

Lesotho

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lesotho has established a National Child Labor Support Group that includes representatives from the Ministries of Labor, Education, Social Welfare, and Youth Affairs, plus traditional rulers, organized labor, NGOs and UNICEF. The group is developing an action plan to address child labor.²¹⁰⁹ In 2000, the government collaborated with UNICEF to conduct a multi-sectoral assessment on child labor.²¹¹⁰

In 2000, the Government of Lesotho began instituting a free primary education system, through which the government covers the cost of fees, books and one meal per day, and includes the first and second grades.²¹¹¹ In addition, a primary school education plan developed by the Ministry of Education provides for the prosecution of parents if children are not sent to school.²¹¹² The government is collaborating with UNICEF on several educational initiatives including non-formal education, early childhood education and primary education.²¹¹³

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 20.7 percent of children ages 10 to 14 years in Lesotho were working.²¹¹⁴ Boys as young as 6 years old are employed in hazardous conditions as livestock herders in the Lesotho highlands, either for their family or through an arrangement where parents hire out their sons.²¹¹⁵ Child homelessness is an increasing problem due to factors such as poverty and the loss of children's parents to HIV/AIDS.²¹¹⁶ This leads more children to live on the streets

²¹⁰⁹ U.S. Embassy- Johannesburg, *unclassified telegram no. 1406*, November 2001.

²¹¹⁰ Ibid. See also UNICEF, *Schooling Seen as Solution to Child Labor*, [online] September 3, 1999 [cited August 30, 2002]; available from http://www.unicefusa.org/trafficking/release_090399.html.

²¹¹¹ The program was expected to include the third grade by 2002, but information to confirm this was not available. U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Lesotho*, Washington, D.C., March 4, 2002, 389-90, Section 5 [cited August 30, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8387.htm>.

²¹¹² U.S. Embassy- Maseru, *unclassified telegram no. 422*, June 2000.

²¹¹³ Ibid.

²¹¹⁴ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. UNICEF estimated in 2000 that 25 percent of children aged 5-14 years were working. See also UNICEF, *UNICEF Statistics: Child Work*, [online] [cited August 30, 2002]; available from <http://childinfo.org/eddb/work/database.htm>.

²¹¹⁵ U.S. Department of State, *Country Reports- 2001: Lesotho*, 389-90, Section 5. See also Todd Bensman, "Thousands Sold into Servitude in Lesotho as 'Herder Boys'," *Pew International Journalism Program Stories 1998*, [cited August 30, 2002]; available from http://www.pewfellowships.org/stories/lesotho.herder_boys.html.

²¹¹⁶ U.S. Department of State, *Country Reports- 2001: Lesotho*, 389-90, Section 5. For more information on the effect of HIV/AIDS on families and children, see U.S. Embassy- Johannesburg, *unclassified telegram no. 1406*.

where some are reported to find work as prostitutes.²¹¹⁷ Children also work as domestics, car washers, taxi fare collectors, and vendors.²¹¹⁸

Education is free but not compulsory in Lesotho.²¹¹⁹ In 1998, the gross primary enrollment rate was 101.6 percent, and the net primary enrollment rate was 60 percent.²¹²⁰ Girls' net primary enrollment rate fell 18 percent between 1990 and 1997 due to poverty and the impact of the HIV/AIDS pandemic.²¹²¹ Enrollment figures improved in 2000 as the free primary education program began, but the quality of education continues to be a serious problem.²¹²² Rural children often work to support the family, and poverty makes school fees unaffordable.²¹²³ The problem of school absenteeism affects boys disproportionately, as livestock herding is considered a cultural prerequisite to manhood.²¹²⁴ Primary school attendance rates are unavailable for Lesotho. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²¹²⁵ In 1996, the expenditure on primary education per student as a percent of GDP per capita was 18.1 percent.²¹²⁶

Child Labor Laws and Enforcement

The Labor Code of 1992 establishes 15 years as the minimum age for employment,²¹²⁷ although children between 13 and 15 may perform light work in a technical school or approved institution.²¹²⁸ The Labor Code establishes 18 as the minimum age for hazardous work, and generally prohibits employment of children in work that is harmful to their health or development.²¹²⁹ There are no specific laws prohibiting trafficking in persons, but Proclamation

²¹¹⁷ U.S. Department of State, *Country Reports- 2001: Lesotho*, 389-90, Section 5.

²¹¹⁸ Allegations of child labor in the textile and garment sectors have been investigated by the ILO, UNICEF, and the Labor Commission and have not been verified. See *Ibid.*, 390-93, Section 6d.

²¹¹⁹ U.S. Embassy- Maseru, *unclassified telegram no. 422*.

²¹²⁰ World Bank, *World Development Indicators 2002*.

²¹²¹ *Ibid.* See also UNICEF, *Girls' Education in Lesotho*, [online] 2002 [cited August 30, 2002]; available from <http://www.unicef.org/programme/girlseducation/action/cases/lesotho.htm>.

²¹²² U.S. Embassy- Johannesburg, *unclassified telegram no. 1406*.

²¹²³ U.S. Department of State, *Country Reports- 2001: Lesotho*, 389-90, Section 5.

²¹²⁴ *Ibid.*

²¹²⁵ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

²¹²⁶ World Bank, *World Development Indicators 2002*.

²¹²⁷ U.S. Department of State, *Country Reports- 2001: Lesotho*, Section 6d. See also Economic Research Institute, *Lesotho-Compensation and Benefit Legislation*, in *Human Resources Codes and Laws*, [database online] [cited August 30, 2002]; available from <http://www.eri.com/freedata/hrcodes/LESOTHO.htm>.

²¹²⁸ *Lesotho Labour Code Order*, 1992, Part IX, Article 124.

²¹²⁹ U.S. Department of State, *Country Reports- 2001: Lesotho*, Section 6d.

No. 14 of 1949 imposes penalties for the procurement of women or girls for purposes of prostitution.²¹³⁰

The Ministry of Labor and Employment's Inspectorate has weakly enforced statutory child labor prohibitions in the past, but in 2001 it was adequately staffed and its inspectors conducted quarterly inspections.²¹³¹

The Government of Lesotho ratified ILO Convention 138 and ILO Convention 182 on June 14, 2001.²¹³²

²¹³⁰ U.S. Department of State, *Country Reports- 2001: Lesotho*, 390-93, Section 6f. See also UNICEF Eastern and Southern Africa Regional Office and African Network for the Prevention and Protection of Children against Child Sexual Abuse and Neglect, "Lesotho," in *Partnership Project on Sexual Exploitation and Children's Rights: Analysis of the Situation of Sexual Exploitation of Children in the Eastern and Southern Africa Region: Draft Consultancy Report* Nairobi, 2001, [cited August 30, 2002]; available from <http://www.unicef.org/events/yokohama/csec-east-southern-africa-draft.html>.

²¹³¹ U.S. Department of State, *Country Reports- 2001: Lesotho*, 390-93, Section 6d. See also U.S. Embassy-Johannesburg, *unclassified telegram no. 1406*.

²¹³² ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited August 30, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.