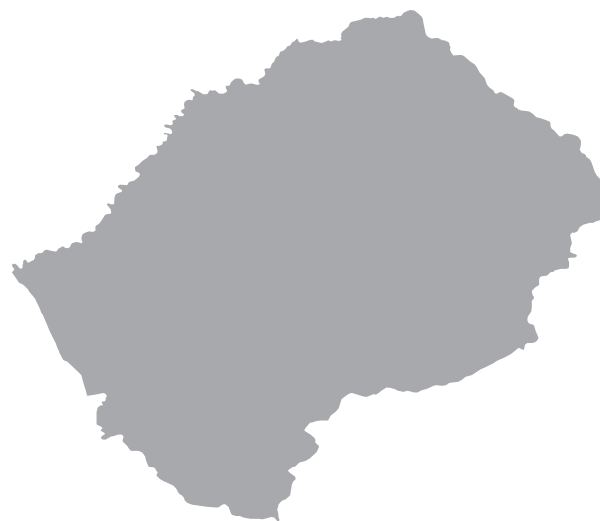


In 2018, Lesotho made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Employment assigned labor inspectors to operate a Child Labor Desk within the ministry, and provided recommendations that supported the expansion of inspections into the informal sector. However, children in Lesotho continue to engage in the worst forms of child labor, including in animal herding, domestic work, and commercial sexual exploitation, each sometimes as a result of human trafficking. Lesotho's compulsory education age is below the minimum age for work, leaving children in between these ages vulnerable to child labor. The government lacks sufficient mechanisms to combat child labor, and labor inspections are not conducted in high-risk sectors, including the informal sector.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lesotho engage in the worst forms of child labor, including in animal herding, domestic work, and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Lesotho. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	28.1 (124,632)
Attending School (%)	5 to 14	80.7
Combining Work and School (%)	7 to 14	25.3
Primary Completion Rate (%)		78.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000. (4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Herding animals, including cattle† (1,2)
	Farming, including planting, applying pesticides, and harvesting (5-9)
Services	Domestic work (1,2,10)
	Street work, including vending, and trading (5,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, domestic work, and animal herding, each sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including burglary and theft (5,6)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Lesotho is a source, transit, and destination country for human trafficking. Children in Lesotho are subjected to commercial sexual exploitation and forced to work as domestic workers and animal herders, each sometimes as a result of human trafficking. Children involved in animal herding are exposed to harsh weather conditions, sometimes leading to death. (1,2,6) Children, especially orphans, sometimes voluntarily travel to South Africa for

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domestic work, and upon arrival are subsequently detained in prison-like conditions and sexually exploited. (1,6) During the reporting period, one case of child trafficking was reported. (1)

The government has published no data on the prevalence of child labor, including its worst forms. Statistics from a Multiple Indicator Cluster Survey and Labor Force Survey (including a child labor module) are scheduled for release in 2019. (1,5)

The Lesotho Population-based HIV Impact Assessment reported in 2017 that the HIV rate in adults (ages 15–59) was 25.6 percent, the second-highest HIV rate in adults worldwide. (5,11) Many children in Lesotho become orphans due to the high rate of HIV among adults and are vulnerable to trafficking. (1,2,9,12-14) Children, mostly orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation. (9)




Many children face limited access to education due to a shortage of teachers and schools, causing them to travel long distances. In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (1) Children with disabilities encounter difficulties with ill-equipped educational facilities and untrained teachers. (15) These factors increase a child’s vulnerability to the worst forms of child labor, such as human trafficking.

UNICEF reported a 45 percent rate in birth registrations. NGOs confirmed that the low number of birth registrations results in children becoming stateless. (16,17) In 2018, the Ministry of Home Affairs deployed officers at various hospitals and clinics to register births and partnered with UNICEF to register births at select schools. During the reporting period, the number of registered children from 0 to 15 years went from 53,377 in 2017 to 62,736 in 2018. (1)

II. Legal Framework for Child Labor

Lesotho has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Lesotho’s legal framework to adequately protect children from the worst forms of child labor, including with regard to the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 124(1) of the Labour Code; Article 228(1) of the Children’s Protection and Welfare Act (18,19)
Minimum Age for Hazardous Work	Yes	18	Article 125(1) of the Labour Code; Article 230(1) of the Children’s Protection and Welfare Act (18,19)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (18)
Prohibition of Forced Labor	Yes		Article 9(2) of the Constitution; Article 7(1) of the Labour Code; Article 5 of the Anti-Trafficking in Persons Act (19-21)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 77 of the Children's Protection and Welfare Act; Articles 10–14 of the Sexual Offenses Act (18,22)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (18)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 26 of the Lesotho Defence Force Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (18)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (18)
Compulsory Education Age	No	13‡	Article 3 of the Education Act (24)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (18,24)

* No conscription (18)

‡ Age calculated based on available information (24)

Education is compulsory in Lesotho through age 13, which makes children age 14 particularly vulnerable to child labor because they are not required to be in school and have not reached the minimum age for work. (12,19)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of these mechanisms that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Employment (MOLE)	Enforces minimum age requirements under child labor laws, including for hazardous occupations. Assesses compliance with child labor laws as part of general labor inspections. (25,26)
National Police, Child and Gender Protection Unit (CGPU)	Investigates criminal child labor violations and works in conjunction with MOLE to enforce child labor laws, including those related to hazardous and forced child labor, commercial sexual exploitation, and child trafficking. (25,27)
Public Prosecutor's Office	Prosecutes child labor law offenders. (25)
Children's Court	Enforces criminal laws related to the worst forms of child labor. (25)

In 2018, the Ministry of Labor and Employment (MOLE) updated the Lesotho Labor Code pending validation. (1) The draft labor code includes a minimum age for labor of 15 and strengthens provisions to combat the worst forms of child labor. The Ministry for Social Development submitted drafting instructions to the Parliamentary Council for amendment of the Children's Protection and Welfare Act of 2011. (1) These recommendations supported the authorization of the labor inspectorate to conduct inspections in the informal sector; however, at this time it has not been implemented. (5)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Lesotho took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLE that may hinder adequate labor law enforcement, including insufficient resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (5)	\$4,331 (1)
Number of Labor Inspectors	34 (5)	37(1)
Inspectorate Authorized to Assess Penalties	Yes (5)	No (1)
Initial Training for New Labor Inspectors	Yes (5)	Yes (1)
Training on New Laws Related to Child Labor	Yes (5)	Yes (1)
Refresher Courses Provided	Yes (5)	Yes (1)
Number of Labor Inspections Conducted	1,060† (5)	833‡ (1)
Number Conducted at Worksite	1,060† (5)	833‡ (1)
Number of Child Labor Violations Found	3 (5)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (5)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (5)	N/A (1)
Routine Inspections Conducted	Yes (5)	Yes (1)
Routine Inspections Targeted	No (5)	Yes (1)
Unannounced Inspections Permitted	Yes (5)	Yes (1)
Unannounced Inspections Conducted	Yes (5)	Yes (1)
Complaint Mechanism Exists	Yes (5)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (1)

† Data are from April 1, 2017 to March 31, 2018.

‡ Data are from April 1, 2018 to November 1, 2018.

In 2018, labor law enforcement agencies in Lesotho participated in trainings and workshops to combat child labor. Two labor inspectors were assigned to the Child Labor Desk within MOLE and held awareness-raising campaigns in four districts in Lesotho on the causes of child labor and prevention measures. (1) Reports indicate that funding is inadequate for the labor inspectorate to carry out investigations. (12,28)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Lesotho took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including coordination of efforts to address child labor, jurisdictional challenges within courtrooms, limited funding and personnel, and a complicated network of stakeholders. (2)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (5)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	No (5)	No (1)
Refresher Courses Provided	No (5)	No (1)
Number of Investigations	0 (5)	0 (1)
Number of Violations Found	0 (5)	0 (1)
Number of Prosecutions Initiated	0 (5)	0 (1)
Number of Convictions	0 (5)	0 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (1)

The National Police's CGPU does not have guaranteed funding; rather, it receives funding from the general operation budget of the National Police. Reports indicate that the CGPU receives insufficient or no funding to carry out child labor investigations. (8,12,25) There is also no evidence of any funding for combating child labor being provided to Public Prosecutor's Office, or the Children's Court. (1)

In 2018, 69 immigration and police officers received training on integrated border management and counter-trafficking through the Government of Japan's Border Security and Management Project. (1) In addition, 585

community members and 6,444 students at border towns in Mafeteng and Qacha's Nek also received training on counter-trafficking. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Program Advisory Committee on Child Labor (PACC)/National Task Team	Led by MOLE's Child Labor Unit, the team includes representatives from government ministries, trade unions, NGOs, and international organizations. (25) In 2018, PACC convened four times to develop a new Action Plan on the Elimination of Child Labor. (1)
National Orphans and Vulnerable Children Coordinating Committee (NOCC)*	Strengthens coordination on issues related to orphans and vulnerable children at the national level. In 2018, the Committee conducted quarterly meetings. (1)
Multi-Sectoral Committee on Combating Trafficking in Persons	Spearheads anti-trafficking in persons initiatives and approves legislation and policies to prevent human trafficking. Chaired by the Commissioner of Refugees, includes government ministries; local government members; and representatives from NGOs, international organizations, and faith-based organizations. (29) In 2018, the committee participated in the development of the National Development Strategic Plan II that includes goals for addressing child labor and social factors that make children vulnerable. (1,30)
District Child Protection Teams	Coordinates child protection matters, including child labor, at the district level. Led by the Ministry of Social Development, include representatives from the government, private sector, NGOs, and community support groups. (25) In 2018, District Child Protection Teams met and held training sessions. The teams also referred cases of child labor and child trafficking to authorities. (31)
Community Coordination Teams*	Monitors, addresses, and refers instances of at-risk children or those involved in hazardous work. (1) Research was unable to determine whether Community Coordination Teams were active in 2018.

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2018, the Bureau of Statistics worked on finalizing a Multiple Cluster Survey and Labor Force Survey, which includes a child labor module. MOLE, Ministry of Social Development, and NGOs held a knowledge-sharing workshop to educate key stakeholders on child labor. (1)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Anti-Trafficking in Persons Strategic Framework and Action Plan (2013–2018)	Supported the national and international obligations and commitments regarding human trafficking, in support of the vision to eliminate all forms of trafficking in persons in Lesotho. Provided victim protection, successful arrests and prosecutions of offenders, and preventive measures. (32) In 2018, the office of the Commissioner of Refugees held sensitization sessions with villages near the border posts in Qacha's Nek and Mafeteng districts. (1) In addition, two billboards were erected at border crossings to raise awareness on the signs of human trafficking, and informational pamphlets were printed in Sesotho and distributed. (1,2)
National Strategic Plan on Vulnerable Children (2012–2018)	Safeguarded the rights of orphans and vulnerable children to an education, promoted access to apprenticeships and vocational and life skills programs for orphans and vulnerable children, and implemented child labor prevention programs. (34,35) Research could not determine whether activities were undertaken for this program during the reporting period.
Lesotho UNDP (2013–2018)	Included actions to build the capacity of the government, social partners, and civil society to eliminate child labor. Promoted education for children, supported youth employment, and built the government's capacity to provide social welfare services to vulnerable children. (36) In 2018, UNDP assisted the Bureau of Statistics in increasing its data collection capacity, including gathering data for the development of a Labor Survey that incorporates a child labor module. (1)

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Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2012/2013–2016/2017)	Identified child protection services (CGPU, social welfare, health, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor. Outlined prevention measures. (1,37) In 2018, communities engaged in child labor awareness and established two radio programs on child labor protection and prevention measures. District teams attended four meetings. (1)

Although the government released a draft labor policy in 2018 that proposed harmonizing existing legislation with international labor standards regarding child labor, the Cabinet has yet to approve the policy. (1,5) The government made some progress toward drafting a new National Action Plan for the Elimination of Child Labor, replacing the previous policy that expired in 2017, by convening the Program Advisory Committee on Child Labor. (1) However, the government has not included child labor elimination and prevention strategies in existing policies, such as the Education Sector Strategic Plan. (38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to fully address the scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Orphans and Vulnerable Children (OVS) Scholarship Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (1) In 2018, the government increased its budget for OVC Scholarship program to \$5 million and increased the number of vulnerable children provided with tuition fees, uniforms, and stationery to 23,304 children. (1,31)
School Feeding Program†	Incentivizes primary school children from impoverished backgrounds to attend school and improves retention. Approximately 389,000 children received a daily meal at school in 2017 and 2018. (1,39)
Child Grant Program† (CGP)	Provides social cash transfers to impoverished households and orphans and vulnerable children with the aim of increasing access to basic needs such as food, health, and education. The program is implemented by the Ministry of Social Development and funded by the EU. UNICEF provides technical support. (1,39) During the reporting period, approximately 27,000 vulnerable families and 80,000 children received support. (1,39)

† Program is funded by the Government of Lesotho.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (32)

In 2018, the government increased budget allocations for social protection programs that included the School Feeding Program, Orphans and Vulnerable Children Scholarship Program, and the Child Grant Program. (1,39) However, the scope of social programs that focus on child labor is insufficient to fully address the extent of the problem, especially concerning child labor in cattle herding, domestic work, and commercial sexual exploitation of children.

The government continued to incorporate human trafficking lessons in the primary school curriculum (Standard 7). (8,40)

VII. Suggested Government Actions to Eliminate Child Labor

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Lesotho (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish 15 as the age up to which education is compulsory to match the minimum age for full-time work.	2010 – 2018
Enforcement	Provide adequate funding and training for labor inspectors and criminal investigators to address the worst forms of child labor.	2009 – 2018
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2018
	Ensure that the labor inspectorate is authorized to assess penalties.	2009-2018
Coordination	Ensure that the Community Coordination Teams are active and undertaking activities in support of their missions.	2018
Government Policies	Publish data on the prevalence of child labor, including its worst forms.	2018
	Ensure that there is a policy for the elimination of child labor to replace the expired National Action Plan for the Elimination of Child Labor.	2018
	Integrate child labor elimination and prevention strategies in existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2018
	Publish information about the implementation of child labor-related policies.	2017 – 2018
Social Programs	Institute programs that address push factors that promote child labor, including the high HIV rate in adults.	2017 – 2018
	Ensure that children with disabilities have equal access to education.	2018
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including shortage of teachers, secondary school fees, and barriers for children with disabilities.	2018
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2018
	Expand existing programs to address the scope of the child labor problem.	2015 – 2018

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