

Swaziland

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	9.6% ³⁹⁸¹
Minimum age for admission to work:	No ³⁹⁸²
Age to which education is compulsory:	12 ³⁹⁸³
Free public education:	No ³⁹⁸⁴
Gross primary enrollment rate in 2002:	98% ³⁹⁸⁵
Net primary enrollment rate in 2002:	75% ³⁹⁸⁶
Percent of children 5-14 attending school:	74.3% ³⁹⁸⁷
As of 2002, percent of primary school entrants likely to reach grade 5:	77% ³⁹⁸⁸
Ratified Convention 138:	10/23/2002 ³⁹⁸⁹
Ratified Convention 182:	10/23/2002 ³⁹⁹⁰
ILO-IPEC participating country:	No ³⁹⁹¹

Incidence and Nature of Child Labor

Children in Swaziland work in agriculture (particularly in the eastern region), and as domestic workers and herders.³⁹⁹² Children are also found working on the streets as traders, hawkers, bus and taxi conductors, load bearers, and car washers.³⁹⁹³ There are reports that Swazi and Mozambican girls are engaged in commercial sexual exploitation in Swaziland and are trafficked to South Africa for domestic labor and forced prostitution.³⁹⁹⁴

³⁹⁸¹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

³⁹⁸² U.S. Department of State, "Swaziland," in *Country Reports on Human Rights Practices- 2006* Washington, DC, March 6, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78760.htm>.

³⁹⁸³ UNESCO Institute for Statistics, *Ending Age of Compulsory Education*, accessed February 9, 2007; available from <http://stats.uis.unesco.org/TableViewer/tableView.aspx>.

³⁹⁸⁴ U.S. Department of State, "Country Reports- 2006: Swaziland," Section 5.

³⁹⁸⁵ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total* accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

³⁹⁸⁶ UNESCO Institute for Statistics, *Net Enrolment Ratio. Primary. Total* accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

³⁹⁸⁷ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total* accessed December 18, 2006; available from <http://stats.uis.unesco.org/>.

³⁹⁸⁸ Ibid.

³⁹⁸⁹ ILO, *Ratifications by Country*, [cited September 25, 2006]; available from <http://www.ilo.org/ilolex/english/docs/declAFpr.htm>.

³⁹⁹⁰ Ibid.

³⁹⁹¹ ILO-IPEC, *IPEC Action Against Child Labour-Highlights 2006*, Geneva, October, 2006; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

³⁹⁹² U.S. Department of State, "Swaziland," in *Country Reports on Human Rights Practices- 2005* Washington, DC, March 8, 2006, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61595.htm>.

³⁹⁹³ ILO-IPEC, *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva, September 30, 2003, Annex II, 22-23.

³⁹⁹⁴ U.S. Department of State, "Country Reports- 2006: Swaziland," Section 5. See also The Protection Project, "Swaziland," in *Human Rights Report on the Trafficking of Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, 2005; available from <http://www.protectionproject.org>.

Child Labor Laws and Enforcement

The law provides children with the right to be protected from work that jeopardizes their health, education, or development.³⁹⁹⁵ The law distinguishes between a “child” (under 15 years) and a “young person” (between 15 and 17), but does not establish a blanket minimum age of employment.³⁹⁹⁶ Children under 15 are only allowed to work in firms where family members are employed or in technical schools under supervision.³⁹⁹⁷ The law prohibits children and young persons under 18 years from working in mines, quarries or underground, in premises that sell alcohol for consumption on site, or in any sector that is dangerous to their safety, health, or moral development.³⁹⁹⁸ The law also prohibits children from working during school hours and for more than 4 hours continuously.³⁹⁹⁹ Children may not work between 6 p.m. and 7 a.m., except for an apprenticeship or vocational training approved by the Minister of Labor.⁴⁰⁰⁰ Children are limited to 6 hours of work per day and 33 hours per week.⁴⁰⁰¹ The Ministry of Labor is responsible for enforcing child labor laws, but its effectiveness is limited by shortages of personnel to conduct regular inspections, according to the U.S. Department of State.⁴⁰⁰²

Children are protected by law from commercial sexual exploitation⁴⁰⁰³ and child pornography.⁴⁰⁰⁴ Forced and bonded labor, including by children, is also prohibited.⁴⁰⁰⁵ There is no law prohibiting trafficking in persons.⁴⁰⁰⁶ Children under the age 18 are prohibited from enlisting in the military.⁴⁰⁰⁷

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

The Government of Swaziland is working with ILO-IPEC to implement a USDOL-funded regional child labor project in Southern Africa. This USD 5 million project aims to expand the knowledge base on exploitive child labor in Swaziland and facilitate the development of a national child labor action plan.⁴⁰⁰⁸ The American Institutes for Research, with the support of

³⁹⁹⁵ U.S. Embassy- Mbabane, *reporting*, December 18, 2006, para A.

³⁹⁹⁶ U.S. Department of State, "Country Reports- 2006: Swaziland," Section 6d.

³⁹⁹⁷ *Ibid.* See also Dawie Bosch Nomthetho Simelane, and Debbie Budlender, *Scoping Report on Child Labour in Swaziland*, Geneva, August, 2003, 9.

³⁹⁹⁸ Nomthetho Simelane, *Scoping Report Swaziland*, 9. See also ILO-IPEC., *Supporting the Timebound Programme to Eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and Laying the Basis for Concerted Action Against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, project document, Geneva, September 30, 2003, Annex 2, 21. See also Government of Swaziland, *King and Parliament of Swaziland; The Employment Act, 1980*; available from [http://www.doingbusiness.org/Documents/LawLibrary/Swaziland-Employment-Act-1980-\(Excerpts\).pdf](http://www.doingbusiness.org/Documents/LawLibrary/Swaziland-Employment-Act-1980-(Excerpts).pdf).

³⁹⁹⁹ ILO-IPEC, *Supporting the Timebound Programme* Annex II, 21.

⁴⁰⁰⁰ Government of Swaziland, *Employment Act 1980*, Para 98 (1).

⁴⁰⁰¹ U.S. Department of State, "Country Reports- 2006: Swaziland," Section 6d.

⁴⁰⁰² U.S. Department of State, "Country Reports- 2005: Swaziland," Section 6d.

⁴⁰⁰³ Nomthetho Simelane, *Scoping Report Swaziland*, 11.

⁴⁰⁰⁴ U.S. Department of State, "Country Reports- 2006: Swaziland," Section 5.

⁴⁰⁰⁵ *Ibid.*, Section 6c.

⁴⁰⁰⁶ *Ibid.*

⁴⁰⁰⁷ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, London, March 2004, 102; available from http://www.child-soldiers.org/document_get.php?id=966.

⁴⁰⁰⁸ ILO-IPEC, *Supporting the Timebound Programme* 10. See also ILO-IPEC, *Annexure to TECL Project Document: Strategy for Swaziland* project document country annex, Geneva, May 2005.

the Government of Swaziland and Save the Children Swaziland, is implementing another regional, USDOL-funded project. This USD 9 million project is designed to improve the quality of and access to basic and vocational education for children working or at-risk of working in the worst forms of child labor.⁴⁰⁰⁹ Over its lifetime, this project aims to prevent 10,000 children in five countries, including Swaziland, from engaging in exploitive labor.⁴⁰¹⁰

⁴⁰⁰⁹ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, project document, Washington September 8, 2005, 2.

⁴⁰¹⁰ *Ibid.*, 22.