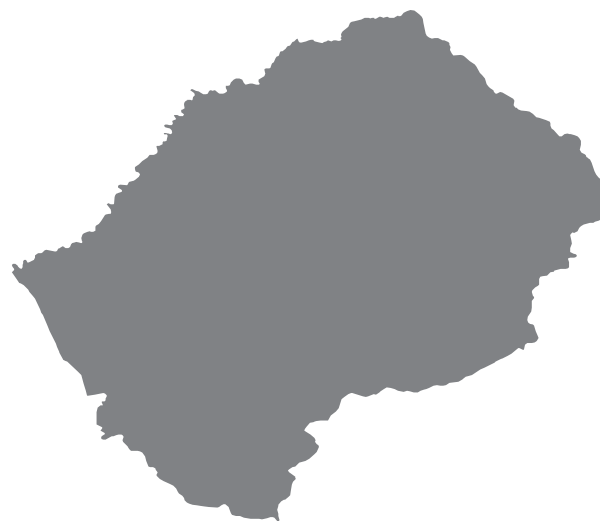


In 2019, Lesotho made a moderate advancement in efforts to eliminate the worst forms of child labor. Lesotho ratified ILO Protocol 29 to the Forced Labor Convention of 1930 and published data relevant to child labor from the UNICEF-supported Multiple Indicator Cluster Survey and the Violence Against Children Survey. However, children in Lesotho engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks related to animal herding and domestic work. Lesotho's compulsory education age is below the minimum age for work, leaving children in between these ages vulnerable to child labor. The government also 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 commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks related to animal herding and domestic work. (1,2) Table 1 provides key indicators on children's work and education in Lesotho.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	30.1 (Unavailable)
Attending School (%)	5 to 14	93.8
Combining Work and School (%)	7 to 14	32.1
Primary Completion Rate (%)		85.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2018. (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 (5-8)
Services	Domestic work (1,2)
	Street work, including vending, and trading (5,7)
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.

In 2019, the government published data from the Multiple Indicator Cluster Survey. The government has also published the Lesotho Violence against Children 2019 Survey, the Kingdom of Lesotho Decent Work Country Program Report 2019–2023, and the Lesotho Civil Registration and Vital Statistics Comprehensive Assessment Report 2019, which is yet to be distributed. (1,5,9)

Lesotho is a source, transit, and destination country for human trafficking. Children involved in animal herding are exposed to harsh weather conditions, sometimes leading to death. (1,2,6) Children, especially orphans,

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sometimes voluntarily travel to South Africa for domestic work, and upon arrival they are subsequently detained in prison-like conditions and sexually exploited. (1,6)

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. (5,10) Due to the high rate of HIV among adults, many children in Lesotho become orphans and are vulnerable to trafficking. (1,2,8,11-13) Children, mostly orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation. (8)




Many children face limited access to education due to a shortage of teachers and schools, which causes 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. (14) 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, which makes them more vulnerable to the worst forms of child labor. (15,16)

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	✓

On August 22, 2019, Lesotho ratified ILO Protocol 29 to the Forced Labor Convention of 1930. This Protocol comes into force on August 22, 2020. (9)

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 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 (17,18)
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 (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children’s Protection and Welfare Act (17)
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 (18-20)
Prohibition of Child Trafficking	No		Article 5 of the Anti-Trafficking in Persons Act (20)

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

Standard	Meets International Standards	Age	Legislation
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 (17,21)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 26 of the Lesotho Defence Force Act (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (17)
Compulsory Education Age	No	13‡	Article 3 of the Education Act (23)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (17,23)

* No conscription (17)

‡ Age calculated based on available information (23)

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. (23) In addition, the prohibitions against child trafficking are insufficient because they require threats, the use of force, or coercion to be established for the crime of child trafficking. (20)

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, and assesses compliance with child labor laws as part of general labor inspections. (9,24) Assigns labor inspectors to operate a child labor unit within the ministry and provides recommendations that support the expansion of inspections into the informal sector. (9)
National Police, Child and Gender Protection Unit	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)
Public Prosecutor's Office	Prosecutes child labor law offenders. (9)
Children's Court	Enforces criminal laws related to the worst forms of child labor. (9)

In 2019, the Ministry of Labor and Employment (MOLE) continued to update the Lesotho Labour Code, which is being drafted by the Parliamentary Council. The draft Labour Code maintains the minimum age of 15 for labor and strengthens provisions to combat the worst forms of child labor. (1,9) 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 the recommendations have not been implemented. (5)

Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	\$4,331 (1)	Unknown (9)
Number of Labor Inspectors	37(1)	30 (9)
Inspectorate Authorized to Assess Penalties	No (1)	No (9)
Initial Training for New Labor Inspectors	Yes (1)	No (9)
Training on New Laws Related to Child Labor	Yes (1)	No (9)
Refresher Courses Provided	Yes (1)	Yes (9)
Number of Labor Inspections Conducted	833† (1)	552 (9)
Number Conducted at Worksite	833† (1)	552 (9)
Number of Child Labor Violations Found	1 (1)	1 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	0 (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (9)
Routine Inspections Conducted	Yes (1)	Yes (9)
Routine Inspections Targeted	Yes (1)	Yes(9)
Unannounced Inspections Permitted	Yes (1)	Yes (9)
Unannounced Inspections Conducted	Yes (1)	Yes (9)
Complaint Mechanism Exists	Yes (1)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (9)

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

Reports indicate that funding is inadequate for the labor inspectorate to carry out inspections. In addition, labor inspections are not conducted in high-risk sectors, including the informal sector. (9)

Criminal Law Enforcement

In 2019, 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 limited funding and personnel. (2,9)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	No (1)	No (9)
Refresher Courses Provided	No (1)	No (9)
Number of Investigations	0 (1)	Unknown (9)
Number of Violations Found	0 (1)	0 (9)
Number of Prosecutions Initiated	0 (1)	0 (9)
Number of Convictions	0 (1)	0 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (9)

The National Police's Child and Gender Protection Unit does not have guaranteed funding; rather, it receives funding from the general operations budget of the National Police. Reports indicate that the Child and Gender Protection Unit has limited personnel and receives insufficient or no funding to carry out child labor investigations. (7, 11) There is also no evidence of any funding for combating child labor being provided to the Public Prosecutor's Office or the Children's Court. (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/National Task Team	Led by MOLE's Child Labor Unit, the team includes representatives from government ministries, trade unions, NGOs, and international organizations. Research could not determine whether activities were undertaken for this program during the reporting period.
National Orphans and Vulnerable Children Coordinating Committee	Strengthens coordination on issues related to orphans and vulnerable children at the national level. In 2019, the Committee conducted quarterly meetings. (9)
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. (26) In 2019, despite limited funding which hampered more frequent meetings, the Multi-Sectoral Committee conducted campaigns to raise awareness about trafficking in persons were conducted as a collaboration between the Cross-Border Crime Prevention Forum in South Africa and Skills Share Lesotho. These agencies developed and screened a Sesotho language educational film on trafficking in persons. (9)
District Child Protection Teams	Coordinate 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. (26) In 2019, 40 District Child Protection Teams held a 2-day training workshop on case management, during which they also developed work plans. The District Child Protection Teams also met with the National Orphans and Vulnerable Children Coordinating Committee to discuss integrating efforts. (9)
Community Coordination Teams	Monitor, address, and refer instances of at-risk children or those involved in hazardous work. (1) In 2019, Community Council Child Protection Teams were established in four councils (Semonkong, Makhoalipane, Mazenod, and Mahlakeng). One public gathering was held in Semonkong—a rural district in which children are often involved in herding animals—to raise awareness about child labor. (9)

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
Multi-sectoral Child Protection Strategy 2015–2019 and Action Plan	Enhanced the country's capacity to design and implement violence prevention programs and built successful child protection systems. In 2019, a Violence Against Children Survey was released that measured the prevalence, nature, and consequences of physical, emotional, and sexual violence against children and youth. (9)
National Anti-Trafficking in Persons Strategic Framework and Action Plan (2013–2019)	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 and successful arrests, prosecutions of offenders, and preventive measures. (27) In 2019, the government began reviewing the strategy to align it with international standards. (9)
Lesotho UNDP (2013–2019)	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. (31) The project came to an end during this reporting period (June 2019). (9)
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2018–2023)	Identifies child protection services (Child and Gender Protection Unit, 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. Outlines prevention measures. (1,32) In 2019, the Ministry of Social Development continued to manage a hotline on child protection issues, held sensitizations on child labor at two councils, and held four radio programs on child labor protection and prevention. (9)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,5,9)

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) In addition, the government has not included child labor elimination and prevention strategies in existing policies, such as the Education Sector Strategic Plan. (33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
Orphans and Vulnerable Children Scholarship Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (1) Research was unable to determine what actions were undertaken during the reporting period.
School Feeding Program	Provides incentives for primary school children from impoverished backgrounds to attend school and improves retention. (1,34) Research could not determine whether activities were undertaken for this program during the reporting period.
Child Grant Program	Provides social cash transfers to impoverished households, 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 with technical support from UNICEF. (1,34) Research could not determine whether activities were undertaken for this program during the reporting period.

† 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. (27)

The government continued to incorporate human trafficking lessons in the primary school curriculum (Standard 7). (7,35)

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 age 15 as the age up to which education is compulsory to match the minimum age for full-time work.	2010 - 2019
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion to be considered child trafficking.	2019
Enforcement	Provide adequate funding and training for labor inspectors and criminal investigators to address the worst forms of child labor.	2009 – 2019
	Publish enforcement data such as the number of investigations	2019
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2019
	Ensure that the labor inspectorate is authorized to assess penalties including those related to the worst forms of child labor.	2009 – 2019
Coordination	Ensure that all of the Community Coordination Teams are active and undertaking activities in support of their missions.	2018 – 2019
Government Policies	Publish data on the prevalence of child labor, including its worst forms.	2018 – 2019
	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 – 2019
	Integrate child labor elimination and prevention strategies in existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2019
Social Programs	Institute programs that address push factors that promote child labor, including the high HIV rate in adults.	2017 – 2019
	Ensure that children with disabilities have equal access to education.	2018 – 2019
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including shortage of teachers and secondary school fees.	2018 – 2019
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2019
	Expand existing programs to address the scope of the child labor problem.	2015 – 2019
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019

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