

Country session: Lesotho
Date of session: 23rd May 2018

Background information

[OHCHR press release](#)

Webcast: [first part](#) and [second part](#)

Audio file

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

Common core document	
Initial submission	20 Jul 1998
Updated document	16 Nov 2017
Annexes	16 Nov 2017

CRC		OPAC		OPSC	
No. of report	2 nd and 3 rd	No. of report	-	No. of report	-
Due date	01 Aug 1999	Due date	-	Due date	-
Submission	16 Nov 2017	Submission	-	Submission	-

Written replies	
Submission	<u>14 Mar 2018</u>
Due date	

Public reports from children's rights defenders

Alternative reports	
NGOs	<ul style="list-style-type: none"> • Global Initiative to End All Corporal Punishment of Children • IBFAN • Child Helpline Intl • Institute on Statelessness and Inclusion (ISI)
NHRIs	Organizations

State delegation

The delegation was small, composed by a mix of high and technical level staff. The delegation was headed by Matebatso Doti, Minister of Social Development, assisted by magistrates and members of the permanent mission.

Committee's Task Force members

Name & Last Name	Country
Benyam Mezmur (Coordinator)	Ethiopia
Ann Skelton	South Africa
Clarence Nelson	Samoa

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was honest, constructive and interactive with in depth and technical discussions.

ii. General assessment made by the Committee

The Committee commended the delegation for the honesty in exposing the problems the country faced while implementing the CRC and congratulated the delegation for its progress. However, the Committee observed that there are many areas that still needs improvement such as investment in education.

iii. Main issues discussed:

- **Non- discrimination:** the Committee was worried that discrimination against many groups still persists with children such as young boys and girls.
- **Best interest:** The Committee commended the delegation on the incorporation of this principle in national law. The Committee asked questions related to its implementation in all decision affecting children, including alternative care and whether training was provided training to staff. The delegation replied by saying that they have intermediaries in the courts and tribunals to ensure the application of the best interest of the child.
- **Right to be heard:** the Committee members welcomed the creation of a children's parliament to bring their priority issues. They have asked questions concerning the support, allocation of resources and accessibility to all groups of children in referring to children's parliament. Also, the Committee questioned the delegation whether the government was promoting awareness on the respecting on the views of the child inside the community. Finally, the Committee asked whether the views of the children were being taken into account in the proceedings in alternative care and judicial cases. The delegation replied that they are supporting children's parliament in many levels and that the members in the judicial system are being trained in children rights, especially when children are victims and witnesses.
- **Violence against children: the Committee was worried that Lesotho's national law** doesn't prohibit corporal punishment. Concerning sexual abuse against girls the Committee asked whether victims of violence were being psychologically assisted to return to society. The delegation replied by saying that there are difficulties in bringing international measures and standards to the national context with a multitude of entrenched cultural practices. They highlighted that they are investing heavily in awareness raising and advocacy activities to change the social perception of those issues. The government has also guidelines for dealing with victims of sexual abuse.



- **Civil Rights and Freedom:** the Committee explored topics concerning birth registration in rural areas, nationality and stateliness, including the protection of the image of the child in the media.
- **Family environment and family care:** the Committee asked whether Lesotho had implemented minimal standards to family care, including complaint mechanisms for children in institutions of alternative care. The delegation replied that the government is creating a case management mechanism in care facilities, but acknowledged that the government need to improve their sensitization for children to report in care facilities.
- **Education:** the Committee was concerned about the limited progress on gender parity in access to the educational system, including a reported poor infrastructure of schools and lack of regulation of privatization of education. The delegation admitted that this is a long-term problem due to the dependence of programs on donor financing. Concerning the privatization of schools, the delegation ensured that the government controls private education through the emission of certificate but acknowledged they still faces problems in monitoring. The delegation also affirmed that they are making efforts to expand the existing schools and committed to add this issue to the current budget. Finally, they replied that the high drop-out rates are due to economic reasons.
- **Special protection measures:** the Committee showed concern over the situation of unaccompanied migrants blurred with refugees on the forced displacement system. On this topic the Committee raised the need to update data on migrant children using the educational system and the measures to increase acceptancy of migrant children acceptance in schools. The delegation replied that migrant children can enrol in public schools, where parents are also provided with permits to search for job.

Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew attention to the need of **urgent measures** concerning the following 7 areas:

Right to Life: the Committee urges that the State party take immediate measures to prevent the killings of children with mutilation of body parts, through raising community awareness, investigating all cases and bringing the perpetrators to justice.

Corporal punishment: the Committee urges the State party to: Explicitly prohibit corporal punishment in all settings by law; Effectively enforce the prohibition of corporal punishment in schools and provide children with a complaints mechanism in schools so that they can safely and confidentially report cases of corporal punishment; Provide programmes for parents, teachers, and professionals that work with and for children to encourage the use of alternative non-violent forms of discipline and strengthen, in particular, teacher training and ensure it is part of pre- and in-service training programmes; Strengthen public awareness raising programmes to promote the change of mindset.

Abuse and neglect and sexual exploitation and abuse: the Committee urges the State party to: Take all necessary measures to prevent and combat abuse of children, including domestic violence, sexual exploitation and abuse; Encourage community-based programmes aimed at preventing and tackling child abuse, including domestic violence, sexual exploitation and abuse; Provide adequate human and financial resources to the CGPU, step up training of the CGPU officials in gender and child-related matters, strengthen their capacity to collect and record comprehensive and well-disaggregated data on violence against children; Ensure that there are effective mechanisms, procedures and guidelines in place for reporting of cases of sexual exploitation and abuse, consider mandatory reporting in certain cases, and ensure accessible, child-friendly and effective reporting channels for all violations; Take all necessary measures to investigate reported cases of sexual exploitation and abuse and prosecute and bring the perpetrators to justice; Ensure that child victims of violence receive counselling, psychological, recovery and reintegration services and provide adequate resources to shelters for child victims; Provide alternative care for child victims where necessary and support NGOs running such services; Establish a national database on all cases of violence against children.

Gender based violence: the Committee urges the State party to take all necessary measures to prevent and combat the sexual abuse of school girls and girls in domestic work; Ensure that all allegations of crimes related to gender based violence are independently and thoroughly investigated and that perpetrators are brought to justice; Include



specific needs of girls in measures regarding access to and use of water, sanitation and hygiene facilities and services to prevent sexual violence when collecting water, bathing or using toilets at night.

Harmful practices: The Committee urges the State party to take active measures to put an end to child marriage including marriages under customary law.

Adoption: The Committee urges the State party to: Provide adequate human, financial and technical resources to the Adoption Central Authority and the Adoption Unit of the MOSD to effectively carry out its mandate, and ensure that the best interest of the child are always taken into account; Implement and monitor the implementation of the Adoption Policy of 2012; Provide adequate resources and capacity building to the MOSD for effectively maintaining the records of adoption cases; Avoid unreasonable delays in the adoption process and with established adoption authority; Raise awareness about the adoption and encourage domestic adoption.

Children with disabilities: the Committee urges the State party to: Adopt a human rights-based approach to disability; Strengthen the legislative framework by reviewing and adopting the National Disability Bill and enforcing the implementation of the Policy on Disability; Set up a comprehensive strategy for the inclusion of children with disabilities; Increase financial, human and technical resources for children with disabilities and expand community based rehabilitation, early identification and referral programmes for children with disabilities and provide the necessary human technical and financial support to service providers and families of children with disabilities; Develop and support community campaigns and programmes to address discrimination and stigma against children with disabilities and create awareness of early detection and interventions; Improve access to transportation, schools, health care, public spaces/buildings and service delivery in all areas, especially in rural communities; Provide access to documents and information in Braille; and undertake measures to improve the collection and analysis of disaggregated data.

Sustainable Development Goals

Throughout its Concluding Observations the Committee referred to the following targets:

- 1.3, on implementing nationally appropriate social protection systems and measures for all
- 3.3, on ending epidemics of AIDS, malaria, to combat hepatitis, and other communicable diseases
- 4.1 and 4.2 on ensuring that all girls and boys complete free, equitable and quality primary and secondary education and have access to quality early childhood development, care and pre-primary education.
- 5.2, on eliminating violence against all women and girls, including sexual and other types of exploitation
- 6.5 on substantially reduce corruption and bribery in all their forms
- 16.2 to end abuse, exploitation, trafficking and all forms of violence and torture of children
- 16.9, on providing legal identity for all, including birth registration



Next State report

CRC	
No. of report	4 th and 5 th
Due date	16 Nov 2027

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