



# **THE KINGDOM OF LESOTHO**

**Global Compact of Migration (GCM)**

**Mid-term report**

## **The Kingdom of Lesotho**

### **GCM Mid-term Report (January – June 2020)**

#### **I. Introduction**

The Kingdom of Lesotho has signed the Global Compact on Migration in December 2018 in Morocco, reconfirming the state's commitment to improve migration governance and management. Lesotho as a country has been relying on the labour migrants which consist of over 10 per cent of the population (UNDESA, 2019), depending on their remittances which are over 17 per cent of the GDP (IFDA, 2018). The National Consultative Committee on Migration (NCC) an inter-ministerial and multi-sectoral body which has an advisory role to Government in all aspects of migration issues; has been able to review the progress of the migration related programme in the country which is aligned to the National Strategic Development Plan (NSDP) Phase II. While there are still multiple and complex migration challenges that Lesotho is facing, there have been significant strides made in policy development and capacity building in various areas.

#### **II. GCM Implementation**

##### **Overall Migration Governance**

Lesotho has been implementing a whole-of-society and whole-of-government approach to migration management through the NCC structure. During the country-level inputs stage for GCM development in 2018, led by the Ministry of Home Affairs as chair of the NCC and supported by the IOM Lesotho, the NCC members met twice (September and November 2018) and discussed top priority migration issues for Lesotho, mainly as a migrant sending country perspective. The NCC members include not only government officials from the Ministry of Home Affairs, but members from the Ministries of; Foreign Affairs, Social Development, Development Planning, Trade, Health, Labour and Employment; semi-government bodies such as the Lesotho National Development Corporation (LNDC), as well as the private sector, academia, migrant associations and NGOs.

In terms of joint monitoring of the migration related programme, the NSDP II Monitoring and Evaluation (M&E) mechanisms enable the NCC members to be accountable for the five key migration programme priorities in Lesotho as stated in the NSDP II. During the development of the NSDP II in 2018, the NCC prioritized the five key areas to be implemented. These are (a) labour migration, (b) diaspora engagement, (c) integrated border management (d) cross-border issues management, including counter trafficking and smuggling, and (e) internal migration management. As reported under the following segment (key initiatives based on criteria / what progress can be identified) the Kingdom of Lesotho has made significant efforts in the five areas which were prioritized in the NSDP II which is also part of the GCM objectives.

Nevertheless, the Government of Lesotho (GoL) is facing a new challenge brought by the global COVID-19 pandemic. In regards to migration management, it requires a new approach as there are emerging issues, such as Basotho citizens being stranded and destitute in a foreign land, and a large number of returnees who originate from Lesotho who came back as a result of COVID-19 impact. The UN agencies have been supporting the GoL in various areas including reintegration support to vulnerable returnees, victims of human trafficking, humanitarian response to refugees and counter-trafficking and smuggling of migrants.

##### **Key initiatives based on criteria / What progress can be identified?**

#### **1. Promoting fact-based and data driven migration discourse, policy and planning**

The Government of Lesotho with support of the UN has developed two policies; the Labour Migration Policy developed by the Ministry of Labor and Employment which was adopted by the Cabinet in

November 2019 and the Diaspora Policy developed by the Ministry of Foreign Affairs and International Relations, and it was approved by Cabinet in December 2020. These policies were developed cognizant of the crucial role that accurate and reliable data plays. The UN is currently supporting the Ministry of Development Planning (MoDP) to implement a project that aims to promote availability of timely and reliable migration data that will inform evidence-based planning through strengthening coordination mechanisms for effective data collection, analysis, management and dissemination. This project will produce a situation analysis that will provide migration management trajectory for the country. Furthermore, the UN in partnership with the African Union Commission (AUC) is supporting the NCC led by the Ministry of Home Affairs to revise the draft Lesotho Migration and Development Policy towards developing an overarching up-to-date policy to strengthen migration governance in Lesotho.

## **2. Protecting the safety and well-being of migrants through addressing the drivers and mitigating situations of vulnerability in migration;**

The GoL supported by the UN and other development partners is making efforts to reduce poverty as well as reduce food insecurity among the vulnerable households in Lesotho. Poverty and food insecurity are among the key drivers of vulnerable youth and adults to opt for irregular migration (typically look for jobs in Republic of South Africa without any work permits). The GoL supported by the UN is also making efforts to sensitize populations on the risk of Human Trafficking and the consequences of irregular migration. The UN is working with the Ministry of Health to strengthen cross border collaboration with RSA on referral mechanisms. An assessment of accessibility of health services for migrants was undertaken in 2019, recommendations of which will be implemented through the next phase of the Sexual Reproductive Health Project 2021-2026 to improve access to health care for migrants and vulnerable key populations.

## **3. Addressing irregular migration through managing borders and combatting transnational crime;**

To address irregular migration, a rapid assessment on border and migration management conducted in 2018, identified key issues and recommendations of which many recommendations have been implemented. Border security has been strengthened through capacity building of Immigration Officials including Police personnel and the Lesotho Revenue Authority (LRA) personnel who form part of the team at Points of Entry (POEs). Immigration Standard Operating Procedures (SOP) was developed to harmonize and professionalize immigration services in 2019. A series of trainings (document examination, integrated border management, implementation of Immigration SOP etc.), for Border Officials (from all POEs) have taken place (28 Immigration Officials on document examination, over 150 from all border agencies trained on Immigration SOP through Training of Trainers). Additional measures to strengthen border security include installation of CCTV system at POEs in two districts and boom gates. Heads of Border Agencies (HOBA) have streamlined and improved movement management at Maseru Bridge as a pilot. Half of the fourteen POEs have been automated. Currently, the GoL is collaborating with the RSA to establish a One Stop Border Post (OSBP) in Maseru and Maputsoe, a significant milestone towards the cross-border cooperation between the two countries.

A series of trainings have been conducted to combat transnational crime. Law enforcement officials who include Prosecutors, Police and District Administrators at national and district level received training for improved coordination to identify, investigate trafficking in persons crime and improved victim referrals. Awareness raising campaigns on trafficking in persons among youth, school and out of school youth and other vulnerable populations especially women and girls, also through radio campaigns. Community-based protection committees were formed for sustainable and continued sensitization to prevent TIP in districts. These community structures are however in border areas in the 4 districts (Mohaes Hoek, Mafeteng, Qacha's Nek and Quthing). An anti-Tip/Smuggling Unit has been established in the Ministry of Police. To improve the protection of trafficked victims in compliance with the Anti-trafficking in persons Act 2011, the Ministry of Home Affairs has allocated a house to be

used as a shelter for victims of trafficking. The facility is meant to provide a safe and secure environment providing psychosocial support and community reintegration assistance for victims of trafficking. SOP for victim referral have been drafted and a National Referral Mechanism (NRM) on TIP has been established. The draft SOP and NRM has been reviewed to develop comprehensive documents.

#### **4. Facilitating regular migration, decent work, and enhancing the positive development effects of human mobility;**

Human mobility especially between Lesotho and South Africa is a common practice in Lesotho. To facilitate regular migration, the government of Lesotho is making efforts to improve bilateral labour agreements in the region. The existing agreement is the Lesotho Special Permit (LSP) framework between Lesotho and South Africa which is intended to regularize Basotho migrants. This agreement needs to be improved to accommodate all Basotho. Lesotho has a significant number of unskilled seasonal and circular migrants in RSA who need protection. To facilitate decent work, the Ministry of Labour has developed a number of frameworks for managing recruitment agencies and migrant workers which include the Labour Agreement Model framework and the Draft Recruitment Standard Procedures and Guidelines. The UN provided training to Labour Inspectors to ensure and uphold the dignity of the workers as well as strengthen the oversight of recruitment agencies. Beyond RSA, Lesotho has started negotiating a Memorandum of understanding for opportunities for skilled labour with Mauritius.

A significant achievement has been made in diaspora engagement by the GoL led by the Ministry of Foreign Affairs and International Relations supported by the UN since late 2018. The GoL held three Basotho Outreach Forums in the RSA, developed the National Diaspora Policy, and supported the formulation and strengthening of the Basotho Diaspora Association which consisted of over 10 countries. The Medical Professional Diaspora was instrumental to provide tele-medicine support to health practitioners in Lesotho in the COVID-19 health response. Joint UN projects intend to introduce Integrated Financial Framework (IFF) to the GoL through which private finance for SDG achievement is expected to increase. Diaspora finance, trade and investment, access to affordable remittance are increasingly important topics for Lesotho.

#### **5. Improving the social inclusion and integration of migrants.**

The UN is supporting the government of Lesotho to include migrants in all the socio-economic and life saving programmes. Droughts in Lesotho have become a driver of migration and every year more and more people are becoming food insecure. The emergence of COVID-19 has caused the return of migrants from the neighbouring South Africa. UN agencies (IOM, WFP and FAO) have provided returning migrants in livelihood and food security assistance. 2000 vulnerable returned migrants were identified by the Ministry of Social Development and District Covid-19 Secretariat (DISCOSEC) for food assistance, and 180 young returnees and other vulnerable youth for short-term skills development programme.

#### **Environmental and climate change, gender, etc.**

Gender has been mainstreamed through; migration assessment, policy development through gender-sensitive approach and an inclusive manner to ensure the equal participation of women and men, and consideration to gender-specific issues in various migration programming. On the other hand, little has been done in mainstreaming of migration in environmental and climate change – which needs urgent attention going forward. Lesotho is one of the countries exposed to dry season and excessive climate which also displace populations. The GoL through Bureau of Statistics (BOS) and Disaster Management Authority (DMA) supported by UN is intending to conduct research around this topic.

#### **Ensure balance across thematic clusters, and the work of different UN agencies.**

Lesotho has already established the NCC which is based on a whole-of-government and whole-of-society approach. There is an opportunity that key UN agencies implementing the migration programme to be part of the NCC members as the AUC is intending to review the membership of the the NCC and strengthen the NCC in the coming years.

### **III. Conclusion and way forward.**

The Kingdom of Lesotho has made significant efforts in the five areas which were prioritized in the NSDP II which is also part of the GCM objectives. These are; (a) labour migration, (b) diaspora engagement, (c) integrated border management (d) cross-border issues management, including counter trafficking and smuggling, and (e) internal migration management. Nevertheless, the Government of Lesotho (GoL) is facing a new challenge brought by the global COVID-19 pandemic. In regards to migration management, it requires new approach as there are emerging issues, such as Basotho citizens being stranded and destitute in a foreign land, and a large number of returnees who originate from Lesotho came back as a result of COVID-19 impact.

A Review and update of Lesotho's Migration and Development Policy supported by the UN agency (IOM) will be timely in order to reflect the emerging issues to be addressed in the post-COVID-19 reality. Also, anticipated support from the ACU in mainstreaming Migration and Development Policy in the national development plan and strengthen the NCC by expanding the membership including various UN agencies which are implementing the migration programme, will be an opportunity for the Kingdom of Lesotho to further strengthen migration management in line with GCM objectives.