls than boys. Household chores causing problems with school attendance or studies was the most common form of schooling-related child labour. Virtually no children reported that economic work contributed to school difficulties.
- Just under 50 000 children aged 7 – 17 years (11.6% of all children in the relevant age range) were engaged in

some form of hazard-related child labour. More boys were affected than girls and hazards included exposure to physical dangers such as poisonous substances, dangerous machinery or tools, or dangerous animals.

The LFS also established that:

- A total of 38 375 children aged 7 – 17 years – or 9% of all children in this age range – were engaged in economic activities. About one out of every five of these children was not attending school, while 28.9% reported working more than 28 hours a week.
- The majority of children – 75.3% of boys and 81.1% of girls – said they had done housekeeping activities in the last week. Only a small fraction stated that these duties interfered with their schooling.

Qualitative data on children’s work

A stakeholder workshop held in Gaborone in 2005 identified some WFCL that may be cause for concern in Botswana. Rapid assessment studies were undertaken on two of these problems: CSEC and child trafficking.

The study on CSEC found evidence of transactional sex: young girls exchanging sex for money at truck stops and other locations in both Tlokweng and Francistown, and young girls having sex with older men in return for luxury goods or essential commodities.

- The trafficking study identified only two children who had been trafficked. But a slightly different problem emerged, rooted in the Motswana custom of extended family care. It was found that when vulnerable children were moved between relatives’ homes this sometimes resulted in the exploitation of these children as domestic labour or through the appropriation of their welfare benefits.

Table A: **Children affected by at least one type of child labour by sex and age group**

Age group		Male	Female	Total
7 – 11	Number	13 781	12 710	26 491
12 – 14	Number	15 110	13 022	28 132
15 – 17	Number	15 978	11 795	27 772
Total	Number	44 869	37 527	82 396
	% of sex-age group	21.0%	17.5%	19.3%

During the countrywide consultation process that shaped the APEC, adult participants were asked to identify critical areas of child labour in their districts. This input, combined with research findings, yielded the following list of critical child labour problems:

- **Children involved in excessive domestic household chores:** children are sometimes given excessive and inappropriate household chores that potentially have an adverse affect on their physical, emotional, social and educational development.
- **Child work in agriculture:** the LFS for 2005/06 found that 66% of all employed children worked in agriculture. Those children working on remote commercial farms alongside their parents, in the communal land areas and at cattle posts were of special concern, particularly because of extremely limited access to schooling in these areas.
- **Children used by adults to commit crimes:** during the consultation processes specific examples of CUBAC were cited, including organised stock theft in Kgalagadi District, theft from houses, businesses, and vehicles in the urban centres, and organised street crime.
- **Children involved in commercial sex:** children, particularly girls, are engaged in transactional and commercial sex particularly at truck stops and around bars.
- **Children working in the liquor, retail, and informal sectors:** in many parts of the country children are used as “piece workers” in the retail and informal sectors. The 2005/06 LFS found that the retail sector was the second largest employer of children.
- **Children working on the street:** these are mainly children from poor households who have dropped out of school and fend for themselves (although they may live at home) by doing piece jobs at shopping centre and scavenging at dump sites.
- **Orphans and vulnerable children exploited for their labour:** these children were identified as being at particular risk of being exploited in domestic work and traditional agriculture.
- **Children engaged in physical labour at schools:** this involves children cleaning school toilets, clearing the school grounds and cleaning teachers’ houses, all of which are largely considered to be inappropriate for children.

Children’s views of work detrimental to their development

Children consulted described all of the following types of work as detrimental to their development:

- Work that does not allow them time to play or attend school.
- Heavy physical work, such as unloading goods from trucks at supermarkets.
- Commercial sex work, which is dangerous and not suitable for children.
- Intermittent and irregular work, which forces them to fall back on begging and scavenging.
- Work at the shopping malls, where they say they are sometimes mistaken for thieves and even beaten as a result.

The current legal and policy framework

Child labour and its worst forms have not been a specific focus of legislation and policy in Botswana per se, but laws and policies do exist which impact directly and indirectly on the issue.

- The **Employment Act** of 1984 prohibits the employment of children under 15 years of age and protects young people between the ages of 15 and 18 years who are in employment. The Act also prohibits children and young persons working underground or at night, and restricts their employment in any work which is harmful to their health and development, is dangerous or immoral or otherwise unsuitable. A child who is aged 14 and not attending school may be employed on light work in a family business or in work that is approved by the Commissioner of Labour. A child of 14 who is in school may be similarly employed during vacations.
- The **Children’s Act** of 1981 is concerned with the protection of children in need of care, and with the organisation and implementation of child and juvenile justice. A child may be deemed in need of care if he or she is engaging in any form of street trading, unless deputed by his or her parents to work in a family concern. A review of the Children’s Act is well advanced and will include an explicit focus on the elimination of child labour.
- **Other legislation** provides for the welfare, maintenance and income support of children. Such acts include the

Affiliation Proceedings Act (as revised), the Deserted Wives and Children Protection Act and the new Marriage Act .

- The **Education Act** and the **Revised National Policy on Education** provide for 10 years' basic education for all children. At primary school level in 2004, 98.5% of 7 to 13-year-olds and 89.5% of 6 to 12-year-olds were enrolled. The transition from primary to junior secondary education was 98.7% in 2003 (CSO Education Statistics 2003). However, education is not compulsory and primary and secondary school progression rates indicate that many children do not complete their school education. Attention is now being directed towards the retention of children in formal education. The National Literacy Programme provides some non-formal education opportunities for out-of-school children.
- No specific legislation deals with CSEC or child trafficking but the **Penal Code** and the **Children's Act** have several comprehensive sections which severely penalise the sexual abuse and exploitation of children.

A wide range of poverty alleviation strategies targets the rural poor and those living in the remote areas. Policies with a specific focus on vulnerable children include the:

- National Programme of Action for Children (NPA).
- Remote Area Development Programme (RADP).
- Revised National Policy on Destitute Persons (NPDP).
- Short-term Plan of Action for the Care of Orphans in Botswana.

These policies and the school feeding programmes work together to keep many poor and vulnerable children in school and out of detrimental work. However, some children still fall through these safety nets.

Botswana's new draft National Programme of Action for Children (NPA) (2006 to 2016) addresses targets set in the Millennium Development Goals (2015), the National Population Policy (2011), the International Conference on Population and Development (2014), and the 10th National Development Plan (NDP10) (2015). The NPA outlines specific strategies for vulnerable children including working children, especially those working and living on the streets, orphans and vulnerable children who can become victims to child labour and WFCL.

In addition there are obligations under the Short the National Policy on Orphans and Vulnerable Children (in development), the National Social Welfare Policy (in development), the National Education Policy and the Revised Remote Areas Development Policy. The APEC complements these

by providing a specific, evidence-based, time bound programme for the prevention and elimination of the WFCL and of all forms of detrimental work.

The only NGO response providing direct assistance to victims of child labour was the partnership between the RECLISA programme, SOS Villages and the Gantsi Out-of-School Task Force, which ran until mid-2008. This programme enabled out-of-school children, who are at risk of or involved in detrimental work, to obtain education. A number of other NGOs work with street children, orphans and other vulnerable children.

Process followed in preparing the APEC

The TECL programme came about as a result of a request from Botswana stakeholders to the ILO for support in meeting the country's obligations in terms of the ILO Worst Forms of Child Labour Convention. In 2004 a multi-sectoral Programme Advisory Committee on Child Labour (PACC) was established to oversee co-ordination of the TECL programme and similar initiatives at national level. The Department of Social Services in the Ministry of Labour and Home Affairs is the lead government department on child labour and therefore chaired the PACC and provided a secretariat.

The PACC comprised representatives of key ministries and organisations:

- Ministry of Education.
- Ministry of Local Government (DSS).
- Ministry of Finance and Development Planning (MFDP), represented by the Central Statistics Office (CSO).
- Botswana Police Service, in the Office of the President, Ministry of Justice, Security and Defence.
- Botswana Federation of Commerce, Industry and Manpower (BOCCIM).
- Botswana Federation of Trade Unions (BFTU).
- Botswana Council of Non-Governmental Organisations (BOCONGO) represented by Ditshwanelo and Childline.
- United Nations, represented by UNICEF.
- Programme on Reducing Exploitative Child Labour in Southern Africa (RECLISA) through education, represented by Botswana National Youth Council (BNYC).
- ILO TECL programme.

The structure and composition of the PACC have been revisited to meet the particular demands of implementation of the APEC. This is described in Section D of the APEC.

The ILO TECL programme provided financial and technical support in the drafting of the APEC. There were four work streams that combined to produce the national APEC.

Stream 1 focused on obtaining quantitative and qualitative information on child labour and included the conduct of studies to help understand the extent, nature, causes and consequences of child labour.

Stream 2 involved the formulation of a discussion document on child labour in Botswana. A panel of local experts reviewed research children's work, child labour and the general welfare of children, and the existing legal and policy environment as it applied to child labour. This resulted in a comprehensive discussion document on child labour which formed the basis of the broad consultation process leading to the APEC. The full report - *Elimination of child labour in Botswana: A discussion document on what is known, existing policy and programmes and possible gaps*¹ is available on the enclosed CD and at www.child-labour.org.za.

Stream 3 consisted of a broad consultation process leading to the national APEC. This engaged key stakeholders – implementing agencies and community members – on what actions to take to address the policy and programme gaps identified in Stream 2. The process began in October 2006 and was completed in February 2007. In a parallel process the views of school children, working children and children not attending school were gathered.² A separate report has been drafted on the children's participation process and is available on the enclosed CD and at www.child-labour.org.za.

Stream 4 involved the sharing of experiences and best practice with child labour initiatives in other Southern African countries.

The APEC was the outcome of all of the above processes.

Principles of the Action Programme on Child Labour

The development of the APEC was guided by the following principles:

- **Consultation of children:** Children directly affected by or involved in forms of child labour or child work should be consulted about matters that will impact on them.

- **Child's best interests:** The child's best interest should be the top priority in any action related to child labour.
- **Need for prioritisation:** The country has limited resources and therefore needs to focus initially on taking urgent action against the very worst forms of child work.
- **Learning from others where appropriate:** Swaziland needs to develop an indigenous programme that suits the local context, but that borrows good practices from other countries where appropriate.
- **The need for ongoing learning:** While there has been some research on child labour in Swaziland and enough is known to begin to take action, many issues are still unclear. Research should continue, alongside intervention, to improve understanding of the risks and hazards associated with a wider range of child work.
- **Commitment of the necessary resources:** The necessary resources must be committed once key areas of action have been identified. Interventions that require external resources need to be identified, with due attention to sustainability.
- **Prevention is better than cure:** The programme should emphasise measures to ensure that children do not become involved in harmful work-related activities.
- **Realistic goals and objectives:** The programme of action must be as realistic as possible in terms of the resources and capacity of those responsible for its implementation.

Part II of the APEC contains detailed actions to tackle the cross-cutting issues and specific child labour problems. For each child labour problem area, specific actions are detailed, together with the key implementing agency and partners, an indication of once-off and recurrent costs, and the timeframe for implementation.

These action steps emerged from the child labour consultation processes, during which many suggestions were made on how to tackle child labour. In reviewing and selecting the proposals to be included in the final document, the PACC was guided by the following criteria:

- **Foundation** – the degree to which the action step lays a foundation for future interventions aimed at preventing and eliminating child labour in Botswana.
- **Feasibility** – the likelihood of the action step(s) being implemented in the time frame of the APEC without commitment of extensive additional resources by the Government of Botswana and its development partners.

- **Compatibility** – the degree of compatibility with current and proposed policy and programme initiatives that have a bearing on the elimination and prevention of child labour in Botswana.

Close attention has been paid to the potential of existing social welfare programmes and strategies to tackle child labour. It is important that child labour is not treated as an isolated issue, but instead as an integral part of the national children's agenda that is supported by a comprehensive legislative and policy environment.

Note has also been taken of the recommendations of a range of relevant policy and programme reviews and of emerging policy and legislation, such as the new Children's Bill, currently being drafted, the planned National Social Welfare Policy, National Policy on Orphans and Vulnerable Children, and the draft National Programme of Action for Children. In addition, the Ministry of Labour and Home Affairs and other implementing Ministries and departments will seek to ensure that the APEC and the proposed action steps are included in their submissions for National Development Plan 10.

The Action Programme

The Action Programme comprises 75 specific action steps designed to deal with different aspects of child labour. Each action step is described in some detail, the primary and secondary implementing agencies are indicated, as are the probable source of funding, the magnitude of resources required and the time line.

The Action Programme begins with a set of interventions designed to address broad issues that cut-across most forms of child labour. These interventions should have an impact on large numbers of children. They fall into the areas of:

- Strengthening poverty alleviation.
- Improving access to and retention in education, as well as addressing quality aspects of education.
- Raising public awareness about child labour.
- Responding to some key challenges highlighted by the LFS of 2005/06.
- Building the capacity of officials and other personnel to deal with child labour.
- Incorporating child labour into policy development.
- Conducting further research on child labour.

The next set of action steps are designed to tackle specific forms of child labour found in Botswana, including WFCL. They cover the development of policy and legislation, specific forms of awareness-raising and capacity building, and direct on-the ground interventions. Prevention of child labour is prioritised, but withdrawal and re-integration of affected children are also addressed. The types of child labour that are dealt with are:

- Excessive and inappropriate domestic work.
- Children working in agriculture.
- CSEC.
- CUBAC.
- Children working in shebeens.
- Children working on the streets.
- HIV/AIDS and the exploitation of orphans and vulnerable children.
- Children performing physical work at school.

A special section is devoted to prevention of the WFCL. The rationale for this is that, although Botswana presently has low rates of WFCL, the country has certain social and economic features that suggest WFCL could increase. These factors include the HIV/AIDS pandemic, the high proportion of people living in poverty, and the situation of Botswana within a sub-region where WFCL are more prevalent. The action steps in this section emphasise research, identification and monitoring of children at risk and the development of better support services for children at risk.

There are specific actions to ensure effective management of the APEC implementation process and these deal firstly with adjusting the PACC to equip it for the task. They also deal extensively with monitoring the outputs and impacts of the APEC as a whole. To make this possible a compact set of key indicators has been selected. This section also deals with the future funding of the APEC and takes the position that alignment with major existing programmes would facilitate the securing of funding. Finally, this section specifies procedures for reporting both to the public (through appropriate political channels) and to the international community about progress made towards the goal of eliminating child labour, especially its worst forms.

Part I:
Introduction

Background

1.1 The need for a national strategy to eliminate child labour

Children are the future of the country and we must ensure that their healthy development is promoted. Healthy development is compromised by children's involvement in the worst forms of child labour and by their engagement in other forms of work that are likely to be harmful to their health and welfare.

This document describes the strategy to be followed to address such kinds of work. It is referred to as the national Action Programme towards the Elimination of Child Labour or APEC. The APEC has been put in place to reduce the chances of children becoming involved in the worst forms of child labour, or other forms of work that might be to the detriment of their health and development. In developing this strategy it was important to consult widely to determine what activities, within the Botswana's cultural context, should be regarded as work that might be detrimental to a child and therefore termed child labour.

Work in and of itself is not necessarily harmful to children. It can often be beneficial to children, and the absence of work can expose a child to a variety of social, moral and health risks. The African Charter on the Rights and Welfare of the Child explicitly acknowledges that children have a responsibility to assist their families and communities in case of need, and to learn essential skills in the process. The International Labour Organization (ILO) International Programme on the Elimination of Child Labour (IPEC) programme supports this principle.

Therefore the APEC recognises that work by children, such as reasonable household chores and fetching water and wood, can be beneficial to children. It can teach them skills and impart a sense of responsibility that will help ensure that the young people of today become positive and able adults. However, even activities that would be wholesome if done in moderation can become problematic when they interfere with a child's development. For example, when household

chores take so long that children miss school or do not have time for homework, then government needs to consider whether it is possible to do something to improve the situation of such children.

1.2 Child labour is a problem in Botswana

Child labour exists in Botswana and constitutes a significant problem. The latest information on its extent and nature is set out in sub-section 3. There is evidence that the worst forms of child labour (WFCL), such as commercial sexual exploitation of children (CSEC), children used by adults to commit crimes (CUBAC) and cases of children engaged in very hazardous work, occur in Botswana.

Indications are that the numbers of children involved in exploitative child labour are relatively low compared with some other developing countries. But actual or potential harm that child labour can inflict on children means that the issue needs the concerted attention of government and other stakeholders. It can and should be addressed within existing policies and programmes that deal with social and economic issues, such as poverty, child welfare and educational opportunities.

The limited extent of child labour in Botswana should make the problem more manageable and preventive measure more effective.

1.3 Policy directives requiring action on child labour

Botswana has ratified various international instruments on children and more specifically on child labour, indicating the country's commitment to improve the welfare of its children. The Constitution of Botswana, the UN Convention on the Rights of the Child, the ILO Minimum Age Convention, the ILO Worst Forms of Child Labour Convention, and the African Charter on the Rights and Welfare of the Child are

the fundamental policy directives that require Botswana to take steps to avoid children engaging in work that is detrimental to them, and that identify what kinds of work must be addressed. By ratifying these international conventions Botswana has freely accepted the responsibility of complying with their provisions.

The UN Convention on the Rights of the Child, 1989

This convention, ratified by Botswana in 1995, provides that every child has a right to be “protected from economic exploitation and from any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”. It also states that the best interests of the child must be a primary consideration in all actions affecting children, whether undertaken by government or by non-state actors.

The Department of Social Services (DSS) in the Ministry of Local Government holds the portfolio for children, and is responsible for reporting on the country’s progress on implementation of the Convention on the Rights of the Child, which provides the overarching framework for several other conventions and charters.

The ILO Minimum Age for Admission to Employment Convention, 1973

Ratified by Botswana in 1997, this convention requires ratifying states to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. It says that:

- The minimum age for work or employment is 15 years.
- Laws may permit employment of children aged 13 to 15 years in light work that is unlikely to be harmful to their health or development and that will not prejudice their benefiting from school or vocational programmes.
- The minimum age for work that is likely to jeopardise health, safety or morals should be at least 18 years.
- Work done in schools or as part of a certified programme of education or training is allowed, provided certain safeguards are in place.

- Ratifying states must pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work.

Botswana’s Employment Act of 1984 [CAP 47:01] complies with the Minimum Age Convention as it prohibits employment of any child under the age of 15 years, with the proviso that a child who has attained the age of 14 years and is not attending school may be employed to perform light work that is not harmful to his or her health and development, provided that the employer is a member of his/her family or the type of work has been approved by the Commissioner of Labour.

Also, where the employment is not of a domestic character and accommodation is provided, the child must be readily able to return each night to his or her parent or guardian or to the home of another person approved by the parent/guardian. A 14-year-old child is not permitted to work more than six hours a day or 30 hours a week. If the 14-year-old child is still attending school, he or she may be employed on light work not harmful to his or her health and development during vacations for not more than five hours a day between the hours of 6am and 4pm. The Act also protects children from lifting or carrying anything so heavy that it might endanger their physical development. As yet, the Commissioner of Labour has not defined or approved any specific forms of “light work”.

In addition, children and young people (15 – 17years) are prohibited from employment in underground work and from work during the night. The Act also provides that no young person shall be employed on any work which is harmful to his or her health and development, is dangerous or is immoral.

The Worst Forms of Child Labour Convention

As a member state of the ILO, Botswana assisted in drafting this convention and ratified it in 2000. The convention requires ratifying countries to take time-bound measures to eliminate the WFCL, which comprise:

- All forms of slavery or practices similar to slavery, such as:
 - The sale of a child.
 - Trafficking of children, meaning the recruitment of children to do work far away from home and from the care of their families, in circumstances in which they are exploited for their labour.

- Debt bondage or any other form of bonded labour or serfdom.
- Forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- Commercial sexual exploitation, including the use, procuring or offering of a child for:
 - Prostitution.
 - The production of pornography or pornographic performances.
- Use, procuring or offering of a child by others for illegal activities, including the trafficking or production of drugs.
- Hazardous work which, by its nature or the circumstances in which it is performed, is likely to harm the health, safety or morals of children. The convention recommends that these circumstances be determined in consultation with employers' and workers' organisations within each country. The convention also recommends that programmes of action should pay special attention to younger children, the girl child, hidden work situations in which girls may be at special risk, and other groups of children with special vulnerabilities or needs.

The Worst Forms of Child Labour Convention also requires states to take immediate steps:

- To ensure the prohibition of all the WFCL and to specify in law what kinds of work are considered so hazardous as to be seen as WFCL.
- To facilitate the effective elimination of WFCL. A key instrument to achieve this is a time-bound programme focusing on WFCL, such as Botswana's the Action Programme towards the Elimination of Child labour (APEC).

The ILO in its 2006 Global Report on Child Labour³ proposed two targets regarding this convention:

- By 2008: adoption of national action plans – or time-bound measures – to eliminate WFCL by all member states.
- By 2016: elimination of the worst forms of child labour globally. Member states for Africa have adopted an earlier date of 2015.

In order to meet these targets, Botswana stakeholders requested the ILO's International Programme on the Elimination of Child Labour (IPEC) to secure funding to assist the country.

Limited funding was obtained through the ILO programme Towards the Elimination of the worst forms of Child Labour (TECL). The TECL programme has focused on expanding the knowledge base on certain WFCL, reviewing policies and legislation to identify possible gaps in addressing child labour, and drafting a national country action programme, focusing on the elimination of WFCL.

The Department of Labour and Social Security (DLSS) in the Ministry of Labour and Home Affairs (MLHA) is the government entity responsible for coordinating activities relating to the ILO conventions and for reporting to the ILO on progress towards the elimination of child labour.

The African Charter on the Rights and Welfare of the Child of 1990

Ratified by Botswana in 2001, the charter extends other instruments by requiring governments to promote the dissemination of information on the hazards of child labour in both the formal and informal sectors of the economy. This charter notes that in addition to their rights, children have responsibilities towards their families, communities, governments and the international community. Article 31 states that a child "shall have the duty . . . to work for the cohesion of the family, to respect his (sic) parents, superiors and elders at all times and to assist them in case of need".

The Southern African Development Community (SADC) Code of Conduct on Child Labour

The code emphasises that child labour is on the increase globally and that "in Africa, an estimated 40 percent of all children between the ages of five and 14 years are engaged in economic activities on a regular basis". The code urges all SADC countries to ratify and implement the various international conventions pertaining to child labour and to cooperate with the ILO, UNICEF and the relevant international and national NGOs operating in SADC countries. It sets out in some detail the range of interventions that countries should undertake in relation to child labour.

Domestic policy and programme obligations

There are also domestic policy and programme obligations including Botswana's new draft National Programme of Action for Children (NPA) for 2006 to 2016, which covers major national and international milestones contained in

the Millennium Development Goals (2015), the National Population Policy (2011), the International Conference on Population and Development (2014), and National Development Plan 10 (NDP10) (2015). The NPA also aligns with Vision 2016. The NPA outlines specific strategies for vulnerable children including working children (especially those working and living on the streets) and orphans. These children are at risk of becoming victims of child labour and WFCL.

In addition there are policy obligations in the Children's Act of 1981 (under revision), the Short Term Plan of Action for the Care of Orphans (STPA), the National Policy on Orphans and Vulnerable Children (in development), the National Social Welfare Policy (in development), the National Education Policy and the Revised Remote Areas Development Policy. The APEC complements these by providing a specific, evidence-based, time-bound programme for the prevention and elimination of the WFCL and of all forms of work detrimental to children.

Process followed in preparing the APEC

In 2004 a multi-sectoral Programme Advisory Committee on Child Labour (PACC) was established to oversee co-ordination of the TECL programme and similar initiatives at national level. The DLSS in the MLHA, as the lead department, acts as chair and secretariat of the PACC.

During development of the APEC, the PACC comprised representatives of the following key ministries and organisations:

- Ministry of Education.
- Ministry of Local Government (DSS).
- Ministry of Finance and Development Planning (MFDP), represented by the Central Statistics Office (CSO).
- Botswana Police Service, in the Office of the President, Ministry of Justice, Security and Defence.
- Botswana Federation of Commerce, Industry and Manpower (BOCCIM).
- Botswana Federation of Trade Unions (BFTU).
- Botswana Council of Non-Governmental Organisations (BOCONGO) represented by Ditshwanelo and Childline.
- United Nations represented by UNICEF.
- Reducing Exploitative Child Labour in Southern Africa (RECLISA), through the Botswana National Youth Council (BNYC).
- ILO TECL programme.

The structure and composition of the PACC have been revisited and adapted to suit the challenges of implementing the APEC. This is described in Section D of the APEC.

The ILO TECL programme provided financial and technical support during the drafting of the APEC. The TECL programme in Botswana involved four work streams:

- Stream 1: Building the knowledge base on child labour, especially the WFCL.

- Stream 2: Drafting a discussion document on what is known about child labour, existing policy and programmes, and gaps in addressing child labour.
- Stream 3: Consulting widely on the child labour issues identified in Stream 1 and 2 and formulating an appropriate child labour action programme for Botswana, with an emphasis on eliminating WFCL.
- Stream 4: Sharing experiences and best practices among countries in the region.

2.1 Stream 1: Obtaining quantitative and qualitative information

Quantitative data on children's work were gathered through the national Labour Force Survey (LFS) (2005/06) conducted by the Central Statistics Office (CSO). For the first time the survey addressed questions on employment to all persons aged seven years and older, and incorporated some questions specifically addressed to children. Statistical data on children's work were released in November 2007 by the CSO for evaluation by stakeholders, pending finalisation of the full report. These are summarised below and are supplemented by a separate report based on the LFS data that focuses on child labour, and specifically on an analysis of indicators of child labour. A copy of this report is available on the enclosed CD and at www.child-labour.org.za.

2.2 Stream 2: Formulation of a discussion document on child labour

A panel of local experts reviewed research on children's work, child labour and the general welfare of children in Botswana. The existing legal and policy environment was also analysed from a child labour perspective. This resulted in a comprehensive discussion document which raised a number of issues about children's work and child labour, and these formed the basis for the broad consultation

process culminating in the APEC. A summary of the discussion document was published in October 2006 and the full report, *Elimination of child labour in Botswana: A discussion document on what is known, existing policy and programmes and possible gaps*, is available on the enclosed CD and at www.child-labour.org.za.

2.3 Stream 3: Broad consultation process leading the national APEC

The broad consultation process, aimed at engaging with key stakeholders on addressing the gaps identified in Stream 2 and proposing action to address child labour issues, was officially launched in October 2006 and concluded in February 2007. The consultation aimed to facilitate drafting of the APEC through dialogue with implementing agencies and community members.

Each consultation activity⁴ was structured to give participants an overview of the types of work-related activities children are involved in, to consider which forms of work are bad for children, to prioritise areas where action should be taken, and to consider action steps required to address the types of work that are harmful to children.

In a parallel process, the views of school children, working children and children not attending school were gathered. The aim was to ensure that the voices of children were reflected in the APEC and that it acknowledged children's coping strategies and resilience in the face of difficulties. The intention was that the APEC should build upon their resourcefulness to develop appropriate prevention and protection strategies. Focus group discussions were held with a number of children involved in work activities, many of them working on the streets in extremely hazardous situations. They gave their views on children's work, the work they did and the difficulties they face. In addition, over 1 000 children in primary and junior secondary school were consulted about their views of children's work, and possible action steps to address any detrimental forms⁵.

A separate report has been drafted on the children's participation process and is available on the enclosed CD and at www.child-labour.org.za.

The findings from the rapid assessments, other research, policy and legislative reviews, and the views and suggestions from the consultations with adults and children across the country form the basis for the national Action Programme towards the Elimination of Child Labour (APEC).

The challenge of child labour in Botswana

The APEC has adopted a definition of child labour that is based on that contained in the Convention on the Rights of the Child. Child labour is defined as work that is harmful to the child because it is economically exploitative, hazardous, interferes with the child's education, or is harmful to the child's health or physical, mental, spiritual, moral or social development.

A preliminary analysis of the LFS 2005/2006 data on children's work activities suggested that at least 82 400 children are involved in some form of child labour in Botswana.

This figure is not comprehensive as there is little information, especially statistical data, on WFCL because these activities are generally illegal and are concealed by the adults and children involved. The extent of any such problems in Botswana is therefore difficult to gauge, although qualitative data and consultations suggest that CSEC, CUBAC and some forms of very hazardous work do occur in the country.

3.1 Quantitative data on child work and child labour

As indicated earlier, the quantitative data on children's work were gathered through the national LFS of 2005/06, which asked questions on employment of all persons aged seven years and older, and incorporated some specific questions for child respondents only. The APEC draws on the preliminary data released for comment by the CSO in November 2007

and a separate report based on the LFS data that focuses on child labour and specifically on an analysis of indicators of child labour.

The definition of "child labour" used to analyse the LFS figures took into consideration three aspects of harm caused to children: hours-related, schooling-related, and hazard-related. The report also provided a composite measure showing the number and percentage of children who are affected by one or more of these types of child labour.

Overall, approximately 82 400 children aged 7 – 17 years (19.3% of all children in that age group) were found to be performing at least one type of child labour. Child labour was more common for boys (21.0%) than girls (17.5%) and the likelihood of a child performing child labour increased with age. Thus 25.2% of children aged 15 – 17 years were involved in at least one form of child labour, compared to 12.8% of children aged 7 – 11 years.

- More than 30 000 children aged 7 – 17 years (7.6% of all children in that age group) were found to be in hours-related child labour. More than half were boys.
- Slightly more than 19 000 children aged 7 – 17 years (constituting 3.6% of all children within that age range) were found to be involved in at least one form of schooling-related child labour, and this form of child labour is more common for girls than boys. Household chores causing problems with school attendance or studies was the most common form of schooling-related child labour. Virtually

Table 1: **Children affected by at least one type of child labour by sex and age group**

Age group		Male	Female	Total
7 – 11	Number	13 781	12 710	26 491
12 – 14	Number	15 110	13 022	28 132
15 – 17	Number	15 978	11 795	27 772
Total	Number	44 869	37 527	82 396
	% of sex-age group	21.0%	17.5%	19.3%

no children reported that economic work contributed to school difficulties.

- Just under 50 000 children aged 7 – 17 years (11.6% of all children in the relevant age range) were engaged in some form of hazard-related child labour. More boys were affected than girls and the danger that children were most often exposed to were physical dangers such as poisonous substances, dangerous machinery or tools, or dangerous animals.

Children engaged in economic activities

Among all children aged 7 – 17 years, 9% were reported to be engaged in economic activities. This proportion translated into 38 375 out of a total of 427 977 children in this age group. Further characteristics of children engaged in economic activities were as follows:

- 60.7% or 23 304 of the working children were boys.
- Over half (51.2% or 19 655) of the working children were aged 7 – 13 years.
- The most common reason given for children working was “a duty to help the family”. This was cited by 24 497 or 64% of working children.
- 19% of the working children were not attending school (1.2% in the 7 – 9 years group [50 children], 7.7% among those aged 10-13 years [1 115 children] and 49.8% among 14 – 17-year-olds [6 229 children]). In the 10 – 13 years age group non-attendance was higher for boys (10.8% compared to 2.1% for girls).
- 15 % of the children were working between one and seven hours a week, 25.2% were working between eight and 14 hours a week (9 656), 19.4% were working 15 – 24 hours a week and 28.9% of the children were working more than 28 hours a week. 16.3% of the working children (6240) were working more than 42 hours a week.

Geographic spread

The majority of the working children (64.9%) were in rural villages, with 25.6% in urban villages and 9.5% in cities and towns.

Central District has the largest population of child workers in numerical terms – 22 064 children. They

account for 57.5% of all the country’s working children. At sub-district level Serowe/Palapye and Tutume together have 28% of all the country’s working children (10921 children). Other sub-districts with high numbers of working children are Ngwaketse, Mahalapye and Bobonong, (2 812, 2 669 and 2 543 respectively). In Central District, 12.2 % of all children aged 5 – 17 are working.

Relatively high numbers of working children are also reported in Kweneng East (2 821) and Ngamiland West (2 056).

Sectors featuring child workers

- 66% of the working children (25 312 children) were engaged in agriculture, 22% (8 491) in the retail trade and 4% (1 563) in private households. Small numbers of children were also working in manufacturing, construction, and in hotels and restaurants.
- 58.7% of the children were working on family lands or cattle posts (24 497 children). Just over half of these children were aged 7 – 13 years (12 796).

The report on the LFS 2005/06 also provides some data on children’s engagement in domestic chores.

- 75.3% of boys and 81.1% of girls said they had performed housekeeping activities in the last seven days.
- Housekeeping activities were more common among older children, with 87.1% of 14 – 17 year olds, 82.6% of 10 – 13 year olds and 60.1% of 7-9 year olds engaged in these activities.
- Of those children engaged in household activities, 5% of girls and 4.1% of boys said these activities contributed to difficulties with their schooling, largely because they had insufficient time to study.

Assistance with domestic chores is a normal part of life for most children and not problematic, unless it is exploitative and has a negative impact on the child’s health, welfare, education or development. The prevalence of child labour within the domestic sector is linked to the hours the child spends on household chores and the impact of the work on his or her education. More information on this, including an analysis of the hours children spend on domestic chores and the effect on their education, will be available in a separate report on the children’s LFS data.

3.2 Qualitative information on children's work.

A stakeholder workshop held in Gaborone in 2005 identified some WFCL that may be cause for concern in Botswana. Qualitative information on CSEC and child trafficking was collected through rapid assessment studies in selected areas of Botswana, namely Gaborone, Tlokweng, Francistown, Selebi Phikwe, Serule/Gojwane and Gantsi. The CSEC research found evidence of transactional sex. Young girls were exchanging sex for money at truck stops and other locations in both Tlokweng and Francistown, and young girls were engaging in sex with older men in order to meet their survival needs and, more often, in exchange for luxury goods. The rapid assessment study on child trafficking identified only two children in Gantsi who met the criteria for having been internally trafficked – from a sample of 211 children identified by local organisations as possibly trafficked.

However the rapid assessments identified another related problem. This involved the movement of children, especially orphans and other vulnerable children, between relatives as part of the Motswana practice of extended family care. This practice can sometimes lead to the exploitation of such children for their domestic labour or for access to their welfare benefits. Such movement often occurs without the child's consent and with little regard for the continuity of his or her education or best interests.

During the consultation process, adult participants were asked to identify critical types of child labour in their districts. Based on this and the analysis of research findings, several forms of child work in Botswana were identified as problematic. They are described in the box below.

Critical child labour problems

■ Children involved in excessive domestic household chores

Children are sometimes expected to perform excessive and inappropriate household chores that have the potential to harm their physical, emotional, social and educational development.

■ Child work in agriculture

The national LFS of 2005/06 found that two out of every three employed children (25 312 children) were

engaged in agricultural work. Situations of special concern are those where children work on remote commercial farms alongside their parents, in the communal land areas and at cattle posts. These children may be at risk of economic exploitation and physical harm. The work may also have a detrimental effect on their education, as children living and working in remote environments have little access to formal schooling.

■ Children used by adults to commit crimes

Anecdotal evidence suggests that children are sometimes used by adults to commit crimes. During the consultation processes examples of this practice were cited: organised stock theft in Kgalagadi District, theft from houses, businesses and vehicles in the urban centres, and organised street crime, involving bag-snatching and cell phone theft. Some of these accounts were supported by law enforcement and judicial officers.

■ Children involved in commercial sex

Children, particularly girls, are engaged in transactional and commercial sex mostly at truck stops and around bars. This WFCL was identified as a problem in all geographic centres visited during the APEC consultations.

■ Children working in the liquor, retail, and informal sectors

In many parts of the country, children are used as piece workers in the retail and informal sectors. The 2005/06 LFS found that the retail sector was the second largest employer of children, hiring 22% of employed children or 8 491 children. This group includes children serving in shebeens, which are often owned by their parents. Working or not, there is concern that children living in households that operate shebeens are exposed to unseemly adult behaviour, are at risk of sexual abuse, and experience an environment that is not conducive to their emotional, social and educational development.

■ Children working on the street

These are mainly children from poor households who have dropped out of school. They may stay with their parents, sleeping at home at night, but they tend to lead separate lives from the family. They have to fend for themselves, and in some instances operate as

the breadwinner for the family. They spend much of their time at malls and shopping centres looking for piece jobs. They scavenge at dump sites and, in some locations, fish to sell their catch. These children work in very hazardous environments.

■ **Orphans and vulnerable children exploited for their labour**

This group of children is identified as being at particular risk of exploitation in domestic work, and in the traditional agricultural sector. This is especially the case where children are moved from their parental household to those of relatives and where they act as heads of households.

■ **Children engaged in physical labour at schools**

This involves children cleaning school toilets, the school grounds and teachers' houses, work which is largely considered to be inappropriate for children of almost all ages.

The information in the box on page 19 refers to types of child work that appear to adults to be problematic, but it also alludes to some of the factors that can turn child work into child labour and to some underlying issues, such as the impacts of poverty and HIV and AIDS and lack of access to education. Specific forms of problematic child work and the cross-cutting causes are dealt with separately in Part II of the APEC.

Interviews with children also revealed a distinct view of the kinds of work that undermine their health, education and development. These are summarised in the box (below, on the right, on page 20).

Children's views of harmful work

Children described all of the following types of work as detrimental to their development:

- Work that does not allow them time to play or attend school.
- Heavy physical work such as unloading goods from trucks at supermarkets. Truck drivers often cheat children by not paying them at the going rate

or not paying them at all. Children would prefer that the supermarkets pay them for the unloading. When children undertake overnight trips to unload trucks, they say they get paid less than at home and that the truck drivers insist that this is because they buy supper for the boys.

- Commercial sex work. Children are too young to be involved in this and it is very dangerous.
- Intermittent and irregular work. Children see this as a problem, because when they cannot find work for the day at a supermarket they are forced to beg or scavenge. They would prefer regular and reliable work.
- Work at the shopping malls. The children say that sometimes people mistake them for thieves and some children have been beaten as a result.

The comment below describes the quality of life of many working children.

“I go to town at Choppies complex . . . to push trolleys and take care of cars so as to get some food money. The money I get, I buy with it at Butterfield bakery. I eat the bread with sweet-aid. Then I go back to Choppies to take care of cars and push trolleys all day. The money I get, I buy food. If I get no money I pick food from rubbish bins. Around eight I go home and at nine I go to bed. Then the next day I do the same thing.” – Boy aged 13 years from Francistown.

(Source: *Children's participation activities*)

The current legal and policy framework

In order to keep the APEC focused on the action steps, the discussion of the relevant policy environment is quite brief. A more extensive analysis is available in the published Discussion Document⁶ and on the CD included with the APEC.

Child labour and its worst forms have not been a specific focus of legislation and policy in Botswana. Although the Constitution is silent on the specific protection of children, there are laws and policies which impact directly and indirectly on child labour.

- **The Employment Act** of 1984 [CAP 47:01] offers wide protection to children and young people in employment. The Act prohibits the employment of a child who is under 15 years of age and protects young employed people between the ages of 15 and 18 years. The Act also prohibits children and young persons working underground or at night, and restricts their employment in any work which is harmful to their health and development, is dangerous or immoral, or otherwise unsuitable.
- Some specific exceptions are permitted: for example, a child who is 14 and not attending school may be employed on light work that is not harmful to his or her health and development, provided that he or she works for a family member or that such work is approved by the Commissioner of Labour. A child of 14 years who is in school may be similarly employed during vacations. Unfortunately, monitoring of children's work either within or outside the family is virtually non-existent, and there has been no official definition of "light work".
- **The Children's Act** of 1981 is concerned with the protection of children in need of care, and with the organisation and administration of child and juvenile justice. A child may be deemed in need of care if he or she is engaging in any form of street trading, unless deputed by his or her parents to work in a family concern.
- While this offers some protection, it clearly leaves a major loophole, as parents sometimes exploit their own children's labour. A review of the Children's Act is well advanced, with

the aim of incorporating the provisions of the Convention on the Rights of the Child, and this would result in an explicit focus on the elimination of child labour.

- **Other pieces of legislation**, such as the Affiliation Proceedings Act (as revised), the Deserted Wives and Children Protection Act and the new Marriage Act, provide for the welfare, maintenance and financial support of children.
- **The Education Act** and the **Revised National Policy on Education** provide for 10 years' basic education for all children. At primary level in 2004, 98.5% of 7 to 13-year-olds and 89.5% of 6 to 12-year-olds were enrolled. This high enrolment represents a considerable achievement. The transition rate from primary to junior secondary education is equally impressive at 98.7% in 2003 (CSO Education Statistics 2003). However, education is not compulsory and primary and secondary school progression rates indicate that many school-age children do not complete their school education. Attention is now being directed towards the retention of children in formal education. The National Literacy Programme provides some non-formal education opportunities for out-of-school children, many of whom are believed to be working.
- No specific legislation deals with CSEC or child trafficking, but the **Penal Code** and the **Children's Act** have several comprehensive sections which severely penalise the sexual abuse and exploitation of children.
- A wide range of **poverty alleviation strategies** targets the rural poor and those living in the remote areas. Policies with a specific focus on vulnerable children include the:
 - National Programme of Action for Children (NPA).
 - Remote Areas Development Programme (RADP).
 - Revised National Policy on Destitute Persons (NPDP)
 - Short-term Plan of Action for the Care of Orphans in Botswana.

These policies and the school feeding programmes work together to keep many poor and vulnerable children, including orphans, in school and out of detrimental work. However, some children still fall through these safety nets.

The only **targeted NGO response** providing direct assistance to victims of child labour was the partnership between the RECLISA programme, SOS Villages and the

Gantsi Out-of-School Task Force, which ran until mid-2008. This programme enabled out-of-school children, who were vulnerable to or involved in harmful forms of work, to obtain education. However, a number of other NGOs work with street children, notably Botswana Council of Churches (BCC) in Gaborone, and with orphans and other vulnerable children.

The overall approach to the APEC

5.1 Principles of the Action Programme on Child Labour

The Botswana APEC, essentially expressed in the range of action steps that follows, is the outcome of research and an extensive consultative process. The consultative process was guided by the following principles:

- **Consultation of children:** Children directly affected by or involved in forms of child labour or child work should be consulted about matters that will impact on them.
- **Child's best interests:** The child's best interest should be the top priority in any action related to child labour.
- **Need for prioritisation:** The country has limited resources and therefore needs to focus initially on taking urgent action against the very worst forms of child work.
- **Learning from others where appropriate:** Swaziland needs to develop an indigenous programme that suits the local context, but that borrows good practices from other countries where appropriate.
- **The need for ongoing learning:** While there has been some research on child labour in Swaziland and enough is known to begin to take action, many issues are still unclear. Research should continue, alongside intervention, to improve understanding of the risks and hazards associated with a wider range of child work.
- **Commitment of the necessary resources:** The necessary resources must be committed once key areas of action have been identified. Interventions that require external resources need to be identified, with due attention to sustainability.
- **Prevention is better than cure:** The programme should emphasise measures to ensure that children do not become involved in harmful work-related activities.
- **Realistic goals and objectives:** The programme of action must be as realistic as possible in terms of the

resources and capacity of those responsible for its implementation.

Part II of the Botswana APEC contains the detailed actions considered necessary to tackle cross-cutting social and economic factors that contribute to child labour and specific child labour problems. For each type of problem specific action steps are detailed, together with:

- The key implementing agency and partners.
- An indication of related once-off and recurrent costs.
- The timeframe for implementation.

These action steps emerged from the consultation processes, during which many suggestions were made on how the issues of child labour in Botswana might be tackled. These proposals were reviewed and consolidated by the PACC. The selection of the final set of actions for inclusion in this APEC was based on the following criteria:

- **Foundation** – the degree to which the action step lays a foundation for future interventions aimed at preventing and eliminating child labour in Botswana.
- **Feasibility** – the likelihood of the action step(s) being implemented in the time frame of the APEC without commitment of extensive additional resources by the Government of Botswana and its development partners.
- **Compatibility** – the degree of compatibility with current and proposed policy and programme initiatives that have a bearing on the elimination and prevention of child labour in Botswana.

5.2 Mainstreaming

Close attention has been paid to the potential of existing social welfare programmes and strategies to tackle child labour. It is important that child labour is not treated as an isolated issue, but instead as an integral part of the national children's

agenda that is supported by a comprehensive legislative and policy environment.

In the formulation of the actions particular note has been taken of the recommendations of a range of relevant policy and programme reviews including the National Education Commission; and of emerging legislation, policy and programmes, such as the new Children's Bill, currently being drafted, the planned National Social Welfare Policy and National Policy on Orphans and Vulnerable Children, and the draft National Programme of Action for Children (2006-2016). Wherever possible the mainstreaming of child labour issues into these policies and programmes is adhered to in order to ensure sustainability of the actions taken.

5.3 Integration with NDP 10

The National Development Plan 10 will cover the period from 2009 to 2013. The NDP sets out the government's development priorities for the nation, including the achievement of the Millennium Development Goals. It therefore includes resource allocation for the entire plan period. The Ministry of Labour and Home Affairs and other implementing ministries and departments will endeavour to ensure that the APEC and the proposed action steps are included in their respective submissions for NDP 10.

5.4 Structure of the APEC

Part II is the action centre of the APEC providing a time-bound framework of action towards the elimination of child labour in Botswana.

Section A addresses the cross-cutting issues that affect child labour and need to be tackled if child labour in all its forms is to be eliminated.

Section B deals with each of the critical forms of child labour problems.

Section C focuses on prevention of WFCL, recognising that – although the prevalence of child labour and especially the WFCL is relatively low – Botswana bears the social and economic hallmarks of a country in which child labour could grow.

Section D is devoted to monitoring the implementation of the APEC and to its management, co-ordination by a restructured PACC, led by the Department of Labour and Social Security (DLSS) in the Ministry of Labour and Home Affairs and chaired jointly by the DLSS and the Department of Social Services (DSS) in the Ministry of Local Government.

There are four annexures:

Annexure 1: Actions by Ministries and Agencies summarises the action steps by the lead and secondary implementing ministries, agencies and organizations.

Annexure 2: Monitoring progress towards the elimination of child labour: targets and timelines provides a framework for the time-bound action programme.

Annexure 3: Resolution passed by the Programme Advisory Committee on Child Labour on 4 February 2008 endorsing the APEC.

Annexure 4: References.

Part II

The Action Programme

Introduction

The national Action Programme towards the Elimination of Child Labour in Botswana (APEC) is divided into several sections.

Section A focuses on cross-cutting actions that relate to and may impact upon all the forms of child labour that have been identified in Botswana. The factors that these actions address make all children more vulnerable to being exploited for their labour.

Section B focuses on each of the following specific child labour issues:

- Children doing excessive and inappropriate domestic work.
- Children working in agriculture.
- Children used by adults to commit crime.
- Commercial sexual exploitation of children.
- Children working in the liquor, retail, and informal sectors.
- Children working on the streets.
- Orphaned and vulnerable children exploited in domestic labour and other sectors.
- Children involved in physical labour at schools.

Under each area of intervention or form of child labour, the plan of action details:

- The rationale or justification for the action steps.

- Specific action steps, each of which details:

- The approach to be adopted.
- The key implementing (lead) and supporting agencies.
- The possible source of financial resources.
- The potential once-off and recurrent costs.
- A proposed implementation time frame.

The time frames used for implementation of actions, are short, medium and long term. These are defined as:

- Short term: implementation within two years.
- Medium term: implementation within four years.
- Long term: implementation by 2016.

The APEC provides an organic framework which will need to be constantly reviewed and revised at least every five years. A national child labour report on progress made will be prepared by the lead ministry with input from the other key ministries every second year, starting in 2010.

The financial resources required for each action are classified as modest, moderate and substantial. They comprise either once-off costs or recurrent annual costs.

- Modest: up to P250 000.
- Moderate: between P250 000 and P1 million.
- Substantial: more than P1million.

SECTION A

Actions to address crosscutting factors affecting child labour

Actions that address factors that cut across and impact on all forms of child labour are particularly important to the APEC. They have potentially wide-ranging benefits and are, in many ways, the foundation of the APEC. These actions focus on policy development, public awareness-raising, and capacity building for institutional partners.

As noted above there is a positive policy framework in Botswana that complements the international commitments made in ratifying the UN and ILO conventions on child labour. However, there is still a need to mainstream interventions to address child labour – and especially the WFCL – into a number of these policies and strategies.

Steps need to be taken to develop an understanding of child labour and capacity to address it among the most significant organisations, such as the Botswana Police Service, Administration of Justice, the Department of Social Services, the Ministry of Education, local authorities and relevant civil society organisations. Child labour needs to become a focus in both pre- and in-service training activities for police officers, social workers and teachers. Channels for reporting instances of detrimental child work need also to be clarified.

Specific action steps are detailed for each of the following cross-cutting areas of intervention:

- Poverty alleviation.
 - Education, in terms of access, retention and quality in respect of formal, informal and vocational education.
 - Responding to the findings of the 2005/2006 national labour force survey.
 - Awareness-raising.
 - Capacity building for all enforcement and support agencies.
 - Policy development to ensure the inclusion of child labour.
- Further research on specific forms of child labour.
 - HIV/AIDS programmes, especially those dealing with orphans and other vulnerable children.

A1. Poverty alleviation

Poverty is a significant cause of child labour, and extreme poverty means children are prepared to engage in more harmful and detrimental forms of work, and their families may encourage or condone such work. Poverty remains a significant problem in Botswana with a poverty rate of 30.3% ⁷ in 2002/03. Income poverty is highly concentrated in the country's remotest areas. Orphans, the elderly, remote area dwellers, youth- and woman-headed households are the most vulnerable to poverty. While there are social safety nets and poverty alleviation strategies in place, none focuses specifically on child poverty or the links between poverty and child labour.

A wide range of poverty alleviation strategies targets the rural poor and those living in the remote areas. Policies with a specific focus on vulnerable children include the National Programme of Action for Children (NPA), the Remote Area Development Programme (RADP), the Revised National Policy on Destitute Persons and the Short-term Plan of Action for the Care of Orphans in Botswana. These policies and the school feeding programmes work together to keep many poor and vulnerable children, including orphans, in school and out of detrimental work. However, some children still fall through these safety nets.

See Action Steps 1 to 5.

Action Steps

1. (A1.1) Identify critical intervention areas.

Approach

Commission primary research on adult and child poverty and child labour in Botswana to identify critical poverty alleviation interventions relating to child labour. This process should be informed by the findings of the 2005/06 LFS on children's activities.

Lead institution: Ministry of Finance and Development Planning and MLHA

Secondary institutions: BIDPA, University of Botswana, NGOs

Resources: Financed by the lead line ministries

Once-off cost: Moderate

Recurrent cost: Nil

New policy/programme: New activity

Time line: Short term

2. (A1.2) Incorporate child labour strategies into the national Poverty Alleviation Implementation Plan.

Approach

Incorporate strategies for the prevention and elimination of child labour into the Poverty Alleviation Implementation Plan, and include child labour indicators in the indicator set for monitoring and evaluation of the Poverty Alleviation Implementation Plan.

Lead institution: Ministry of Finance and Development Planning

Secondary institutions: BIDPA, MLHA and MLG (Department of Social Services)

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent cost: Nil

New policy/programme: Elaboration of existing policy

Time line: Short term

3. (A1.3) Recognise children in existing social safety net strategies.

Approach

Review the operations of all existing social safety nets, including the assessment procedures, to ensure that all eligible children are registered for support. The material and psycho-social needs of each child should be included in the assessment processes.

Lead institution: Ministry of Local Government (Department of Social Services, Department of Primary Health Care & Local Authorities), Ministry of Health

Secondary institutions: NGOs, MFDP

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent cost: Moderate

New policy/programme: Elaboration of existing policies

Time line: Short term

4. (A1.4) Include a specific focus on child poverty and child labour in all poverty alleviation strategies.

Approach

In the development of each and every poverty alleviation strategy, there should be an explicit strategic focus on the strategy's potential impacts on children, and specifically on all forms of child labour, especially the worst forms.

Lead institution: Ministry of Finance and Development Planning, Ministry of Labour and Home Affairs, Ministry of Local Government (Department of Social Services)

Secondary institutions: BIDPA, University of Botswana

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent cost: Modest

New policy/programme: Elaboration of existing policies

Time line: Short term

5. (A1.5) Monitor the impact of the policy of cost sharing and other indirect costs in education on the retention of children in school.

Approach

Monitor the impact of cost sharing and other indirect costs on retention of children in junior secondary schools and promote information about the assessment processes for exemptions to enable all eligible children to benefit.

Lead institution: Ministry of Education

Secondary institutions: Ministry of Local Government (Department of Social Services), Ministry of Finance and Development Planning

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent cost: Modest

New policy/programme: Review and assessment of existing policies

Time line: Short term

A2. Education: access, retention and quality in formal, non-formal and vocational education

While an estimated 95% of school-age children are now enrolled in primary and junior secondary schools, the 5% who are not enrolled are most at risk of becoming involved in detrimental work. They are the children working on the streets, hidden away at cattle posts and on commercial farms, and children with disabilities or engaged in WFCL.

Furthermore, while enrolment is high, children still drop out of school for a variety of reasons, especially during their early school years. In a situation where education is not compulsory, and out-of-school children aged 14 years are legally permitted to engage in light work, it is difficult to enforce legislation, policies and strategies aimed at preventing children from entering detrimental work and at removing children from environments where they are at risk of abuse and exposed to WFCL.

The approach adopted by the government for achieving universal primary education is to identify those children who are not in school, find out why they are not attending, and develop specific strategies for bringing them into school. NDP 7 (1991-1997) proposed the following strategies: small one- or two-teacher schools for small remote settlements and better supervision of primary school hostels where these were essential, sensitising of teachers to cultural differences, providing bursaries or destitute allowances to cover the costs of attending school for the very poor, and training literacy teachers in techniques of teaching children as well as adults.

The National Commission on Education (NCE) found this a more feasible approach than enactment of a compulsory

education law, and urged that vigorous efforts be made to implement these strategies. It went on to state: "It is only after these strategies have been implemented and found ineffective that compulsory education legislation should be considered." (NCE: 1993, p100)

The NCE accepted that the state should remain responsible for the educational development of out-of-school children through the National Literacy Programme. The Department of Non-Formal Education is charged with developing special materials and day-time literacy classes for these children who should be free to move into the primary school system at any time.

Many children working on the streets in urban areas are out of school, in part because of economic need but also because they feel alienated from the type of education offered in the school system and experience school as an unfriendly environment. The NCE recommended that the Department of Non-Formal Education should take central responsibility for education programmes for these children, and that government should support NGOs to run out-of-school centres in urban areas through an action research and evaluation programme (Rec. 80, p291). Almost 15 years later, in western Botswana in particular, there remains a serious problem of enrolling and retaining children living on commercial farms and in very remote communities and most children working on the streets remain out of school, with very limited or no opportunities for access to alternative forms of education.

While one- or two-teacher schools have been developed in some remote settlements, these cannot meet the needs of all the out-of-school children. This strategy needs to be extended, through partnerships with civil society organisations, to reach out to the farms and other extremely inaccessible communities. Some boarding facilities have been provided for children

in the remote areas but these do not necessarily provide the answer, since boarding disrupts a child's family environment and some boarding facilities have offered a relatively poor level of care. Also there are specific cultural groups and ethnic minorities whose cultures and lifestyles are alien to the formalities and regulations of the school system.

The recommendations made in the Report of the National Commission on Education (1993)⁸ on measures to increase access and achieve equity in primary education⁹ and on out-of-school education¹⁰ require comprehensive review, to

assess the extent to which the current strategy in the Revised National Policy on Education 1994¹¹ is achieving the desired objectives, and if not to re-consider the deferred enactment of compulsory education legislation¹².

Other relevant programmes such as the NLP¹³ and the RADP¹⁴ have been comprehensively reviewed, and both reviews made useful recommendations about extending access to education for out-of-school children.

See Action Steps 6 to 9.

Action Steps

6. (A2.1) Re-examine implementation of the recommendations from the NCE, and the reviews of the NLP and RADP and consider the benefits and feasibility of compulsory, free basic education.

Approach

Establish a comprehensive consultative process to a) review and b) promote implementation of review recommendations relating to the enrolment and retention of the so-called "missing children", including making basic education free and compulsory.

Lead institution: Ministry of Education, Ministry of Local Government

Secondary institutions: Ministry of Finance and Development Planning

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent cost: a) Nil;

b) Substantial

New policy/programme: a) Re-examination of existing policies and reviews

b) New policy & programmes

Time line: Medium to long term

7. (A2.2) Strengthen existing education delivery systems and develop new systems that target out-of-school children.

Approach

- Review existing policies and programmes.
- Where appropriate, develop new outreach strategies to provide alternative forms of education, including vocational training, to children living in remote areas, children living on farms, children working on the streets and other out-of-school children.
- Implement the Department of Non-Formal Education's new curriculum for out-of-school children, with the necessary supporting structures.

Lead institution: Ministry of Education

Secondary institutions: Ministry of Agriculture, Ministry of Local Government, farmers' associations, NGOs, BOTA

Resources: Financed by the relevant line ministries

Once-off cost: a) Moderate

b) Substantial

c) Modest

Recurrent cost: a) Modest;

b) Moderate

c) Modest

New policy/programme: a) Re-examination of existing policies

b) New programme

c) Extension of existing programme

Time line: Medium to long term

8. (A2.3) Create a safe and child-friendly environment in schools.

Approach

Develop and introduce a strategy that targets both teacher training institutions and school managers to create a safe and child-friendly environment in schools so that children feel safe to discuss their situations confidentially with their teachers or counsellors.

Lead institution: Ministry of Education (Department of Teacher Training and Development)

Secondary institutions: Local Authorities, University of Botswana, UNICEF

Resources: Financed by the relevant line ministries and organisations

Once-off cost: Moderate

Recurrent cost: Moderate to substantial

New policy/programme: Strengthening of existing initiatives

Time line: Medium to long term

9. (A2.4) Extend the one- or two-teacher school approach.

Approach

- Review with relevant civil society organisations the provisions for one-teacher schools on commercial farms and in other extremely inaccessible communities.
- If the review is positive, extend the programme to more inaccessible communities where children cannot access formal schools

Lead institution: Ministry of Education

Secondary institutions: Local authorities, civil society organisations, UNICEF

Resources: Financed by the relevant line ministry and donors

Once-off cost: a) Modest

b) Moderate

Recurrent cost: a) Modest

b) Moderate

New policy/programme: Extension of existing strategy

Time line: Medium term

See Action Step 10.

A3. Initiate action on the findings of the 2005/06 Labour Force Survey

Action Step

10. (A3.1) Commission a comprehensive analysis of children's work from the data of the 2005/2006 Labour Force Survey.

Approach:

The Department of Labour should commission a stand-alone report on children's work from the data from the 2005/06 LFS. This comprehensive analysis would be undertaken with technical support from CSO. Technical support from ILO/IPEC could also be requested

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Finance and Development Planning (Central Statistics Office)

Secondary institutions: University of Botswana, UNICEF, ILO/TECL

Resources: Financed by the relevant line ministry with development partner and donor support

Once-off cost: Modest

Recurrent cost: Nil

New policy/programme: New programme

Time line: Short term

A4. Public awareness-raising

Public awareness of child labour and the forms that it can take in Botswana is very limited. For many members of the public, the consultation exercise provided the first opportunity for them to learn about the issue. It is evident that perspectives are changing on what work is appropriate and inappropriate for a child, and there are new ideas about the meaning of “the best interests of a child”. Traditional forms

of livelihoods are changing, and what was once considered normal work for a child is often no longer the case. Societal expectations on parenting and child rearing are evolving. In this respect, the consultation process revealed receptiveness to understanding how modernising societies define acceptable and unacceptable activities for a child, and the responsibilities that children and parents have to each other.

See Action Steps 11 to 13.

Action Steps

11. (A4.1) Undertake a national public awareness campaign on child labour.

Approach

A media campaign should be designed and implemented. It should commence with a substantial campaign and there should be a sustained series of interventions thereafter, using the mass media. The awareness-raising campaign should specifically raise awareness of:

- The child work provisions in the current Employment Act.
- The international conventions’ and African Charter’s definitions of child labour and the WFCL.
- The child labour issues identified in Botswana, in particular the issues of excessive and inappropriate child work in the form of household chores, children working in agriculture, CSEC, CUBAC and the potential risks of exploitation for orphans and vulnerable children.
- Parental responsibility, the concept of “a child’s best interests” and the appropriateness and relevance of child work for children of different ages.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Local Government (Department of Social Services)

Secondary institutions: Department of Information Services, Department of Broadcasting Services, media agencies, Ministry of Education (value of education – a child in school is a child not being exploited for his or her labour); Administration of Justice and Police Service

Resources: Financed by the relevant line ministry and development partners augmented if possible by ILO technical assistance to cover initial design and part of the implementation.

Once-off cost: Moderate

Recurrent cost: Modest

New policy/programme: New programme

Time line: Short term

12. (A4.2) Initiate awareness-raising for children and youth.

Approach

Undertake the development and implementation of an information campaign using posters, mass media and national and international events, such as International Day of the African Child and International World Day Against Child Labour.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Youth, Sport and Culture, Ministry of Local Government (Department of Social Services)

Secondary institutions: Media agencies, UNICEF, UNDP, ILO, BNYC, Childline, Marang Child Care Network

Resources: Relevant line ministries and international agencies

Once-off cost: Moderate

Recurrent cost: Modest

New policy/programme: Extension of existing programme

Time line: Short term and annual

Action Steps

13. (A4.3) Provide education on child labour and WFCL to children in formal and non-formal educational settings in order to impart knowledge and provide them with skills to take action.

Approach

Introduce special education programmes on child labour in schools. (For instance, the IPEC SCREAM – Supporting Children’s rights through Education, the Arts and the Media package.)

Mainstream child labour issues into the primary and secondary school curricula, utilising the life skills curricula in particular, using life skills methodologies (as in SCREAM , for example), and addressing the following content:

- The child work provisions in the current Employment Act.
- The international conventions’ definitions of child labour and the WFCL.
- The identified child labour issues in Botswana.
- The concepts of parental responsibility and “a child’s best interests”, as well as the appropriateness and relevance of child work.

The importance of education in breaking the cycle of poverty and child labour.

Lead institution: Ministry of Education (Department of Curriculum Development) and Department of Non-Formal Education

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), ILO (IPEC SCREAM package)

Resources: Relevant line ministry and international agencies

Once-off cost: Moderate (seek assistance from development partners/ILO)

Recurrent cost: Modest

New policy/programme: New programme

Time line: Medium to long term

A5. Capacity building to support the implementation of the APEC

Awareness of child labour and the forms it takes in Botswana is limited. For many government and non-state actors, the consultation exercise was their first opportunity to explore child labour and the various conventions. Yet these are the individuals and departments that will be at the forefront of educating the public and tackling instances of child labour. It is important that they have a full understanding of the is-

sues, and the related conventions and legislation in order to do their work effectively.

There are some NGOs that work with street children and other children in need of care and support. These NGOs fill a need that is difficult for government to respond to. However, lack of financial support, including lack of timely flow of funds, often hampers and even undermines their work with children.

See Action Steps 14 to 17.

Action Steps

14. (A5.1) Disseminate information to national and local authority legislators.

Approach

There should be targeted information dissemination on the APEC and child labour matters to Members of Parliament, House of Chiefs, and local councillors

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Ministry of Local Government

Resources: Relevant line ministry and international agencies

Once-off cost: Modest

Recurrent cost: Modest

New policy/programme: New programme

Time line: Short term

15. (A5.2) Build capacity within community level institutions.

Approach

Hold awareness-raising workshops and disseminate information, targeting tribal authorities, local police, VDCs, CBOs, and FBOs

Lead institution: Ministry of Local Government [(Local Authorities), Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Local police training authorities, CBO & NGO network organisations

Resources: Relevant line Ministries

Once-off cost: Moderate

Recurrent cost: Modest

New policy/programme: New programme or could be mainstreamed into existing capacity building initiatives

Time line: Short term

16. (A5.3) Undertake capacity building for labour officers, social welfare personnel and law enforcement personnel.

Approach

Provide information to targeted personnel in the social welfare and law enforcement sectors through pre-service and in-service training workshops. Appropriate curricula and training packages must be developed. Sustained capacity building should, in particular, target:

- Labour officers, addressing child work, child labour, and the WFCL, in order to enable them to be proactive in identifying and addressing child labour problems.
- Social welfare personnel in the public and civil society sectors, advising them how they should address the various forms of child labour, with particular reference to excessive and inappropriate child work in the form of domestic household chores, children working on the street, CSEC, CUBAC and the potential risks to orphaned and vulnerable children .
- Law enforcement agencies, focusing on CUBAC, CSEC and the liquor trade.
- Local authority bye-law officers, focusing on the liquor trade

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Local Government (Department of Social Services, Local Authorities)

Secondary institutions: Training institutions (UB, Botswana Police College, IDM etc)

Resources: Relevant line ministries and training institutions

Once-off cost: Moderate

Recurrent cost: Moderate

New policy/programme: New programme or could be mainstreamed into existing pre-service and in-service training initiatives/plans

Time line: Medium term

17. (A5.4) Strengthen the funding and human resource capacities of organisations that provide services for children in need.

Approach

Strengthen the funding and human resource capacities of NGOs, such as SOS, Childline, Botswana Council of Churches, Marang Child Care Network and others that provide counselling and support services for children. Develop an implementation plan to encourage specific NGOs to take up the child labour issues. Identify possible sources of funding for capacity building .

Lead institution: Ministry of Local Government (Department of Social Services, Local Authorities)

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Finance and Development Planning, Child care networks, BOCONGO, BONASO

Resources: Relevant line ministries and donors

Once-off cost: Moderate

Recurrent cost: Moderate

New policy/programme: New programme or could be mainstreamed into existing capacity building initiatives

Time line: Medium term

A6. Policy development to include a child labour focus

The process of eliminating child labour in Botswana will be facilitated by the existence of appropriate legislation and policy. Botswana already has a supportive legislative and policy environment, being a signatory to various international conventions on human rights and on child labour. But, with the exception of the Employment Act, child labour has yet to be mainstreamed into the legislative and policy framework. The employment of children is regulated by the Employment Act, but there have been no formal definitions included or regulations developed concerning hazardous work, as required by the Worst Forms of Child Labour Convention. A further gap relates to the lack of a definition of light work.

The Penal Code includes a variety of offences related to the sexual abuse of children. The Short Term Plan of Action for the Care of Orphans in Botswana provides a network of

material and other support services for the care and support of children affected by the HIV/AIDS pandemic, and the Children's Act protects children in need of care, and closely regulates child and juvenile justice. A new Children's Bill is being drafted that will provide a more comprehensive rights-based framework for child welfare and the new draft National Programme of Action for Children (NPA 2006-2016) responds to the Millennium Development Goals relating to children.

Actions aimed at eliminating child labour need to be based on a strong legal and policy foundation and there is a need to ensure that this progressive legislation and policy development gives full recognition to the risks that children face from child labour, particularly the worst forms.

See Action Steps 18 to 21.

Action Steps

18. (A6.1) Review the Employment Act with a view to including all child work and to defining and including hazardous work and light work

Approach

The Employment Act is to be reviewed. The various forms of hazardous work and light work are to be defined and included.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Attorney-General's Chambers

Resources: Relevant line ministries

Once-off cost: Modest

Recurrent cost: Nil

New policy/programme: New activity

Time line: Short term

19. (A6.2) Include child labour in the revised Children's Act and allocate resources for implementation.

Approach

Incorporate sections on the WFCL and make provision for harmonisation of the definitions of a child across all legislation. Ensure that the new children's legislation has a comprehensive implementation plan which is fully resourced and capacitated.

Lead Institution: Ministry of Local Government (Department of Social Services)

Secondary institutions: Ministry of Labour & Home Affairs (Department of Labour & Social Security), Attorney-General's Chambers

Resources: Relevant line ministries

Once-off cost: Substantial

Recurrent cost: Substantial

New policy/programme: Strengthening of existing legislation

Time line: Long term

20. (A6.3) Include a child labour focus in the new National Policy on Social Welfare.

Approach

The National Policy on Social Welfare should give special attention to defining which agencies have a responsibility for addressing children's issues and the specific problems of child labour.

Lead institution: Ministry of Local Government (Department of Social Services)

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Finance and Development Planning

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent cost: Nil

New policy/programme: Extension of existing policy development

Time line: Short term

21. (A6.4) Include a child labour focus in the new national policy on orphans and vulnerable children.

Approach

The new national policy on orphans and other vulnerable children should explicitly include working children, especially those in the WFCL. It should incorporate explicit policy positions on children involved in the WFCL, the unregulated movement of children, exploitation of orphans and vulnerable children in the domestic environment, and children's involvement in other forms of detrimental work.

Lead institution: Ministry of Local Government (Department of Social Services)

Secondary institutions: NACA, Ministry of Finance and Development Planning, Ministry of Labour and Home Affairs (Department of Labour and Social Security), UNICEF

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent cost: Nil

New policy/programme: Extension of existing policy development

Time line: Short term

A7. Further research on specific forms of child labour and WFCL

The APEC is based on rapid assessments of perceived problem areas, the findings of the 2005/06 LFS, a review of previous studies and documentation, and perceptions of the issues as expressed by district implementers, community representatives and children during the consultation process. Collectively these sources of data clearly indicate that child labour exists in Botswana. However, the scale of child labour in each of the identified problem areas is not quantified. Further targeted research is needed on the scale of child labour in Botswana. A number of forms of child labour have emerged as priorities through the consultation process although they were not clearly identified in the initial stages of the TECL Programme. These are:

Children being used by adults to commit crime (CUBAC), which was identified as a problem in Tsabong, Francistown, and Gaborone. Some limited anecdotal evidence on CUBAC

was also gathered during the Stream 2 phase, however, the extent and nature of this form of child labour is largely unknown.

Children working in agriculture, which appears to be extensive and is one of the main forms of child work identified in the 2005/06 LFS. Agricultural work can be hazardous and may involve children working long hours in remote areas. It may also contribute to children not accessing education. The scale and impact on children is largely undocumented except in Ghanzi District.

The impact of HIV/AIDS on child labour has not been specifically documented although some of the effects of the HIV pandemic on orphans and other vulnerable children have been documented, and there are programmes in place that seek to mitigate the worst of these. In the main these programmes have not focused specifically upon child labour, on children engaging in homecare and or household chores (as a result of the impact of HIV/AIDS) and dropping out of school or resorting to WFCL as a result.

Action Steps

22. (A7.1) Conduct further research on specific forms of child labour.

Approach

Commission in-depth research to inform and guide the development of strategies and programmes, paying particular attention to the following areas of concern:

- Children being used by adults to commit crime (CUBAC).
- Children working in agriculture, especially subsistence farming and cattle rearing.
- Impact of HIV/AIDS on children from a child labour perspective.

(These may be added to, based on the findings of the LFS)

Lead institution: Ministry of Labour and Home Affairs

Secondary institutions: CUBAC - University of Botswana, NGOs, service providers, Administration of Justice, Botswana Police Service

Children engaged in agriculture - Ministry of Agriculture and agricultural unions

HIV/AIDS - Department of Social Services (MLG), Ministry of Health, NACA

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Nil

New policy/programme: New activity

Time line: Short term

Each of these forms of child labour and the impact of HIV/AIDS pandemic needs in-depth analysis to enable evidence-based action steps to be formulated. In addition, once the full findings of the 2005/06 LFS are available, other areas for research may be identified.

See Action Step 22.

A8. HIV/AIDS and the exploitation of orphans and other vulnerable children

The HIV/AIDS epidemic has made the situation of children ever more precarious and is therefore a major influence on child labour. Children whose parents become infected, later

become ill and eventually die are affected in many ways. Educational opportunities are compromised as children are withdrawn from school to nurse ill family members, care for siblings and help with household chores when adults cannot do them any more. They may be required to work to supplement the family income.

Although listed as a cross-cutting issue the impact of HIV/AIDS on orphans and vulnerable children (OVCs) is dealt with under Section B: Addressing specific forms of child labour in Botswana.

SECTION B

Addressing specific forms of child labour in Botswana

B1. Excessive and inappropriate domestic work

Assisting with household domestic chores, including child care and collecting fuel and water, is the most common form of child work in Botswana. This form of work is integral to local cultures and traditions. It is seen as an important part of a child's upbringing, providing her or him with essential skills and developing a sense of responsibility that will serve the child in adult life. In many communities infrastructural developments have helped to reduce the burden of children's work. The expansion of the water supply infrastructure in both urban and rural communities has helped to significantly reduce the burden of water collection for both children and adults. Many homes now have a piped water connection, and, in the rural communities and poorer urban housing areas, relatively easy access to standpipes. Furthermore, electrification has reached many of these areas. Alternative forms of cooking fuel are also more readily available.

Nevertheless, the consultations suggest that in some instances children are expected to do domestic work that is inappropriate for their age, excessive in terms of their physical development and strength, and/or is harmful to their emotional, social and educational development. Such work may occur in the child's own home or in some other home, often that of a relative. All participants in the consultation process stressed that children need time to rest and play. As yet there is no clear indication of the number of households where children are engaged in excessive and inappropriate domestic work but the LFS on children's activities may provide such information.

Another problem area relating to household work is the movement of children, especially orphans, between households. Trafficking of children was identified by the PACC as a WFCL potentially occurring in Botswana. Subsequently, a rapid assessment was undertaken which found virtually no evidence of child trafficking. However it concluded that the

movement of children between relatives sometimes exposes children to the risk of excessive and inappropriate domestic work. While this movement of children between different households in an extended family is a part of Tswana culture, concern was expressed in the consultation process that sometimes children who have been moved into third party homes are not absorbed into the host family, are treated differently from the children of the family, and are burdened with an unfair share of the domestic work. This has a negative impact on their educational, emotional and social well-being. This experience was also described by children in both the Situation Analysis of Orphans in Botswana (2003) and the evaluation of the STPA (2006).

There is some evidence that children who have difficulties in their home environments seek support, often outside their family networks. The Situation Analysis of Orphans in Botswana (2003) and an earlier study on rape and sexual offences (1999) identified the school and teachers as key sources of such support.

Overall, however, there is an absence of data on the scale of this problem. Discussion and observation suggest that households using their own children for excessive and inappropriate household work at home are a minority; and there is little evidence to suggest that the exploitation of children as domestic workers in paid employment is a significant problem. The 2007 Department of Social Services OVC Situation Analysis may provide some reliable data on these issues. The recommendations from the consultation exercises emphasised actions that can be implemented at the community level, including strengthening and empowering village institutions to deal with situations where children are found to be engaged in excessive household work particularly in third party households.

See Action Steps 23 to 25.

Action Steps

23. (B1.1) Empower community institutions to monitor child labour, especially children engaged in excessive domestic chores

Approach

Through advocacy, information sharing and training enhance the capacity of community institutions to monitor and to make appropriate referrals of children at risk of or involved in work that is detrimental to their welfare.

Lead institution: Ministry of Local Government, Ministry of Labour and Home Affairs
Secondary institutions: Local authorities, NGOs, VDCs, FBOs, Unions, employer's federations or associations

Resources: Financed by the relevant line ministries

Once-off costs: Moderate

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Medium term

24. (B1.2) Include child labour in the family health education sessions at clinics.

Approach

Education on child work should be introduced in the family health education sessions at the local clinics. Materials must be designed and clinic staff trained on their use

Lead institution: Ministry of Health

Secondary institutions: Local Authorities, District Health Teams, Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Resources: Financed by the relevant line ministries

Once-off costs: Moderate

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Medium term

25. (B1.3) Establish tracking and support mechanisms for the protection of children, especially OVCs who are moved between households

Approach

Build on the existing systems of registration and/or assessment at the kgotla and at schools, and by social workers for child welfare benefits to establish effective mechanisms for tracking the movements of children as a basis for monitoring their welfare.

Lead institution: Ministry of Local Government

Secondary institutions: Local authorities (S and CD), Ministry of Education, district health teams

Resources: Financed by the relevant line ministries

Once-off costs: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing programmes

Time line: Short term

B1.4 Opportunities for mainstreaming child labour into complementary actions

In the course of administering a number of social safety nets and support programmes, assessments of vulnerable adults and children take place in their homes. This assessment process could provide a unique opportunity to identify children being used for excessive domestic chores, and to ask children directly about the work they are involved in. The assessment processes include the following:

- The STPA for Orphans and the Home Based Care Programme task social workers and HBC personnel with identifying and assessing orphans and other vulnerable children. The Revised Policy on Destitute Persons provides for the assessment of needy and vulnerable adults, and for children who may not be eligible for STPA enrolment. Children's work activities could be included in these assessments.
- Social workers are tasked with monitoring the physical and psycho-emotional welfare of OVCs, especially those

in receipt of benefits. However, monitoring has been constrained by a lack of human resources and a pre-occupation with managing the procurement and distribution of rations. There is a need to give more emphasis to monitoring of child welfare.

- Schools and education AIDS Coordinators, through the Circles of Support programme, monitor and support vulnerable children who have dropped out of school or may be in danger doing so. The Circles of Support programme could include a focus on children's work.
- The National Policy on Orphans and Vulnerable Children should include a section on child work and child labour including WFCL.
- The new Children's Bill should also include specific sections on child labour.
- The draft NPA (2006-2016) includes a specific section on child labour.

B2. Children working in agriculture

According to the preliminary 2005/06 LFS data, more than 25 000 children are working in agriculture, constituting 66% of all working children. Of these children, 12.6% are aged 7-9 years, 43.4% are aged 10-13, and the remaining 44% are aged 14-17 years. Often children working in agriculture are not employees but are working with or for their parents and families in traditional or subsistence farming. Of the 25 000-odd children reported to be working in agriculture, almost 95% are working in traditional and subsistence agriculture and 89% of them (more than 22 500 children) are working on family lands or cattle posts.

The hours that the children work vary considerably. Almost half the children are reported to work less than 14 hours a week (17.5% work between one and seven hours a week, 30.1% work 8-14 hours), and almost 70% work less than 22 hours a week. A small proportion of children however, work

much longer hours. Slightly more than 10% work 29-42 hours a week and 8.5% (1 914 children) work more than 42 hours. Sometimes they work in remote areas where there it is extremely difficult to access to formal schooling. This is particularly the case in the far west of the country.

During the consultation process the major concern expressed was that children on commercial farms, traditional cattle posts, and those living and working in remote areas are denied access to education, and therefore the opportunity to develop their potential.

Work in agriculture can be hazardous for children. Hours of work tend to be long during planting and harvesting, much agricultural work is physically demanding and strenuous, the work may be conducted in extreme temperatures, agricultural work often involves the use of dangerous implements, and the crops are often abrasive. Children may also be at risk from toxic pesticides, organic dusts, livestock and wild animals.

The Employment Act does not make specific reference to children working in agriculture but the general provisions of the Employment Act, in terms of age and light work, apply. Labour inspectors have the authority and mandate to visit and inspect farms. However there have been no prosecutions of farmers for employing children and on the very rare occasions when child workers have been identified, the farmers have simply been encouraged to desist from this practice. There is a need to support and strengthen the implementation of the Employment Act in the agricultural sector.

There are two discrete issues related to children working in agriculture. One is access to education for children on farms and in very remote areas, which is considered in the discussion of crossing-cutting issues in section A2. The second is the issue of exploitative child labour in agriculture. This is addressed below.

See Action Steps 26 to 30.

Action Steps

26. (B2.1) Strengthen implementation and enforcement of the Employment Act .

Approach

DLSS labour officers are to schedule into their work plans activities relating to the agricultural sector including educating farmers, inspecting farms and active monitoring of child labour.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Ministry of Agriculture, farmers unions and associations

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Short term

27. (B2.2) Task agricultural extension workers with the responsibility of monitoring child labour in communal areas.

Approach

Ensure that the Ministry of Agriculture's extension workers and veterinary officers have the capacity and mandate to refer to the district labour officers any cases of children identified as working in agriculture. Labour officers are to follow up such referrals to determine if any children are working in contravention of the Employment Act.

Lead institution: Ministry of Agriculture

Secondary institutions: Ministry of Labour and Home Affairs

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Short term

28. (B2.3) Raise awareness about child labour in agriculture in rural communities.

Approach

Sensitise community leaders, farmers' organisations and communities in rural areas to the issues of child work and child labour in the traditional agricultural sector.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Ministry of Agriculture

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Short term

29. (B2.4) Raise awareness among commercial farmers and farm workers' organisations of the implications of the findings of the 2005/06 LFS for the agriculture sector.

Approach

Target commercial farmers, unions and other relevant bodies to discuss and take action on the LFS findings

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Ministry of Agriculture, BOCCIM, BFTU

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New activity

Time line: Short term

30. (B2.5) Incorporate a focus on the elimination and prevention of child labour into agricultural policies and programmes.

Approach

Through a process of consultation, incorporate a focus on the elimination and prevention of child labour in national agricultural policies and programmes.

Lead institution: Ministry of Agriculture

Secondary institutions: Ministry of Labour and Home Affairs, farmers' organisations and associations, farm workers' unions, NGOs

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Extension of existing policies and programmes

Time line: Short term

B2.6 Opportunities for mainstreaming child labour into existing and planned complementary actions

The 2005/06 LFS provides data on the specific areas where children are working in agriculture, and the hours they are working. When the Department of Labour/CSO, with the support of TECL, has completed a more detailed analysis of children's employment and work activities, it should be possible to target specific districts for intervention.

The Remote Areas Development Programme provides boarding facilities for children in remote areas. Drop-out rates from these boarding facilities and the schools are high. They could be a focus for developing and implementing a more child-friendly school environment.

B3. Children used by adults to commit crimes

The UN General Assembly Resolution 45/115 (1990) recognised that within the traditional forms of child exploitation the use of children in criminal activities has become an increasingly grave problem and that some groups of children – including runaways and children working and living on the streets – are targets for such exploitation. CUBAC is also a worst form of child labour in terms of the Worst Forms of Child Labour Convention.

Some risk indicators or triggers for CUBAC have been identified, including:

- The involvement of an older co-accused in the commission of an offence.
- The child's membership of a gang or group or participation in gang-related activities.

- The fact that the child is living or working on the streets.
- The type of offence with which the child is charged. For example: housebreaking and theft, street crime or drugs-related offences.
- The existence of avenues for the child to dispose of stolen goods.
- The nature information the child is able to furnish about the offence.

Understanding of the nature and scale of CUBAC is at only a rudimentary level. Anecdotal information from the Botswana Police Service, the magistracy, the Ikago Centre (Molepolole), and a number of participants in different districts during the APEC consultation process suggests that various forms of CUBAC are a problem in Botswana.

At the moment, neither the Botswana Police Service nor the social welfare services – in both the government and NGO sectors – are adequately equipped to respond to this problem. The absence of information on the nature and scale of CUBAC is an obstacle to orienting, capacitating and resourcing the relevant agencies to respond to this problem.

The UN General Assembly urges states to deal with the problem and take effective action by:

- Undertaking research and a systematic analysis of the phenomenon.
- Developing training and awareness-raising activities to sensitise law enforcement and other justice personnel, as well as policy makers, to those social risks that cause children to be manipulated by adults into engaging in crime.
- Taking measures to ensure appropriate sanctions are applied against adults who instigate crimes, rather than

against the children involved who themselves are victims of criminality by virtue of their being exposed to crime.

the involvement and exploitation of children by adults in criminal activities.

- Developing comprehensive policies, programmes and other preventive and remedial measures in order to eliminate

Action steps 31 to 38.

Action Steps

31. (B3.1) Commission in-depth research and analysis on CUBAC in Botswana.

Approach

Commission in-depth research on the various forms of CUBAC identified in the consultation process, including organised stealing of livestock in Kgalagadi District, burglary and house breaking in Francistown and Palapye, organised street theft of cell phones from handbags and pockets, and organised theft of property from vehicles in Gaborone and Francistown.

Lead institution: Ministry of Justice, Defence and Security (Botswana Police Service), Ministry of Local Government (Department of Social Services)

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security) University of Botswana, NGOs,

Resources: Financed by the relevant line ministries with assistance from development partners where possible

Once-off costs: Moderate

Recurrent costs: Nil

New policy/programme: New activity

Time line: Short term

32. (B3.2) Review existing legislation and sentencing practices with a view to making CUBAC a separate crime and to recognising CUBAC as an aggravating factor in sentencing adults.

Approach

Review existing legislation and sentencing practices with a view to making CUBAC a separate crime, and to recognising CUBAC as an aggravating circumstance in sentencing adults.

Lead Institution: Ministry of Justice, Defence and Security (Botswana Police Service), Legal Reform Commission, Administration of Justice

Secondary institutions: Ministry of Labour & Home Affairs, Attorney General's Chambers, Ministry of Local Government, NGOs, Botswana Police Service, UB Law Department

Resources: Financed by the relevant line ministries and organizations

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Short term

33. (B3.3) Target specific communities to inform parents and community leaders about the risk of CUBAC, and the avenues for reporting of CUBAC.

Approach

On the basis of the research findings, design and implement a communication strategy, including the preparation of educational materials. This is to include information on the appropriate channels for members of the community to report any identified instances of CUBAC.

Lead institution: Ministry of Justice, Defence and Security (Botswana Police Service - Crime Prevention)

Secondary institutions: Ministry of Local Government (Departments of Social Services, and Tribal Administration and Local Authorities), Ministry of Labour and Home Affairs (Department of Labour and Social Security NGOs, media

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Modest

New policy/programme: New strategy

Time line: Medium term

34. (B3.4) Strengthen the capacity of the social welfare and police services to combat CUBAC.

Approach

Include information on CUBAC and probation practice in pre-service training for social workers and police officers.

Lead institution: Ministry of Local Government (Department of Social Services), Ministry of Justice, Defence and Security (Botswana Police Service,)

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), University of Botswana

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Modest

New policy/programme: New strategy

Time line: Medium term

35. (B3.5) Include CUBAC as a routine part of all police work concerned with the investigation and prosecution of offences of children accused of or charged with offences.

Approach

Review police protocols and train police officers to include the possibility of CUBAC as a routine element in the questioning of children who are accused of or charged with offences, especially where there is an adult co-accused. This will include training police officers to consider if children in conflict with the law are victims (and not just perpetrators) of crimes, to interview children with sensitivity, and to extend protection and support to child witnesses.

Lead institution: Botswana Police Service, Administration of Justice

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), Ministry of Local Government (Social Services and Tribal Administration), Local Authorities

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Substantial

New policy/programme: New strategy

Time line: Medium term

36. (B3.6) Establish a process for recording data on CUBAC.

Approach: Establish within the judicial system a process for systematically collecting data on CUBAC.

Lead institution: Botswana Police Service, Administration of Justice

Secondary institutions: Ministry of Local Government (Social Services and Tribal Administration), Local Authorities

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New activity

Time line: Medium term

37. (B3.7) Train commissioners of child welfare, magistrates and tribal authorities on CUBAC and consider CUBAC in mitigation of sentence for children found guilty of offences.

Approach

Educate commissioners of child welfare, magistrates and tribal authorities about CUBAC, and how to respond to identified instances of CUBAC. Include CUBAC in pre- and in-service training programme for magistrates and tribal authorities.

Lead institution: Administration of Justice Ministry of Local Government (Tribal Administration and Local Authorities)

Secondary institutions: Ministry of Justice, Defence and Security (Botswana Police Service)

Resources: Financed by the relevant line ministries

Once-off costs: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Medium term

38. (B3.8) Provide effective support for children who are victims of CUBAC.

Approach

Review the capacity of local authorities and the Department of Social Services to provide effective support for children involved in criminal activity as part of a comprehensive, fully resourced and capacitated probation strategy. This should include a strategy for the support and protection of vulnerable child witnesses.

Lead institution: Ministry of Local Government (Department of Social Services)

Secondary institutions: Administration of Justice, civil society organisations

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Moderate

New policy/programme: Widening of existing responsibilities and activities

Time line: Medium term

B3.9 Opportunities for mainstreaming child labour into existing and planned complementary actions

- The revised Children's Act provides for reform of the children's justice system and should identify CUBAC as a separate crime. CUBAC should be a mitigating factor in cases where children are found guilty of committing offences in association adults. Likewise, CUBAC should be a serious aggravating factor in sentencing adults convicted of offences involving the use of children.
- The revised National Policy on Orphans and Vulnerable Children will clarify the policy position on children involved in unlawful activities or that are in conflict with the law.
- The draft NPA (2006-16) proposes a range of general child justice measures that could impact upon CUBAC including:
 - Legislative and policy reforms to ensure an adequate justice system.
 - A protocol for handling children's and juvenile cases.
 - Setting up community-based rehabilitation units for child offenders.
 - Training service providers on juvenile justice and the rights of the child.
 - Monitoring the performance of the juvenile justice system.
 - Community programmes for out-of-school adolescents to prevent them getting involved in unlawful activities.
 - Advocacy for child-friendly facilities in all courts where children appear.

B4. Commercial sexual exploitation of children

Commercial sexual exploitation of children (CSEC) can be defined as "children, both male and female, engaging in sexual activities for money, profit, or any other consideration due to coercion or influence by any adult, syndicate or group". The profit could go either to the child or to any third party involved in the transaction.

A declaration adopted at the first World Congress against Commercial Sexual Exploitation of Children in 1996¹⁶ defined CSEC as a fundamental violation of children's rights. The child is treated as a sexual object and a commercial object. In situations of extreme poverty and in the context of the HIV/AIDS epidemic which renders many children vulnerable, transactional or exchange sex is a survival strategy for some children. This involves the exchange of sex for material goods other than cash, often for essentials such as shelter, food and household necessities. It is not classical prostitution, but it remains an exploitative act by the adult involved¹⁷. This also includes forms of transactional sex where the sexual abuse of children is not stopped or reported by household members, due to the benefits derived by the household from the perpetrator.

Research in Botswana¹⁸ indicates that children, especially girls are involved in a variety of forms of transactional sex, often with older men. This takes the form of exchanging sex for survival needs, for transport and other day-to-day requirements and for otherwise unattainable luxury items, such as cell phones, clothes and expensive take-away foods. In addition, there is evidence that some young girls are exchanging sex for money on a regular basis at truck stops and bars. Research conducted by The Urban Youth Project (MOH/UNDP)¹⁹ showed that the younger, less experienced and less educated girls tend to be on the streets, in the most vulnerable situations.

Young girls are often introduced into this work by their family members. These children are at serious risk of HIV infection, with little or no power to negotiate such dangerous sexual transactions. There is also evidence of intra-generational transactional sex, often for financial gain. These problems are compounded by prevailing social norms.

There is, however, no evidence to date of any organised commercial sexual exploitation of children, or of children trafficked into CSEC. There is also no evidence of children being exploited in pornography.

The problem of CSEC is recognised in the community, and criminal laws exist to protect children younger than 16 years from unlawful sexual activities. But these are often difficult to enforce as families tend to rely on traditional civil remedies, seeking compensation from the offending male and his family rather than reporting such incidents to the police

and pursuing criminal convictions. There is little information about parental attitudes to transactional sexual relationships, but it appears that parents may tacitly condone such behaviour. There are no protections in law for children aged 16 and 17 years.

The national response to HIV/AIDS has identified sex work and inter-generational transactional sex as key drivers of the epidemic, and a variety of programmes are being developed that specifically target young women and girls involved. These include youth-friendly sexual and reproductive health services and peer educator initiatives to reach out to young girls engaging in sex work.

See Action Steps 39 to 44.

Action Steps

39. (B4.1) Raise public awareness of CSEC.

Approach

Organise public debate on CSEC, gender roles in sexuality and traditional/cultural transactional sexual practices and norms. This debate should include a focus upon the effects of these upon children's developing sexual relations.

Lead institution: Ministry of Labour and Home Affairs {Women's Affairs Department]

Secondary institutions: Ministry of Local Government (Department of Social Services), Ministry of Health, Botswana Police Service, NGOs, NACA

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of gender programmes

Time line: Short term

40. (B4.2) Develop and promote community prevention strategies to combat CSEC.

Approach

Develop community prevention mechanisms that will enable the police and social workers to more effectively monitor and intervene where children frequent high-risk situations, such as truck stops and bars. These mechanisms should involve strategies for:
Communities to monitor and intervene to eliminate transactional and commercial sexual activities.
Targeting community members with information in specific areas where girls are known to interact with truck drivers.

Lead institution: Ministry of Local Government (Social Services) (Local Authorities), Botswana Police Service

Secondary institutions: Ministry of Works and Transport, Transport Union, BOCCIM

Resources: Financed by the relevant line ministries

Once-off cost: Moderate

Recurrent costs: Modest

New policy/programme: Extension of existing community crime prevention strategy

Time line: Medium term

41. (B4.3) Link education on CSEC with HIV/AIDS prevention programmes.*Approach*

Include information about CSEC (transactional and commercial sex) in all HIV/AIDS education and prevention strategies that target children (in and out of school). This would include sexual and reproductive health services, life skills education, health education activities and children's and youth focused NGOs and CBOs. Ensure access to confidential child- and youth-friendly counselling opportunities for all children and young people.

Lead institution: Ministry of Health

Secondary institutions: Ministry of Education, NGOs and CBOs, BNYC, NACA

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing programmes

Time line: Medium term

42. (B4.4) Strengthen measures to eliminate CSEC in education institutions

Approach: Ensure strict enforcement of regulations on teacher/student involvement by the Ministry of Education, in cooperation with teacher's unions.

Lead institution: Ministry of Education

Secondary institutions: University of Botswana, teachers' unions

Resources: Financed by the relevant line ministries

Once-off cost: Nil

Recurrent cost: Nil

New policy/programme: Enforcement of existing policy

Time line: Short term

43. (B4.5) Strengthen existing NGOs working with sex workers to reach out to girls involved in CSEC or in other forms of transactional sex.*Approach*

Engage in dialogue with NGOs currently working with sex workers with a view to developing a strategy to support them to extend their outreach to girls involved in CSEC and inter-generational sex.

Lead institution: Ministry of Local Government (Department of Social Services and Local Authorities), Ministry of Health

Secondary institutions: Botswana Police Service, Department of Women's Affairs, NACA, NGOs, ,BNYC

Resources: Financed by the relevant line ministries & HIV project funds

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing activities

Time line: Medium term

44. (B4.6) Undertake research on parental attitudes to transactional sex.*Approach*

Commission primary research on parental attitudes towards children's involvement in transactional sex.

Lead institution: Ministry of Local Government (Research Unit), Ministry of Health (Family Health Division),

Secondary institutions: NACA, BOTUSA, University of Botswana, Service Providers

Resources: Financed by the relevant line ministries and donor partners

Once-off cost: Moderate

Recurrent costs: Nil

New policy/programme: Extension of existing activities

Time line: Short term

B4.7 Opportunities for mainstreaming CSEC into existing and planned complementary actions

- The HIV/AIDS prevention agenda includes a specific focus on inter-generational sex and commercial sex as drivers of the epidemic. CSEC should be mainstreamed into these strategies.
- HIV programmes targeting commercial sex workers could include a specific focus on CSEC.
- NGO peer education programmes are already reaching some girls who are getting involved in CSEC. These could be better supported and capacitated.
- Life skills education in schools could include a specific focus on CSEC, including transactional sex.
- CSEC and other forms of child labour could be included as a focus of existing community crime prevention strategies.

B5. Children working in shebeens

Shebeens form a significant component of the informal economy. They have been largely unregulated, are usually located deep in the heart of residential communities, and are generally found within the compounds of private dwellings. The children of these households often help in the shebeens, serving customers and keeping the surroundings clean. They also assist in collecting the alcoholic beverages from drop-off points. There are recorded instances of CSEC in these environments, as well as “grooming” of children for later sexual exploitation. During the consultation processes, the additional difficulties faced by children in this environment were said to include: late night noise and disturbance preventing children from completing homework and sleeping, exposure to alcohol, alcohol abuse and alcohol-related violence, and unseemly and inappropriate adult behaviour.

See Action Steps 45 to 49.

Action Steps

45. (B5.1) Raise awareness of the harmful effects of children working in shebeens.

Approach

Educate community leaders and shebeen owners on the harmful effects their trade may have on their children and how these can be mitigated.

Lead institution: Ministry of Trade and Industry, Ministry of Local Government (Local authorities)

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security) ,

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New activity

Time line: Short term

46. (B5.2) Involve liquor producers in eliminating child labour.

Approach

Engage liquor producers, distributors and retailers on their roles in eliminating the involvement of children in any aspect of the liquor trade (chibuku in particular).

Lead institution: Ministry of Trade and Industry, Ministry of Local Government (Local Authorities)

Secondary institutions: Private sector, BOCCIM, media, unions and any shebeen associations

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Follow up of existing research

Time line: Short term

47. (B5.3) Promote and support centres for children and youth.

Approach

Explore opportunities for children living in and around shebeens to have centres for homework, sport and other recreational activities as alternatives to being in the shebeens.

Lead institution: Ministry of Youth and Culture, Ministry of Local Government (Department of Social Services), BNYC

Secondary institutions: Ministry of Education

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Moderate

New policy/programme: New programme

Time line: Medium term

48. (B5.4) Strengthen relevant legislation on the distribution and sale of alcohol, incorporating a child labour focus.

Approach

Review the provisions of the new Liquor Act to control children's presence and work activities in shebeens.

Lead institution: Ministry of Trade and Industry

Secondary institutions: Attorney-General's Chambers, Ministry of Local Government (Department of Social Services)

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Extension of existing policy

Time line: Medium term

49. (B5.5) Review and strengthen bye-laws pertaining to shebeens.

Approach

Review existing bye-laws and, where necessary, create new bye-laws that will eliminate the involvement of children in shebeens and also control the operating hours of shebeens and tuck shops.

Lead institution: Ministry of Local Government (Local Authorities)

Secondary institutions: Ministry of Trade and Industry, Attorney General's Chamber

Resources: Financed by the relevant line ministries

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Extension of existing activities

Time line: Medium term

B5.6 Opportunities for mainstreaming the elimination of children's work in shebeens into existing and planned complementary actions

- Preparation of a revised Liquor Act that prohibits children young than 18 years from being present on premises selling liquor.
- Stepping up of HIV prevention messages related to alcohol abuse, targeting children and young people.
- Consideration of the recommendations of the Department of Trade and Industry on shebeens and incorporation of

child labour interventions into any implementation plan or actions.

B6. Children working on the streets

A distinction is often drawn between children who both live and work on the streets, separated from their homes and families, and children who work on the streets but have homes with their parents, relatives or friends. In Botswana research studies show that the majority of children found working on the streets do not sleep there but go back to a home of some sort at the end of the working day.

There are no statistics on children working on the streets and it is not known whether their numbers are increasing or decreasing. However, such children can be found in and around shopping centres, particularly in the urban areas, trying to make a living through various work activities. The consultation process revealed that some of these children experience working in and around the supermarkets as a relatively successful livelihood strategy and they are reasonably well focused and organised. They often work directly for truck drivers, unloading goods on a piece work basis. However this work is not reliable and they also wash cars, push shopping trolleys and sort and sell rotten or damaged fruit and vegetables. When these work activities are not available, they can be found scavenging at dump sites for items to eat or sell. This latter extremely hazardous activity was identified as a problem by both children and adults in the consultation process. Children working on the streets are at serious risk of violence, exploitation, substance abuse and being recruited by adults into illegal activities.

Many of these children do not go to school, nor do they have access to any out-of-school education opportunities. A few

NGOs provide support services for children working on the streets but they are often constrained by lack of resources such as trained personnel and reliable finance.

The following description of a typical day in the lives of these children was given by a teenage boy interviewed in the APEC consultation process.

“I wake up and go to town to Choppies complex. I get piece jobs of taking care and washing cars. The money I get I buy food with it. If I haven’t made any money I pick food from rubbish dumps. In the afternoon we go fishing at Tati river and sell fish by the road. Sometimes whoever sold the most we steal from him. We just then go to the rubbish dumps around 6 o’clock to find food, if we are broke and then we look for any kind of piece job. I go back to Somerset around 8 o’clock with the food and money I have and then I buy two packets of chibuku and drink before I go to bed. I go to bed around 11 or 12.” – 16-year-old boy, Francistown.

See Action Steps 50 to 53.

Action Steps

50. (B6.1) Review the recommendations of studies on children working on the streets.

Approach

Commission a review of the recommendations of local studies and document best practices of interventions with children working on the streets, with a view to developing a comprehensive and cohesive plan of action to tackle this issue.

Lead institution: Ministry of Local Government,

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), NGOs, University of Botswana, Service Providers

Resources: Financed by the relevant line ministries & donors

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: New activity

Time line: Short term

51. (B6.2) Mobilise the retail sector to assist with street children.

Approach

Discuss with supermarket chain headquarters their obligations under the Employment Act and how they can build upon their current relationships with the children to contribute to their social and educational development.

Lead institution: Ministry of Labour and Home Affairs (Department of Labour and Social Security)

Secondary institutions: Ministry of Trade and Industry, supermarket chains, BOCCIM, BFTU

Resources: Financed by the relevant line ministries and private sector

Once-off cost: Nil

Recurrent costs: Nil

New policy/programme: Extension of existing activities

Time line: Short term

52. (B6.3) Secure and monitor landfill sites.

Approach

Review and strengthen security arrangements at dumpsites to prevent children from scavenging.

Lead institution: Local authorities

Secondary institutions: Ministry of Local Government

Resources: Financed by the relevant line ministries and private sector

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing programme

Time line: Short term

53. (B6.4) Develop NGO capacity to assist children working on the streets.

Approach

Strengthen the partnership between government and NGOs working with children on the streets, and develop sustainable strategies for financing their work.

Lead institution: Ministry of Local Government (Department of Social Services),

Secondary institutions: Ministry of Labour and Home Affairs (Department of Labour and Social Security), BOCONGO, BCC, SOS

Resources: Financed by the relevant line ministries, private sector, and donor partners

Once-off cost: Moderate

Recurrent costs: Moderate

New policy/programme: Extension of existing programmes

Time line: Medium term

B6.5 Opportunities for mainstreaming child labour into existing and planned complementary actions

- The Botswana Christian Council Tsholofelong Programme is already working to remove children from the streets. A child labour focus could contribute another dimension to this initiative.
- RECLISA/SOS/Gantsi Out-of-School Task Force is involved in identifying children who are in detrimental work and assisting them to return to school if possible.
- The Lion's Club, the Rotary Club and other service organisations are actively assisting children who are working on the streets and a child labour focus could be included in their programmes.
- The Draft NPA (2006-2016) aims to reduce the number of children working on the streets through development of a national programme that includes outreach, drop-in centres and short and long term shelters together with family support interventions. The APEC will complement this programme.

B7. HIV/AIDS and the exploitation of orphans and other vulnerable children

There are varying estimates of the numbers of children who are orphaned or vulnerable. The 2001 Census, relying upon the UNAIDS definition,²⁰ found that 15% of Botswana's children were orphans and there were close to 9 000 child-headed households in the country. Using the more restricted definition adopted in the STPA,²¹ around 9% of Botswana's children have been found to be orphans, amounting to some 70 000 children²². This figure, together with a continuing high HIV prevalence rate and over 30% of the country's population living below the poverty datum line in 2002/03, suggests that Botswana is a country where exploitative child labour could easily develop. A variety of social safety nets, together with the national programme for orphans and vulnerable children, have supported families to keep the majority of orphans and other vulnerable children fed and in school. However there are children who fall through these nets. Monitoring and psychosocial support remain weak, and some children are moved between relatives' homes, where they are not fully integrated but are exploited for their

Action Steps

54. (B7.1) Strengthen the monitoring of OVCs.

Approach

Review the recommendations on monitoring the welfare of OVCs made in the Evaluation of the STPA for their potential impact on identifying children involved in detrimental work. Promote implementation of pertinent recommendations.

Lead institution: Ministry of Local Government

Secondary institutions: Local Authorities, Ministry of Finance and Development Planning

Resources: Financed by the relevant line ministries, donors UNICEF

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing programmes

Time line: Medium term

55. (B7.2) Establish a community register of child-headed households.

Approach

Establish in each community a register of child-headed households so they can be given appropriate and sustained adult support.

Lead institution: Ministry of Local Government

Secondary institutions: Local Authorities, Ministry of Finance and Development Planning (CSO) communities, NGOs, CBOs, FBOs

Resources: Financed by the relevant line ministries and private sector

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Extension of existing programme

Time line: Short term

labour. Also children with unresolved emotional problems and trauma are particularly vulnerable to sexual opportunism and exploitation.

See Action Steps 54 to 55.

B7.3 Opportunities for mainstreaming child labour into existing and planned complementary actions

- The situation analysis on OVCs (2006) will provide insights into child work and child labour.
- The development of the national policy on OVCs should include a section on working children and child labour.
- Children's work could be included in the assessment processes for potential orphan registration.
- Child work and labour could be included in the OVC indicators reported to the NAC.

- NGOs working with OVCs could be strengthened and child labour included as a direct focus of their work.

B8. Children doing physical work at school

During the consultation exercise on the APEC both children and adults expressed concern about children in primary and secondary schools being required to clean school toilets, clear school grounds and occasionally clean teachers' houses. In 2007, the Ministry of Education directed primary schools that children should no longer perform these menial chores and that cleaners and ground staff were to be employed. However, this has not been extended to children in the secondary schools.

See Action Step 56.

B8.2 Opportunities for mainstreaming child labour into existing and planned complementary actions

- The Ministry of Education directive (2007) prohibiting children in primary schools from undertaking menial chores and requiring the appointment of cleaning and ground staff should be fully enforced and monitored. The directive could also be extended to junior secondary schools.
- The Ministry of Education initiatives on building safe and child-friendly schools will encourage the retention of more children in school, especially in the remote areas.

B9. Children engaged in hazardous work

Work activities that could constitute child labour in Botswana need to be clearly identified through the application of consistent criteria and prioritised for action. Three major considerations in identifying such work are:

- The existence of an obvious risk of harm to the child.
- The existence of a threat to educational opportunity.
- The potential for exploitation of the child.

Key issues in assessing the potential harm to children are highlighted in the table which provides an overview of work activities that cause or increase potential harm to children.

See Action Step 57.

Action Step

56. (B8.1) Publish guidelines on school cleaning.

Approach

Publish clear guidelines for both primary and secondary schools on the use of children for cleaning inside and outside areas of the school, and the employment of cleaners and ground staff

Lead institution: Ministry of Education

Secondary institutions: Schools and PTAs or boards of governors, local authorities

Resources: Financed by the relevant line ministries and private sector

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Extension of existing strategy

Time line: Short term

Action Step

57. (B9.1) Establish regulations/standards on what is considered to constitute dangerous and hazardous labour conditions for children.

Approach

Address legislation and policy gaps on hazardous child labour to align it with and comply with the Minimum Age Convention and the Worst Forms of Child Labour Convention on minimum ages and types of work permitted.

Lead institution: Ministry of Labour and Home Affairs; organised labour and employers

Secondary institutions: All other members of the PACC including civil society

Resources: Financed by the relevant line ministry and or donor funding

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Extension of existing programmes

Time line: Short to medium term

Table 1: **Work-related activities: factors that cause or increase real or potential harm**

Factor	Factors that cause or increase risk of harm
Number of hours per day/week	Long hours
Time of day/night	Night work
Wages	Lower wages Piece work and task work
Nature of work	Dangerous circumstances, tools, chemicals and other dangerous exposures
	Commercial sexual exploitation, including exposure to illness
	High strain or exhausting. Heavy loads, especially when carried over long distances
	Illegal work
	Work that is ergonomically unsuited
	Excessive responsibility
Schooling	Work detrimental to schooling
Psychological effect	Work that is degrading and that reduces the child's sense of self-worth
Recreation and rest	Work reducing significantly time for recreation and rest
	Inadequate meal and rest breaks
Attitude of adults where child works	Using coercion or intimidation Restricting child's movement unreasonably Where no caring adult present
Where work is performed	On the streets Work that is hidden or isolated and not easily monitored

Table 2: **Working children’s suggested actions on critical forms of child labour**

Form of child labour	Suggested actions
Domestic work (including fetching water and firewood)	If there is so much work that the child cannot study then the social workers should counsel the parents. They should impress on the parents the importance of school.
Working in retail, shebeens and informal sector	There should be no shebeens at home. There should be strict laws against parents who allow their children to work in shebeens. Chibuku truck drivers who sell to children should be charged.
Children working on the streets (including casual labour and begging)	Government should send all such children to school. The arrangement with truck drivers for unloading trucks is unsatisfactory. The shop managers should be the ones paying for unloading the trucks.
CSEC	The police should patrol bar areas regularly and arrest such men. There is need for a neighbourhood watch.
Form of child labour	Suggested actions
Domestic work (including fetching water and firewood)	If there is so much work that the child cannot study then the social workers should counsel the parents. They should impress on the parents the importance of school.
Working in retail, shebeens and informal sector	There should be no shebeens at home. There should be strict laws against parents who allow their children to work in shebeens. Chibuku truck drivers who sell to children should be charged.
Children working on the streets (including casual labour and begging)	Government should send all such children to school. The arrangement with truck drivers for unloading trucks is unsatisfactory. The shop managers should be the ones paying for unloading the trucks.
CSEC	The police should patrol bar areas regularly and arrest such men. There is need for a neighbourhood watch.

B10. Footnote: children’s remedies for various types of child labour

The last sub-section in Section B does not comprise formally adopted action steps. It presents the views of children who participated in the consultation process on the actions that should be taken in response to various forms of child labour. These are presented merely for reflection, not for activation.

Table 3: **School-going children’s suggested actions on critical forms of child labour**

Form of child work	Suggested actions
Domestic work (including cleaning the house, cooking, washing dishes and clothes, collecting firewood and water)	<p>Children should be allocated tasks according to their strength and ability. Chiefs, social workers and teachers should counsel parents about giving their children time to rest, and giving them housework that is suitable for their age. Teachers, social workers, National Youth Council and NGOs should counsel the children on what is acceptable.</p> <p>The police should be given the authority to punish those people who give children too much work to do. Chiefs should encourage parents not to overwork children.</p>
Working in retail, shebeens, and the informal sector	<p>The chief should make a law that prevents this kind of situation and parents should obey.</p> <p>The police should patrol the village to ensure that the community complies with the law.</p> <p>Social workers should talk to parents not to make children sell alcohol.</p>
Children working on the streets (including casual labour and begging)	<p>The parents should look for jobs, even simple ones so that they can look after their family.</p> <p>Older children can look for weekend jobs that won't affect their studies.</p> <p>The police should ensure that children do not sell at bus ranks and on the streets.</p> <p>Social workers should register such children as destitute.</p> <p>The social workers should help the family with food.</p>
CSEC	<p>The police should arrest people who solicit sex from children.</p> <p>Community members who witness this should report to the police.</p> <p>Chiefs should be allowed to use corporal punishment on such people.</p> <p>Social workers and guidance and counselling teachers should teach children about STIs, and to respect themselves.</p> <p>Parents should be strict and advise their children accordingly.</p>
Cleaning school toilets	<p>The Ministries of Education and Health should be notified to stop this practice. The Ministry of Education and councils should hire cleaners.</p>

SECTION C:

Prevention of the worst forms of child labour

The preparatory work leading up to the formulation of the APEC prioritised the child labour issues that should be the focus of attention. As previously noted, the rapid appraisal activities in Stream 1 concentrated on CSEC and trafficking. The discussion document (prepared in Stream 2) reviewed previous research and policy on child labour in Botswana. To some extent the outputs from Streams 1 and 2 focused the discussions in the consultation process. During this process some WFCL were identified as problem areas in Botswana. CSEC is considered to be one of the WFCL that is of particular concern in Botswana. Similarly, although perhaps to a lesser degree, CUBAC was also identified as an area of concern.

Other WFCL were not specifically identified as areas of concern in Botswana. In fact, the rapid appraisal on child trafficking did not find any evidence that this form of child labour currently exists in Botswana. However, child trafficking and other WFCL, such as use of children in the drug trade, are prevalent in the region. Botswana is aware of these regional problems, and the risks they pose. Also as stated above because of poverty and the impacts of the HIV/AIDS epidemic, Botswana has the characteristics of a country where exploitative child labour *could* develop.

It is with these risks in mind that the APEC has been formulated to include a focus on prevention of the WFCL. Throughout the APEC there is emphasis on:

- Research to gain a better understanding of child labour issues in Botswana. It is expected that this research will inform and guide the APEC managers in terms of formulating appropriate action strategies.

- Raising public awareness about child labour, with an emphasis on parental and community responsibilities for supporting and protecting vulnerable children.
- Strengthening the capacity of the public and NSAs to tackle child labour issues.
- Monitoring children at risk. It is expected that the support and monitoring mechanisms outlined in the APEC will help to minimise the risk of vulnerable children being exposed to the WFCL.
- Providing better support for children at risk. This includes strengthening existing social safety net mechanisms, and ensuring that psycho-social support services are accessible for children in need.
- Mainstreaming strategies for the prevention and elimination of child labour into other sectoral policies, and programmes.

The APEC managers (see Section D below) hold a watching brief on the prevention of child labour. This involves:

- Ensuring that the outputs from research on child labour are utilised.
- Commissioning new research when necessary.
- Ensuring that relevant stakeholders are briefed on both the implementation of the APEC and any new developments on child labour in Botswana.
- Advocating for changes in legislation and policy, as required, with Members of Parliament, the House of Chiefs, and local councillors.

SECTION D:

Monitoring implementation of the APEC

D1. Management of the APEC

It is recognised that child labour and the WFCL constitute a labour problem. This means child labour is a concern of the tri-partite labour structure of government, employer associations and employee unions. The Labour Act already empowers the MLHA to investigate and receive reports on child labour practices, and to take appropriate action. The Ministry conducts, analyses and reports on the CSO labour reports and needs to report on the application of ILO conventions, including the Minimum Age and Worst forms of Child Labour conventions.

The MLHA has consequently provided the chairperson and secretariat of the PACC on child labour since 2004. But child labour is a problem that extends beyond labour issues. It is also linked to social welfare, education, criminal justice, health, and poverty-alleviation.

The PACC was established to oversee the development and formulation of the APEC. It is proposed that the PACC retain overall responsibility for managing and monitoring the implementation of the APEC. To achieve this it is proposed that membership of the PACC be modified and that:

- The Department of Labour and Social Security in the Ministry of Labour and Home Affairs should continue to act as the lead department and secretariat to the PACC.
- The PACC should be chaired jointly by the Department of Labour and Social Security and the Department of Social Services.
- Membership of the PACC should be drawn from the Ministries of Education, Finance and Development Planning (National Population Council Secretariat), Local Government, Labour and Home Affairs, Youth, Sports and Culture (Department of Culture and Youth), Justice, Defence and Security, the Botswana Police Service and from the following organisations: BNYC, BOCONGO (to nominate 2 representatives from organisations working

with children), BOCCIM, BFTU and UNICEF, ILO/TECL and RECLISA.

- Two representatives of each member ministry and organisation should be nominated to ensure continuity of representation. Representatives should be drawn from decision-making levels to facilitate implementation across ministries and departments. The ministerial representatives will be accountable to the PACC for the specific ministry programmes.
- The PACC should establish an implementation sub-committee to manage the practical details of implementation of the APEC. The PACC to co-opt members into the implementation sub-committee as required depending on the nature of the action steps being implemented.
- A child labour position should be established in the Department of Labour and Social Security in the Ministry of Labour and Home Affairs, to assist with the day-to-day management and coordination of implementation of the APEC.

The lead department in the implementation of the APEC is the Department of Labour and Social Security. The APEC requires that this Department will:

- Convene the meetings of the PACC and act as secretariat to the PACC.
- Compile the two-yearly *Status of child labour* reports, which will include reporting on progress against the chosen indicators.
- Review all relevant policies of government at regular intervals.
- Monitor the integration of action steps into departmental work plans.
- Ensure six-monthly progress reports from each implementing department/agency.
- Actively engage in all national government fora where issues of child labour are relevant, to provide input and to

facilitate alignment between the APEC and other national children's policies and programmes.

- Work closely with the lead departments on key elements of the APEC including:
 - The Department of Social Services regarding issues of child care, vulnerable children, and commercial sexual exploitation of children.
 - The Departments of Primary, Secondary and Non-Formal Education regarding access to and retention in education.
 - The Botswana Police Service regarding CSEC and CUBAC.

- The time-bound Action Programme will be implemented through inclusion by ministries in the national planning processes and specifically in NDP 10, through specific ministerial, departmental and agency implementation plans, and through mainstreaming in existing and proposed strategies and programmes for the welfare of Botswana's children, especially vulnerable children.
- The Programme Advisory Committee on Child Labour will coordinate and monitor implementation of the APEC under the leadership of the Department of Labour and Social Security in the Ministry of Labour and Home Affairs and under joint chairs drawn from the Department of Labour and Social Security and the Department of Social Services in the Ministry of Local Government.
- This resolution shall be submitted to the Permanent Secretary of the Ministry of Labour and Home Affairs with the latest version of the APEC for final consideration and adoption by government.

Action steps 58 to 59.

D2. Endorsement of APEC

The APEC was endorsed by the PACC at its meeting of 4 February 2008 by means of a resolution. This resolution is attached at Annexure 4.

Action steps 60 and 61

The PACC resolved that:

Action Steps

58. (D1.1) Create a child labour post in the Department of Labour and Social Security.

Approach

Department of Labour and Social Security is to create a child labour post to assist with all aspects of the coordination and management of APEC implementation.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour and Social Security

Secondary institutions:

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New post

Time line: Short term

59. (D1.2) Ensure effective management of implementation of the APEC.

Approach

Review and restructure the PACC and amend its mandate in order to achieve effective implementation of the APEC, considering (i) the most appropriate structure (ii) the nature of representation on the PACC.

Lead institution: Ministry of Labour and Home Affairs

Secondary institutions: Members of the current PACC structure

Resources: Financed by the relevant line ministries

Once-off cost: Nil

Recurrent costs: Modest

New policy/programme: Revision of existing structure and mandate

Time line: Short term

Action Steps

60. (D.2.1) Monitor action arising from endorsement of the APEC.

Approach

Monitor the implementation of any actions to be taken as a result of the endorsement of the APEC in accordance with the PACC resolution, including the Department of Labour and Social Security's submission of the endorsed APEC to the Permanent Secretary in the Ministry of Labour and Home Affairs in order to seek and secure the necessary government approvals by end of 2008.

Lead institution: Ministry of Labour and Home Affairs

Secondary institutions: All PACC participants

Resources: Financed by the relevant line ministries

Once-off cost: Nil

Recurrent costs: Nil

New policy/programme: Revision of existing structure and mandate

Time line: As outlined in the resolution

D3. Process towards implementation of the APEC

61. (D.3.1) Initiate processes towards implementation of the APEC.

Approach

Facilitate movement and momentum in the implementation of the APEC. i) The Department of Labour and Social Security is to invite the member ministries and organisations to re-nominate their two alternative representatives and to call the first meeting of the reconstituted PACC by the end of October 2008. ii) The PACC is to identify actions already included in current ministerial/departmental/stakeholder mandates, and therefore not requiring further approvals, and develop an action plan for immediate implementation and submit to the PACC by end October 2008. iii) The PACC is to develop an agreed report template to facilitate reporting back to the PACC by the implementing departments and organisations on the development of implementation plans and progress in implementation. iv) Each department and agency is to undertake drafting of APEC implementation plans in terms of the priorities identified for the next financial year.

Lead institution: Ministry of Labour and Home Affairs

Secondary institutions: All PACC participants

Resources: Financed by the relevant line ministries

Once-off cost: Nil

Recurrent costs: Nil

New policy/programme: Revision of existing structure and mandate

Time line: As outlined in the resolution and as listed above

D4. Participation of children in all aspects of the APEC

During the consultation process children unequivocally stated that child labour is a problem in Botswana. They also stated that they would like to continue to be consulted on and informed about actions taken to eliminate child labour. During the preparation of this APEC the views of the children working on the streets were particularly informative. They provided a

perspective on the issues that did not emerge in any of the discussions with adults and implementing agencies.

It is important that children continue to be involved in the implementation and review of the APEC. They need to be informed of what actions are taking place, and given the opportunity to express their views and concerns. There are a number of channels that can be used for this purpose, including:

- Schools.
- The internet with a dedicated website on child labour in Botswana.
- The mass media.
- Child-focused organisations.
- Children's Fora and/or a permanent Children's Reference Group as proposed in the NPA (2006-16).

A key task of PACC Secretariat in the Department of Labour and Social Security will be to establish, maintain and support these communication channels.

See Action steps 62 to 63.

D5. Monitoring progress on implementation of the APEC

The Botswana APEC is a time-bound programme which aims to synchronise with Botswana's development planning cycles and to respond to international time-frames. The 2006 ILO Global Report, *The end of child labour: Within reach*, commits to:

- Elimination of all the worst forms of child labour by 2015.
- Putting in place appropriate time-bound measures by the end of 2008.

Action Steps

62. (D4.1) Promote ongoing participation of children in the implementation of the APEC.

Approach

The Department of Labour and Social Security and the PACC members are to establish, maintain and support a variety of communications channels with children, especially working children, to ensure that their voice is heard in the APEC implementation process.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour and Social Security

Secondary institutions: Ministry of Education, Ministry of Local Government, Ministry of Youth Sports and Culture, Child line, SOS, Ganzi Out -of -School Task Force, BNYC

Resources: Financed by the relevant line ministries and civil society organisations

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New programme

Time line: Short term

63. (D4.2) Empower children to take action.

Approach

Empower children to take action through awareness-raising and the development of their knowledge and skills. These initiatives should include programmes such as the ILO/IPEC Supporting Children's Rights through Education, the Arts and the Media (SCREAM).

Lead institution: Ministry of Education

Secondary institutions: Department of Social Services, Ministry of Youth, and NGOs and BNYC

Resources: Financed by the relevant line ministries, civil society organisations and donor funding

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New programme

Time line: Short term

To achieve these targets, the APEC and its specific ministerial and departmental action plans will be mainstreamed into the planning processes for NDP 10 and into the longer term plans for the achievement of the Vision 2016 goals.

The time frames for achieving specific actions are described in the APEC as short term (within the next two years), medium term (within the next four years) or long term (by 2016).

As with any major initiative it is helpful to have a set of indicators for monitoring progress. These will indicate broad trends and identify aspects that need more in-depth investigation. Wherever possible, indicators have been chosen that are already being generated by existing information collection systems, or which can be relatively easily developed.

Monitoring and facilitating implementation of the APEC will be the function of the re-constituted PACC, assisted by

Action Steps
<p>64. (D5.1) Mainstream child labour plans into NDP 10 and into annual departmental plans.</p> <p><i>Approach</i> The Department of Labour and Social Security and the PACC members are to monitor the progress of mainstreaming of child labour actions into ministry NDP10 submissions and into departmental annual plans.</p> <p><i>Lead institution:</i> Ministry of Labour and Home Affairs, Department of Labour and Social Security and PACC <i>Secondary institutions:</i> <i>Resources:</i> Financed by the relevant line ministries <i>Once-off cost:</i> Modest <i>Recurrent costs:</i> Modest <i>New policy/programme:</i> New programme <i>Time line:</i> Short term</p>
<p>65. (D5.2) Prioritise close alignment and coordination with the NPA implementation structures, the Department of Social Services and other national children’s bodies.</p> <p><i>Approach</i> The Department of Labour and Social Security and the PACC members are to prioritise and develop close working relations with the NPA implementation structures and other national children’s bodies to ensure effective coordination of actions.</p> <p><i>Lead institution:</i> Ministry of Labour and Home Affairs, Department of Labour and Social Security, and PACC <i>Secondary institutions:</i> Department of Social Services, Population Secretariat, UNICEF <i>Resources:</i> Financed by the relevant line ministries <i>Once-off cost:</i> Modest <i>Recurrent costs:</i> Modest <i>New policy/programme:</i> New programme <i>Time line:</i> Short term</p>

the PACC Secretariat. At the moment, there is no national children’s body with oversight over all children’s matters. However the Review of the Children’s Act and the draft NPA (2006-2016) propose the establishment of a National Children’s Council.

In the interim, coordination, implementation and monitoring of the NPA (2006-2016) will rest with the Secretariat of the

Population and Development Council in the MFDP. Close liaison will therefore be essential between the PACC and the NPA secretariat, and a representative of the NPA secretariat will sit on the PACC.

Action steps 64 to 65.

D6. Indicators

As with any major initiative, it is helpful to have a set of indicators for monitoring progress. These will indicate broad trends and identify aspects that need more in-depth investigation. Wherever possible, indicators have been chosen that are already being generated by existing information collection systems, or that can be relatively easily developed.

Indicators are not intended to provide every detail of delivery on every aspect of child labour. Instead, they are intended to track broad trends. The APEC as a whole has only a limited number of high-level indicators. These need to be supplemented by each institution developing specific operational targets and indicators that relate to its responsibilities.

It is important that monitoring of the APEC does not consume disproportionate human and financial resources. This point highlights the importance of restricting the number of indicators.

Children are a very diverse category, and it is therefore necessary to disaggregate indicators to have a clearer idea of which sub-groups of children are affected by a particular phenomenon. To simplify matters and facilitate comparison of different characteristics, it is proposed that all indicators be disaggregated by the following three standard factors:

- Sex: male and female.
- Location: rural and urban.
- Age groups: 6 – 13 years, 14 – 15 years, and 16 – 17 years.

It is also proposed that the indicators should fall into three categories:

- One set of indicators would reflect different types of vulnerability to child labour. They would include educational information, like enrolment figures, absenteeism, drop-out figures and the number of out-of-school youth. These would be impact indicators.
- A second set of indicators would reflect the numbers and percentages of children involved in different types of child labour. They would include, for example, information from the Census and the Labour Force Survey, and the number of arrests and prosecutions relating to child labour. They are also considered as impact indicators.
- The third set of indicators would reflect initiatives to address broader issues where these initiatives are likely

to have a positive effect on eliminating child labour. For example the OVC National Action Plan indicators and educational information. These would be viewed as output indicators.

In some cases a particular indicator could fall into more than one category. For example, the number of prosecutions in respect of a particular type of child labour could be regarded as both indicating the extent of the problem and reflecting the impact of particular interventions.

Wherever possible, selected indicators will already be available through various information management systems, or relatively easy to introduce into these systems. However, this will not always be possible, and some systems development will therefore be necessary.

Ideally, a composite indicator of child labour should be computed from a set of special questions asked in a national household-based survey. For example, such questions could be added to the Botswana LFS which should be conducted at regular intervals. It should be noted that the composite indicator would exclude most of the WFCL as they are poorly captured by household surveys. Separate indicators are thus proposed for the WFCL.

Composite child labour indicators focus especially on the following three aspects:

- A child is regarded as being engaged in child labour if s/he performs excessive hours of work per week and/or performs work that contravenes national legislation or international conventions. What is considered excessive differs according to the age of the child, and the thresholds for the various ages need to be set through a consultative process and need to be aligned with national legislation. The drafting of a list of hazardous activities, as referred to in the APEC, is an ideal process through which this can be resolved.
- The schooling-related approach identifies children whose work hampers attendance or performance at school in any of the following ways:
 - The child usually does work-related activities during school time.
 - The child drops out of school because of work that is required.
 - The child is always tired when going to school as a result of working.
 - The child has no time for homework because of work requirements.

- The child is not attending school because of (a) needing to perform household chores because adults are sick or disabled (b) having to work to earn money (c) needing to perform household chores (d) needing to look after babies or children (e) needing to look after sick, old or disabled people.
- Work activities affect the child's attendance at a school or training institution.
- The child stayed away from school during the last 12 months because of (a) working to earn money (b) looking after younger siblings (c) replacing a sick member of the household at the workplace (d) the busy season in agriculture or industry (e) looking after their own children.
- Household chores, fetching firewood or water, paid work (including self-employment), assistance in the family business, or participation in agriculture contribute to the child's difficulties at school or in a training institution.
- The hazard-related approach identifies children who report experiencing any of the following:
 - Having their lives affected by injuries at work.
 - Having been injured while undertaking any work-related activities.
 - Having had any illness caused or made worse by any work-related activities.
- Broader information relating to child labour:
 - Child population.
 - Poor children: Children living in households defined as poor.
 - Orphans and vulnerable children: Children who have lost one or both parents due to HIV/AIDS and/or other vulnerabilities as outlined OVC-related policies.
- Worst forms of child labour:
 - Children reported as involved in CSEC: Cases of CSEC reported to/discovered by government agencies.
 - Children reported as trafficked: Cases of trafficking reported to/discovered by government agencies.
 - Number of CUBAC cases: Cases of CUBAC reported to/discovered by government agencies.
 - Successful prosecution on WFCL: Number perpetrators who have been prosecuted.
- Child labour by form of harm:
 - Children engaged in economic work prohibited by labour legislation.
 - Children whose work is detrimental to schooling.
 - Children doing hazardous work with health and safety implications.
- Child-specific poverty related grants:
 - Grant: Number of children for whom caregivers receive grant or child receives grant.
- Inspections and child-focused action by DOL:
 - Child labour inspections.
 - Child labour prosecutions or compliance certificates.

The indicators should normally reflect the number of children affected under each category over a 12-month period. This period should, if possible, be aligned with government's fiscal year.

The list below shows proposed indicators:

Table 4: Indicators for monitoring key child labour vulnerabilities

Vulnerability factors	Description of indicator	Source/s	Baseline & year	Target	Who reports	How often
Children not attending school	Number of children dropping out of school before completing 10 years of basic education (7 years of primary and 3 years of junior secondary school)	MoE / CSO Education Statistics			MoE	Yearly
Children not progressing from junior to senior secondary school	%of children not progressing from junior secondary to senior secondary education	MoE / CSO Education Statistics	58% 2005	40% by 2016	MoE	Yearly
Poor children	Number of children living in households defined as poor (below the PDL)	HIES & poverty studies		Reduce by 25% by 2016	MFDP	Every 5 years
Children in child-headed households	Number of children living in child -headed households	DSS and Local Authorities			DSS	Quarterly
Orphans and other vulnerable children	Number of orphans and other vulnerable children	CSO Census/ BAIS II DSS and local authorities			DSS	Quarterly
Children receiving benefits	Numbers of orphans and other vulnerable children in receipt of state support benefits (orphan allowances & allowances for needy and destitute children)	DSS and local authorities eBHRIMS			DSS	Quarterly
Working children	Indicators to be developed using data from LFS & specific children's activities modules					
Children working under the legal age limit	Children under age of 14 years doing any work for wage or salary, or as domestic worker, or in family business (LFS)	DoL & CSO			DoL	Every 5 years
Children working long hours	Boys and girls working long hours (to be defined)	DoL & CSO			DoL	Every 5 years
Child labour inspections	Specific child labour inspections: number conducted over a 12- month period (set target)	DoL			DoL	Yearly
Child labour actions	Child labour negotiations or prosecutions brought over a 12-month period	DoL			DoL	Yearly

Table 5: Indicators for monitoring key vulnerabilities to WFCL

Vulnerability factors	Description of indicator	Source(s)	Baseline & year	Target	Who reports	How often
CSEC	Cases of CSEC reported to various agencies	DSS, Police Service, Childline and other NGOs			DSS/ Police Service	Yearly
Child trafficking	Cases of child trafficking reported to various agencies	DSS, Police Service & Childline, and other NGOs			DSS/ Police Service	Yearly
CUBAC	Cases of CUBAC reported to or discovered by various agencies over 12-month period	Police service/ DSS/ S&CD social workers, customary courts			DSS/ Police Service	Yearly
Hazardous work	Cases of hazardous work reported to or discovered by various agencies over 12-month period	DoL			DoL	Yearly

Action Step 66

66. (D6.1) Review the child labour indicators from the separate analyses of child labour and children's activities derived from the LFS 2005/06 and incorporate into the reporting processes.

Approach

The Department of Labour and Social Security and the PACC to review the findings of the separate stand alone analyses and reports on child labour and children's activities from the LFS 2005/2006 and ensure that the child labour indicators are incorporated these into the APEC reporting processes.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour and Social Security, and PACC

Secondary institutions:

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New programme

Time line: Short term

Action Steps 67 to 69

67. (D6.2) Undertake follow-ups to the LFS 2005/06 module on children's activities.

Approach

The Department of Labour and Social Security and CSO to include a children's activities module in future LFSs to assess the changed situation (especially in the context of the HIV/AIDS pandemic) and to assist with monitoring and evaluation. This will be done as an add-on module to the existing LFS, including sufficient questions to ensure effective monitoring of the child labour situation in the country.

Lead institution: CSO

Secondary institutions: Ministry of Labour and Home Affairs

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Continuation of existing practice

Time line: Long term

68. (D6.3) Set child labour indicators to report against.

Approach

Consider and finalise proposed indicators in order to facilitate the commencement of reporting against such indicators. This process will include the collation of baseline information and setting of targets against which progress and impact can be measured.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour and Social Security, and PACC

Secondary institutions: All involved in implementation and management of APEC.

Resources: Financed by the relevant line ministries and/or donor assistance.

Once-off cost: Nil

Recurrent costs: Nil

New policy/programme: Application of existing information

Time line: Medium term

69. (D6.4) Undertake child labour surveys at regular intervals.

Approach

Undertake child labour surveys at regular intervals (once in four years) to determine whether child labour practices are increasing or decreasing, and to understand the causes of child labour, the different forms it takes, and its consequences and significance. This can be done by including a child labour module in the LFS. The data from these surveys need to be (i) analysed to give an updated picture on the child labour situation in the country (ii) reported in a user-friendly way and publicised by MLHA to inform policy debates and the public discourse.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour & Social Security, and PACC

Secondary institutions: All involved in implementation and management of APEC

Resources: Financed by the relevant line ministries and/or donor assistance.

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Application of existing information

Time line: Medium term

Without a full analysis of the data set from the LFS (2005-06), it was not possible to develop quantitative and evidence-based child labour indicators. A separate report assessing child labour in Botswana, based on the composite child labour indicators, is available on the enclosed CD and at www.child-labour.org.za. At this stage, therefore only a limited set of simple numerical impact indicators is proposed. These indicators can monitor the key vulnerabilities that are closely associated with child labour.

They are supplemented by a set of output indicators, in the form of a framework APEC implementation plan with targets and time frames that can be used to monitor the progress made by the various agencies in their implementation responsibilities. This implementation plan can be found in Annexure 2.

See Action Steps 66 to 69.

D7. Regular reporting on the APEC process

To date, the activities of the PACC have been monitored internally. The implementation of the APEC will also have to be monitored, but more formally, more publicly and across the various sectors and line ministries. Effective monitoring, evaluation and reporting of the measures to reduce child labour and eliminate the WFCL will require well thought through targets and indicators, good structures and efficient procedures. It will be very important to design and follow through on a monitoring and evaluation (M&E) designed to measure effectiveness and impacts.

Once the APEC is initiated, it will be crucial to report in a manner that facilitates the compilation and dissemination of reports that reflect progress and problems. In this manner, constraints can be addressed and lessons learned from one project or one part of the country can be utilised elsewhere.

Besides monitoring the implementation of the APEC, monitoring the *impact* of the APEC will also be crucial for effective implementation and making adjustments to the programme.

Reporting, monitoring and facilitating implementation of the APEC will be the function of the re-constituted PACC, assisted by an assigned officer from the MLHA. The monitoring tools will be used for:

- Preparation of implementation progress reports for presentation at PACC meetings.
- Reporting to and coordinating with the National OVC Coordinating Committee and/or any other national structure dealing with children's issues.
- Compiling a bi-annual report on progress in implementing the APEC and the resulting contribution to the elimination of child labour. This will be submitted to Cabinet for consideration and release to the public. The first report is to be submitted in 2010.
- Reporting in terms of the ILO Worst Forms of Child Labour Convention at two-yearly intervals.

The APEC provides an organic framework which will need to be constantly reviewed and revised every four to five years.

The Department of Labour and Social Security and the PACC implementation sub-committee will assist each institution tasked with action, whether as a primary or secondary implementing institution, in operationalising their assigned action steps.

The PACC implementation sub-committee will further:

- Set regular time periods within which implementing institutions should report on progress regarding the implementation of the action steps they are responsible for.

Action Steps

70. (D7.1) Review and update the APEC every four to five years. The next update of the APEC is to be done by 2012.

Approach

The Department of Labour and Social Security and the PACC to review and update the APEC with all the stakeholders. The first review to take place in 2012. The review to consider progress against all the available vulnerability and child labour indicators.

Lead institution: Ministry of Labour and Home Affairs, Department of Labour and Social Security, and PACC

Secondary institutions: All implementing stakeholders

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New programme

Time line: Short term

71. (D7.2) Undertake international reporting in terms of the ILO WFCL Convention at two-yearly intervals.

Approach

The Department of Labour and Social Security to compile a report on Botswana's progress towards national and international goals on the elimination of the WFCL at two-yearly intervals, beginning in 2010.

Lead institution: Ministry of Labour and Home Affairs, Dept of Labour and Social Security

Secondary institutions:

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: New programme

Time line: Medium

72. (D7.3) Put in place a monitoring and evaluation system on the implementation of the APEC.

Approach

Develop and implement a monitoring and evaluation system and a reporting system on the implementation of the APEC. These should be linked to prioritised aspects of the APEC and the targets set.

Lead institution: Ministry of Labour and Home Affairs, Department of Social Services

Secondary institutions: All institutions tasked with implementation of the APEC.

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Revision of existing information management and reporting programmes.

Time line: Medium

73. (D7.4) Effective reporting and assessment of progress made with the implementation of the APEC and elimination of WFCL

Approach

i) Determine the most efficient way of producing APEC progress reports and develop appropriate reporting tools for use by the various stakeholders; ii) Obtain all progress reports, analyse them and report on progress in implementation of the APEC and elimination of WFCL. This includes the compiling of a national report on the "state of child labour" every two years, starting in 2010, and tabling the report in Parliament for information and discussion.

Lead institution: Ministry of Labour and Home Affairs, Department of Social Services

Secondary institutions: All institutions tasked with implementation of the APEC.

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Nil

New policy/programme: Revision of existing reporting mechanisms

Time line: Medium

- Decide how the regular national APEC report should be compiled and submitted through the Permanent Secretary to the government for formal noting, and to the general public for information. This could be by way of an annual report drafted by the Department of Labour with contributions from all key departments.

See Action Steps 70 to 73.

D8. Funding implementation of the APEC

In Botswana official development assistance constitutes a small but strategic percentage of the government budget. During National Development Plan (NDP) 6 (1986–1991) donors contributed 28% of the total development programme expenditure, while in NDP 7 (1991–1997) that figure dropped to 12% and during NDP 8 (1998–2003) their contribution was only 8.8%. However that assistance was valuable in key development sectors such as HIV/AIDS, water supply, education, roads, and conservation and management of natural resources.

In particular, a number of development partners and donor agencies have made significant contributions to the promotion of children's rights, and to the care of orphans and other vulnerable children, although few have featured child labour as a prominent issue in their national strategies. The United Nations Children's Fund (UNICEF), the United National Development Programme (UNDP), the United Nations Population Fund (UNFPA), the United Nations High Commission for Refugees (UNHCR), the World Health Organization (WHO), the Swedish International Development Agency (SIDA), the US Ambassador's HIV/AIDS Initiative and the US President's Emergency Plan for AIDS Relief (PEPFAR) have assisted a wide variety of non-governmental organisations (NGOs) to access financial and technical support.

Only two programmes, RECLISA and TECL, directly address child labour and the number of donors funding these specialised programmes is similarly limited. However, a variety of donors has supported programmes and projects that address child labour indirectly. This includes international aid donors and development partners, the various UN bodies, churches and the private sector.

The main donor to both TECL and RECLISA has been the United States Department of Labor. In TECL's case this funding has been channelled through the ILO. The ILO also funds capacity building for labour inspectors, trade unions and employer organisations.

The ILO Decent Work Country Programmes (DWCP) have become the organisation's major instrument for technical cooperation with member countries and a vehicle for achieving the global Millennium Development Goals. The process of arranging ILO technical support for Botswana's DWCP is currently underway. The DWCP will be based on a situation analysis to establish decent work deficits. The factor of child labour will certainly enter into this fact-finding and APEC priorities will become part of this broader national effort to achieve decent work.

Implementation of the APEC will require some dedicated funding. Some activities, such as public awareness campaigns and capacity building, will cut across all relevant institutions and sectors. Others will be the responsibility of specific line ministries, civil society sectors, employers' association, trade unions and other groups. Therefore funding will need to be sought from a variety of sources, including government, international donors and the private sector.

See ActionSteps 74 to 75.

Action Steps

74. (D8.1) Develop strategies to source funding for the implementation of the APEC.

Approach

These strategies should include (i) Linking the APEC to the NDP10 and all future NDPs to facilitate funding and smooth implementation of the APEC. (ii) Requiring relevant line ministries to include child labour activities in annual plans and budgets. (iii) Making approaches to international donors. (ii) Allocation of funds by all relevant line ministries. (iv) Provision of government assistance to NGOs, CBOs and FBOs support initiatives related to child labour matters. (v) Linking relevant aspects of the APEC to the UNDAF.

Lead institution: Ministry of Labour and Home Affairs, Department of Social Services

Secondary institutions: All institutions tasked with implementation of the APEC.

Resources: Financed by the relevant line ministry

Once-off cost: Modest

Recurrent costs: Modest

New policy/programme: Revision of existing funding strategies

Time line: Short to long term

75. (D8.2) Ensure the alignment of Botswana's Decent Work Country Programme and the APEC.

Approach

Take steps to ensure alignment between the DWCP and the APEC. The labour social partners should participate in the drafting of the DWCP and identify key priorities in the APEC to inform part of a broader context of national priorities addressed in the Botswana DWCP.

Lead institution: Ministry of Labour and Home Affairs, organised labour and employers

Secondary institutions: All institutions tasked with implementation of the APEC.

Resources: Financed by the relevant line ministry and or donor assistance

Once-off cost: Nil

Recurrent costs: Nil

New policy/programme: Revision of existing programme

Time line: Short term

Footnotes

- 1 Elimination of child labour in Botswana: A discussion document on what is known, existing policy and programmes and possible gaps. ILO 2008 & www.child-labour.org.za
- 2 A separate report 'Children's Input into the APEC Process in Botswana' is available on the accompanying CD and at www.child-labour.org.za
- 3 The end of child labour: Within Reach. Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. International Labour Office, Geneva. 2006.
- 4 Annexure 3 details all the institutions and persons consulted during the Stream 3 consultation process.
- 5 See Annexure 3 for a list of the schools involved in the consultation process.
- 6 Elimination of child labour in Botswana: A discussion document on what is known, existing policy and programmes and possible gaps 2008 ILO & www.child-labour.org.za
- 7 Stats Brief CSO, Ministry of Finance and Development Planning February 2008 based on data from HIES 2002/2003 <http://www.cso.gov.bw/html/statsup/December%202007.pdf>
- 8 Report of the National Commission on Education 1993, Government of Botswana, Gaborone <http://www.moe.gov.bw/headquarters/rnpe/NCE%20Pages/NCE1.htm>
- 9 Ibid pg. xxiv
- 10 Ibid pg.xlvi
- 11 The Revised National Policy on Education 1994 Government Paper No 2 of 1994, Government of Botswana <http://www.moe.gov.bw/headquarters/rnpe/RNPE%20Pages/rnpeone.htm>
- 12 Report of the National Commission on Education 1993 pg. xxvi
- 13 Sharpening the Focus : Evaluation of the National Literacy Programme UNESCO December 2004
- 14 MLG/BIDPA 2003 Ministry of Local Government and Botswana Institute for Development Policy Analysis Report on the Review of the Remote Area Development Programme Gaborone 2003
- 15 UNICEF UK 2008 www.unicef.org.uk
- 16 World Congress Against Commercial Sexual Exploitation of Children Stockholm Sweden 27-31 August 1996 Declaration and Agenda for Action <http://www.hri.ca/children/reports/wcacsec.shtml>
- 17 Definition of CSEC ILO/TECL <http://www.child-labour.org.za/definitions/commercial-sexual-exploitation-of-children/>
- 18 Dr Josephine Mmanchibidu Nkosana Intergenerational sexual relationships in Botswana PhD thesis The University of Melbourne, Australia May 2006
- 19 Situation and Response Analysis for the Urban Youth Project in Botswana Summary (no date) Family Health Division, Ministry of Health/UNAIDS/UNF, Gaborone
- 20 An orphan is a child below the age of 18 who has lost one or both parents.
- 21 An orphan is a child below 18 years who has lost one (single) or both parents (married couples). These parents are either biological or adoptive. Married couples include those married in civil or traditional marriages. Social orphans are those abandoned or dumped or whose parents cannot be traced. (STPA 1999)
- 22 Draft Situation Analysis on Orphans and Vulnerable Children in Botswana 2008 Dept of Social Services, MLG



Annexure 1

Actions by ministries and agencies

Summary of actions and responsible agencies

Preface

Annexure I lists the actions by the lead institution responsible for implementing a specific action. Where there is more than one lead institution for an action the action is listed under each lead institution. The summary charts give an overview of the actions, indicating the lead institutions and the secondary institutions responsible for implementation.

Section A Cross-cutting actions for the elimination of child labour

Code:

MLHA = Ministry of Labour and Home affairs; MLG = Ministry of Local Government and local authorities; MOE = Ministry of Education; MOH = Ministry of Health; MFDP = Ministry of Finance and Development Planning; MOA = Ministry of Agriculture; MYSC = Ministry of Youth, Sport & Culture; MJDS = Ministry of Justice, Defence & Security; OP = Office of the President; AG = Attorney General's Chambers; BPS = Botswana Police Service; UB = University of Botswana; NACA = National AIDS Coordinating Agency; BIDPA = Botswana Institute of Development and Policy Analysis; DIS = Department of Information Services; DBS = Department of Broadcasting Services; BOCCIM = Botswana Confederation of Commerce, Industry, and Manpower; BNYC = Botswana National Youth Council; BOCONGO = Botswana Council of Non-Governmental Organisations; BOTAF = Botswana Training Authority NGOs = Non-Governmental Organisations; FBOs = Faith Based Organisations; CBOs = Community Based Organisations

No.	Actions	Lead Institutions							Secondary Institutions									
		MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	
AI	Poverty Alleviation																	
1	A1.1 Identification of critical intervention areas	✓				✓												BIDPA, UB and other relevant CBOs
2	A1.2 Incorporate child labour strategies into national poverty alleviation implementation plan					✓			✓				✓					BIDPA
3	A1.3 Recognition of children in social safety net strategies		✓				✓							✓				NGOs
4	A1.4 Include a specific focus on child poverty, child work, and child labour into all poverty alleviation strategies		✓															BIDPA, UB

		Lead Institutions							Secondary Institutions								
No.	Actions	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society
5	A1.5 Work with other agencies to monitor closely the impact of the policy of cost sharing and other indirect costs in education on the retention of children in school			✓							✓			✓			
A2	Education – access, retention, and quality in formal, non-formal, and vocational education																
6	A2.1 Re-examine the implementation of the recommendations from the NCE, and the reviews of the NLP and RADP, and consider the benefits and feasibility of compulsory, free basic education		✓	✓										✓			

		Lead Institutions										Secondary Institutions					
No.	Actions	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society
7	A2.2 Strengthen existing, and develop new, education delivery systems that target out of school children			✓						✓	✓					Min of Agri-culture	Farmers' unions, NGOs BOTA
8	A2.3 Create a safe and child friendly environment in schools			✓						✓	LAs						UB, UNICEF
9	A2.4 Extension of the one or two teacher school approach			✓						✓	LAs						UNICEF, NGOs
A3	2005/2006 Labour Force Survey																
10	A3.1 Commission a comprehensive analysis of children's work from the LFS survey data	✓												✓ (CSO)			UB, UNICEF, ILO/TECL
A4	Public Awareness raising																
11	A4.1 A national public awareness campaign on child labour	✓	✓									✓			✓	Youth, Sport & Culture DIS, DBS	Media agencies
12	A4.2 Awareness raising for children and youth	✓	✓									✓					Media agencies, Childline, Maram, BNYC, UNICEF, UNDP, ILO

		Lead Institutions										Secondary Institutions					
No.	Actions	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society
13	A4.3 Education for school children on child labour			✓						✓							ILO/ IPEC
A5	Capacity building to support the implementation of the APEC																
14	A5.1 Information dissemination to national and local authority legislators	✓									✓						
15	A5.2 Capacity building for community level institutions	✓														Local police	CBO and NGO network organ's
16	A5.3 Capacity building for the Labour Offices, social welfare personnel, and law enforcement personnel	✓													BPS College		IDM, UB
17	A5.4 Strengthen the capacity of organisations that provide services to children in need													✓			Childcare-BOCO-NGO, BONASO
A6	Policy development to include child labour																

		Secondary Institutions																
		Lead Institutions																
No.	Actions	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJDS AG, BPS	Other Min	Civil Society	
18	A6.1 The Employment Act reviewed and the various forms of hazardous work and light work identified and included	✓													✓ AGs			
19	A6.2 Ensure that child labour is included in the revised Children's Act		✓							✓					✓			
20	A6.3 Ensure that the new National Policy on Social Welfare includes child labour		✓							✓					✓			
21	A6.4 Ensure that the new national policy on orphans and vulnerable children includes child labour		✓							✓				✓		NACA		UNICEF
A7	Further research on specific forms of child labour																	
22	A7.1 Further research on specific forms of child labour	✓																
										✓					Admin of Justice BPS	MOA		UB, NGOs, agric unions

Section B Addressing specific forms of child labour

Code:

MLHA = Ministry of Labour and Home affairs; MLG = Ministry of Local Government and local authorities; MOE = Ministry of Education; MOH = Ministry of Health; MFDP = Ministry of Finance and Development Planning; MOA = Ministry of Agriculture; MYSC = Ministry of Youth, Sport & Culture; MJDS = Ministry of Justice, Defence & Security; OP = Office of the President; AG = Attorney General's Chambers; BPS = Botswana Police Service; UB = University of Botswana; NACA = National AIDS Coordinating Agency; BIDPA = Botswana Institute of Development and Policy Analysis; DIS = Department of Information Services; DBS = Department of Broadcasting Services; BOCCIM = Botswana Confederation of Commerce, Industry, and Manpower; BNYC = Botswana National Youth Council; BOCONGO = Botswana Council of Non-Governmental Organisations; BOTA = Botswana Training Authority NGOs = Non-Governmental Organisations; FBOs = Faith Based Organisations; CBOs = Community Based Organisations

Actions		Lead Institutions							Secondary Institutions								
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society
B1	Excessive and inappropriate domestic work																
23	Empower community institutions to monitor child labour, especially children engaged in excessive domestic chores	✓	✓								✓	LAS					NGOs, Village Dev Cttees, FBOs, unions, BOCCIM
24	B1.2 Include education child work at the clinics				✓					✓							Dis-trict Health Teams
25	B1.3 Establish tracking system and support mechanisms for the protection of children who are moved between households		✓														S&CD, Dis-trict Health Teams
B2	Children working in agriculture																

Actions		Lead Institutions										Secondary Institutions						
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	
31	B3.1 Conduct in depth research and analysis on CUBAC in Botswana		✓				✓ BPS			✓							UB, NGOs	
32	B3.2 Review existing legislation and sentencing practices with a view to ensuring that appropriate sanctions are applied against adults instigating CUBAC						✓ AG	Legal Reform Comm Admin Justice		✓					BPS		UB Law Dept	
33	B3.3 Target specific communities to sensitise parents and other community leaders about the risk of CUBAC, and the avenues for reporting instances of CUBAC						✓ BPS										UB, media agencies, NGOs	
34	B3.4 Strengthen the capacity of social welfare and police services to combat CUBAC		✓														UB	

Actions		Lead Institutions										Secondary Institutions					
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society
35	B3.5 Ensure that CUBAC is included as a routine part of all police work concerned with the investigation and prosecution of offences of a child accused of or charged with offences						✓	Admin of Justice		✓							
36	B3.6 Establish a process for recording data on CUBAC						✓	Admin of Justice		✓							
37	B3.7 Train commissioners of child labour / magistrates and tribal authorities on CUBAC and include CUBAC in mitigation of sentence for a child found guilty of offences		✓					Admin of Justice		✓							
38	B3.8 Provide effective support for children who are victims of CUBAC		✓					Admin of Justice								NGOs	
B4	Commercial sexual exploitation of children																

Actions		Lead Institutions										Secondary Institutions					
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society
39	B4.1 Raise public awareness about CSEC	✓								✓			✓		BPS	NACA	NGOs
40	B4.2 Develop community prevention strategies to combat CSEC		✓				✓ BPS									Min Works & Transport organ.	BOC-CIM, transport organ.
41	B4.3 Link education on CSEC with HIV and AIDS prevention programmes				✓						✓					NACA	NGOs, CBOs, BNYC
42	B4.4 Strengthen measures to eliminate CSEC in education institutions			✓													UB, teachers unions
43	B4.5 Strengthen existing NGOs working with sex workers to reach out to girls involved in CSEC or in other forms of transactional sex		✓		✓										BPS	NACA Dept Women Affairs	NGOs BNYC
44	B4.6 Research on parental attitudes to transactional sex		✓												NACA		UB, BOTUSA, NGOs
B5	Children working in shebeens																

Actions		Lead Institutions								Secondary Institutions								
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, MJD-SAG, BPS	Other Min	Civil Society	
52	B6.3 Secure and monitor landfill sites		✓ LAs								✓							
53	B6.4 Develop NGO capacity to assist street children		✓			✓			BOCON GO	✓							NGOs -RE- CLISA, SOS BCC	
B7	HIV and the AIDS and the exploitation of orphaned and other vulnerable children																	
54	B7.1 Strengthen the monitoring of OVCs by community organisations and social workers		✓								✓ LAs			✓			Com- munities, NGOs, CBOs	
55	B7.2 Community register of child headed households		✓								✓ LAs			✓ CSO			Com- munities, NGOs, CBOs	
B8	Children doing physical work at school																	
56	B8.1 Guidelines on school cleaning										✓ LAs						PTAs, school boards	

Section C Preventing the worst forms of child labour

Actions		Lead Institutions								Secondary Institutions							
		MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society
No.	Description	✓	✓	✓		✓											
	Mobilise research into child labour																
	Raise public awareness about child labour with emphasis on parental and community responsibilities for supporting and protecting vulnerable children	✓	✓														✓
	Monitor children at risk of the WFCL		✓	✓	✓												✓
	Strengthen social safety nets and support services for vulnerable children		✓			✓											✓
	Advocate for changes in legislation and policy as required	✓	✓	✓													✓

Section D Managing and Monitoring Implementation of the APEC

Actions		Lead Institutions							Secondary Institutions								
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society
58	D1.1 PACC retain overall responsibility for managing and monitoring implementation	✓	✓	✓									✓	✓	✓	✓	✓
58	D1.1 Dept of Labour as lead Department and Secretariat	✓															
58	D1.1 Creation of child labour post	✓															
59	D1.2 Management of the implementation of the APEC	✓	✓								✓	✓	✓	✓	✓	✓	✓
60	D2.1 Endorsement of the APEC	✓	✓								✓	✓	✓	✓	✓	✓	✓
61	D3.1 Process towards implementation of the APEC	✓	✓								✓	✓	✓	✓	✓	✓	✓
62	D4.1 Promote ongoing participation of children in the implementation of the APEC	✓	✓	✓					✓								
63	D4.2 Empower children to take action		✓									✓					✓
64	D5.1 Mainstream child labour plans into NDP 10 and into annual departmental plans	✓	✓	✓													

Actions		Lead Institutions								Secondary Institutions							
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society
65	D5.2 Close alignment with NPA implementation structures	✓	✓														
66	D6.1 Review the child labour and children's activities from the LFS 2005/2006 and incorporate into reporting processes	✓	✓									✓	✓	✓	✓	✓	✓
67	D6.2 Follow-ups to the LFS 2005/2006 Module on children's activities	✓	✓									✓	✓	✓	✓	✓	✓
68	D6.3 Setting of child labour indicators to report against	✓	✓									✓	✓	✓	✓	✓	✓
69	D6.4 Undertake child labour surveys at regular intervals	✓	✓									✓	✓	✓	✓	✓	✓
70	D7.1 Review and update the APEC every four to five years. The next update of the APEC is to be done by 2012.	✓	✓									✓	✓	✓	✓	✓	✓
71	D7.2 International reporting in terms of the ILO Convention at 2 yearly intervals	✓															
72	D7.3 A monitoring and evaluation system on the implementation of the APEC in place	✓	✓									✓	✓	✓	✓	✓	✓

Actions		Lead Institutions							Secondary Institutions									
No.	Description	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society	MLHA	MLG	MOE	MOH	MFDP	OP, AG, BPS	Other Min	Civil Society	
73	D7.4 Effective reporting and assessment of progress made with the implementation of the APEC and elimination of WFCL	✓	✓									✓	✓	✓	✓	✓	✓	
74	D8.1 Develop strategies to source funding for the implementation of the APEC.	✓	✓									✓	✓	✓	✓	✓	✓	
75	D8.2 Align the country Decent Work Country Programme and the APEC.	✓ (incl social partners)							✓									

Annexure 2

Monitoring progress towards the elimination of child labour

Indicators, targets and time lines

Preface

Annexure 2 provides a summary of the process indicators for use in monitoring and evaluating progress by the various key and supporting agencies in implementing their specific components of the APEC

Monitoring progress towards the elimination
of the worst forms of child labour

Section A Cross-cutting actions for the elimination of child labour – targets and time frames

Code:

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Apec action No.	Output	Indicators	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)										
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS, BPS	Other Min	Civil Society			
A1		Poverty Alleviation														
1	A1.1	Critical poverty alleviation intervention areas identified	□						✓							▲ BIDPA, UB and other relevant CBOs
2	A1.2	Child labour incorporated into the national poverty alleviation implementation plan	□			▲			✓							▲ BIDPA
3	A1.3	Social safety net assessment processes reconsidered and amended to ensure a specific focus on children	□			✓			✓							▲ NGOs
4	A1.4	Child poverty and child labour incorporated into poverty alleviation strategies	□			✓			✓							▲ BIDPA, UB
5	A1.5	A review group in place to assess and monitor the impact of the policy of cost sharing, and other indirect costs on the retention of children in school	□			▲		✓	▲							
A2		Education – access, retention, and quality in formal, non-formal, and vocational education														

Apec action No.	Output	Indicators	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)									
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFD	OP, AG, MJDS, BPS	Other Min	Civil Society		
12	A4.2 Output	Targeted awareness raising for children and young people conducted and an ongoing strategy and implementation plan developed	□		□ (annual)	✓	✓	▲			✓	Youth, Sport & Culture			▲ Media agencies, Childline, BNYC, UNICEF, UNDP, ILO
13	A4.3 Output	Strategy and implementation plan developed for education of school-children on child labour Education on child labour and Child labour included in the curriculum		□	□			✓							▲ ILO/IPEC
A5		Capacity building to support the implementation of the APEC													
14	A5.1 Output	Information on APEC disseminated to national and local authority legislators	□					✓							
15	A5.2 Output	Strategy and implementation plan developed for capacity building for community level institutions (VDCs) and organisations (CBOs and FBOs) X Community level institutions & organisations sensitised	□					✓							▲ Local police ▲ CBO and NGO network organ's
16	A5.3 Output	Strategy and implementation plan developed for capacity building for the Labour Offices, social welfare personnel, and law enforcement personnel Training/ sensitisation for X labour officers X social welfare personnel X law enforcement personnel trained		□				✓						▲ BPS College	▲ IDM, UB

Apec action No.	Output	Indicators	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)								
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS, BPS	Other Min	Civil Society	
17	A5.4 Output	Strategy and schedule to strengthen the capacity of organisations that provide services to children in need	□	□		▲	✓			▲				▲ Childcare-BOCO-NGO, BONASO
A6		Policy development to include child labour												
18	A6.1 Output	The Employment Act reviewed and the various forms of hazardous work and light work identified and included	□			✓						▲ AGs		
19	A6.2 Output	Child labour specifically included in the revised Children's Act Comprehensive implementation plan to operationalise the revised Children's Act			□	▲	✓			▲ AGs				
20	A6.3 Output	Child labour included in the new National Policy on Social Welfare	□			▲	✓			▲				
21	A6.4 Output	Child labour included in the new national policy on orphans and vulnerable children	□			▲	✓			▲		▲ NACA		▲ UNICEF
A7		Further research on specific forms of child labour												
22	A7.1 Output	Strategy developed for commissioning research on specific identified forms of child labour (eg children in agriculture, CUBAC in specific parts of the country, movement of orphans and other vulnerable children into detri-mental domestic work) Research commissioned Research completed Recommendations and implementation plans adopted.	□			✓	▲			▲ Admin of Justice, AGs BPS		▲ MOA		▲ UB, NGOs, agric unions

Section B Addressing specific forms of child labour – targets and time frames

Code:

MLHA = Ministry of Labour and Home affairs; MLG = Ministry of Local Government and local authorities; MOE = Ministry of Education; MOH = Ministry of Health; MFDP = Ministry of Finance and Development Planning; MOA = Ministry of Agriculture; MYSC = Ministry of Youth, Sport & Culture; MJDS = Ministry of Justice, Defence & Security; OP = Office of the President; AG = Attorney General's Chambers; BPS = Botswana Police Service; UB = University of Botswana; NACA = National AIDS Coordinating Agency; BIDPA = Botswana Institute of Development and Policy Analysis; DIS = Department of Information Services; DBS = Department of Broadcasting Services; BOCCIM = Botswana Confederation of Commerce, Industry, and Manpower; BNYC = Botswana National Youth Council; BOCONGO = Botswana Council of Non-Governmental Organisations; BOTA = Botswana Training Authority NGOs = Non-Governmental Organisations; FBOs = Faith Based Organisations; CBOs = Community Based Organisations

ACTION NO.	TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)										
		Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS BPS	Other Min	Civil Society			
B1	Excessive and inappropriate domestic work														
23	VDCs and other community based organisations educated to monitor and respond appropriately to child labour, especially children engaged in excessive domestic chores % communities sensitised		▣		✓	▲ Local Authorities									▲ NGOs, Village Dev Comms, FBOs, unions & BOCCIM
24	Education on child work and child labour offered at the clinics % clinics including child work and labour in education sessions		▣		▲	▲ District Health Teams			✓						
25	Tracking system and support mechanisms established for the protection of children who are moved between households Number of children recorded as moved between households	▣				✓ ▲ S&CD, Dis- trict Health Teams				▲					▲ NGOs

ACTION NO.	TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)								
		Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFD	OP, AG, MJDS BPS	Other Min	Civil Society	
B2	Children working in agriculture												
26	Employment Act implemented and enforced in both subsistence and commercial agriculture through child labour inspections	▣			✓						▲	▲	▲
27	Agricultural extension workers sensitised to monitor child labour in commercial farming areas	▣			▲						✓	✓	
28	Awareness-raising about child labour in agriculture conducted in the rural communities X awareness-raising activities conducted in selected agricultural communities	▣			✓						▲	▲	
29	Awareness-raising conducted on the implications of the findings of the 2005/2006 LFS for the agriculture sector X activities conducted	▣			✓						▲	▲	▲
30	Child labour incorporated into agricultural policies and programmes	▣			▲						✓	✓	▲
B3	Children used by adults to commit crimes												
31	In depth research and analysis on CUBAC in Botswana commissioned and completed	▣			▲	✓					✓	✓	▲

ACTION NO.	TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)							
		Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFD	OP, AG, MJDS BPS	Other Min	Civil Society
32	B3.2 Existing legislation and sentencing practices reviewed with a view to ensuring that appropriate sanctions are applied against adults instigating CUBAC	▣			▲					✓ AGs chambers Admin of Justice ▲ BPS		✓ Legal reform commission ▲ UB,
33	B3.3 Parents and other community leaders in specific communities sensitised on the risk of CUBAC, and the avenues for reporting instances of CUBAC		▣			▲ DSS & Tribal Admin	▲			✓ BPS		▲ UB, media agencies, NGOs
34	B3.4 CUBAC included in pre-service and in-service training for social welfare personnel and the police services		▣		▲	✓				✓ OP & BPS		▲ UB
35	B3.5 CUBAC included as a routine part of all police work concerned with the investigation and prosecution of offences allegedly committed by a child		▣		▲					✓ OP & BPS	✓ Admin of Justice	
36	B3.6 Process established for recording cases of CUBAC		▣			▲				✓ BPS	✓ Admin of Justice	
37	B3.7 Commissioners of child welfare / magistrates and tribal authorities trained on CUBAC and CUBAC included in mitigation of sentence for a child found guilty of offences		▣			✓ DSS				▲ BPS	✓ Admin of Justice	
38	B3.8 Effective support available for children who are victims of CUBAC		▣			✓					✓ Admin of Justice	▲ NGOs
B4	Commercial sexual exploitation of children											

ACTION NO.	TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)							
		Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS BPS	Other Min	Civil Society
39	B4.1 Public awareness raised about CSEC	▣			✓	▲			▲	▲ BPS	▲ NACA	▲ NGOs
40	B4.2 Community prevention strategies developed to combat CSEC		▣			✓				✓ BPS	▲ Ministry Works & Transport Union	▲ BOCCIM & Transport Union
41	B4.3 Education on CSEC linked with all appropriate HIV and AIDS prevention programmes		▣				✓				▲ NACA	▲ NGOs, CBOs BNYC
42	B4.4 Strengthened measures to eliminate CSEC in education institutions	▣					✓					▲ UB, teachers unions
43	B4.5 Resources and capacity building offered to existing NGOs working with sex workers, to reach out to girls involved in CSEC or in other forms of transactional sex		▣			✓				▲ BPS	▲ NACA WomenAffairs	▲ NGOs
44	B4.6 Research on parental attitudes to transactional sex commissioned and conducted	▣			▲	✓					▲ NACA	▲ UB, Botusa
B5	Children working in shebeens											
45	B5.1 Community leaders and shebeen owners educated on the harmful effects their trade may have on their children and how these can be mitigated	▣			▲	✓	MLG Local Authorities				✓ Trade & Industry	▲ CBO and NGO network work organ's
46	B5.2 Liquor producers contacted as partners and involved in eliminating child labour	▣			▲	✓	LAs				✓ Trade & Industry	▲ Private sector, BOCCIM, media
47	B5.3 Advocacy for support centres for children and youth		▣			✓		▲			✓ Min Youth, Sport & Culture	▲ CBO and NGO network work organ's

ACTION NO.		TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)							
			Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS BPS	Other Min	Civil Society
48	B5.4	The revised Liquor Act enforced to strictly regulate children's presence in shebeens		▣			▲				▲	✓ Trade & Industry	
49	B5.5	Bye-laws pertaining to shebeens reviewed and strengthened as necessary		▣			✓ LAs				▲ AGs	▲ Trade & Industry	
B6		Children working on the streets											
50	B6.1	Review of the recommendations of studies on children working on the streets completed and an implementation plan prepared	▣			▲	✓						
51	B6.2	Retail sector contacted and mobilised to assist with a comprehensive programme for street children	▣			✓						▲ Trade & Industry	▲ BOCCIM, unions,
52	B6.3	Landfill sites secured and a monitoring process in place	▣				✓ LAs						
53	B6.4	A working group is formed comprising DSS, Local Authorities, BOCONGO and relevant NGOs to explore and define clear strategies for funding, capacity building and support for NGOs working to help street children		▣		▲	✓						✓ BOCONGO ▲ NGOs, RE- CLISA SOS, BCC
B7		HIV and AIDS and the exploitation of orphaned and other vulnerable children											
54	B7.1	Monitoring of OVCs reviewed and a clear strategy in place		▣			✓ ▲ LAs						▲ Communi- ties, NGOs, CBOs
55	B7.2	Community registers of child headed households constructed	▣				✓ ▲ LAs				▲ CSO		▲ Communi- ties, NGOs, CBOs

ACTION NO.	TARGET	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)								
		Short term Within 2 years of adoption	Medium Term Within 4 years of adoption	Long term By 2016	MLHA	MLG	MOE	MOH	MFD	OP, AG, MJDS BPS	Other Min	Civil Society	
56	<p>Children doing physical work at school</p> <p>Publication of clear Guidelines on school cleaning</p>	<p>▣</p>				<p>▲ LAs</p>	<p>✓</p>						<p>▲ PTAs, school boards, teachers unions</p>
57	<p>Hazardous work done by children</p> <p>Establish regulations/standards on what is considered to be dangerous and hazardous labour conditions for children</p>		<p>▣</p>										<p>▲</p>

Section C Preventing the worst forms of child labour

APEC Action NO.	OUTPUT	INDICATORS	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)										
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS, BPS	Other Min	Civil Society			
C		Prevention														
C1	Output	Research conducted on child labour (see A7)	■			✓	✓			✓						▲
C2	Output	Public awareness raised about child labour (see A4)	■			✓										
C3	Output	Children at risk of WFCL monitored effectively (see B7)		■		✓	✓	✓	✓							▲
C4	Output	Social safety nets strengthened (see A1)	■			✓				✓						▲
C5	Output	Advocacy for legislative and policy change to prevent and eliminate WFCL (See A5 & A6)	■			✓	✓	✓								▲

Section D **Managing and Monitoring Implementation of the APEC**

APEC Ac-tion NO.	OUTPUT	INDICATORS	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)										
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFD	OP, AG, MJDS, BPS	Other Min	Civil Society			
D		Managing and Monitoring Implementation of the APEC														
58	Output	Child labour position created and filled in the Department of Labour and Social Security. Child labour responsibilities mainstreamed into performance assessment	▣			✓										
59	Output	APEC implementation and reporting structures and mandate are in place and functioning	▣			✓	▲	▲	▲	▲				▲		▲
60	Output	APEC is endorsed	▣			✓										
61	Output	PACC members in place and reporting template developed and next PACC meeting held by Oct 08	▣			✓	▲	▲	▲	▲				▲		▲
62	Output	Children participating actively in the implementation processes and programmes	▣			✓	✓	✓								✓
63	Output	Children are empowered to take action and SCREAM toolkit is being used														
64	Output	Child labour plans and programmes mainstreamed into NDP 10 and into annual ministerial and departmental plans	▣	▣		✓		✓								
65	Output	PACC closely aligned with NPA implementation structures and other national children's bodies		▣		✓					✓					▲ UNICEF
66	Output	Child labour indicators from analysis of LFS 2005/2006 incorporated into APEC reporting process	▣			✓										
67	Output	Follow to children's activities module in next LFS 2015/2016			▣	✓							✓			
68	Output	Child labour indicators set to report against		▣		✓	✓	▲	▲	▲			▲	▲	▲	▲

APEC Ac-tion NO.	OUTPUT	INDICATORS	Proposed time frames			Implementing institutions lead (✓) and secondary (▲)										
			Short term Within 2 years	Medium Term Within 4 years	Long term By 2016	MLHA	MLG	MOE	MOH	MFDP	OP, AG, MJDS, BPS	Other Min	Civil Society			
69	D6.4 Output	Child labour surveys included in LFS and run by 2010 again		▣		✓	▲	▲	▲	✓						
70	D7.1 Output	The next update of the APEC is to be done by 2012.		▣		✓	▲	▲	▲	▲	▲			▲	▲	▲
71	D7.2 Output	2 yearly report prepared in terms of the ILO Convention reporting requirements		▣		✓										▲
72	D7.3 Output	A monitoring and evaluation system for the APEC in place		▣		✓	✓	✓	✓	✓				✓	▲	▲
73	D7.4 Output	Effective reporting on progress and issuing of first report to parliament		▣		✓	✓	✓	✓	✓				✓	▲	▲
74	D8.1 Output	Funding secured for the implementation of the APEC	▣	▣		✓								✓		▲
75	D8.2 Output	Key priorities of APEC included in the country Decent Work Country Programme	▣			✓	Incl social partners									

Annexure 3

RESOLUTION ENDORSING THE BOTSWANA NATIONAL ACTION PROGRAMME TOWARDS THE ELIMINATION OF CHILD LABOUR



Background

In 1997 Botswana ratified the International Labour Organisation (ILO) Minimum Age Convention (C138) and in 2000 ratified the ILO Worst Forms of Child Labour Convention (C182). Representatives from the government, business and labour also earlier participated in the process of adoption of these conventions.

By ratifying the conventions the country freely accepted the responsibility of complying with their provisions.

The Department of Labour and Social Security in the Ministry of Labour and Home Affairs is responsible within government for coordinating activities around these conventions and for reporting to the ILO.

The Worst Forms of Child Labour Convention (C182) defines worst forms of child labour as including the Commercial Sexual Exploitation of Children (CSEC), Children Used by Adults to Commit Crime (CUBAC), Child Trafficking (CT), and children engaged in very hazardous forms of work.

This Convention requires the following:

- Immediate steps to ensure prohibition of all the worst forms of child labour. Regarding the 'very hazardous forms of work', government consultation with labour and business must **specify in law** what other kinds of work are considered so hazardous as to be seen as a worst form of child labour.
- Immediate steps must be taken to facilitate the effective elimination of worst forms of child labour. A key instrument to achieve this is a time-bound programme, or an Action Programme on the Elimination of Child labour (APEC).

The ILO's 2nd Global Report on Child Labour requested all member states to finalise and adopt time-bound programmes on child labour, with a focus on the worst forms of child labour, by 2008.

Drafting an APEC for Botswana

In 2003 the Department of Labour and Social Security in the Ministry of Labour and Home Affairs, as well as other key Ministries, and organised business and labour, requested the ILO to provide assistance to Botswana in the drafting of an Action Programme on the Elimination of Child Labour (APEC) for the country.

The ILO obtained funding for such assistance, and established the programme Towards the Elimination of the worst forms of Child Labour (TECL) for this purpose.

The Ministry, through the Department of Labour and Social Security, led the process within government of setting up a joint body to steer the process. The Programme Advisory Committee on Child Labour (PACC) was established in 2004, with participation of:

Key government ministries including the Department of Labour and Social Security, the Ministry of Education; and the Ministry of Local Government (Department of Social Services), the Ministry of Justice, Defence and Security within the Office of the President (Botswana Police Service) and the Ministry of Finance and Development Planning (Central Statistics Office)

- Botswana Federation of Trade Unions (BFTU)
- Botswana Confederation of Commerce, Industry and Manpower (BOCCIM)

- Botswana Council of Non-Governmental Organisations (BOCONGO) representing non-governmental organisations
- UNICEF
- Towards the Elimination of worst forms of Child Labour programme (TECL) (ILO)
- Reducing Exploitative Child Labour in Southern Africa Programme (RECLISA), (a sister programme to TECL) through the Botswana National Youth Council (BNYC)

The PACC agreed in 2005 to a three stream process towards the drafting of an APEC:

- **Stream 1:** building knowledge of child labour including the Worst Forms of Child Labour, through inclusion of a children's activities module in the National Labour Force Survey (2005/2006) and rapid assessments on two of the areas of concern identified by a national stakeholder's workshop: commercial sexual exploitation of children (CSEC) and child trafficking (CT).
- **Stream 2:** Publication of a discussion document on child labour in Botswana, addressing the following:
 - A summary of what is known about child labour in Botswana;
 - A review of policies and programmes that may affect child labour and worst forms of child labour. This review was to identify policy gaps and areas of concern, using inputs from key national policy experts; and
 - Identification of issues to form the basis for discussion and consultation on how to address child labour in the country.
- **Stream 3:** Formulation of an Action Programme on the Elimination of Child labour, including:
 - District consultative workshops with implementers, community members and children;
 - Engagement and negotiations with key stakeholders and government ministries and departments; and
 - Provisional adoption of an APEC, subject to usual formal government processes for its ratification.

In September 2005 this three-stream process was launched by the Department of Labour and Social Security in the Ministry of Labour and Home Affairs, with the full participation of other key ministries. This launch was reported in the press.

The Stream 3 process of national consultations on the APEC was launched in October 2006: Her Excellency the American

Ambassador presented the prizes to the winning entrants in the children's 'Child Labour Logo' competition.

Further consultation on APEC was made during a national child labour conference hosted by RECLISA and supported by ILO/TECL in Gaborone during July 2007. Representatives from the SACU countries attended and participated in this conference.

Following consolidation of the above processes a draft Action Programme was presented to the PACC in early August 2007.

A final draft APEC was prepared and circulated to all the members of the PACC as well as other key ministries indicated in the APEC for consideration and comment.

A formal briefing on the APEC to Permanent Secretaries of the key ministries was hosted by the Permanent Secretary of the Ministry of Labour and Home Affairs in February 2008.

The Action Programme, which provides a policy framework for the elimination and prevention of child labour is to be endorsed and signed off by the members of the PACC in their capacities as representatives of the key implementing Ministries and agencies at the PACC meeting on 4 February 2008.

Resolution Endorsing the National Action Programme for the Elimination of the Worst Forms of Child Labour (2008-2016)

In 1997 Botswana ratified the International Labour Organisation (ILO) Minimum Age Convention (C138) and in 2000 ratified the ILO Worst Forms of Child Labour Convention (C182). Representatives from the government, business and labour also earlier participated in the process of adoption of these conventions.

By ratifying the conventions the country freely accepted the responsibility of complying with their provisions

In compliance with Convention obligations and ILO's international targets, the national multi-sectoral Programme Advisory Committee on Child Labour led by the Department of Labour and Social Security in the Ministry of Labour and Home Affairs directed the preparation of this time-bound National Action Programme for the Elimination of the Worst Forms of Child Labour (APEC).

We the representatives of key stakeholders on steps to eliminate child labour in Botswana, being the Commissioner of Labour of the Ministry of Labour and Home Affairs, the members of the multi-sectoral national Programme Advisory Committee on Child Labour (including key ministries, organised employers, trade unions and non-governmental organisations), extended to include other ministries who have responsibilities assigned to them in the APEC, as authorised representatives of our respective organisations, hereby

Endorse:

- the National Programme of Action for the Elimination of Child Labour (APEC) as Botswana's time-bound and comprehensive policy framework and plan for the elimination and prevention of child labour in Botswana, prioritising the worst forms of child labour; and

Resolve:

- that the time-bound Action Programme will be implemented through inclusion by Ministries in the national

planning processes and specifically in NDP 10, through specific ministerial, departmental and agency implementation plans and through mainstreaming in existing and proposed strategies and programmes for the welfare of Botswana's children, especially vulnerable children;

- that the Programme Advisory Committee on Child Labour will coordinate and monitor implementation of the APEC under the leadership of the Department of Labour and Social Security in the Ministry of Labour and Home Affairs and under the joint Chairs of the Department of Labour and Social Security and the Department of Social Services in the Ministry of Local Government; and
- that this resolution be submitted to the Permanent Secretary of the Ministry of Labour and Home Affairs with the latest version of the APEC for final consideration and adoption by Government.

Adopted at: The Gaborone Sun on 4 February 2008.

Annexure 4

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Resources enclosed on CD

Find attached to the BACK cover of the APEC two compact disks with the following information:

- CD1. A wide range of reports and resources on issues of child labour, mainly compiled by ILO/TECL from 2004 to 2008, in cooperation with the PACCs in the countries.
- CD2. An interactive lesson on child labour in Southern Africa, meant for senior learners at school. A video on the worst forms of child labour in South Africa, is also included. These resources may be of interest for many others as well, not only learners.

If there is no CD in this copy of the APEC, please contact the Department of Labour or ILO/TECL at the contact addresses on the back of the Cover page, giving your name, organisation, telephone number, postal address and email address (if you have one). Alternatively you can telephone the ILO library at +27 12 431-8805.



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