

Botswana

Country Overview

Politics

Botswana is a parliamentary republic in Southern Africa.¹ In 2019, Botswana held parliamentary elections that were described as free and fair by the U.S. Department of State. The Botswana Democratic Party (BDP), which has remained in power since Botswana's independence in 1966, won a majority of seats.² President Mokgweetsi Masisi was named president in 2018 after his predecessor's term limit expired. During the 2019 elections, he was returned to office for a five-year term. The president is elected indirectly during parliamentary elections, while National Assembly members are elected directly by a popular vote.³

Economy

Botswana is classified by the World Bank as an upper middle-income economy.⁴ Botswana has maintained steady economic growth in recent years. GDP growth was estimated at 4.5 percent in 2018, and 3.5 percent in 2019.⁵ Botswana's finance minister predicts that GDP will decline by 13 percent in 2020, primarily due to Coronavirus and its impact on the diamond mining industry. That sector is expected to contract by 33 percent during 2020.⁶

Botswana's economy is heavily reliant on the diamond mining sector; diamonds account for roughly 25 percent of GDP and 85 percent of export earnings. Tourism is also a key industry, and many people are employed in tourist-related services.⁷

According to the U.S. Department of State, the Government of Botswana has promoted foreign investment in the country's diamond, agriculture, education, health, and transportation sectors through recent initiatives. The country also has the potential for growth in its mineral processing, energy, cattle, tourism, and financial service sectors. Botswana is a popular destination for foreign investment due, in part, to the country's relatively low levels of corruption.⁸

Social/Human Development

The percentage of Botswana people living in poverty declined from 30.6 percent to 19.4 percent between 2002-2010. This resulted in 180,000 people being lifted from poverty, 87 percent of whom lived in rural areas.⁹ In 2019, approximately 19.3 percent of Botswana people lived below the national poverty line.¹⁰



Botswana has a population of roughly 2.3 million people and is primarily divided into three major ethnic groups: Tswana or Setswana (79 percent), Kalanga (11 percent) and Baswara (San) (three percent).¹¹ The Baswara (San) population remains marginalized economically and reportedly faces discrimination, despite laws against discrimination based on cultural practices.¹²

Other vulnerable populations facing discrimination include people who have contracted HIV/AIDs and lesbian, gay, bisexual, transgender, and intersex persons.¹³

TIP Report Summary

US Department of State TIP Ranking: Tier 2

According to the *Trafficking in Persons Report*, trafficking risk may be found in export supply chains including agriculture.

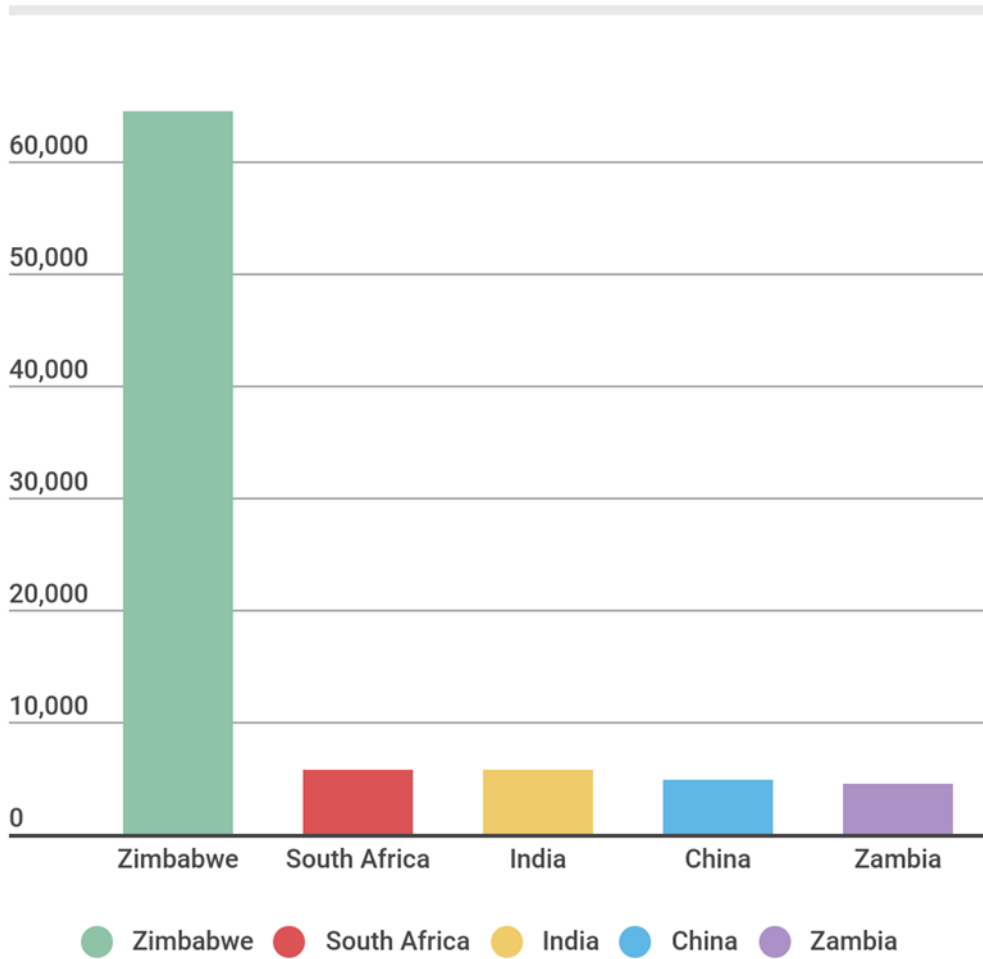
Read the full TIP Report at: <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

Migration

Botswana has net positive migration.¹⁴ There were 64,477 Zimbabwean migrants in Botswana in 2019, making it the largest source country by far. Other relevant migrant source countries include South Africa, India, China, and Zambia.¹⁵ According to the UN, there were 1,269 persons of concern in Botswana in 2019, including 1,113 refugees and 150 asylum-seekers. The top origin countries for refugees to Botswana are Zimbabwe and Somalia.¹⁶



Migrants to Botswana

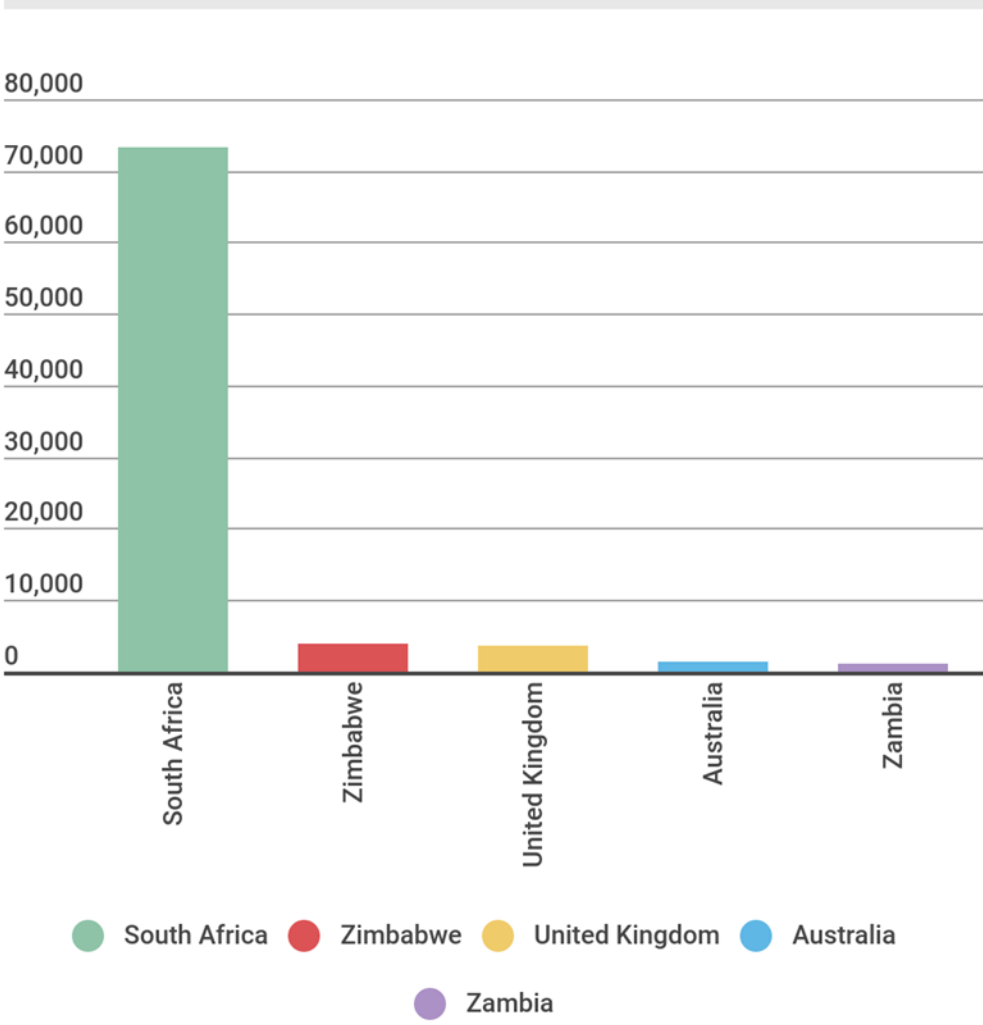


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The top destination country for migrants from Botswana is South Africa, followed by Zimbabwe, the United Kingdom, Australia, and Zambia.¹⁸



Migrants from Botswana



Exports and Trade

Botswana’s top exports in 2019 were diamonds, followed by electrical equipment, meat, gold, and machinery and appliances.²⁰

Top Commodity Exports (USD/Thousands)

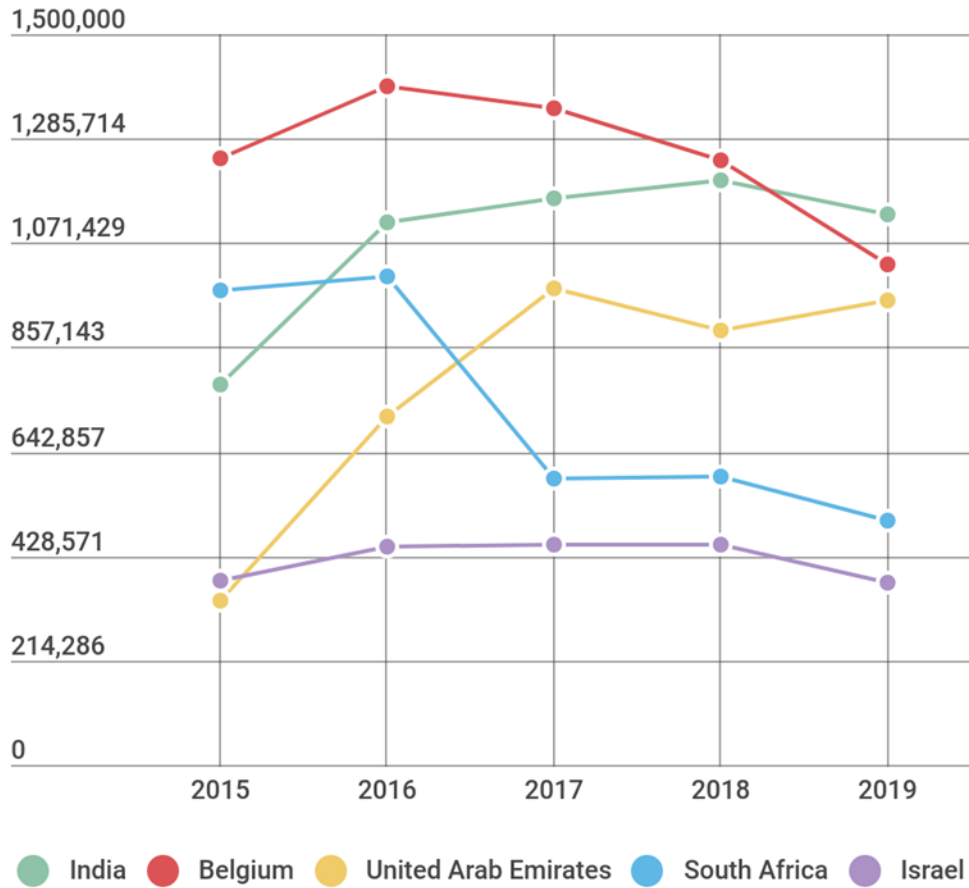


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The top importing countries of goods from Botswana in 2019 were India, Belgium, United Arab Emirates, South Africa, and Israel.²²



Botswana Export Partners (USD/Thousands)



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TIP Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights

Freedom of Association

All workers, except military and prison staff, are allowed by law to form and join unions, to bargain collectively, and to strike. However, the U.S. Department of State reports that the government has not taken adequate measures to protect these rights. Numerous restrictions are noted, particularly around strikes. Only unions that have enrolled one third of the workforce may bargain collectively.²⁴

The right to strike is not protected unless arbitration procedures are first exhausted, and workers who have participated in an illegal strike are subject to dismissal. Moreover, employees who are categorized as “essential services” may not strike. According to the U.S. Department of State, a 2019 change to Botswana’s labor laws now limits the definition of essential services to aviation, health, electrical, water and sanitation, fire, and air traffic control services.²⁵

Working Conditions

According to the Ministry of Employment, Labor Productivity, and Skills Development, the minimum hourly wage for full-time labor in the private sector varies by job type. The minimum wage for domestic workers is more than three pula (BWP), or (USD 0.28) per hour, or BWP 26 (USD 2.45) per day. The law set the minimum wage for the agricultural sector at BWP 700 (USD 66) per month.²⁶ According to the U.S. Department of State, Botswana does not have enough labor inspectors to effectively enforce minimum wage laws. The maximum legal workweek is 48 hours, though workers are permitted to work overtime for extra pay.²⁷

According to the U.S. Department of State, the law does not have specific provisions in place that allow workers to freely change employment in situations that endanger their health and safety.²⁸

Discrimination

The U.S. Department of State reports that discrimination is prohibited in employment on the basis of “race, color, tribe, place of origin, including national origin, social origin, sex, disability, language, sexual orientation or gender identity, HIV status, marital status, religion, creed, or social status,” and the government enforces these protections. However, the law does not legally require men and women to receive equal wages for equal work.²⁹



Forced Labor

The constitution of Botswana prohibits and criminalizes forced and compulsory labor.³⁰ Botswana's government has made significant efforts to eliminate forced labor and trafficking within the country, including establishing and maintaining the Anti-Human Trafficking Committee. However, the government has failed to convict any traffickers in the past two years, and they have identified very few trafficking victims.³¹

Child Labor

The minimum working age is 15, but children 14 years or older may be employed in light work that is approved by a parent or guardian. Due to a lack of funding, enforcement of child labor laws is weak in remote areas, and there are reports of child labor in potentially exported supply chains including livestock and agriculture. A significant portion of child labor is caused by a lack of knowledge of the law by parents and employers.³²

Education in Botswana is compulsory for children between the ages of six and 15.³³

Civil Society Organizations

Some civil society organizations have reported that there is government censorship where government-run media outlets deem stories unfavorable.³⁴ Freedom House reports that the government allows most NGOs to operate without restrictions.³⁵

Immigration Policies Limiting the Employment Options or Movement of Migrants

The U.S. Department of State reports that migrant workers in Botswana are vulnerable to exploitation, particularly in domestic labor.³⁶ Botswana's immigration policy was updated in 2011 through the Immigration Act (Act No. 3 of 2011).³⁷ Work and residence permits are given out by the Immigrants Selection Board and based off a points system. The law prohibits immigrants from working in the country without an appropriate work permit. Individuals who are caught working without a permit can be given a fine of up to BWP 4,000 and jail time up to four years, or both.³⁸



Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	Not ratified
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	Not ratified

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Use of Export Processing Zones (EPZs)

According to the U.S. Department of State, “in 2015, Parliament approved a special economic zone (SEZ) law to streamline investment in sector-targeted geographic areas in the country including two Gaborone area SEZs (multi-use, diamond processing, and financial services); two Selibe-Phikwe SEZs (mineral processing and horticulture); and additional SEZs in Lobatse (beef, leather, biogas); Palapye (energy); Pandamatenga (agriculture); and Francistown (mining and logistics).”⁴⁰

Botswana’s policy on SEZs suggests that labor rights may be weakened in SEZs, stating that the government “recognizes the need to have a SEZ labour law that is investor friendly,” and that “empower[s] employers to effectively deal with ineffective, inefficient and unproductive employees.” However, the policy also states that employees in SEZs have protected rights to fair wages, working conditions, and treatment, and it references Botswana’s labor laws and core ILO labor standards as benchmarks for SEZ labor law development.⁴¹



Political Risk Factors

Political Instability or Conflict

According to the 2020 Fragile States Index, Botswana places in the “Stable” category with a ranking of 121 out of 178 countries. This is the best ranking of any country on continental Africa.⁴² Freedom House reports that Botswana is one of Africa’s most stable democracies,⁴³ and the U.S. Department of State reports that there is little threat of political violence in the country.⁴⁴

Level of Crime and Violence

The World Economic Forum Global Competitiveness Report ranked Botswana at 82 out of 141 countries for organized crime in 2019.⁴⁵ The Overseas Security Advisory Council reports that burglaries are frequent in Botswana. While the country has strict gun-control laws, some criminals smuggle in guns from nearby countries.⁴⁶

State Persecution

There is evident persecution of the Basarwa (San) people, as the organizations supporting them are barred from entering the Central Kalahari Game Reserve because of a history of land disputes. In 2006, the Basarwa were evicted from their ancestral homelands via a ruling from Botswana’s High Court.⁴⁷ The ruling forces children and close relatives to apply for permits to visit the land, or else risk seven years in prison. The U.S. Department of state reports that the Basarwa also face economic and political marginalization and have limited access to education. There are approximately 50,000 to 60,000 Basarwa people currently living in Botswana.⁴⁸ They traditionally lived as hunter-gatherers, but few depend on foraging today.⁴⁹

Level of Corruption

The Transparency International Corruption Perceptions Index scores Botswana 61 out of 100, where 0 signals “Highly Corrupt” and 100 signals “Very Clean.” Botswana ranks 34 out of 198 countries on the index, giving it the best score of any country on continental Africa.⁵⁰ According to the U.S. Department of State, the Government of Botswana generally does an effective job of enforcing anti-corruption legislation. However, some officials lack the necessary training and resources to combat corruption.⁵¹ Some companies have also observed a recent increase in tender-related corruption.⁵²



Socio-Economic Risk Factors

Level of National Economic Development

Botswana scores in the medium development category on the UN Human Development Index, with a rank of 94 out of 189 countries and a score of 0.728 in 2019. Botswana's score is 0.660 on the index in 2010, and its score has increased in each of the years since. Botswana's score is higher than those of its neighboring countries.⁵³

Level and Extent of Poverty

An estimated 16.1 percent of the population in Botswana currently lives below the income poverty line of PPP USD 1.90 per day. For comparison, 21.4 percent and 18.9 percent of the population live below the income poverty line in Zimbabwe and South Africa respectively.⁵⁴

Degree of Gender Inequality

The UNDP Gender Inequality Index (GII) for Botswana is 0.464, ranking the country 94 out of 189.⁵⁵ According to the constitution, women have the same civil rights and legal status as men, but societal discrimination persists. Section 15 of the Constitution of Botswana explicitly states the right to non-discrimination, yet this provision does not apply to "adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law."⁵⁶

Traditional laws enforced by tribal structures, especially in rural areas, curtail women's property rights and economic opportunities. Under customary law, married women are considered legal minors and require their husbands' consent to buy or sell property and land, apply for bank loans, and enter legally binding contracts. Moreover, since women generally do not own land or other resources like cattle, they are often unable to provide collateral to banks and other financial institutions.⁵⁷

Landlessness and Dispossession

According to USAID, "The legal framework governing Botswana's land is a mixture of formal and customary laws, with much of the formal law reflecting longstanding principles of customary law." Botswana devolves land-rights management power to localized Land-Boards. While this approach helps maintain local control, it can also underrepresent women and minority groups.⁵⁸

Most land in Botswana is tribal land, with smaller amounts allocated for state land and privately held land. The Land Board distributes land grants or leases to unallocated tribal land; these rights can be inherited but not sold. While the rights of the relatively well off or politically connected are generally considered secure, urban poor, smallholders, and other disadvantaged populations have less secure access to land rights in practice. Migrants to urban areas



reportedly settle informally outside cities, and the government has a history of destroying unauthorized settlements.⁵⁹

Neither the UN nor the U.S. Department of State reported any instances of internally displaced persons (IDPs) in Botswana during 2019.⁶⁰

Environmental Factors

The CIA reports that current environmental issues in Botswana include overgrazing, desertification, limited access to water, and air pollution.⁶¹ Drought has made it increasingly hard for cattle farmers. As cattle die, farmers lose much of their ability to earn an income.⁶²

Documented Trafficking Risk in Key Commodity Supply Chains

Livestock/Cattle

Livestock/Cattle Overview

In 2017, there were roughly 1.1 million cattle in Botswana. This represents a significant recent decrease from a 2011 population of 2.26 million.⁶³ The number of cattle farmers has also fallen; there were 75,500 households farming cattle in 2004, and only 39,000 households in 2015. This decline in cattle production is due, in part, to environmental factors, such as increased temperatures and severe drought.⁶⁴ Increased cattle theft has also played a role.⁶⁵

Documented TIP Risk in Livestock/Cattle

According to the U.S. Department of State, forced labor and child labor are used in Botswana's livestock sector. Some parents send their children to work on isolated cattle farms, where they may be subjected to forced labor. Government officials have also confirmed instances of forced labor involving San children and adults on cattle farms in western Botswana.⁶⁶

Diamonds

Diamonds Overview

Diamonds account for roughly 85 percent of Botswana's exports, one third of government revenue, and 25 percent of GDP.⁶⁷ Botswana is home to the world's richest diamond mine, the Jwaneng mine, which produces over 2,100 kilos of diamonds every year.⁶⁸ Due to lockdowns and travel restrictions caused by the Coronavirus pandemic in 2020, diamond revenues for that year are expected to fall from an expected BWP 20 billion (USD 1.7 billion) to BWP 13.3 billion



(USD 1.1 billion). Botswana's finance minister reports that this will likely lead to a government spending cut of almost 30 percent.⁶⁹

Documented TIP Risk in Diamonds

In 2015, Botswana experienced a slip in diamond production, and the government was forced to cut expected production by three million carats. More than a third of the jobs in diamond cutting and polishing were lost as a result of this industry downturn.⁷⁰ The dramatic recent decline in production brought on by Coronavirus could cause even more severe job loss in the diamond sector.

Diamond miners work in dangerous conditions, and accidents are common across the industry. In 2012, mining collapses in Botswana's Jwaneng and Ghagoo mines lead to the deaths of one and two workers respectively.⁷¹

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¹⁵ United Nations Department of Economic and Social Affairs. Population Division. *International Migrant Stock*. 2019.

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