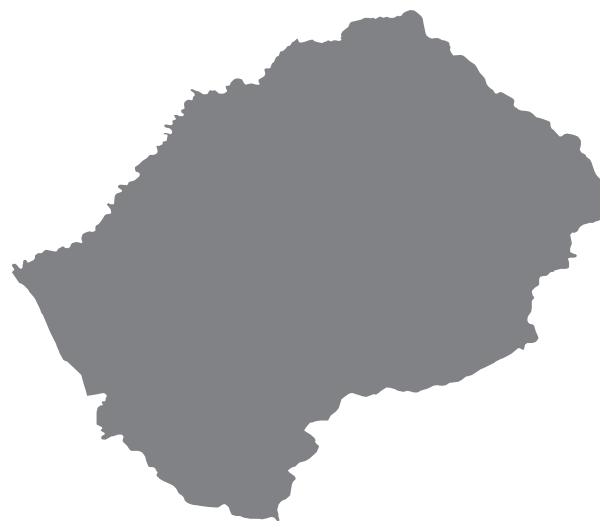


In 2022, Lesotho made moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Lesotho organized 17 radio programs and 39 school seminars with a focus on human trafficking and finalized a report with recommendations on how to improve the criminal justice system's response to human trafficking. The government also placed additional officers at the Moshoeshoe International Airport to help identify human trafficking victims and the Lesotho Police Forces rescued four girls from being trafficked. However, children in Lesotho are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in animal herding. Lesotho's compulsory education age of 13 is below the minimum age for work, which is 15, leaving children between these ages vulnerable to child labor. The government also lacks effective coordination mechanisms to address child labor, and labor inspections are not conducted in high-risk sectors, including the informal sector, in which child labor is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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	30.1 (Unavailable)
Attending School (%)	5 to 14	93.8
Combining Work and School (%)	7 to 14	32.1
Primary Completion Rate (%)		90.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (2)

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† (3-8)
	Farming, including planting, applying pesticides, and harvesting (5-7,9,10)
Services	Domestic work (3-7)
	Street work, including vending and trading (5,7,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, domestic work, and animal herding, each sometimes as a result of human trafficking (3,4)
	Use in illicit activities, including burglary and theft (7,9)

† 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 involved in animal herding are exposed to harsh weather conditions, sometimes leading to death. (3,4,11-13) Children, especially orphans, also sometimes voluntarily travel to other countries, including South Africa, for domestic work, and upon arrival they are subsequently detained in prison-like conditions and sexually exploited. (3,4,12) In addition, due to the high rate of HIV among adults, many children in Lesotho become orphans and are vulnerable to human trafficking. (3,4)

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In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (3,5,14,15) Many children face limited access to education due to a shortage of teachers and schools, which causes them to travel long distances. In addition, the absence of sanitation facilities in schools remains a barrier for many children to access education, especially girls who are unable to access sanitary pads. (5-7) Children with disabilities also encounter difficulties with ill-equipped educational facilities and untrained teachers. Due to the COVID-19 pandemic, many children dropped out of school to support their families. (7,13) These factors increase a child's vulnerability to the worst forms of child labor, such as human trafficking. (3,13) According to the Ministry of Social Development, children must produce copies of birth certificates to qualify for the Orphans and Vulnerable Children program that provides school fees and uniforms for orphans and vulnerable children. Research suggests that the low number of birth registrations results in children becoming stateless, making them more vulnerable to the worst forms of child labor. (6,16)

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	✓

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 a low compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 228(1) of the Children's Protection and Welfare Act; Article 124(1) of the Labor Code (14,17)
Minimum Age for Hazardous Work	Yes	18	Article 230(1) of the Children's Protection and Welfare Act; Article 125(1) of the Labor Code (14,17)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (14)
Prohibition of Forced Labor	Yes		Article 7(1) of the Labor Code; Article 9(2) of the Constitution; Article 5 of the Anti-Trafficking in Persons Act (17-19)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act; Anti-Trafficking in Persons (Amendment) Act (2021) (19,20)
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 (14,21)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (14)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 22(o) of the Children's Protection and Welfare Act (14)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (14)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (14)
Compulsory Education Age	No	13‡	Part I Article 3(a), and Part II Articles 6 and 7(3)(c) of the Education Act (15)
Free Public Education	Yes		Part II Article 4(1)(a) and 4(1)(b) of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (14,15)

* Country has no conscription (14)

‡ Age calculated based on available information (15)

As Lesotho's compulsory education age is less than the minimum age for work, children ages 13 and 14 are more vulnerable to child labor because they are not required to be in school or legally permitted to work. (14,15,17)

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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
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. Assigns labor inspectors to operate a Child Labor Unit within the Ministry and provides recommendations that support the expansion of labor inspections. (22)
National Police	Investigate criminal child labor violations and work in conjunction with MOLE to enforce child labor laws, including those related to hazardous and forced child labor. Manage all trafficking in persons-related cases within the Lesotho Mounted Police Service and refer cases for prosecutions to the Public Prosecutor's Office. (7,22,23)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Lesotho took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Employment (MOLE) that may hinder adequate labor law enforcement, including insufficient resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	N/A (6)	\$151,036 (7)
Number of Labor Inspectors	27 (24)	29 (7)
Mechanism to Assess Civil Penalties	No (17)	No (17)
Training for Labor Inspectors Provided	No (6)	No (7)
Number of Labor Inspections Conducted at Worksite	940 (6)	875 (7)
Number of Child Labor Violations Found	1 (6)	2 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (6)	0 (7)
Routine Inspections Conducted	Yes (6)	Yes (7)
Routine Inspections Targeted	Yes (6)	Yes (7)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (6)	Yes (7)
Complaint Mechanism Exists	Yes (6)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (7)

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Lesotho has a referral mechanism that is maintained through the collaboration of different ministries. When a case of child labor is found by MOLE, the Ministry's inspectors refer the case to NGOs and the Ministry of Social Development. (5) NGOs usually provide immediate material assistance, such as food, cash, or shelter, and the Ministry of Social Development conducts site and family visits and assists eligible children to register for a child grant program. (5) MOLE also receives walk-in complaints daily as well as whistleblower complaints. In addition, the Ministry of Social Development has a child helpline that addresses general child protection issues. (6)

Reports indicate that funding is inadequate for the labor inspectorate to carry out inspections and a large share of the money was used to pay for salaries. In addition, labor inspections are not conducted in high-risk sectors, including the informal sector in which child labor is known to occur. (5-8,22)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Lesotho took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including limited funding.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	No (6)	No (7)
Number of Investigations	1 (6)	2 (7)
Number of Prosecutions Initiated	0 (6)	0 (7)
Number of Convictions	0 (6)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (6)	No (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (7)

In 2022, four girls were rescued by the National Police Forces from traffickers in South Africa and were referred to a local NGO in Lesotho. (7) Although research could not determine the budget for criminal law enforcement during this reporting period, there is evidence that funding and resources were insufficient. (7)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism 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 Mechanism to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Activities
Program Advisory Committee on Child Labor/National Task Team	Led by MOLE's Child Labor Unit, includes representatives from government ministries, trade unions, NGOs, and international organizations. (5) During the reporting period, held two meetings to review the report on the National Action Plan on the Elimination of Child Labor and its Implementation Plan. (7)

During the reporting period, the Multi-Sectoral Committee on Combating Trafficking in Persons organized 17 radio programs that informed listeners about the issue of human trafficking and provided trainings for 22 diplomats in South Africa. In addition, students at 39 schools throughout the country were educated on human trafficking issues. (7,25) The government also finalized a report with recommendations on how to improve the criminal justice system's response to human trafficking, and outlined the strengths and weaknesses of their response. (25)

Cross-border enforcement mechanisms exist between Lesotho and the Republic of South Africa, and during the reporting period, both governments held two sensitization trainings on trafficking in persons for their respective staffs. (6,25,26) The enforcement entities are coordinated by different ministries—Home Affairs, Local

Government, or Police and Public Safety. (6) There is, however, a lack of coordination between these bodies, which negatively impacts implementation as some efforts are duplicated, while unclear lines of responsibility mean that other efforts are not undertaken. (6)

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 a lack of a policy to address all worst forms of child labor in the country.

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Anti-Trafficking in Persons Strategic Framework and Action Plan (2021–2026)	Supports national and international obligations and commitments regarding human trafficking in line with the vision to eliminate all forms of trafficking in persons in Lesotho. Provides victim protection, guidance for the successful arrest and prosecution of offenders, and preventive measures. (22,27) In 2022, the government worked on strengthening border security to identify possible cases of human trafficking by placing additional security at Moshoeshoe International Airport. The government also held informational sessions on the dangers children face while herding and performing domestic work. (26)
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2018–2023)	Identifies child protection services (from the Child and Gender Protection Unit, social welfare and health agencies, 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. (3,28) During the reporting period, the Ministry of Social Development continued to operate the Child Helpline Lesotho initiative, which provides 24-hour services, emergency assistance, and long-term resources to children who have experienced any form of violence and need care. (7,29)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (3,9,22)

In 2022, MOLE began to draft the second National Action Plan on Elimination of Child Labor and a plan for its implementation. (26)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, 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 & Activities
Orphans and Vulnerable Children Scholarship Programs†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (3) Benefited over 26,500 orphans and vulnerable children during the reporting period. (7)
School Feeding Program	Provides incentives for primary school children from impoverished backgrounds to attend school and improves retention. (3) Provided meals to over 50,000 pupils during the reporting period. (7)
Child Grant Program	Provides social cash transfers to the impoverished and households with orphans and vulnerable children with the aim of increasing access to basic needs such as food, health, and education. Implemented by the Ministry of Social Development and funded by the EU with technical support from UNICEF. (3,30) Benefited 46,000 households during the reporting period. (7)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† Program is funded by the Government of Lesotho.

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).

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Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for compulsory education from 13 to 15 so it is consistent with the minimum age for admission to work.	2010 – 2022
Enforcement	Provide adequate funding and training for labor inspectors to carry out mandated duties.	2009 – 2022
	Ensure that criminal law enforcement agencies receive an adequate amount of funding, training, and resources with which to conduct investigations.	2020 – 2022
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2022
	Establish a mechanism to assess civil penalties for child labor violations.	2009 – 2022
Coordination	Improve coordination and communication among coordinating bodies to clarify mandates to address all forms of child labor.	2021 – 2022
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as livestock herding and commercial sexual exploitation.	2021 – 2022
Social Programs	Institute programs that mitigate the impacts of HIV and support orphans and vulnerable children.	2017 – 2022
	Ensure that children with disabilities have equal access to education.	2018 – 2022
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including the shortage of teachers and schools, sanitation facilities, and secondary school fees.	2018 – 2022
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2022
	Expand existing programs to address the full scope of the child labor problem, including child trafficking and the commercial sexual exploitation of children.	2015 – 2022

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