

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

The Government of Lesotho established a National Child Labor Support Group that includes representatives from the Ministries of Labor, Education, Social Welfare, and Youth Affairs, organized labor, NGOs and UNICEF. The group began developing an action plan in 2001 to address child labor.<sup>2559</sup> In 2000, the government collaborated with UNICEF to conduct a multi-sectoral assessment on child labor.<sup>2560</sup>

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.<sup>2561</sup> To date, the government covers the cost of schooling for first through fifth grades, and it expects free education to be universal through grade seven by the year 2006.<sup>2562</sup> With a loan from the World Bank in 2002, the Ministry of Education is implementing an education sector development project to improve the access and quality of education for children.<sup>2563</sup> The government is collaborating with UNICEF on administering several educational programs including non-formal, early childhood, and primary education.<sup>2564</sup>

## Incidence and Nature of Child Labor

In 2000, the Government of Lesotho and UNICEF estimated that 29 percent of children ages 5 to 17 years were working.<sup>2565</sup> Due to poverty, unemployment, and orphaning of children because of HIV/AIDS, the employment of children is becoming increasingly problematic.<sup>2566</sup> Boys as young as four or five are employed in hazardous conditions as livestock herders in the highlands, either for their family or through an arrangement where parents hire out their sons.<sup>2567</sup> Child homelessness is also an increasing problem,<sup>2568</sup> and some homeless street children reportedly find work as prostitutes.<sup>2569</sup> Children also work as domestics, car washers, taxi fare collectors, and

<sup>2559</sup> U.S. Embassy- Johannesburg, *unclassified telegram no. 1406*, November 20, 2001.

<sup>2560</sup> Ibid. See also Government of Lesotho Bureau of Statistics, *2000 End Decade Multiple Indicator Cluster Survey (EMICS)*, UNICEF, Maseru, May 28, 2002; available from <http://www.childinfo.org/MICS2/newreports/lesotho/lesotho.pdf>.

<sup>2561</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Lesotho*, Washington, D.C., March 31, 2003, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18210.htm>.

<sup>2562</sup> "Statement by His Majesty King Letsie III, Head of State of the Kingdom of Lesotho" (paper presented at the 27th Special Session of the United Nations General Assembly on Children, New York, May 8, 2002); available from <http://www.un.org/ga/children/lesothoE/htm>, "Statement by His Majesty King Letsie III, Head of State of the Kingdom of Lesotho" (paper presented at the 27th Special Session of the United Nations General Assembly on Children, New York, May 8, 2002); available from <http://www.un.org/ga/children/lesothoE/htm>. See also *Second Country Cooperation Framework for Lesotho (2002-2004)*, United Nations Development Programme and the United Nations Population Fund, New York, 2001; available from <http://www.undp.org/execbrd/pdf/crrles.PDF>. See also U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 5. See also U.S. Embassy — Maseru, electronic communication to USDOL official, February 19, 2004.

<sup>2563</sup> *Education Sector Development Project II*, The World Bank, [online] May 28, 2003 [cited June 2, 2003]; available from <http://www4.worldbank.org/projects/Project.asp?pid=P056416>. Lesotho's poverty limits educational opportunities for all its citizens.

<sup>2564</sup> U.S. Embassy- Maseru, *unclassified telegram no. 422*, June 21, 2000.

<sup>2565</sup> Government of Lesotho Bureau of Statistics, *MICS Survey: Lesotho*. The survey findings showed that 15.5 percent of children ages 5-9 years, 32.3 percent of children ages 10-14 years, and 46.2 percent of children ages 15-17 years, are currently working. In 2001, the ILO estimated that 20.5 percent of children ages 10 to 14 engage in economic activity. See World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

<sup>2566</sup> U.S. Embassy- Maseru, *unclassified telegram no. 0599*, September 2, 2003.

<sup>2567</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 5. See also U.S. Embassy- Maseru, *unclassified telegram no. 422*. See also Todd Bensman, "Thousands Sold into Servitude in Lesotho as 'Herder Boys,'" *Pew International Journalism Program Stories 1998*; available from [http://www.pewfellowships.org/stories/lesotho.herder\\_boys.html](http://www.pewfellowships.org/stories/lesotho.herder_boys.html).

<sup>2568</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 5. For more information on the effect of HIV/AIDS on families and children, see U.S. Embassy- Johannesburg, *unclassified telegram no. 1406*.

<sup>2569</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 5.

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vendors.<sup>2570</sup> Children are less likely to be found working in the formal sector, due to the high unemployment rate for adults.<sup>2571</sup>

Currently, primary education through grade five is free.<sup>2572</sup> Education is not compulsory in Lesotho.<sup>2573</sup> In 2000, the gross primary enrollment rate was 115.0 percent, and the net primary enrollment rate was 78.0 percent.<sup>2574</sup> Rural children often work to support the family, and poverty makes school fees unaffordable.<sup>2575</sup> The problem of school absenteeism affects boys disproportionately, as livestock herding is considered a cultural prerequisite to manhood.<sup>2576</sup> Primary school attendance rates are unavailable for Lesotho. In 1999, 74.5 percent of children enrolled in primary school reached grade five.<sup>2577</sup> While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>2578</sup>

## Child Labor Laws and Enforcement

The Labor Code of 1992 establishes 15 years as the minimum age for employment, although children between 13 and 15 may perform light work in a technical school or approved institution.<sup>2579</sup> The Labor Code prohibits employment of children in work that is harmful to their health or development.<sup>2580</sup> There are no specific laws prohibiting trafficking in persons,<sup>2581</sup> but Proclamation No. 14 of 1949 imposes penalties for the procurement of women or girls for purposes of prostitution.<sup>2582</sup>

The Ministry of Labor and Employment's Inspectorate has weakly enforced statutory child labor prohibitions in the past, but it is now adequately staffed and its inspectors conduct quarterly inspections.<sup>2583</sup> An employer found guilty of hiring underage children or using child workers for hazardous work can be imprisoned for 6 months, required to pay a fine of M600.00 (USD 82.00), or both.<sup>2584</sup>

The Government of Lesotho ratified ILO Convention 138 and ILO Convention 182 on June 14, 2001.<sup>2585</sup>

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<sup>2570</sup> 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.*, Section 6d. See also U.S. Embassy- Maseru, *unclassified telegram no. 0599*.

<sup>2571</sup> U.S. Embassy- Maseru, *unclassified telegram no. 0599*. The cost-effectiveness of hiring children rather than adults is limited because so many adults are unemployed and available to work.

<sup>2572</sup> U.S. Embassy — Maseru, electronic communication.

<sup>2573</sup> U.S. Embassy- Maseru, *unclassified telegram no. 422*.

<sup>2574</sup> World Bank, *World Development Indicators 2003*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

<sup>2575</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 5.

<sup>2576</sup> *Ibid.*

<sup>2577</sup> World Bank, *World Development Indicators 2003*.

<sup>2578</sup> For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

<sup>2579</sup> U.S. Embassy- Maseru, *unclassified telegram no. 0599*. See also U.S. Embassy- Maseru, *unclassified telegram no. 0599*.

<sup>2580</sup> *The Effective Abolition of Child Labor: Lesotho*, ILO-IPEC, Geneva, 2001; available from <http://www.ilo.org/public/english/standards/relm/gbdocs/gb280/pdf/gb-3-2-abol.PDF>.

<sup>2581</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 6f.

<sup>2582</sup> 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; available from <http://www.unicef.org/events/yokohama/csec-east-southern-africa-draft.html>.

<sup>2583</sup> U.S. Department of State, *Country Reports- 2002: Lesotho*, Section 6d. See also U.S. Embassy- Maseru, *unclassified telegram no. 0599*.

<sup>2584</sup> U.S. Embassy- Maseru, *unclassified telegram no. 0599*. For currency conversion, see FXConverter, in Oanda.com, [online] [cited September 22, 2003]; available from <http://www.oanda.com/convert/classic>.

<sup>2585</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 12, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.