

## Botswana



**Population:** 1,990,876  
**Population Growth Rate:** 1.937% (2010 est.)  
**Birth Rate:** 22.89 births/1,000 population (2010 est.)  
**Life Expectancy:** total population: 61.85 years  
male: 61.72 years  
female: 61.99 years (2010 est.)  
**Literacy Rate:** definition: age 15 and over can read and write  
total population: 81.2%  
male: 80.4%  
female: 81.8% (2003 est.)  
**Net Migration Rate:** 5.41 migrant(s)/1,000 population  
**Unemployment Rate:** 7.5% (2007 est.)  
**Gross Domestic Product per Capita:** \$12,800 (2009 est.)  
**Religions:** Christian 71.6%, Badimo 6%, other 1.4%, unspecified 0.4%, none 20.6% (2001 census)  
**Languages:** Setswana 78.2%, Kalanga 7.9%, Sekgalagadi 2.8%, English 2.1% (official), other 8.6%, unspecified 0.4% (2001 census)  
**Ethnic Groups:** Tswana (or Setswana) 79%, Kalanga 11%, Basarwa 3%, other, including Kgalagardi and white 7%  
**Capital:** Gaborone<sup>1</sup>

### Trafficking Routes and Forms of Trafficking

Botswana is a country of origin, destination, and transit for the trafficking of persons, mainly in women and children, for forced labor and sexual exploitation.<sup>2</sup> Victims from Botswana are trafficked throughout South Africa, mainly via the “Maputo Road,” casting these victims into the prostitution chain.<sup>3</sup> Botswana also has cases of internal trafficking of women for the purpose of commercial sexual exploitation.<sup>4</sup> Also, native and foreign victims are trafficked internally for the purpose of forced labor in the country’s burgeoning manufacturing and domestic industries.<sup>5</sup>

<sup>1</sup> CIA, THE WORLD FACTBOOK 2009, available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/bc.html>.

<sup>2</sup> UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR), *Trafficking in Persons Report 2010 – Botswana* (2010), available at: <http://www.unhcr.org/refworld/docid/4c188406c.html>.

<sup>3</sup> UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC) AND THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC), SITUATIONAL ASSESSMENT OF HUMAN TRAFFICKING: A 2005 SITUATIONAL ASSESSMENT OF HUMAN TRAFFICKING IN THE SADC REGION: A SURVEY OF SOUTH AFRICA, ZIMBABWE AND MOZAMBIQUE (2007), available at: <http://www.unodc.org/documents/human-trafficking/2005%20UNODC%20Situational%20Assessment.pdf>.

<sup>4</sup> UNHCR *supra* note 2.

<sup>5</sup> Gowenius Toka, *Botswana in Sweat Shops, Human Trafficking Crisis*, SUNDAY STANDARD, Nov. 21, 2007, available at: <http://www.sundaystandard.info/article.php?NewsID=2186&GroupID=1>.

Botswana is a transit country for victims of trafficking from Swaziland en route to South Africa.<sup>6</sup> In general, traffickers may take circuitous routes to avoid officials who are said to be vigilant.<sup>7</sup>

### Factors That Contribute to the Trafficking Infrastructure

Botswana is land-locked by its neighboring countries Namibia, Zimbabwe, and Lesotho, located in the heart of South Africa.<sup>8</sup> Given its geological location, and proximity to neighboring countries, Botswana has been used as a main trafficking route and hub for traffickers.<sup>9</sup> Other common factors contributing to trafficking in person in Botswana are economic disparity, lack of opportunities for young people, flawed birth registration system, and war and conflict.<sup>10</sup> These factors reinforce each other, causing a vicious cycle enabling trafficking in persons.

Experts have attributed the roots of the problem of trafficking in persons in Africa as gender imbalances, conflict and insecurity, non-democratic practices and human rights abuses.<sup>11</sup> According to a recent study by the United Nations Children's Fund (UNICEF) trafficking in African women and children for forced prostitution or labor is exacerbated by war, poverty, and flawed or nonexistent birth registration systems.<sup>12</sup> Because children who are not registered at birth never formally acquire a nationality, they are easily moved between countries and become easily targeted by traffickers.<sup>13</sup> It is also difficult to identify missing children and return them to the country of origin for reintegration.<sup>14</sup> Refugees and internally displaced persons are particularly vulnerable. Botswana has 3,160 refugees/internally displaced persons.<sup>15</sup>

Furthermore, porous borders, combined with recurrent civil and political unrest and a lack of economic opportunity, have ensured a consistent southward flow of both legal and illegal migrants in southern Africa.<sup>16</sup> Trafficking victims are difficult to distinguish amid these flows.<sup>17</sup> The economic vulnerability—especially for women and children—has created a sense of desperation and hopelessness, leading to increased trafficking.<sup>18</sup> Women and children trafficked for prostitution are among the most vulnerable groups exposed to HIV/AIDS, along with the

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<sup>6</sup> UNESCO, HUMAN TRAFFICKING IN SOUTH AFRICA: ROOT CAUSES AND RECOMMENDATIONS. Policy Paper Poverty Series N14.5 (E), (2007), available at: <http://unesdoc.unesco.org/images/0015/001528/152823e.pdf>.

<sup>7</sup> UNICEF INNOCENTI RESEARCH CENTRE, INNOCENTI INSIGHT: TRAFFICKING IN HUMAN BEINGS, ESPECIALLY WOMEN AND CHILDREN, IN AFRICA (2005), available at: <http://www.unicef-irc.org/publications/pdf/trafficking-gb2ed-2005.pdf>.

<sup>8</sup> Botswana Export Development & Investment Authority (BEDIA), *Geographical Location* (2007), available at: [http://www.bedia.co.bw/article.php?id\\_mnu=35](http://www.bedia.co.bw/article.php?id_mnu=35).

<sup>9</sup> UNESCO *supra* note 6.

<sup>10</sup> *Id.*

<sup>11</sup> *Government of Botswana hosts regional workshop to tackle human trafficking*, IOM SOUTHERN AFRICA, May 28, 2007, available at: [http://iom.org.za/site/index.php?option=com\\_content&task=view&id=29&Itemid=234](http://iom.org.za/site/index.php?option=com_content&task=view&id=29&Itemid=234).

<sup>12</sup> *Supra* note 5.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> DIVISION OF OPERATIONAL SERVICES FIELD INFORMATION AND COORDINATION SUPPORT SECTION, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, 2006 GLOBAL TRENDS: REFUGEES, ASYLUM-SEEKERS, RETURNEES, INTERNALLY DISPLACED AND STATELESS PERSONS (2007), available at: <http://www.unhcr.org/4676a71d4.html>.

<sup>16</sup> International Office of Migration (IOM), *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa*, available at: <http://www.queensu.ca/samp/migrationresources/gender/documents/martens.pdf>.

<sup>17</sup> *Id.* at 14.

<sup>18</sup> UNESCO *supra* note 6

children orphaned by the disease, are especially vulnerable to trafficking.<sup>19</sup> In Botswana 24% of the population, 270,000 people, are living with HIV/AIDS.<sup>20</sup>

Another factor cited as contributing to Botswana's human trafficking crisis is the country's accelerating economic development. "Botswana's campaign to attract foreign investors and diversify the economy away from diamonds has opened the country's door to sweatshops and human trafficking."<sup>21</sup> Domestic and international firms are using trafficked labor to supply the manufacturing industry.<sup>22</sup>

## Forms of Trafficking

The majority of victims, trafficked within Botswana, are trafficked for the purpose of forced labor. In addition, there have been reports of trafficking for the purpose of sexual exploitation. Women are mainly trafficked for sexual exploitation, while children are trafficked for primarily for forced labor.<sup>23</sup>

Children trafficked to Botswana are subjected to domestic and manual labor.<sup>24</sup> Children from poor rural communities are sent to work as domestic for wealthy families in the cities, or as herders of live-stock.<sup>25</sup> Botswana girls are also subjected to prostitution and other sexual exploitation.<sup>26</sup> The majority of child recruitment is done with the parents' consent, under false pretenses of the type of work their children will be subjected to.<sup>27</sup>

## Government Responses

Actors in the government of Botswana have targeted issues related to the problem of human trafficking at several levels: law enforcement, the national budget, civil society, national legislation, and a national action plan. On 26 October 2006, the Department of Labour and Social Security launched an Action Programme on the Elimination of Child Labour in Botswana, whose goal will be to work with various stakeholders on the elimination of child labor.<sup>28</sup> The government allocated resources to programs oriented to the promotion of gender equality and youth empowerment.<sup>29</sup> These allocations support Botswana's national plan, "Vision 2016," which identifies the creation of an educated and informed citizenry as a primary goal.<sup>30</sup>

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<sup>19</sup> *Supra* note 5.

<sup>20</sup> *Botswana Health Statistics*, UNICEF BOTSWANA (2007), available at: [http://www.unicef.org/infobycountry/botswana\\_statistics.html](http://www.unicef.org/infobycountry/botswana_statistics.html).

<sup>21</sup> *Supra* note 3.

<sup>22</sup> *Id.*

<sup>23</sup> UNHCR *supra* note 2.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> UNICEF, BOTSWANA CHILD MONITOR: A BULLETIN OF RECENT EVENTS, STATISTICS AND ACQUISITIONS ABOUT CHILDREN (ISSUE #9): SEPTEMBER – OCTOBER 2006 (2006), available at: [http://www.sarpn.org.za/documents/d0002217/Botswana\\_Child-Monitor\\_Unicef\\_Sept2006.pdf](http://www.sarpn.org.za/documents/d0002217/Botswana_Child-Monitor_Unicef_Sept2006.pdf)

<sup>29</sup> *Id.* at 7.

<sup>30</sup> EMABASSY OD THE UNITED STATES: GARBONE-BOTSWANA, *Botswana Child Labour Conference: "Education not Exploitation"* (July 3-4, 2007), available at: [http://botswana.usembassy.gov/ambassador\\_speeches/ambassador-canavan-remarks-on-botswana-child-labor-conference-education-not-exploitation-july-3-4-2007.html](http://botswana.usembassy.gov/ambassador_speeches/ambassador-canavan-remarks-on-botswana-child-labor-conference-education-not-exploitation-july-3-4-2007.html).

In 2007 the government of Botswana hosted a regional, 3 day, workshop to tackle Human Trafficking and its related issues.<sup>31</sup> This workshop was organized in partnership with the International Organization for Migration (IOM) and Southern African Migration Project (SAMP) to bring together the governments of 16 South African countries, to discuss necessary legislation to combat human trafficking.<sup>32</sup>

The Botswana Penal Code prohibits procurement for the purpose of prostitution. Article 145 of the Penal Code prohibits abduction of person less than sixteen years of age and Article 147 bans the defilement of persons less than sixteen years of age.<sup>33</sup> The code penalizes any person who “procures or attempts to procure any woman or girl to leave her usual place of abode in Botswana with intent that she may, for the purposes of prostitution, become an inmate of or frequent a brothel either in Botswana or elsewhere.”<sup>34</sup> The perpetrator may be sentenced to corporal punishment, in addition to any prison term awarded for the offence.<sup>35</sup> The code prohibits procurement by threats, intimidation, false pretenses, false representations, or administration of drugs.<sup>36</sup> The code also prohibits living on earnings from prostitution,<sup>37</sup> using any premises for prostitution,<sup>38</sup> and maintaining brothels.<sup>39</sup> The code prohibits procuring a girl or woman under the age of 21 to have an “unlawful carnal connection”<sup>40</sup> and permitting any girl under the age of 16 to be on any premises for the purpose of being “unlawfully carnally known by any man.”<sup>41</sup> Householders who permit a girl younger than 12 years of age to be defiled on their premises are subject to up to 5 years in prison.<sup>42</sup>

On the Day of the African Child in 2007, local government Minister Margaret Nasha encouraged various stakeholders to cooperate with the government in efforts to keep child trafficking, sexual exploitation and other forms of child labor out of Botswana.<sup>43</sup> Nasha declared that Botswana’s motto for child trafficking should be zero tolerance and stressed that all must be done in children’s best interest.<sup>44</sup>

Human trafficking dominated discussions at the 35th Botswana Police Service Senior Officers 2006 annual conference, as a consequence of heightened instances of human trafficking for purposes of forced labor.<sup>45</sup> In 2007, Botswana police forces reported they were working closely with their South African counterparts to stem trafficking operations in the region.<sup>46</sup>

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<sup>31</sup> IOM *supra* note 32.

<sup>32</sup> *Id.*

<sup>33</sup> Penal Code, arts. 145 and 147, (Government of Botswana), *available at* : <http://74.125.93.132/search?q=cache:xvHAYLHebaQJ:www.laws.gov.bw/Docs/Principal/Volume2/Chapter8/Chpt8-01%2520Penal%2520Code.pdf+botswana+penal+code&cd=2&hl=en&ct=clnk&gl=us>.

<sup>34</sup> Art. 149(d).

<sup>35</sup> Art. 149.

<sup>36</sup> Art. 150.

<sup>37</sup> Art. 155.

<sup>38</sup> Art. 157.

<sup>39</sup> Art. 158.

<sup>40</sup> Art. 149.

<sup>41</sup> Art. 151.

<sup>42</sup> Art. 152.

<sup>43</sup> UNICEF, *Day of the African Child 2007*, *available at*: [http://www.unicef.org/media/media\\_40005.html](http://www.unicef.org/media/media_40005.html).

<sup>44</sup> MmegiOnline, *Child trafficking is rampant – UNICEF (2007)*, *available at*:

<http://www.mmegi.bw/index.php?sid=1&aid=38&dir=2007/June/Tuesday19>.

<sup>45</sup> SOUTH AFRICAN MIGRATION PROJECT (SAMP), *Botswana (2006)*, *available at*:

[http://www.queensu.ca/samp/migrationnews/article.php?Mig\\_News\\_ID=4085&Mig\\_News\\_Issue=23&Mig\\_News\\_Cat=3](http://www.queensu.ca/samp/migrationnews/article.php?Mig_News_ID=4085&Mig_News_Issue=23&Mig_News_Cat=3).

<sup>46</sup> *Supra* note 3.

## **Nongovernmental and International Organization Responses**

There are several NGO's and international organizations operating in antitrafficking efforts in Botswana. Among these are Southern African Migration Programme (SAMP), Reducing Child Labor in Southern Africa (RECLISA), and United Nations International Children's Fund (UNICEF). These groups have been highly active, working at local and regional levels, implementing anti-trafficking programs.

The Southern African Migration Programme has been conducting extensive work in Southern Africa since 1996.<sup>47</sup> The NGO has several programs in Southern Africa, specifically targeting migration.<sup>48</sup> One of the programs, MDSA (Migration Dialogue for Southern Africa), aims to facilitate and improve regional dialogue, and cooperation, on migration policy among the governments of the Southern African Development Community (SADC).<sup>49</sup>

Reducing Child Labour in Southern Africa (RECLISA) works to reduce the number of children trapped in the worst forms of child labor through improving the education available to them in the sub-region.<sup>50</sup> This group has been present and active in Botswana, under the United States Department of Labor (USDOL).<sup>51</sup> It has concentrated on reducing child labor through educating children in Southern Africa.<sup>52</sup> This project benefits working children, and those who are at risk of being trafficked, through essential education.<sup>53</sup> This project lasted 4 years and has targeted 10,000 South African children.<sup>54</sup>

In July 2007 a group of children from Kasane, located in Northwestern Botswana, took part in a forum to discuss the issue of combating child trafficking with their local community leaders.<sup>55</sup> The youth discussion panel, which was organized by UNICEF Botswana, was held in commemoration of the year's Day of the African Child, of which child trafficking was the main focus.<sup>56</sup>

In 2008, UNICEF launched a Radio and Voices of Youth Digital Diarist project in which 19 year old Tsholofelo Selufaro interviewed children who were victims of trafficking and child labor.<sup>57</sup>

## **Multilateral Initiatives**

In 2005, Botswana became one of five Southern African countries that entered into an agreement with the International Labor Organization to create the program *Towards the*

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<sup>47</sup> SOUTHERN AFRICAN MIGRATION PROGRAMME (SAMP), *About SAMP*, available at: <http://www.queensu.ca/samp/>.

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> Reduction of Exploitative Child Labour in Southern Africa (RECLISA) Project, <http://www.khulisa.com/public/narrative/1531> (last visited Feb. 23, 2010).

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> Bashi Letsididi, *Youth-Driven Discussion Panel Seeks Ways to End Child Trafficking in Botswana*, UNICEF BOTSWANA, July 23, 2007, available at: [http://www.unicef.org/infobycountry/botswana\\_40384.html](http://www.unicef.org/infobycountry/botswana_40384.html).

<sup>56</sup> *Id.*

<sup>57</sup> *Digital Diarist Tsholofelo Selufaro Speaks Out About Child Labor in Botswana*, UNICEF BOTSWANA, April 15, 2008, available at: [http://www.unicef.org:80/people/botswana\\_43551.html](http://www.unicef.org:80/people/botswana_43551.html).

*Elimination of the Worst Forms of Child Labor (TECL).*<sup>58</sup> The second phase of TECL focuses primarily on Botswana and Namibia, but Lesotho, Swaziland, and Namibia have also been involved in this program through setting up of the National Action Plans on elimination of child labor.<sup>59</sup>

In March 2007, the government of Zimbabwe hosted a conference on human trafficking issues in Southern Africa called the Migration Dialogue for Southern Africa (MIDSA), and organized by the International Organization for Migration (IOM) and the Southern African Migration Project (SAMP).<sup>60</sup> Senior officials from the Botswana Ministries of Labour, Home Affairs and Finance/Economic Planning were in attendance.<sup>61</sup> The conference found that in the Southern Africa region, “human trafficking also remains a significant problem. In general, there is a lack of reliable data on migration, and out-migration in particular is not sufficiently documented.”<sup>62</sup>

In July 2007, representatives from Botswana attended the first Southern African conference on child labor, entitled “Education, not Exploitation,” organized by RECLISA.<sup>63</sup> The conference produced a declaration that children may engage in developmentally appropriate work that takes place in a nurturing environment, and they have a right to be protected from exploitative, hazardous work that is detrimental to their education or development.<sup>64</sup> The declaration also emphasized the ways in which child labor perpetuates poverty.<sup>65</sup> Delegates called for more cross-border cooperation and an allocation of resources to strengthen counter-trafficking efforts.<sup>66</sup>

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<sup>58</sup> *Supra* note 15.

<sup>59</sup> Grace Banya, *Mainstreaming & Monitoring Child Labour: A case study for South Africa: TECL II Project*, ILO – EC SEMINAR, June 22-25, available at: [http://www.ilo.org/public/english/region/afpro/addisababa/pdf/ec\\_ilo\\_seminarpre\\_5.pdf](http://www.ilo.org/public/english/region/afpro/addisababa/pdf/ec_ilo_seminarpre_5.pdf).

<sup>60</sup> *Supra* note 32.

<sup>61</sup> *Id.*

<sup>62</sup> MIGRATION DIALOGUE FOR SOUTHERN AFRICA (MIDSA), REPORT AND RECOMMENDATIONS OF THE REGIONAL WORKSHOP ON HUMAN CAPITAL MOBILITY, LABOUR AND THE MDGs IN SOUTHERN AFRICA (2007), available at: [http://www.queensu.ca/samp/midsa/downloads/MIDSA\\_VicFalls2007.pdf](http://www.queensu.ca/samp/midsa/downloads/MIDSA_VicFalls2007.pdf).

<sup>63</sup> *Supra* note 35.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> Government Communication and Information System, *Conference Aims to Reduce Exploitative Child Labor*, BUA NEWS ONLINE, June 27, 2006, available at: <http://www.buanews.gov.za/news/06/06062711151001>.