



The Kingdom of Lesotho

# **LESOTHO GOVERNMENT BEIJING +25 REVIEW REPORT**

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## LIST OF ACRONYMS

|       |  |
|-------|--|
| AGYM  | Adolescent Girls and Young Women                                       |
| AIDS  | Acquired Immunodeficiency syndrome                                     |
| ALC   | Anglican Church of Lesotho   |
| AME   | African Methodist Episcopal  |
| ANC   | Ante-Natal Clinic  |
| ART   | Anti-retroviral Therapy  |
| ARVs  | Antiretroviral   |
| AU    | African Union  |
| BOS   | Bureau of Statics  |
| BPfA  | Beijing Declaration and its Platform for Action                        |
| CAP   | Curriculum Assessment Policy   |
| CBL   | Central Bank of Lesotho  |
| CEDAW | Convention on Elimination of All Forms of Discrimination Against Women |
| CGPU  | Child and Gender Protection Unit                                       |
| CHAL  | Christian Health Association of Lesotho                                |
| COSC  | Cambridge O'Level School Certificate                                   |
| CPWA  | Children Protection and Welfare Act                                    |
| CRROA | Crime Prevention Rehabilitation and Reintegration of ex-prisoners      |
| CRS   | Catholic Relief Services   |
| CSO   | Civil Society Organisations  |
| CSW   | Commission on the Status of Women                                      |
| CTC   | Cancer Treatment Centre  |
| DTEP  | Distance Teaching Education Primary                                    |
| ECCD  | Early Childhood Care and Development                                   |
| ESSP  | Education Sector Strategic Plan  |
| FAO   | Food and Agriculture Organization                                      |
| FIDA  | Federation of Women Lawyers  |
| FP    | Family Planning  |

|        |  |
|--------|--|
| GAM    | Global Acute Malnutrition                                |
| GBV    | Gender Based Violence                                    |
| GDP    | Gender and Development Policy                            |
| GDP    | Gross Domestic Product                                   |
| GF     | Global Fund  |
| GFP    | Gender Focal Points                                      |
| GHHI   | Global Gender Gap Index                                  |
| GIZ    | Deutsche Gesellschaft für Internationale Zusammenarbeit  |
| GL     | Gender Links   |
| GOL    | Government of Lesotho                                    |
| GTC    | Gender Technical Committee                               |
| HIV    | Human immunodeficiency Virus/                            |
| ICT    | Information and communications technology                |
| IDA    | International Development Agency                         |
| IEC    | Independent Electoral Commission                         |
| IEC    | information education communications                     |
| ILO    | International Labour Organisation                        |
| IPC    | Integrated Food Security Phase Classification            |
| IPV    | Intimate Partner Violence                                |
| JC     | Junior Certificate                                       |
| JSI    | John Snow Inc.   |
| LCE    | Lesotho College of Education                             |
| LCMPA  | Legal Capacity of Married Persons Act                    |
| LCN    | Lesotho Council of NGOs                                  |
| LDHS   | Lesotho Demography Health Survey                         |
| LEA    | Legal Environment Assessment for HIV and AIDS in Lesotho |
| LePHIA | Lesotho Population-based HIV Impact Assessment           |
| LEQEP  | Lesotho Education Quality for Equality Project           |
| LGBTI  | Lesbian, Gays, Bi-sexual, Transgender, Intersex          |
| LGSCE  | Lesotho General Certificate of Secondary Education       |

|       |  |
|-------|--|
| LP    | Lerotholi Polytechnic                                |
| LUCT  | Limkokwing University of Creative Technology         |
| LVAC  | Lesotho Vulnerability Assessment Committee           |
| MCH   | Maternal & Child Health                              |
| MDAT  | Multi-Agency Drought Assessment Team                 |
| MDGs  | Millennium Development Goals                         |
| MGYSR | Ministry of Gender, Youth, Sports and Recreation     |
| MOH   | Ministry of Health                                   |
| MOSD  | Ministry of Social Development                       |
| MSM   | Men who have Sex with Men                            |
| MSMEs | Micro, Small and Medium Enterprises                  |
| NAP   | National Action Plan                                 |
| NGO   | Non- Governmental Organisations                      |
| NGOs  | Non- Governmental Organisations                      |
| NSDP  | Lesotho National Strategy Development Plan           |
| NUL   | National University of Lesotho                       |
| PMTCT | Prevention of mother to Child Transmission           |
| RCM   | Roman Catholic Church                                |
| SADC  | Southern African Development Community               |
| SCCA  | Stop Cervical, Breast and Prostate Cancers in Africa |
| SDG   | Sustainable Development Goals                        |
| SGBV  | Sexual Gender Based Violence                         |
| SOA   | Sexual Offences Act                                  |
| SRH   | Sexual Reproductive Health                           |
| SRHR  | Sexual Reproductive and Health Rights                |
| STEM  | Science, Technology, Engineering and Mathematics     |
| STI   | Sexually Transmitted Infection                       |
| SUN   | Scaling Up Nutrition Movement                        |
| SW    | Sex Workers  |
| TIP   | Trafficking in Persons                               |

|        |   |
|--------|---|
| TVET   | Technical Vocational Education and Training                   |
| UN     | United Nations  |
| UNAIDS | Joint United Nations Program on AIDS                          |
| UNAIDS | The Joint United Nations Programme on HIV/AIDS                |
| UNAIDS | United Nations Program on HIV/AIDS                            |
| UNDP   | United Nations Development Programme                          |
| UNDPKO | United Nations Development Programme Peace-keeping Operations |
| UNFPA  | United Nations Population Fund                                |
| UNFPA  | United Nations Population Fund                                |
| UNGASS | United Nations General Assembly Special Session               |
| UNICEF | United Nations International Children's Emergency Fund        |
| UNODC  | United Nations Office on Drugs and Crime                      |
| UNSCR  | United Nations Security Council Resolution                    |
| VAA    | Vulnerability Assessment and Analysis                         |
| VAWG   | Violence against women and girls                              |
| VCL    | Vodacom Lesotho   |
| VLSA   | Village Loans and Savings Account                             |
| VMMC   | Voluntary Medical Male Circumcision                           |
| WASH   | Water, Sanitation and Hygiene                                 |
| WB     | World Bank  |
| WED    | Women's Entrepreneurship Development                          |
| WEDGE  | Women Entrepreneurship Development and Gender Equality        |
| WFP    | World Food Programme  |
| WHO    | World Health Organisation                                     |
| WHO    | World Health Organization                                     |
| WID    | Women in Development  |
| WLSA   | Women and Law in Southern Africa                              |

## FOREWORD:

The historic 1995 Fourth World Conference on Women which came up with a defining framework for change –the Beijing Platform for Action, remains a powerful source of guidance and inspiration even 25 years later. The Platform for Action made comprehensive commitments under 12 critical areas of concern, which are still relevant today.

The declaration became an agenda for women's empowerment which envisioned gender equality in all dimensions of life. Lesotho, like many others, is yet to finish this agenda. The past 25 years have seen visible successes and challenges alike, for the world and for Lesotho as party to the declaration in the areas of women emancipation.

As we approach the Beijing+25 Reporting in 2020 which will also mark five years into the 2030 Agenda for Sustainable Development, Lesotho looks back at five years of progressive milestones towards achieving both the strategic objectives and actions of the Declaration.

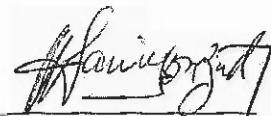
The achievements that we present in this report are a true reflection of joint efforts of the Government, Civil Society Organizations, Development Partners and other stakeholders, signifying a commitment to realise equality between women and men as a matter of human rights and a condition for social justice.

The progress made is a clear indication that the legal environment is enabling for engagement of women and their empowerment. However, we still have challenges that we need to overcome as a country. For example, there are still deep rooted attitudes and behaviours built on the patriarchal nature of the Basotho people as a nation which impact negatively on the rights of women and girls. We therefore need culturally appropriate approaches to accommodate women and girls and give them a platform to make a difference.

Based on successes detailed in this report and the commitment of the Government of Lesotho and the United Nations, we believe that the year 2020, which is 25 years after Beijing, will be a pivotal year for the accelerated realization of gender equality and the empowerment of all women and girls in Lesotho.



Hon Minister Dr M. Phamotse  
Minister of Gender Youth Sports and Recreation



Mr Salvator Niyonzima  
UN Resident Coordinator



## **ACKNOWLEDGEMENTS**

I would like to thank our development partners who in many ways supported the process of preparing this report. I wish to make a special mention of UNDP, UNFPA and GIZ. We look forward to continued collaboration with them and other partners. I would also like to acknowledge the contribution of Government Ministries, various institutions and the civil society for their contribution and support, which enabled us to complete this report. Last but not least my profound gratitude goes to the National Consultant, Advocate Libakiso Matlho and her office for making this report a success.

## CHAPTER 1 – INTRODUCTION

- This report on the progress made by Lesotho in implementing the Beijing Platform for Action is a response to the request made by UN Women. In 2015 the UN Commission on the Status of Women (CSW) has carried out a review and appraisal of the implementation of the Beijing Declaration and Platform for Action that was adopted at the 4th World Conference on Women, held in Beijing, China in September 1995, as well as the Outcome Document of the 23rd Special Session of the UN General Assembly held in 2000.
- Lesotho participated in the 4th World Conference of Women in 1995, and signed the Beijing Declaration and Platform for Action in the same year. Lesotho is committed to undertake a comprehensive national-level review of the progress made and challenges encountered in implementing the Platform for Action for the achievement of gender equality and empowerment of women. It is envisaged that this national-level review will contribute in understanding and engagement of how gender equality and the empowerment of women can be strengthened in a Post-2030 Development Agenda.
- The Beijing Declaration and its Platform for Action (BPfA) is one of the most remarkable documents to emerge from any intergovernmental conference. It is a blueprint for women’s empowerment and advancement. Since its adoption, the Beijing +5 global review in 2000 highlighted that women across the globe were making remarkable gains, living longer and healthier lives, becoming more educated, and more economically active. Overall women’s human rights were being more acknowledged, recognized and respected. In most countries of the world, women had the right to vote and hold office, and that violence against women became an illegal act in almost every country. Despite these gains made, the B+5 reviews indicated that women continued to be discriminated against; were the poorest of the poor; were illiterate; suffered ill health; and violence.
- Thus the Beijing +5 review, which was a special session convened by the UN General Assembly in 2000, focused on “Women 2000: gender equality, development and peace for the 21st Century”. This special 23rd Session renewed commitments to gender equality and served as a forum to share and compare experiences. The session adopted a Political Declaration and the Outcome Document on “Further actions and initiatives

to implement the Beijing Declaration and Platform for Action". This Outcome document reaffirmed and strengthened the language of the Platform, and helped in consolidating a common development agenda with gender equality as an underlying principle.

- The Outcome Document of the B+5 review recognized that the work for the advancement of women had to combine a focus on women's conditions and basic needs with a comprehensive approach based on equal rights and partnerships, and the promotion and protection of all human rights, and fundamental freedoms. It recommended that policies, programmes and budgetary processes should adopt a gender perspective, and that information on the situation of women should be based on research and data relating to both women and men. And it emphasized that we needed time bound targets, measurable goals and follow-up mechanisms.
- Importantly the B+5 review process identified several new or emerging areas that needed focused attention such as: (i) the need to address gender issues in humanitarian crises; (ii) women's access to decision-making including in peace-making and peace-keeping; (iii) violence against women, in particular the impact of armed conflict on women; (iv) the economic impact of globalization on women; (v) trafficking of women and girls; (vi) women's access to new information and communications technologies; and (vii) the impact of HIV/AIDS crisis on women.
- In adopting the Political declaration of B+5, member states, including Lesotho, reaffirmed their commitment to the full implementation of the Beijing Declaration and the 12 critical areas of concern identified in the Platform for Action. Furthermore, Governments committed to continue a sustained call for international cooperation for women's empowerment and advancement, including that of all other commitments made by developed countries. Member states also committed to pursue the goal for universal ratification of CEDAW; encourage the participation of civil society, NGOs and women's organizations in all implementation and assessment processes of the Platform for Action at the country level; involve men in the promotion of gender equality; mainstream gender in all policies and programmes; ensure the promotion and protection of all human rights and freedoms; and promoting the full participation and empowerment of women in all aspects of society and life.
- In 2005, the UN held the Beijing +10 global review in which the outcome document was also a Declaration adopted by the UN Commission on the Status of Women at its

49th Session in New York. Member states reaffirmed the Beijing Declaration and Platform for Action and the Outcome Document of the 23rd Special Session of the UN General Assembly in 2000. The 49th Session acknowledged the challenges and obstacles that continued to persist as barriers to the empowerment and advancement of women and thus pledged to accelerate the implementation of the Platform for Action, the MDGs and CEDAW.

- In 2010, the United Nations held a 15-year global review of the progress made in implementing the Beijing Platform for Action, known as B+15. The outcome document at this session was the adoption of a Declaration during the 54th Session of the UN Commission on the Status of Women in New York. Member states reaffirmed the Beijing Declaration and Platform for Action, the Outcome Document of the 23rd Special Session of the UN General Assembly in 2000 and the Declaration adopted by the 49<sup>th</sup> Session of the UN Commission on the Status of Women in 2005. Member States pledged that they would undertake further action to ensure the full and accelerated implementation of the commitments made in all these documents, as well as in the achievement of all the Millennium Development Goals by 2015.
- Since 1996, the UN Commission on the Status of Women annually reviewed one critical area of concern identified in the Platform for Action and adopted Agreed Conclusions at the end of each session. These are as follows:

| <b>Year</b>                      | <b>Agreed Conclusions</b>  |
|----------------------------------|--|
| 1996 (40 <sup>th</sup> Session ) | Implementation of Strategic Objectives and Action in the Critical Area of Concern: Poverty;<br>Women and Media   |
| 1997 (41 <sup>st</sup> Session)  | Women and the Environment; Women in Power and Decision-making; Women and the Economy; Education and Training for Women   |
| 1998 (42 <sup>nd</sup> Session)  | Violence against Women; Women and Armed Conflict; Human Rights of Women; The Girl Child;   |
| 1999 (43 <sup>rd</sup> Session)  | Women and Health; Institutional Mechanisms for the Advancement of Women  |
| 2000 (44 <sup>th</sup> Session)  | B+5 Review: NO AGREED CONCLUSIONS  |
| 2001 (45 <sup>th</sup> Session)  | Women, the girl child and HIV and AIDS; Gender and all forms of discrimination in particular racism, racial discrimination, xenophobia and related intolerance                     |
| 2002 (46 <sup>th</sup> Session)  | Eradicating poverty, including through the empowerment of women throughout their life cycles, in a globalizing world; Environmental management and mitigation of natural disasters |

|                                 |  |
|---------------------------------|--|
| 2003 (47 <sup>th</sup> Session) | Participation in and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women  |
| 2004 (48 <sup>th</sup> Session) | The role of men and boys in achieving gender equality; Women's equal participation in conflict prevention, management and resolution in post-conflict peace building.  |
| 2005 (49 <sup>th</sup> Session) | B+10 Review: NO AGREED CONCLUSIONS   |
| 2006 (50 <sup>th</sup> Session) | Enhanced participation of women in development: an enabling environment for achieving gender equality and the advancement of women, taking into account, inter alia, the fields of education, health and work  |
| 2007 (51 <sup>st</sup> Session) | Elimination of all forms of discrimination and violence against women and girls  |
| 2008 (52 <sup>nd</sup> Session) | Financing for Gender Equality and Women's Empowerment; Women and Armed Conflict – as a review of the agreed conclusions of the 48 <sup>th</sup> Session of the UN CSW in 2004  |
| 2009 (53 <sup>rd</sup> Session) | The Equal Sharing of Responsibilities between Men and Women, including Care-giving in the Context of HIV and AIDS; Equal Participation of Women and Men in Decision-Making Processes at all Levels – as a review of the agreed conclusions at the 50 <sup>th</sup> session of the CSW in 2006  |
| 2010 (54 <sup>th</sup> Session) | B+10 Review: NO AGREED CONCLUSIONS; Review of its contribution to shaping a gender perspective towards the full realization of the Millennium Development Goals  |
| 2011 (55 <sup>th</sup> Session) | Participation of women and girls in education, training, science and technology, including for the promotion of women's equal access to full employment and decent work; The elimination of all forms of discrimination and violence against the girl child (Agreed conclusion from 51 <sup>st</sup> session held in 2007)                         |
| 2012 (56 <sup>th</sup> Session) | The Empowerment of rural women and their role in poverty and hunger eradication, development and current challenges; Financing gender equality and the empowerment of women (Agreed Conclusions from 52 <sup>nd</sup> Session held in 2008)  |
| 2013 (57 <sup>th</sup> Session) | Elimination and prevention of all forms of violence against women and girls; The equal sharing of responsibilities between women and men, including care-giving in the context of HIV/AIDS (Agreed Conclusions from 53 <sup>rd</sup> session held in 2009)   |
| 2014 (58 <sup>th</sup> Session) | Challenges and achievements in the implementation of the Millennium Development Goals for women and girls; Participation of women and girls in education, training, science and technology, including for the promotion of women's equal access to full employment and decent work (Agreed Conclusions from 55 <sup>th</sup> session held in 2011) |

Lesotho has since the adoption of the Beijing Declaration and its Platform for Action, been making consistent effort at fulfilling its obligations as contained in the Agreed Conclusions and Political Declarations through enacting legislation, policies and strategies for women's empowerment, advancement and provision of human rights. This Report, Section 2, highlights the progress made by the country in meeting these various commitments and obligations and provides in detail those measures that are put in place and the continued challenges.

## CHAPTER 2 – BACKGROUND

- Lesotho achieved democracy in 1993. Central to this democracy was a commitment to gender equality and the empowerment of women. The provisions of the Constitution of Lesotho are founded on the following values, among others: (a) Human dignity, the achievement of equality and the advancement and protection of human rights and freedoms;
- (b) Non-discrimination;
- (c) Supremacy of the Constitution and the rule of law;
- The Constitution has been guided by a range of international and human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration and its Platform for Action.
- The Bill of Rights in the Constitution ensures the foundation for a non-racist, non-sexist, and human rights-based society where race, class, gender, sex, religion, diversity, age, social security and protection from harm are, among others, primary considerations. It forms the bedrock of the developmental state – especially with respect to legislation, governance, sustainable development considerations, and democratic institutions of the State.
- Since the dawn of democracy in Lesotho, the Government of Lesotho has committed to a determined human rights framework.
- In line with this, Lesotho participated in the UN 4<sup>th</sup> World Conference for Women in Beijing, China in September 1995, and ratified CEDAW though with reservation succession to the Throne.
- The empowerment of women in Lesotho is about dealing with the legacy of custom and the transformation of society, particularly the transformation of power relations between women, men, institutions and laws. It is also about addressing gender oppression, patriarchy, sexism, racism, ageism, and structural oppression, and creating a conducive environment which enables women to take control of their lives. Women suffered oppression, especially those married under customary law, which was not

regarded as marriage but union, who regarded as minors by the customary law and placed under the tutelage of their husbands.

- For a very long time, women have played a significant role towards their emancipation and their liberation in Lesotho which led to enactment of laws such as The Legal Capacity of Married Persons Act of 2006 which amongst others removed the minority status of women. The Women's Charter, which turned 60 years in 2014, outlines the aspirations of women for the national liberation, emancipation, including political participation, and equality for women.

**We declare the following aims<sup>1</sup>:**

This organisation is formed for the purpose of uniting women in common action for the removal of all political, legal, economic and social disabilities. We shall strive for women to obtain:

- I. The right to vote and to be elected to all State bodies, without restriction or discrimination.
- II. The right to full opportunities for employment with equal pay and possibilities of promotion in all spheres of work.
- III. Equal rights with men in relation to property, marriage and children, and for the removal of all laws and customs that deny women such equal rights.
- IV. For the development of every child through free compulsory education for all; for the protection of mother and child through maternity homes, welfare clinics, creches and nursery schools, in countryside and towns; through proper homes for all, and through the provision of water, light, transport, sanitation, and other amenities of modern civilisation.
- V. For the removal of all laws that restrict free movement, that prevent or hinder the right of free association and activity in democratic organisations and the right to participate in the work of these organisations.
- VI. To build and strengthen women's sections in the National Liberatory movements, the organisation of women in trade unions, and through the peoples' varied organisation.
- VII. To cooperate with all other organisations that have similar aims in South Africa as well as throughout the world.
- VIII. To strive for permanent peace throughout the world.

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<sup>1</sup> Women's Charter of 1954



- It is within this context that we analyse the progress made in achieving gender equality and the empowerment of women in Lesotho: 60 years after the adoption of the Women's Charter of 1954; 20 years after the adoption of the Women's Charter for Effective Equality of 1994; 26 years after the advent of democracy in Lesotho; and 26 years after the country signed the Beijing Declaration and Platform for Action and ratified CEDAW.
- It therefore serves as an ideal opportunity to reflect on Lesotho's progress in achieving women empowerment and gender equality in the context of critical areas highlighted in the 1994 Women's Charter for Effective Equality that was informed in many ways by the Women's Charter of 1954, and which are in congruence with the 12 critical areas identified in the Beijing Platform for Action of 1995. Specific and special focus is on women's human rights towards elimination of all forms of discrimination against women through social and economic empowerment of women as contained in articles within the Women's Charter for Effective Equality:
  - a) equality;
  - b) law and the administrative justice;
  - c) economy;
  - d) education and training;
  - e) development, infrastructure and environment;
  - f) social services; (vii) political and civil society;
  - g) family life and partnerships;
  - h) custom, culture and religion;
  - i) violence against women;
  - j) health and
  - k) Media

These are transposed against the critical areas in the Platform for Action:

- I. women and poverty;
- II. education and training of women;
- III. women and health;
- IV. violence against women;
- V. women and armed conflict;

- VI. women and the economy;
- VII. women in power and decision-making;
- VIII. institutional mechanisms for the advancement of women;
- IX. human rights for women;
- X. women and the media;
- XI. women and the environment; and
- XII. The girl-child

## SECTION ONE: OVERVIEW OF PRIORITIES, ACHIEVEMENTS AND CHALLENGES

- **PRIORITIES**

Lesotho National Strategy Development Plan (NSDP) II<sup>2</sup> considers the promotion of gender equality and the empowerment of women as cross cutting throughout the identified clusters of development. UNDP has declared that all development programs and projects under their support should address gender equality and the empowerment of women issues as their criterion for further support.

The following are priorities areas for Lesotho in the next five years.

- **Mainstream gender equality and the empowerment of women into development policies, programmes, projects, budgets (GRB), plans and activities.** Under the NSDP II gender is mainstreamed in all the four key priority areas that anchor the its Strategic Framework and has been highlighted as crucial for the realization of inclusive growth in Lesotho. The NSDP II are: i) Promoting inclusive and sustainable economic growth and private sector-led job creation; ii) Strengthening human capital (health, nutrition, education & skills development); iii) Building enabling infrastructure; and iv) Strengthening governance and accountability systems.
- **Advocate for gender responsive social norms, values, behaviors and practices.** Women and girls continue to experience and face multiple discriminations in different spheres of their lives influenced by these social norms, values, behaviours and practices. For example, this includes young women; differently-abled women; women living with HIV, economically marginalized rural and urban women; sex workers and lesbian, bisexual and transgender women.
- **Promote women's economic rights in relation to full control over productive resources: Land; Livestock, Inheritance (LLI) and natural resources (i.e. wells/springs, mines, mountains).** The continued women's economic disempowerment – which manifests in the high levels of feminized poverty, proliferation of women in care and other unprotected work spaces, especially in the informal economic sector, domestic work, agriculture among other care type economic

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<sup>2</sup> Lesotho National Strategy Development Plan II (2018/19-2022/23)

activities cannot be ignored. The country will ensure that strategic programmes, policies and laws that respond to women's access to economic justice are in place.

- **Promote inclusive and gender responsive governance cognizant of the fact that elections are in 2022.** Noting that women's representation in both local and national governments has decreased in the past elections<sup>3</sup>, there is need to embark on other strategic approaches that will ensure a fair representation and participation of women and men in public life, including in leadership public and private sector positions.
- Prevent violence against women and girls as well as child marriage through a coordinated multi-Sectoral and integrated response.

- **ACHIVEMENTS**

- The NSDP II 2018/19 – 2022/23 mainstreamed gender in all thematic areas with clear indicators aligned to the SDGs.
- The 2018 Global Gender Gap Index Report<sup>4</sup> indicates that there are major shifts in the status and conditions of women and that to some degree there is a narrowing of the gender gap, while there is the widening of the inequality gap in general between the rich and the poor. In 2018, Lesotho was ranked at 81 on Global Gender Gap Index having closed about 69% of its overall gender gap and ranked 14 in Sub-Saharan Africa.<sup>5</sup> The Report further shows that Lesotho slips several ranks due to stagnant progress on wage equality.<sup>6</sup> The country is ranked number 1 in terms of educational attainment and 86 on political empowerment and 88 on economic participation and opportunity.
- There is a particular highlight with regard to de jure equality or equality in the eyes of the law, where law reform has seen to the removal of various discriminatory laws and enactment of laws that foster an enabling environment for the advancement of women and the achievement of gender equality. With regard to de facto equality, significant progress has been made but there is still much to be done especially with the full and effective implementation of laws, policies and strategies. For instance, Land Act of 2010 and Legal Capacity of Married Persons Act, 2006 gives women opportunity to

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<sup>3</sup> National Assembly Elections (July 2017) & Local Government Elections (October 2017)

<sup>4</sup> The Global Gender Gap Index, 2018

<sup>5</sup> Ibid

<sup>6</sup> The Global Gender Gap Index Report, 2018

participate in economic resources such as in agricultural activities and can use land as collateral in accessing credit from financial institutions.

- Significant change is particularly noted in areas such as legal status, attitudes, women's involvement in decision making, especially at the political level, in employment, education, ownership of homes and businesses, the justice system, and economic participation. However, the pace of change appears to be rather slow, and trends indicate a very gradual achievement towards real non-sexism and substantive gender equality.
- There is recognition of the progress made in promotion of women's empowerment and gender equality as well as the protection of the women's rights in Lesotho through the promulgation of several pieces of legislation that impacts positively on the lives of women and girls in general, however the country acknowledges that challenges still persist in some areas and these will form part of the content of the specific area of the report.
- There is also progress made through enabled environment that has increased access of sexual and reproductive health services and rights for women and girls that have enabled a choice for number and size of families. There are enhanced efforts on prevention and response to gender based violence with multiple stakeholders advocating at different levels. For example, the delivery of health services in Lesotho is done at three levels namely primary, secondary and tertiary levels. There are 372 health facilities in Lesotho consisting of 1 referral hospital, 2 specialised hospitals, 18 district hospitals, 3 filter clinics, 188 health centres, 48 private surgeries, 66 nurse clinics and 46 pharmacies. Health centres are the first point of care and this is aimed at making the patient load at district and referral hospitals lighter.
- Family planning is a fundamental right and the National Health Policy of Lesotho requires access to family planning services for all those who need it. Family planning services are provided by all health facilities at all levels of care except for facilities owned by the Roman Catholic Church. Provision of family planning (FP) services has been integrated into sexual and reproductive health and HIV and AIDS services. The main FP methods most utilised by the population are the pill, IUD, condom (male and female), depo vera, injectables and implants.
- Among the main challenges faced by the Family Planning programme are funding and frequent stock-outs of FP commodities. In 2014, a survey was conducted to assess

availability of modern contraceptive methods and lifesaving medicines. The survey reported that condoms (both male and females), oral contraceptives, injectables, and emergency contraceptives were available in 80% of health facilities. This study also identified stock-out of at least one modern contraceptive at primary level service delivery points (SDPs).

- According to the latest Lesotho Demography Health Survey (LDHS), one out of thirty women in Lesotho is likely to die from childbirth or a related condition. Maternal mortality rate in 2014 was 1024 per 100,000 live births. This is a reduction from 1155 as captured in the 2009 LDHS. According to the LDHS 2014 report, antenatal visits for the first trimester and supervised deliveries (at facility and by skilled personnel) increased from levels the contained in the 2009 LDHS report.
- The LDHS Report, 2014 indicates that modern contraceptive use by married women has steadily increased over the last decade, growing from 35% in 2004 to 46% in 2009 and 60% in 2014. Injectables are the most popular contraceptive, used by 24% of currently married women.

**Table 1: LEGISLATIVE FRAMEWORK PROMOTING WOMEN’S EMPOWERMENT AND GENDER EQUALITY**

| <b>Legal and Policy Framework</b>             | <b>Relevance to Gender Equality &amp; Women Empowerment</b>  | <b>Year</b> |
|---|--|-------------|
| <b>Constitution of Lesotho</b>                | Chapter II provides for bill of rights and freedom of all forms of discrimination though with exception where customary law is applicable            | 1993        |
| <b>Sexual Offences Act,</b>                   | Consolidates all offences a sexual nature and criminalizes rape within marriage.   | 2003        |
| <b>Legal Capacity of Married Persons Act,</b> | Abolishes marital rape. Treats married persons equal   | 2006        |
| <b>Land Act</b>                               | Guarantees right to hold title to land for all persons above the age of 18. Provides for joint titling for persons married in community of property. | 2010        |
| <b>Penal Code</b>                             | Criminalises marital rape and all forms of violence  | 2010        |
| <b>Education Act</b>                          | Provides for equal opportunity to education for females and males  | 2010        |
| <b>Anti-Trafficking in Persons Act</b>        | Provides for prohibition, prevention, prosecution and punishment of perpetrators of the offence of trafficking in persons and other related offences | 2011        |

|   |  |                     |
|---|--|---------------------|
| <b>Children’s Protection and Welfare Act</b>  | Incorporates principles of human rights and gender equality for all children and also recognises child’s right to equality on various grounds, including “gender”, “disability”, “health status” and “other status | 2010                |
| <b>Draft Labour Code</b>                      |  | 2019                |
| <b>Domestic Violence draft legislation</b>    | Conveys State’s commitment towards the elimination of domestic violence  | 2018                |
| <b>Disability Bill</b>                        | Commits to the rights and dignity of people with disability and is aligned to the Convention on the Rights of Persons with Disability.   | 2018                |
| <b>National Gender and Development Policy</b> | Aligned to national, regional and international obligations on gender equality, equity and empowerment Agenda 2030, and AU Agenda 2063)  | 2018- 2030          |
| <b>National Strategic Development Plan II</b> | Mainstreaming gender in all the thematic areas   | 2018/2019-2022/2023 |

## • CHALLENGES

- While significant strides have been made in implementing the BPA, there are still several challenges to full and effective implementation of gender equality and women empowerment in Lesotho which includes amongst others the following:
- Weak implementation of the law and policies in place to advance gender equality. Although a comprehensive enabling legislative and policy framework exists in Lesotho in some areas, effective implementation of the Beijing Platform for Action remains a challenge. Several factors are responsible for this state of affairs; for instance, one of the major causes for this relates to the entrenched patriarchal nature of both society and its institutions.
- Inadequate budgetary allocations for the promotion of gender equality and women empowerment. Another key challenge to implementation of the Beijing Platform for Action is the fact that the national machinery has inadequate resources to fund its programmes and activities. The Department of Gender has consistently received a low budget allocation of less than 1% of the total national budget for the past five years, despite the provisions of the Beijing Platform for Action stating that adequate resources for the national machinery are a critical component for achieving gender equality. This has constrained full implementation of Ministry’s programmes. In 2019, with support from the Commonwealth Secretariat, Department of Gender has engaged a Consultant

to develop the Monitoring and Evaluation Framework tool on Economic cost of Violence against Women and Girls

- The economic challenges faced by the country in recent years have negatively affected the gains that the country had made in the area of gender equality and women empowerment. These economic challenges largely resulted in the feminisation of poverty, with women out of jobs and mainly engaging in the informal sector. The Global Gender Gap Index 2018 indicates that Lesotho ranks at 88 in terms of women's economic participation and opportunities. Women still account for the majority that work the land in rural areas, but do not own it. This exacerbates their already vulnerable situation as their other rights, such as the right to health, become compromised. In addition, the economic challenges negatively affected provision of social services such as water and sanitation which has resulted in women being seized with the burden of sourcing clean water and fuels, at the expense of their participation in public life.
- The maternal mortality ratio is 1,024 maternal deaths per 100,000 live births for the 7-year period before the survey. This ratio does not differ significantly from the one reported in the 2009 LDHS.
- The HIV prevalence rate is 30% among women and 19% among men. Again, the unmet need for family planning, unfriendly delivery of services for women, adolescents and key populations, still remain challenges that prevent advancements in women empowerment. For example, unmet need for family planning among currently married women has declined from 31% in 2004, to 23% in 2009, and to 18% in 2014.<sup>7</sup>
- In addition, there is still high GBV incidences, high child marriages, high teenage pregnancies that also prevent progress towards achievement of gender equity and equality. For example, marriage is almost universal in Lesotho, but women marry more than 5 years earlier than men, on average. The median age at first marriage is 20.3 years for women age 25-49 and 25.9 years for men age 30-49.<sup>8</sup>
- Despite positive laws such as Legal Capacity of Married Persons Act, 2006 which gives married women equal say in matrimonial matters and the Land Act, 2010 which permits joint titling of lease by married couples, being in place, negative attitudes seem to lag behind statutory developments that brought about advancement of women through law, which means the challenge of women's marginalisation in accessing financial resources

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<sup>7</sup> LDHS, 2014

<sup>8</sup> Ibid



remains. This is perhaps attributable to slow progress in attitudinal change. The LDHS, 2014 indicates that in Lesotho about one third of women own a house, while 28% own land. However, decision making regarding the use of land as economic resources remains largely controlled by men.

- Inheritance laws unfortunately have not yet been reformed to allow women to inherit on the same footing as men where under customary law, only the first born male child is entitled to inherit. Even though the Inheritance Act, 1935 entitles women to benefit under a ‘Will’, in practice not many people write ‘Wills.’ Another limitation of this legislation is that it is applied in conjunction with the Administration of Estates Proclamation of 1953 which requires that for a person to write a ‘Will’, ... he must have abandoned a customary mode of life and adopted a European Mode of Life, and if married, he must have married under Christian rites.” In practice, it is difficult to pass this ‘mode of life test’, therefore, making it difficult for most women to benefit under this provision.
- Women representation in decision making roles, such as in politics, is still lagging and stands 23% of women in parliament at after the 2017 National Assembly Elections. This is below the SADC and AU set standards of attaining 50% representation of women in parliament.

## **SECTION TWO: PROGRESS IN THE IMPLEMENTATION OF THE CRITICAL AREAS OF CONCERN OF THE PLATFORM FOR ACTION**

### **A. WOMEN AND POVERTY**

- Lesotho made progress in poverty reduction in the 2000s by lowering its headcount poverty rate (\$1.9/day PPP) from 61.3% in 2002 to 59.7% in 2011. Estimates for 2018 suggest that 53.7% of the population is still trapped under the \$1.90 poverty line<sup>9</sup> despite huge investments in the social sectors by the government and its development partners. Growth is estimated to have registered at 2.5% in 2016/17, due to drought and weak regional and global growth prospects. Although the mining sector is expected to contribute to growth in the near term, narrowing fiscal space will limit the contribution of the public sector to growth.
- Unemployment remains high at estimated levels between 24% and 28%. Although the headcount poverty rate (1.9 \$/day PPP) fell from 61.3% in 2002 to 59.7%, estimates suggest that 56.2% of the population in 2016 still lived in extreme poverty. The slowness of poverty reduction goes hand-in-hand with high inequality, measured at 0.54 by the Gini coefficient making Lesotho a highly unequal society.
- Public spending stands at 50% of GDP in 2016/17. At 18% of GDP, the high public wage bill is one of the highest in the world, and is the biggest contributor to the public spending. The level of public spending is unsustainable with the narrowing fiscal space and it cannot be solely relied upon to drive growth.
- Despite favourable rates of economic growth, poverty levels and inequality are high and remain virtually unchanged over the years. The country continues to struggle with a range of persistent development challenges, including chronic poverty and high levels of unemployment. The vulnerability assessment report indicates a decrease in food insecure population from 679,4 (May 2016) to 224,664 (about 16%) in year (2017/18) from the rural settlement while about 82,278 people are estimated to be food insecure within urban settlement countrywide.<sup>10</sup> Food and nutrition insecurity is exacerbated by

<sup>9</sup> The World Bank in Lesotho Report, updated 25 March 2019

<sup>10</sup> Lesotho – Annual Vulnerability Assessment and Analysis Report June, 2017

recurrent climatic shocks, chronic malnutrition and the world's second highest HIV and AIDS prevalence. Nearly 60 percent of the population lives below the poverty line<sup>11</sup> and 29 percent of the available labour force is unemployed.<sup>12</sup> 2016 Multi-Agency Drought Assessment Team (MDAT) Rapid Drought Impact Assessment found that some 535,000 people were at risk of food insecurity.<sup>13</sup>

- Poverty is high in rural areas and the incidence is highest in household headed by females and in households with low levels of education. Poverty among female-headed households was around 64 percent compared to 57 percent among households headed by men in 2010/11.<sup>14</sup> Thus, poverty is closely linked with gender roles and power. Poor female-headed households are vulnerable and are more at risk of food insecurity.
- Income inequality remains high in Lesotho, particularly in rural areas where 60 percent of Lesotho's people are living on incomes below US \$ 1.25 per day.<sup>15</sup> Despite economic growth and macro-stability achieved in the past, overall unemployment appears have risen to a high (24 percent) with unemployment of youth reaching beyond 30 percent.<sup>16</sup> As a result, women who are economically dependent on their spouses endure high instances of gender based violence. For instance, the Lesotho Demographic and Health Survey 2014 show that 37% of women and 48% of men state that a husband is justified in beating his wife under certain circumstances.
- Violence against women remains a major challenge as it adversely impacts women's health, productivity and wellbeing.<sup>17</sup> The report shows that 86% of women experienced some form of GBV at least once in their lifetime, including partner and non-partner violence. Forty percent (40%) of men perpetrated GBV at least once in their lifetime and a high number of these happen within intimate relationships. Sixty-two percent (62%) of women experienced, while 37% of men perpetrated, intimate partner violence (IPV). According to this study<sup>18</sup>, the predominant form of violence within intimate relationships is emotional violence, which includes insults, belittling and verbal abuse. More than half (52%) of women experienced, and 27% of men perpetrated emotional intimate partner violence (IPV) in their lifetime. Women also reported physical intimate

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<sup>11</sup> UNDP (2015) Human Development Report

<sup>12</sup> Ibid

<sup>13</sup> Lesotho – Annual Vulnerability Assessment and Analysis Report June, 2017

<sup>14</sup> Draft NDSP II, 2018/19

<sup>15</sup> Ibid

<sup>16</sup> Ibid

<sup>17</sup> Gender Links and Ministry of Gender. 2013. Violence Against Women and Girls Baseline Study.

<sup>18</sup> Gender Links and Ministry of Gender. 2013. Violence Against Women and Girls Baseline Study.

partner violence (IPV) (40%), economic intimate partner violence (IPV) (30%) and sexual intimate partner violence (IPV) (24%).<sup>19</sup> The LePHIA Report indicate that HIV prevalence among women who have been physically forced to have sex (39.3%) is higher than in those who have not been physically forced (31%) resulting in AIDS being the leading cause of death among women of reproductive age.<sup>20</sup>

- Bureau of Statics Report (BoS)<sup>21</sup> estimates the overall unemployment rate to be 32.8 percent. Unemployment incidence is higher for females 39.7 percent and youth at 32.3 percent, compared to males at 26.2 percent. The employment by sector shows that majority of the working population (38.4 percent) is engaged in elementary occupations which, consist of simple and routine tasks that mainly require the use of hand-held tools and often some physical effort.
- Lesotho is affected by high levels of stunting (at 33 percent nationally) and micronutrient deficiencies among children aged 6 to 59 months (particularly iron deficiency anaemia at 51 percent).<sup>22</sup> The prevalence of global acute malnutrition (GAM) remains low at 2.8 percent nationally. The findings of the 2018 Vulnerability Assessment and Analysis (VAA) indicate that a total of 3.2% of children are malnourished, of which 1.8% were moderately and 1.4% were severely malnourished. Cases of migration, sexual violence, child labour and child marriage were also reported as a result of the deteriorating humanitarian situation.
- Within the Health and Nutrition sector, health centres have reportedly stopped providing child birth services due to water scarcity. Although the rate of Global Acute Malnutrition (GAM) was 3.5% in 2018, there is evidence of a silent nutritional emergency which could worsen with the ongoing food and water shortage crisis with the number of malnutrition cases likely to rise during the period April-July 2019.<sup>23</sup>
- According to the findings of the 2018 Vulnerability Assessment and Analysis (VAA) and Integrated Food Security Phase Classification (IPC) conducted by the Lesotho Vulnerability Assessment Committee (LVAC) in June 2018, the number of people in need of assistance slightly increased compared to 2017 with lean season projections (October 2018-February 2019) of 308,966 people in need of assistance, accounting for

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<sup>19</sup> Ibid

<sup>20</sup> Lesotho Population-Based HIV Impact Assessment (LePHIA), 2016–2017

<sup>21</sup> BOS, 2017

<sup>22</sup> Lesotho Demography Health Survey, 2014.

<sup>23</sup> Lesotho: Drought Situation Update 01 (as of 2 May 2019)

18% of the rural population (257,283 people) and 9.2% of the urban population (51,683 people).

- Access to land is gendered in Lesotho. The combination of a dual legal system, state policies socio-cultural practices and economic crisis, have shaped the dominant gender contract system such that males still own more rights in rural areas than women in land ownership and in agricultural equipment. Under customary law the heir is the first male child. The heir is required to use the property to take care of all the minors and needy members of the family as well as to discharge other family obligations such as to bury the dead and negotiate and pay lobola. If upon death of the husband the heir is under age, the widow is to use the property until the heir becomes of age (21 years). In such instances, the widow holds the property in trust for the heir and administers such property on the advice of the husband's family. Thus, the widow cannot dispose of the property or lease the land without the approval of the whole family and their consent. However, there have been instances whereby there are heirs who are selfish and disregard the needs of their mothers, they expel them and prohibit them from using agricultural land on the ground that they are heirs and entitled to use of the fields.
- The percentage distribution of land tenure by households between male and female households' heads. According to 2016 census, shows that men own almost 70% of land relative to 35% owned by women. The situation pertains even in the distribution by type of tenure, limiting access to land and, leaving women poor and economically dependent.
- The enactment of the Land Act 2010 changes the situation of women's access and control of productive resources, by granting equality of rights in marital power and joint ownership of land to spouses regardless of their number. This therefore gives them direct economic benefits and improves their household status and decision-making powers. While the Act has facilitated access to urban land and improved land allocation processes for allowing women to reclaim rightful ownership of their property. Evidence indicates that 64% of titles have been issued to women since the enactment of the land act.<sup>24</sup> CSOs such as WLSA and FIDA continue to embark on robust advocacy programmes using paralegals to disseminate and sensitise members of the community on the provisions of LCMPA and the Land Act. This includes simplifying and translating the laws into Sesotho. Other programmes target parliamentarian clusters

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<sup>24</sup> EU Gender Profile Report, 2016

such as the women's parliamentarians caucus, law and social clusters on empowerment programmes.

- Agriculture contributes only seven percent of Gross Domestic Product, down from 20 percent in 1983 and supports livelihoods of over 80 percent of the rural population.<sup>25</sup> While it is the main livelihood source for a majority of the rural population, the ability of Lesotho to produce its own food needs has declined in recent decades.<sup>26</sup> This was largely the result of an El Nino drought, soil infertility and land degradation.<sup>27</sup> Together, these factors exacerbated vulnerability to recurrent shocks, and entrench food insecurity and undernutrition. The result has been a sharp decline in food production and a failure to plant new crops by a large proportion of farmers. In addition to the formally trained and employed extension officers, the Government of Lesotho uses the lead farmer extension model where the lead farmers are drawn from the communities to further train and mentor others. Negative effects induced by the El Niño phenomenon left 679,437 people (58 percent children) food insecure.<sup>28</sup>
- Protection related issues, including incidents of gender-based violence (GBV), have been reported in several districts due to the El Nino drought.<sup>29</sup> The reduction of water availability for household consumption increased the distance and time spent collecting water among women and girls who are progressively becoming exposed to the risk of being physically assaulted by herd boys who forcefully take water away from them. The identified main forms of GBV forms are physical violence, sexual violence and emotional abuse. Additionally, incidents of early child marriages have also been reported over the last months. As in the previous El Niño-related drought emergencies, the current monitoring report from UNICEF and WFP indicates an increase in child protection issues among communities impacted by the drought including an increase in the number of separated and unaccompanied children left behind by their parents/caregivers who are migrating to South Africa or within Lesotho's urban areas. Furthermore, incidents of child abuse, social distress, and school dropout have been reported. Cited reasons for migration include a lack of food for family members and the unavailability of water.

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<sup>25</sup> DHS, 2014

<sup>26</sup> Ibid

<sup>27</sup> Lesotho IPC Acute Food Insecurity, 2016-17

<sup>28</sup> UNICEF Annual Report 2016

<sup>29</sup> Lesotho: Drought Situation Update 01 (as of 2 May 2019)

- The GoL is undertaking measures to ensure that women, men and other marginalized groups such as young women and adolescent girls; differently-abled women; women living with HIV, economically marginalised rural and urban women; sex workers and lesbian, bisexual and transgender women in Lesotho, have equal control over productive resources for them to insist on and provide safe nutritious food at all times to their family members and to society at large so as to live healthy life.<sup>30</sup>
- The Food and Agriculture Organization (FAO) provided to 26,000 of the poorest households (78,000 children, 53 per cent girls). The same households with vegetable garden packs to ensure continued provision of nutritional food for children. In addition, a total of 12,295 households (61,475 beneficiaries) were provided with safe drinking water through distribution of water purification tablets and flocculants. This exercise was coupled with hygiene education reaching 132,208 people, of which 67 per cent were female, with messaging on handwashing, nutrition, living in clean environments and reducing open defecation.
- Legal pluralism in Lesotho contributes to poverty feminization discourse. While customary inheritance laws do not allow women to inherit on the same footing as men, marriage laws on the other hand exposes women to vulnerability of early marriage, maternal mortality and HIV infections among other things.<sup>31</sup> In 2006 the Parliament of Lesotho enacted the Legal Capacity of Married Person Act, No. 27 of 2006. Act is envisioned to reduce women's vulnerability to poverty in that as a result of its enactment, women's incapacity to act as a director of a company has been removed. Women are now pensionable if engaged in pensionable positions whether they are married or not.<sup>32</sup> Women can now hold title to land, if unmarried they can do so on their own without the assistance of any male relative as it used to be the case before 2006, and if married, their right to hold land under joint titling.<sup>33</sup>
- The Government has put in place measures to ease access to the legal justice system, both criminal and civil. These measures include: Legal Aid; Victims' Support; Small Claims of about \$714.28 procedure; Court-Annexed Mediation; and the Pro-bono representations by independent legal practitioners. Directorate on Dispute Prevention and Resolution provides low free remedy for labour related disputes. Children's court

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<sup>30</sup> Gender and Development Policy, 2018- 2030

<sup>31</sup> NSP on HIV and AIDS 2018- 2022

<sup>32</sup> Public Service Act 2005

<sup>33</sup> Land Act 2010, section 10

has been established and introduced simplified procedures for matters affecting children- this includes family law issues, child friendly criminal procedures etc.



## B. EDUCATION AND TRAINING OF WOMEN

- Lesotho Constitution, Section 28 presents the provision for educational as one of the principles of state policies in an endeavour to make education available to all and encourages authorities to adopt policies aimed at securing that.
- Education Act of 2010 governs and regulates the administration of schools, teachers and all other matters relating to education in Lesotho. It is pursuant to the principle of provision of education of the people of Lesotho, and in particular, ensuring that amongst others, *(a) every child is provided with opportunities and facilities to enable him to develop physically, mentally, morally, spiritually and socially in a healthy, normal manner and in conditions of freedom and dignity; (b) provision of special treatment to physically and mentally handicapped children, (c) is given the special treatment, education and care required by his condition; (d) the obligation of parents to afford children the opportunity etc.*
- Lesotho's education system is organized along formal and informal domains. The formal system of education in Lesotho has 8 levels starting from level 0 to level 7. Pre-primary or kinder garden (level 0), elementary or primary school (level 1), Secondary education includes junior (level 2) and senior high school (level 3), Post-secondary (vocational and technical schools, IBM) (level 4) tertiary or Higher education, (Level 5, 6 and 7). Informal education exists to address the education needs of youth and adults who are not able to go through the formal education setting and it offers primary and secondary level education.<sup>34</sup>
- LDHS shows that urban residents are much more likely to have completed secondary school than rural residents. Overall, 86% of males age 6 and over in Lesotho have ever attended school, compared with 95% of females. For example, among women in urban households, 22% have completed secondary school or beyond compared with 5% of women in rural households.<sup>35</sup> In addition, it is estimated that 95% of girls age **6-12** attend primary school compared with 92% of boys attend free primary school. The net attendance ratio falls from 94% in primary school to 42% in secondary school. Girls and boys are about equally likely to attend primary school, but girls are much more likely than boys to attend secondary school. 51% of girls and 35% of boys age **13-17** attend secondary school.

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<sup>34</sup> Country Diagnosis Report, 2018

<sup>35</sup> LDHS, 2014

- Further, the report indicates that girls are more likely than boys to attend secondary school in all the ten districts of Lesotho. Attendance ranges from a low of 11% in Thaba-Tseka to a high of 46% in Maseru for boys and from a low of 32% in Thaba-Tseka to 60% in both Berea and Leribe for girls.<sup>36</sup>
- LDHS shows that there were 24,033 new entrants in Early Childhood Care and Development (ECCD) centers in 2014 and that out of this number, 11,821 were boys and 12,212 (51 Percent) were girls. Again, the report illustrates that the general pattern of new entrants by district was almost similar to the general pattern of the total enrolment. For instance, Maseru accounted for 6,391 which is 26.6 percent, it was followed by Berea with 13.9 percent and then Leribe 10.4 percent.<sup>37</sup>
- 33% of children under 5 years were stunted and more than half of children aged 6-59 months were anaemic – all these conditions usually, if unattended, make it difficult for young children to develop and learn.<sup>38</sup> UNICEF commissioned studies e.g. Out of School Children, the Extend of a herd-boyship phenomenon in Lesotho, Knowledge, Attitudes and Practices of child rearing in Lesotho.<sup>39</sup>
- The enrolment in technical and vocational school increased in 2017 to 4584 as compared to 2016 where it was recorded as 4410.<sup>40</sup> In 2014, enrolment in tertiary level indicates that majority of students in this level of education were females except for Lerotholi Polytechnic (LP) and Limkokwing University of Creative Technology (LUCT) where males out- numbered the females.<sup>41</sup>
- Educational attainment at the household level continues to increase. Secondary education has increased from 8% of women and 7% of men in 2009 to 10% of women and 10% of men in 2014.<sup>42</sup>
- There were more female learners with 2646 (57.7%) and their male counter parts accounted for 1938 (42.3%) of the total population. Males and females are admitted into TVET with merits. To enable girls and women to complete the course, the TVET institutions are sponsored. Moreover, there are School of Continuing Education and

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<sup>36</sup> LDHS, 2014

<sup>37</sup> Education Statistics Report, 2014. (Statistical Report, No. 28: 2015)

<sup>38</sup> Ibid

<sup>39</sup> Education Unicef Lesotho – UNDP;

[https://www.undp.org/content/.../lesotho/.../unicef/.../Unicef\\_CP\\_FS\\_Education\\_FA\\_L...](https://www.undp.org/content/.../lesotho/.../unicef/.../Unicef_CP_FS_Education_FA_L...)  
(accessed 27- -04-2019)

<sup>40</sup> Education Statistics Report, 2014 (Statistical Report, No. 28: 2015)

<sup>41</sup> Ibid

<sup>42</sup> DHS, 2014

module assisting to enable working women and women whose responsibilities would not allow them to attend classes during the day.

- Computer literacy is compulsory in all the institutions; relevant software is available. Additional to the TVET are Supporting programs like literacy, numeracy and entrepreneurship to enable the graduates to be self-employed. The curriculum is inclusive for all levels of education: for those with PSLE are admitted at Skills Training Centre, while JC holders are admitted at vocational schools and LGSCE /COSC enter into tertiary level.
- In June 2016, The Government of the Lesotho (GOL) signed a 5-year (2016 to 2021)
  - investment project financing agreement with the International Development Agency (IDA) of the World Bank for funding the Lesotho Education Quality for Equality Project (P156001) (LEQEP) for a total value of US\$25 million. The project aims to improve basic education service delivery and student retention in targeted schools. The project is targeted at a total of 20 schools that already are in existence and operation. The ownership of the land is by the schools, being government, community or proprietor owned (churches). This project is intended to enhance girls' access to school in the targeted areas. It aims at identifying learners' needs to reduce dropouts from schools (who are mostly girls) and covers availability of sanitary pads for needy learners and other needs. There are funds allocated for this project the aim is to reach all schools once it has been monitored and evaluated.<sup>43</sup>
  - To enhance the issues of water and sanitation, the government allocated urban schools utility grant for paying water and sanitation, for rural schools the government of Lesotho through Ministry of Education and Training work in collaboration with UNICEF and World Vision (WV) to erect water taps in schools. The government support the primary and high schools by building safe toilets for the girls. According to LVAC Rapid Assessment 2019, the domestic water supply meets the demand for 70% with 22% of household using less than 30 liters per day mainly from the Southern Lowlands, although this is not acceptable as per the standardized thresholds. Reduced access to water sources and traditional gender roles disproportionately affect women, increasing workloads as women may be forced to look further afield for potable water

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<sup>43</sup> Lesotho Education Quality for Equality Project, March 2019

supplies. For example, water collection remains mainly on women at 51% followed 14% children while just men represent 8%.

- In 2016 UNICEF Lesotho collaborated with Lesotho Council of NGOs (LCN)- Women and Children Commission and sensitized 100 grassroots civil society movements led by women's groups such as the HIV Support Groups, Funeral Schemes, Informal Sector etc. on Integrated Early Childhood Care and Development (IECCD) policy and issues pertaining to access to education. This forum provided an opportunity for further engagement and development of tools for tracking results for children at a grassroots level.<sup>44</sup>
- Lesotho Ministry of Education and Training has been supported by UNFPA and UNESCO and other partners to institutionalize Comprehensive Sexuality Education as integrated subject at grade 4 to 6 and the subject emerges as a standalone from grade 7. The subject is compulsory and examinable. In addition, through UNFPA support, Lesotho College of Education (LCE) has reviewed its guidance and counselling course to develop Comprehensive Sexuality Education curriculum which is a general course. The National University of Lesotho offers sexuality education at fourth year for students measuring in Education. The subject is intended to improve health indicators among adolescents and young women which includes reduction of early and unintended pregnancies, child marriage, HIV prevention.
- MOH was supported by UNFPA to adopt a comprehensive sexuality education framework for young people out of schools. The package includes guidelines in providing CSE out of school, facilitators manual, youth information pamphlets and a mobi-site "tuneme" platform to provide young people with information on SRHR.
  - Gender and Development Policy 2018- 2030 commits to increase women's, men's, girls, boys and other marginalized groups access to gender responsive quality education and training programmes so as to build a productive work force that can sustain the economy of the country.
- The Education Statistics report indicates that transition rates have been fluctuating since the year 2001 to 2014 whereby the lowest transition rate was recorded in 2003 as 61.6 while the highest transition rate was recorded in 2010 at 75.5. As such, during 2001 to 2011 more females than males proceeded from standard 7 to Form A. However, the trend reversed direction from 2009 to 2013 whereby more females than males

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<sup>44</sup> UNICEF Annual Report 2016

progressed from standard 7 to Form A. on the other hand transition rates from Form C to Form D revealed that there were more females who progressed than males since 2010 to 2013. It also reflects that the gap between male and female transition rates was diminishing in the same period.<sup>45</sup>

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<sup>45</sup> Education Statistics Report, 2014 (Statistical Report, No. 28: 2015)

## C. WOMEN AND HEALTH

- In Lesotho, family planning is part of the Sexual and Reproductive Health Programme of the Ministry of Health (MOH) and is an important part of the National Strategic Development Plan (MDP 2012). Knowledge of contraceptive methods is almost universal in Lesotho, with 99% of women age 15-49 and 98% of men age 15-49 knowing at least one method of contraception. Modern contraceptive use among currently married women is highest (70%) among women age 35-39. Among sexually active, unmarried women age 15-49, 72% use a modern method. Modern methods include male and female sterilisation, injectables, intrauterine contraceptive devices (IUCDs), contraceptive pills, implants, female and male condoms, the Standard Days Method, and emergency contraception.
- The public sector, most often government or Christian Health Association of Lesotho (CHAL) hospitals (49% and 41%, respectively), were the most common sources for female sterilisation.<sup>46</sup>
- Total demand for family planning is high. Seventy-nine percent of currently married women age 15-49 in Lesotho have a demand for family planning; 31% want to space births, and 48% want to limit births. Sixty percent of currently married women are already using a contraceptive method either to space or to limit births, so their need is met. However, 18% of currently married women have an unmet need for family planning: they want to space or limit births but are not currently using contraception.<sup>47</sup>
- The Lesotho Constitution provides for provision of health as a Principle of State Policy and commits that the country shall adopt policies aimed at ensuring the highest attainable standard of physical and mental health for its citizens, including policies designed to: provide for the reduction of stillbirth rate and of infant mortality and for the healthy development of the child; improve environmental and industrial hygiene; provide for the prevention, treatment and control of epidemic, endemic, occupational and other diseases; create conditions which would assure medical services and medical attention to all in the event of sickness and improve public health.<sup>48</sup>
- In 2017, it was estimated that there were approximately 236 health facilities in the country, including one referral hospital, two specialized hospitals, 18 general hospitals,

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<sup>46</sup> LDHS, 2014

<sup>47</sup> Ibid

<sup>48</sup> Lesotho Constitution, section 27.

four primary hospitals, four filter clinics and 207 health centres<sup>49</sup> comprising of 40% of the health centres and 58% of hospitals owned by Ministry of Health while 38% of hospitals are owned by Christian Health Association of Lesotho<sup>50</sup>

- The government of Lesotho through the Ministry of Health (MoH) continues to strengthen the primary health care system, through the recruitment and training of village health workers (who are mostly females) to promote health through provision of basic primary health care services in the communities.<sup>51</sup>
- According to the 2014 LDHS, 33% of children under age 5 are stunt. This is a sign of chronic undernutrition. Three percent of children under age 5 are wasted (too thin for their height), a sign of acute undernutrition, and, 7% of children under age 5 are overweight, a sign of over nutrition. In addition, 10%are underweight, or too thin for their age.
- Lesotho exhibits the second-highest rate in HIV prevalence and incidence among those aged 15-49 years. Prevalence of HIV among adults ages 15 to 59 years in Lesotho is 25.6%: 30.4% among females and 20.8% among males.<sup>52</sup> LePHIA findings further reveal that HIV prevalence peaks at 49.9% among females ages 35 to 39 as compared to 46.9% among males ages 40 to 44 years. The disparity in HIV prevalence by sex is most pronounced among young adults: HIV prevalence among 20- to 24-year-olds is four times as high among females (16.7%) than males (4.0%).<sup>53</sup>

#### HIV Prevalence by Age and Sex

| HIV Indicator         | Female | 95% CI    | Male | 95% CI    | Total | 95% CI    |
|-----------------------|--------|-----------|------|-----------|-------|-----------|
| <b>Prevalence (%)</b> |        |           |      |           |       |           |
| 15-49 years           | 29.7   | 28.5-30.9 | 19.1 | 18.0-20.3 | 24.3  | 23.4-25.2 |
| 15-59 years           | 30.4   | 29.2-31.5 | 20.8 | 9.6-22.0  | 25.6  | 24.7-26.4 |
| 0-14 years            | 2.6    | 1.8-3.3   | 1.5  | 1.0-2.1   | 2.1   | 1.5-2.6   |

Source: LePHIA 2016-2017

- Though the HIV epidemic is generalised, incidence is disproportionately highest among adolescent girls and young women (AGYW), female sex workers scoring 71.9%,

<sup>49</sup> MOH, 2017

<sup>50</sup> NSP HIV/AIDS Strategic Plan 2018- 2022

<sup>51</sup> MoH Annual Joint Review (AJR) 2013/14

<sup>52</sup> Lesotho Population-Based HIV Impact Assessment (LePHIA) - 2016–2017

<sup>53</sup> Ibid

43.3% among Factory Workers, 32.9% for MSM and 31% among prisoners.<sup>54</sup> This results in women being subjected to high instances of gender based violence.

- Lesotho has an estimated 13 000 children and 15 776 adolescents living with HIV, as well as 73 000 children orphaned by HIV. ANC data show 27% HIV prevalence in pregnant women attending ANC services, indicating an urgent need to ensure that pregnant adolescent girls and women attend ANC services and access HIV treatment and care for their own health and also to protect their unborn child.
- Findings of the 2015 country assessment report on adolescent HIV and the situation analysis report on Adolescents and Young People's Health influenced decisions in 2016 to implement the Global Fund for Adolescent Girls and Young Women, drafting of the school health policy, revision of the comprehensive sexuality education curriculum, and new Test and Treat guidelines for adolescents.<sup>55</sup>
- The 2014 LDHS results show that 95 percent of women who gave birth in the five years preceding the survey received antenatal care (ANC) from a skilled provider at least once institutional deliveries in Lesotho are increasing: the proportion of births in health facilities rose from 52% in 2004 to 59% in 2009 and 77% in 2014.
- The quality of PMTCT service delivery has continued to maintain high uptake of services within health facilities, with over 95 percent of pregnant women knowing their HIV status at their first ANC visit and 93 percent of the identified HIV-positive pregnant women receiving ARVs to prevent mother-to-child transmission. There are currently (2016) 180 facilities offering PMTCT services in Lesotho. Coverage of ART for HIV infected pregnant women is 74% in 2016. Whilst PMTCT sites increased between 2013 and 2016, coverage declined from 91% in 2013 to 74% in 2016. The estimated MTCT transmission rate at six weeks has remained about the same in the last three years to 2015.
- The eMTCT programme is well integrated and delivered in the MCH platform facilitating good service integration between eMTCT and SRH. HIV testing is offered to all pregnant women attending ANC, giving a coverage of over 95% of pregnant women knowing their HIV status during the first ANC visit. Following the launch of Option B+ policy, women living with HIV are initiated on ART on the same day of

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<sup>54</sup> LePHIA, 2016-2017

<sup>55</sup> UNICEF Report, 2016



diagnosis. In 2017, an estimated 66% HIV positive pregnant women received ART to reduce the risk of mother to child transmission, falling short of the 75% target by 2018.

- A Report on the Assessment of the legal environment for HIV and AIDS in Lesotho (LEA) (2016) underscores lack of awareness of laws among people living with or affected by HIV in Lesotho. Several HIV related laws need review, simplification or wider dissemination.
- UNICEF, World Food Programme (WFP), United Nations Development Programme (UNDP) and FAO contributed to the finalization of the Lesotho Food and Nutrition Policy, and the Cost of Hunger in Africa Study (Lesotho Chapter), which together with the Scaling Up Nutrition Movement (SUN) were launched by His Majesty the King of Lesotho in 2016
- Migrant men in technical, artisanal, construction, and transport sub industries, including drivers, vehicle mechanics; and vocational or domestic workers, painting, carpentry, masonry and industrial jobs in urban centres are the main clients of female sex workers; in addition, unskilled labourers are more likely to be HIV infected than their skilled counterparts. Urban migrants are either self-employed (22.4%), engaged in manufacturing (15.7%) and work in private households (10.4%) (BOS, 2016).
- While Lesotho has a number of HIV programmes operating across the country, many people struggle to access these services due to factors such as stigma, discrimination by service providers, cultural attitudes and practices, gender, socioeconomic status and geography, encountering issues such insufficient funds to travel to health centres and a lack of drug supplies.<sup>56</sup>
- Provision of health services has increased to reach more women in factory and hard to reach places. The provisions of services include in a large extend provision of sexual and reproductive health services including family planning. The contraceptives prevalence rate has increased from 40% in 2009 in LHDS to 60% in 2014 LDHS. The unmet need for family planning has decreased form 24% to 18%. UNFPA has supported Ministry of Health efforts to engage men in improving access to family planning. MOH has also been supported by UNFPA to update the family planning guidelines in line with WHO medical eligibility criteria to promote human rights based approach to family planning, to include new technologies (DMPA-Sc) to increase choices for

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<sup>56</sup> Lesotho Stigma Index Report 2014

women and curb missed opportunities that included among others post-partum family planning, women with HIV and illnesses.

- The maternal mortality ratio is 1,024 maternal deaths per 100,000 live births for the 7-year period before the survey.<sup>57</sup> For women and men who have reached age 15, the probability of dying before age 50 is 44% and 48%, respectively. There was a considerable decline from 94 deaths in 2006 to 59 deaths per 1,000 live births in 2014. The rate declined further to 53 children dying per 1000 births in 2016. According to Lesotho Census and Housing survey of 2016 the rate is at 618 deaths per 100 000. 95% of women who gave birth received ANC from a skilled provider, and about 74% of these women had 4 or more ANC visits. Approximately 77% of birth occurred in a health facility with 61% attended by nurse midwife. UNFPA with other UN agencies supported MOH to provide integrated SRHR/HIV/SGBV services with the aim to increase update of comprehensive package of services in particular for women and girls.
- Efforts to reach women in factories, women in hard to reach areas and women living around health facilities that do not provide family planning services included mobile clinics and other outreach intervention. UNFPA support Lesotho Planned Parenthood Association to provide outreach services within the CHAL catchment areas.
- In 2014, the county embraced the UNAIDS second phase of the worldwide ‘Fast Track’ initiative that seeks to end the AIDS epidemic by 2030. Fast Track proposes rapid and massive acceleration of HIV prevention and treatment programmes with a people-centred approach.
- In May 2015 a new VMMC project was launched at Scott Hospital in Morija, sponsored by PEPFAR, administered by USAID, and implemented by Jhpiego There are awareness programmes targeting women VMMC.
- The HIV Prevention Roadmap 2020 adapted by the government of Lesotho in 2018 emphasizes combination prevention approaches which include VMMC, HIV prevention packages for key populations, adolescent girls and their partners, Comprehensive Condom Programing and PrEP as high impact intervention in the prevention thematic area. These initiatives are designed to ensure that women and girls are protected from HIV transmissions.

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<sup>57</sup> LDHS, 2014

- GoL introduced provider initiative testing- 2018, counselling for pregnant women to understand importance of testing. Male Partners are also compelled to test (mothers- to mother's corner at health services e.g. Makoanyane Hospital).
- In July 2017 the 12th Stop Cervical, Breast and Prostate Cancers in Africa Conference and Exhibition (SCCA) was held in Lesotho and as the way of marking that important event Lesotho's first-ever cervical cancer screening and prevention facility, the Senkatana Centre of Excellence located in the Botšabelo Hospital in Maseru was launched. The facility offers comprehensive gynaecological services, with an emphasis on cervical cancer screenings, diagnoses, pre-cancer treatment services, and referrals to facilities for cancer treatment.
- Through Gender and Development Policy (2018- 2030) GoL commits to provide and make accessible to all women, men, adolescents and other marginalized groups good quality healthcare services, including sexual and reproductive health care, information and related services. It would be imperative also to provide a comprehensive continuum of HIV prevention, care and treatment for all.
- The Country is currently working to decentralize these services to sites throughout the ten districts “. To promote cost-cutting and the sustainability of treatment, Government is considering building a Cancer Treatment Centre (CTC) soon. The Radiation protection act of 2018 has been passed as one of the positive step towards the implementation of this important initiative. In the meantime; The country collaborates with other countries that have already made impressive strides in this field such as India to provide treatment to Basotho cancer patients at the Apollo Hospital in India Furthermore, the Government of Lesotho has established dialysis centre at Motebang Hospital in 2017 through the help of the Government of Japan. This is considered as a great development in provision of Health services to the Nation.

## **D. VIOLENCE AGAINST WOMEN**

- Violence against women and girls (VAWG) remain exceptionally high throughout the world and in Lesotho. It is a complex issue and a human right violation that has its roots in the structural inequalities between men and women that result in the persistence of power difference between the sexes. VAWG can result in many negative consequences for women's and girls' health and can also undermine the economic well-being of the societies. These forms of violence include physical violence, sexual violence, psychological violence and economic violence. Among these forms intimate partner violence/domestic violence (IPV) seems by all indications, to be on the increase.
- Reports show that 86% of women experience GBV while 41% of men are reported as perpetrators. GBV thus presents a major obstacle for women across the country to realize their fundamental human, sexual and reproductive rights.<sup>58</sup>
- The Child Protection Rapid Assessment report of 2016 indicated 0.1% (21 individuals) households experiencing sexual harassment and rape violence. Berea tops the list of districts with seven (7) heads of households who attested to the prevalence of sexual violence. HIV prevalence among women who have been physically forced to have sex (39.3%) is higher than in those who have not been physically forced (31%) and scores 58% higher among adolescent girls.<sup>59</sup>The prevalence of child marriage is at 2.5% as indicated by households interviewed.<sup>60</sup>
- The country through the GoL and stakeholders have adopted a number of strategies to prevent and respond to VAWG. The activities by different stakeholders educate the public and raise awareness on issues of GBV. Some of the activities include public gatherings and a series of radio and television programs/slots, development of information education communications (IEC) materials which have been distributed to the public and learning institutions.
- UNFPA has supported the GoL to establish the nexus between drought and GBV by conducting a study in 2016, the results indicated that drought can exacerbate the incidences of GBV. UNFPA has also supported the processes of ensuring that LVAC tools are able to extract GBV issues.
- UNFPA has supported mainstreaming of gender across all the priority areas of the 2018 Lesotho NSDP II.

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<sup>58</sup> Gender Links Report, 2016

<sup>59</sup>DHS, 2014

<sup>60</sup> Ibid

- The country is also in the process of finalizing Draft Domestic Violence legislation with the support from UNFPA and UNODC.
- Department of Gender in partnership with CSOs and international partners annually commemorate 16 days of activism against GBV which is intended to raise awareness on GBV prevention.
- Human Trafficking as a form of GBV remains high in Lesotho despite enactment of Anti Trafficking in Persons Act of 2011 has been instrumental in the prevention of trafficking in persons and perpetrators have been put before the courts of law, with cases of trafficking of persons ranging from incidences of sexual exploitation and forced labour. The Children's Protection and Welfare Act of 2010, has been vital in the protection of children's rights particularly the rights of children to inheritance of their parents' estates.
- There is a shelter called Beautiful Dream Society which accommodates women who have been trafficked. The shelter offers psychosocial support and care which include counselling, legal, health, referral services and mediation. For women survivors of IPV there are different stakeholders who offer psychosocial support and care, also the Ministry of Gender has established a shelter (Lapeng Care Centre) where women receive shelter and psychosocial support and care.
- Child marriage and harmful cultural practices is on the rise fuelled by plurality of the legal system and inconsistency of laws and other cultural practices such as abduction. As a member state to SADC the introduction of the SADC Model Law on Child Marriage has been instrumental and has been used extensively by the Ministry of Social Development and stakeholders to reviewing CPWA to provide for extensive protection of children against child marriage and to conduct advocacy against Child Marriage. The official launch of a *Campaign against Child Marriage* by MOSD 2016, was followed by a series of nation-wide campaigns by different stakeholder to raise awareness on the effects of early marriages on girls and affirming it as one of harmful practices that need to be eradicated.
- In collaboration with the MOSD, Ministry of Justice and Correctional Service, WVL and other partners, UNICEF Lesotho supported various awareness raising initiatives to end child marriage. Radio, TV, community dialogues and face-to-face advocacy efforts culminated in the passage of the motion to end child marriage by the Parliament in July 2016. Follow-up consultations, lobbying and capacity building continued with the

parliamentary Social Cluster Portfolio Committee to enact the End Child Marriage bill into law.<sup>61</sup>

- WLSA conducted a study on child marriage, disinheritance of the girl child and women living with HIV as a strategy to contribute to achieving gender equality in Lesotho. The study resulted in three articles on thematic areas with proposed provisions on transformative and gender positive legislation that criminalises child marriage; harmonise customary and inheritance laws respectively.<sup>62</sup>
- The Gender and Development Policy (2018-2030) commits to promotion of zero tolerance of all forms of violence against women, men, boys, girls. The policy has made further advancements by providing for protection of right of the LGBTI community and people living with disability. The Policy stipulates for a multi sectoral approach where every sector will engender its programmes and the policy has GBV as one of its priority areas, to be implemented by different sectors. The policy further pledges to prevent and reduce all forms of gender based violence in the public and private spheres and to provide integrated services to GBV survivors and perpetrators
- Further the country is at an advanced stage with the development of the Counter Domestic Violence legislation as comprehensive legislation that criminalize different types of violence, with the support of UNFPA.
- The GoL is currently developing Computer Crime and Cybercrime Bill which is intended to provide protection against cyber violence and online stalking and bullying. The lack of policies pertaining to cyber violence, computer crime and online stalking on electronic transfer of data remains a challenges for victims of cyber violence, who cannot find remedies.
- On use of technology to reporting and prevention of violence MGYSR in collaboration with GIZ and GLL is implementing Nokaneng Programme since 2018 the program uses a Smart Phone App for reporting violence, educating and sensitising members of the community about all forms of GBV and service providers in health, legal and psychosocial support sectors.
- MoH in collaboration with JSI (AIDSFree) has conducted trainings on case management (strengthening linkages for comprehensive service (health, psychosocial and legal); Developed a referral Video – called *Lerato*- coordination of 4 services

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<sup>61</sup> Lesotho COAR, 2016

<sup>62</sup> WLSA, 2019. A compilation of human rights-based analysis in bridging the gender digital divide to combat: early and child marriage; women disinheritance, & deepening the right to dignity of LGBTI persons (unpublished)

(health, psychosocial, courts, police) to train service providers and awareness raising at community level. Moreover, trainings on GBV case management for different stakeholders such as the judiciary and police officers were held by the Ministry of Gender with support from JSI (AIDSFree).

- Additionally, the country through the Ministry of Health has improved on treatment, care and support of survivors by developing guiding tools such as the Reproductive Maternal Child and Adolescent Health and Nutrition Strategy, the Clinical Guidelines on Management of Survivors of Sexual Abuse 2018, Clinical Handbook for Intimate Partner Violence 2018 and Anti Retro Treatment Guide for Post Exposure Prophylaxis for SGBV survivors. The Ministry has also trained health care workers on the tools.
- There are programmes targeting men to sensitise their peers on GBV messaging. Including MenEngage Program by GIZ. Partners involved in Men Engage campaigns include SHE-HIVE, WLSA,<sup>63</sup> Khotla Lesotho, CRROA and GIZ<sup>64</sup> amongst others the programs target men to sensitise their peers and raise awareness on prevention and response to GBV. They are meant to influence attitude and behavioural change which is often directly linked to violent behaviour. Help Lesotho has also implemented a herd boys program with the support from UNFPA and GIZ.
- Lesotho Correctional Services, offers individual and group counselling to perpetrators and assist them to overcome and manage anger as well as drug and alcohol abuse. They also have an Offender Mediation Programs where inmates get opportunity to take responsibility and accountability of the acts they have caused on the victims. The Probation Office and Victims Support within the Judiciary provide offenders with counselling and provide rehabilitation programmes to assist offenders to re-unite with victims.

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<sup>63</sup> Men as GBV Champions Advocacy Program (2016 – 2022)

<sup>64</sup> MenEngage Programme to end GBV

## **E. WOMEN AND ARMED CONFLICT**

- The Government of Lesotho has bound itself to promote gender responsive, inclusive, participatory and representative decision-making and negotiation processes in peace building efforts at all levels.<sup>65</sup>
- Lesotho ratified the SADC protocol on politics, peace and security in 2012, and Article 28 thereof mandates the states to “ensure that women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes”.
- Lesotho has had a long history of political instability and security challenges going back to the period immediately preceding and following independence in 1966. This history has led to long term political instability and toppling of governments by military coup. Since 2012, 2015 and 2017, Lesotho entered into coalition governments which were also faced with instability, lack of peace and insecurity that affected even women and
- Due to Lesotho the patriarchal nature of the society women has been missing in the previous political dialogues and stabilization efforts as all past mediation efforts during periods of heightened tensions have been led mostly by men. While religious and civil society leaders in Lesotho have been at the forefront of dialogue facilitation efforts, there are very few women in top religious and civil society leadership.
- Lesotho security institutions have thus historically been blamed for the political instability and insecurity in the country. And these are male dominated sectors.
- The on- going National Dialogues led by SADC, UNDP and CSOs through LCN are also mobilising Basotho towards implementing a robust women, peace and security agenda and to advocate for the Government of Lesotho to commit to developing its National Action Plan (NAP) on Women, Peace and Security in line with UNSCR 1325, which will allow women to participate in all aspects of conflict prevention and resolution, peacekeeping, and peacebuilding and to be included in decision-making bodies at all levels of governance.
- Despite these challenges above, the country has made progress towards achieving a gender responsive peace building and security policies such as those relating to recruiting, selecting and training of officers to enable police women, deployment of women in Peacekeeping mission in Darfur, Sudan in 2007. Other measures included but are not limited to supporting to the formation of the Women Police Network in

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<sup>65</sup> Gender and Development Policy, 2018- 2030



LMPS mandated to empower and protect police women at work, help them learn about law, human rights, and leadership, as well as confidence building and the role of women in policing.

- The Child and Gender Police Unit (CGPU) within the police continues to conduct capacity building trainings, awareness campaigns for police recruits and in service officers. Their activities include joint community campaigns with Ministry of Gender and other CSOs on raising awareness on policing mechanisms that mainstream gender and human rights based approaches. and the strengthening of its role and activities in partnership with key stakeholders.

## **F. WOMEN AND THE ECONOMY**

- Lesotho is a lower middle-income economy with GDP per capita of USD 1020. The economy is based on agriculture, livestock, manufacturing and mining industries, with workers' remittances from South Africa another major source of inflows. Services comprise 60% of the country's GDP, while industry (mining, manufacturing, construction, energy production) comprise 34.6% and agriculture 5.3% (World Bank 2017 estimates). Most formal employees are women working in the garments sector, while men are mostly migrant labourers in South African mines, working under inadequate health conditions and away from their families for up to three quarters of the year, mostly as domestic workers or farm workers.
- Studies show that sizeable numbers of women have migrated to urban areas to take up employment in the garment industry, an industry which is specifically supported by the Government of Lesotho. The phasing out of quotas under the WTO Agreement on Textile and Clothing in 2005 caused a crisis, to which the Lesotho Government responded by granting further concessions and by securing contracts with a range of US buyers. The approximately 50,000 women employed in this industry remain extremely vulnerable, as is evident from the exceptionally high HIV prevalence of 42.7%, indicated amongst these factory workers in 2012. Their working conditions and remuneration packages remain poor, as is evident from the large difference in salary between male miners and female garment workers and the limited amounts they are able to remit. Also, in certain respects their current protection in labour/social security law falls short of other workers – for example, as recently indicated in an ILO report, they are only entitled to a period of paid leave of two weeks in the event of maternity.<sup>66</sup>
- Although the Government of Lesotho (GoL) is another significant employer, still unemployment 24 to 28%, coupled with high inequality and poverty. Youth and some elderly populations are net dependents, while the Gini-coefficient shows a sizable gap between the rich and poor. The economic growth rate between 2011 and 2015 averaged 4.5% but slowed to 2.3% by 2017.<sup>67</sup>
- World Bank Estimates show that economic growth prospects will be boosted by expected increases in mining and construction activity during this plan period, increasing internal migration which is among the HIV epidemic drivers.<sup>68</sup> This is

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<sup>66</sup> NSDP, II Report 2018-2022

<sup>67</sup> World Bank, 2017

<sup>68</sup> World Bank, 2017

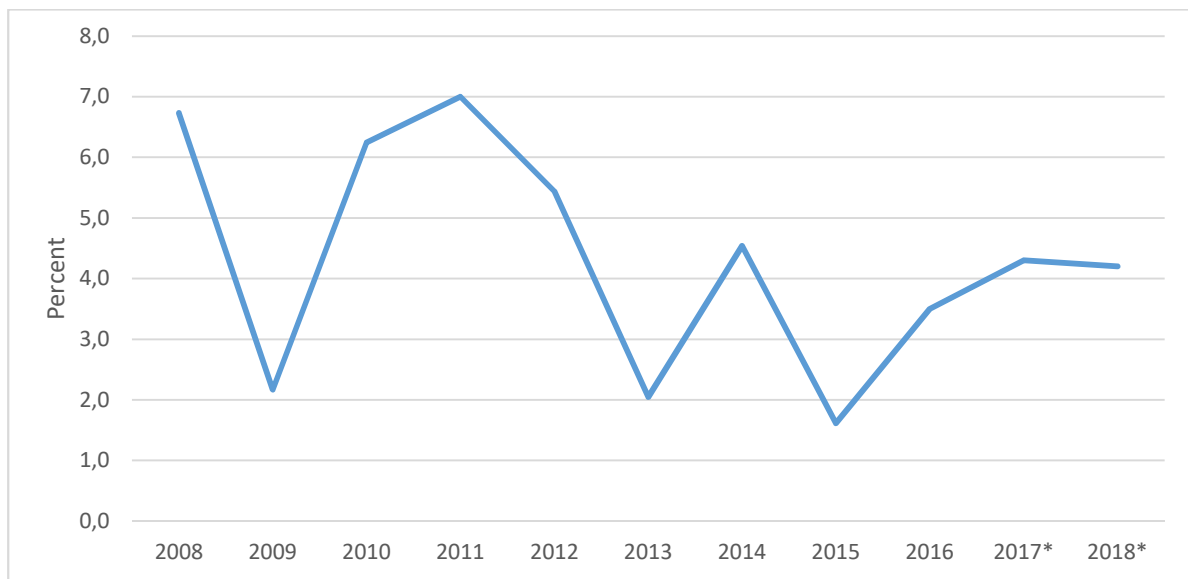
because Lesotho has achieved solid economic growth over the years, but the growth has waned in recent times and it has lacked inclusiveness.

- Real Gross Domestic Product (GDP) is estimated to have grown at an average rate of 4.0% between 1982/83 and 2010/11. For the past five years, the real GDP growth rates fell to an average of 3.4 percent<sup>69</sup> per annum (figure 5). Moreover, this growth has not resulted in a reduction in poverty levels, which remains high and deep. This is a remarkable development, which requires a rethinking of the country's growth model.

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<sup>69</sup> BOS National Accounts

**Figure 1. Annual Growth Rates of Real GDP 2008-2018**



*Source: Bureau of Statistics and Central Bank of Lesotho*

On-going economic reforms support fiscal and macro-economic policies and promote women economic independence, especially among women and other vulnerable groups.

- Labour Code Order of 1992 prohibits discrimination at work place in that section 5 (3) thereof provides that men and women shall receive equal remuneration for work of equal value. Currently the Government of Lesotho through the Ministry of Labour has reviewed the Labour Code Order of 1992 to be consistent with the fundamental Conventions of the International Labour Organization (ILO).
- Labour Code Wages (Amendment) Act 2014 provides for paid maternity leave for workers in the Clothing, Textile and Leather Manufacturing Sectors and provides that an employee who has completed more than one (1) year of continuous service with the same employer in the Textile, Clothing and Leather Manufacturing Industry shall be entitled to receive two (2) weeks paid maternity leave and an employee who has completed more than one (1) year of continuous service with the same employer other than in the Textile, Clothing, and Leather Manufacturing shall be entitled to receive six (6) weeks paid maternity leave. Over and above the maternity leave period, the new mother can be given a nursing hour for the next three (3) to nine (9) months until the baby is six (6) months old or one (1) year old.

- Labour Code Wages (Amendment) Act 2018 Provides for specific minimum wages at equal level for workers in the Clothing and Textile Sector.
- Lesotho does not have specific policies that strengthen gender – responsive active labour market policies. However, the government of Lesotho through the Ministry of Education and Training has programmes which put into consideration the labour market demands which includes awareness raising and training capacity programmes for employers and employees. Sexual Harassment is prohibited under section 200 of the Labour Code Order, 1992. The Ministry of Labour holds annual awareness raising campaigns for employees to educate them on issues of sexual harassment in the workplace.
- The Land Act, 2010, was enacted to facilitate revision of the land tenure system, and also promote women property rights. It aims at ensuring that land allocation is made on the basis of merit and need hence giving women access and control over land as a productive resource. Furthermore, the Act ensures that application is based on specificity and gives women space by specifically making provision for joint title deed for couples married in community of property.
- The Ministry of Gender holds awareness campaigns about land rights focusing on village authorities (Chiefs and community councillors).
- The National Strategic Development Plan (NSDP II 2018/19 – 2022/23) and the 2019/2020 National Budget caters for the prioritization of women and youth and hence the Ministry of Small Business Cooperatives and Marketing gives priority to women and youth. Among the four key priority areas that have been identified to anchor the NSDP II strategic framework is the Promotion of inclusive and sustainable economic growth and private sector-led job creation and one of the mainstreamed themes is gender. It seeks to concern itself with creation of productive employment and growing of the country's wealth in an inclusive and sustainable manner.
- The Central Bank of Lesotho (CBL) has introduced and implemented financial inclusion programmes such as the annual Money Month campaign which was itself inceptioned in 2013 and each year the campaign is being up scaled to even reach rural communities.
- In 2017, the Bank, in collaboration with major stakeholders in the financial sector, continued to promote financial education and literacy in the country. This is the sub-component of the financial inclusion pillar of the FSDS. In particular: a) The now

Money Week Campaign was changed from ‘Money Week’ to ‘Money Month Campaign’ which ensured wider coverage including the District of Mokhotlong; b) Financial education was successfully integrated into Grade 9 curriculum in partnership with the National Curriculum Development Centre of the Ministry of Education and Training.

- The CBL continues to ‘promote a stable financial system’ by enhancing its Financial Stability function. To this effect, the Bank continues to expand its set of macro prudential surveillance indicators (including financial soundness indicators (FSIs)) as well as increase the coverage to include the non-bank sector. This facilitates regular reporting on the financial system stability through quarterly and annual reports.
- Mobile Money through use of Mobile networks – ECONET & Vodacom) and upscaling of insurance by both mobiles and banks as a way of meeting needs of vulnerable groups who could otherwise not afford formal financial services. Shoprite mobile which is even cross border, this provides security for beneficiaries and minimises corruption.
- Ministry of Labour has a descent work country program 2012-2017. In 2018 a consultant was engaged to assess and evaluate impact of the program. It is intended to facilitate social inclusion of all sectors in society.
- In order to broaden access to finance the Government of Lesotho conducted the FinScope MSME Survey in Lesotho in 2016 to: assess the size and scope of micro, small, and medium enterprises in Lesotho; describe the levels and landscape of access to financial products and services to identify the most binding constraints to MSMEs development and growth with a focus on access to financial markets; identify and describe different market segments with specific development needs in order to stimulate segment related innovation; propose recommendations regarding financial assistance to MSMEs and financial policies; and assist with the development of future policy regarding the MSME sector. This study, findings are being disseminated.
- The Government of Lesotho offers entrepreneurial skills and training on agri-business (from production technologies to sales) for women. It trains women on soft furnishing, which entails sewing of cushions, cord sets and other decorating items as well as on the recycling of old pamphlets and posters to produce neck pieces and ear rings.
- VCL has launched an entrepreneurship program in 2018 targeting youth on building their capacity to start small businesses

## **G. WOMEN IN POWER AND DECISION-MAKING**

- Lesotho has ratified the SADC Gender and Development Protocol which mandates State parties to ensure equal and effective representation of women in decision – making position in the political, public and private sectors including through the use of social measures as provided for in Article 5.<sup>70</sup>
- In the last decade, women gain direct access to economic resources and the ability to make decisions either independently or jointly with their husbands on the use of their earnings is 95% according to 2014 LDHS Report. The shows that 65% of currently married women make decisions, either alone or jointly, about their own health care, whether to visit their families and relatives, and major household purchases.<sup>71</sup> This can be attributed to the Legal capacity of Married Persons Act of 2006 which abolished marital power and made women equal partners with their husbands. The successes can also be attributed to multiple efforts of women’s rights advocacy conducted by stakeholders in the women’s rights movement and the Ministry of Gender.
- Lesotho Electoral Commission promotes women and persons with disability participation by holding meetings and workshops specifically targeting women and people with disability as well as youth. There are also information pamphlets which are distributed to dissemination information of gender equality and empowerment of women in all electoral processes. IEC has completed development of Gender and Social Inclusion Policy which covers issues of gender equality.
- The 2017 electorate population scored 1, 253, 421 compared to 1, 210, 828 and 1, 127, 980 in 2015 and 2012 registration electors respectively.
- Comparison of the past two snap elections by gender shows that 675, 472 females compared to 535, 356 males registered for elections in 2015 while in 2017 it was 697, 042 females versus 556, 379 males.
- Women’s political participation in decision making positions remain low in Lesotho. For example, out of 1, 116 nominated candidates in the 2015 National Assembly elections, only 343 were females compared to 773 of male, while in 2017, it was 786 males compared to 326 females of 1, 112 nominated candidates.<sup>72</sup> Table 2 below

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<sup>70</sup> Gender Links, 2018. SADC Gender Protocol Barometer

<sup>71</sup> LDHDS, 214

<sup>72</sup> IEC, 2019

illustrates women's participation during the past three (3) National Assembly snap elections;

**Table 2: Comparison of National Assembly Elections**

| National Assembly Elections | Registered Electors aged 18+ |          |          | Registered and unregistered aged+ Base Census 2006 |
|-----------------------------|------------------------------|----------|----------|--|
|                             | Total Population             | Female   | Male     |  |
| 2012                        | 1, 127, 980                  |          |          | 1, 153, 529  |
| 2015                        | 1, 210, 828                  | 675, 472 | 535, 356 | 1, 153, 529  |
| 2017                        | 1, 253, 421                  | 697, 042 | 556, 379 | 1, 153, 529  |

Source: IEC, 2019



## **H. INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN**

- Lesotho has moved to the direction of adopting strategies and policies in line with the Paris Principles on the Status and Functioning of National Institutions for the Protection and Promotion of Human Rights.
- In 2002, the Ministry of Gender, Youth, Sports and Recreation (MGYSR), was established as a gender machinery to promote and coordinate gender equality and protect the rights of women.
- Gender and Development Policy 2018-2030 sets the gender machinery and the same policy covered all the critical areas of concern in the Beijing Platform for Action and its Declaration.
- There are strategic institutional mechanisms for ensuring advancement of women coordinated by the Department of Gender. For instance, The Gender Technical Committee (GTC) made up of Gender Focal Points (GFP) from line Ministries and representatives of NGOs. The mandate of the GTC is to advice on the implementation of the policy. The Women Parliamentary Caucus which is focal in sensitizing policy makers on current and emerging gender issues.
- Under Lesotho Council of Women, there is the Women and Children's Commission whose mandate is to coordinate civil society organisations on women empowerment and advancement in line with international ad regional instruments that Lesotho is party to.
- The Independent Electoral Commission Gender and Social Inclusion Policy, 2018
  - Introduces the following:
- Special campaign funding budget for women and people with disabilities;
- Legal and regulatory reforms aimed at removing barriers that limit women from getting to decision making positions (Party registration with IEC-requirement for clear strategies on gender equality and empowerment of women)
- Regular research on equal representation and effective participation of women and men in electoral processes;
- Review of Lesotho's electoral model
- The Human Rights Commission was enacted in 2018 though not operational. There is no Human rights commission yet.

## I. HUMAN RIGHTS OF WOMEN

- Women's empowerment and gender equality and the elimination of discrimination against women is a constitutional imperative in Lesotho. Section 18 of the Constitution of Lesotho prohibits discrimination on a number of grounds including gender, sex, race, age, religion... and any other status. The Constitution further acts as the normative foundation for the advancement of women's rights in the country with several pieces of legislation providing the building blocks.
- After 1993 the principle of *equality* influenced policy formulation in development related areas such as access to economic resources, water, protection of fundamental human rights and public works programmes as well as significant increase in women's representation in decision-making positions in the state, private sector, political parties and all aspects of life.
- Furthermore, Lesotho is a signatory to a range of international, continental and regional instruments that inform equality, empowerment of women, promotion of women's rights and dignity as well as protecting children's rights. Among them are the following:
  - The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa
  - The African Charter on the Rights and Welfare of the Child
  - The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
  - The UN Convention on the Rights of the Child was ratified by South Africa in 2000 and the country is finalizing its report for submission to the United Nations on the Rights of the Child
- Despite the positive improvements and developments several challenges and obstacles still persist. It has been acknowledged that there should be better enforcement of the legislation safeguarding women's rights through awareness raising programmes specialized training of relevant, professionals as well as the strengthening of the institutional and legislative frameworks in particular through the use of additional human, and, financial, resources.
- Another challenge which remains concerns issues of perception and mentality as it is often very difficult to change people's perceptions and the stereotypes they may already have about gender. These are often firmly entrenched in the society. Such stereotypes

affect critical areas such as the pay gap between men and women, the multiple roles that women are expected to have and which prevent or hinder them from pursuing a political and occupational career as well as the absence of women from high ranking posts such as those that might be obtained in Parliament.

## J. WOMEN AND THE MEDIA

- Media remains the important tool in shaping society and its views. The media in Lesotho is no exception coming into effect of the Beijing Platform for Action, efforts have been made to increase the levels for gender equality in the media as well as how to portray women (as leaders, consumers of news and citizens) in non-stereotypical ways. The development of new forms of media and information technologies has also been an important development in terms of empowerment. Since the coming into effect of the Beijing Platform for Action, efforts have been made to increase the levels of gender awareness among media practitioners with a view to raising their levels of appreciation of the need for gender equality in the media as well as how to portray women (as leaders, consumers of news and citizens) in non-stereotypical ways.
- The development of new forms of media and information technologies has also been an important development in terms of the variety of media available to citizens. Statistics show that the technologies like the mobile phone have made media more accessible to women and men alike, with about 86% of Basotho having access to it<sup>73</sup>. Mobile phones serve both as means of communication but also as information sharing platforms, thus complementing existing forms of media in terms of availing information to women.
- Overall 7% and 8% of women and men respectively have access to any media of information source. Radio is the most accessed form of media with 60% of females accessing it compared to 56% of males. On the other hand, newspapers are accessed equally by males and females at 16%. 36 % of men have no access to any form of media compared to 34% of women, while television is accessed by 29% of women and 28% of men respectively.<sup>74</sup>
- Increase the participation and access of women to expression and here have been some positive developments in the field of representation of women in the media with more women participating in the media at various levels. Although women journalists formed just 25.9% in in early 90s their participation in recent years has reached 43.6%. The, Global Media Monitoring Report of 2016 also reports that women are nearly invisible in the media in Lesotho.

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<sup>73</sup> Misa Report 2019

<sup>74</sup> DHS, 2014

- The gender profile of presenter’s announcers and reporters across the range of media shows that no equitable profile exists across gender<sup>75</sup>. The survey revealed that the majority of presenters in all the mediums monitored are men (60%). Although, women constitute 73% of radio announcers they are less represented on television with a presence of only 36%. Men also report more frequently on Celebrity, Arts, Media and Sports topics (79%). This makes it even more vital for the public to demand a fairer representation of men and women in the news and for the media to adopt a non-sexist representation of men and women as a publication/broadcast policy. Accessing information through the media means that people can have access to information on important issues such as messages on gender equality and women empowerment awareness and campaigns.
- The Lesotho 2018 – 2030 Gender and Development Policy acknowledges urgent need for eliminating, gender and social stereotypes and traditional perceptions of men and women and their roles in society. It also foresees measures to engage the media more effectively in promoting women’s issues including systematic research on how the media represents women in their programmes and lobbying for the introduction of specific programmes on, the radio and television that will promote women’s issues<sup>76</sup>.

**Table 3: Gender and Development Policy General Scope**

| Strategic Objective   | Actions taken since 2014  | Implementation  |
|---|---|---|
| Increase the participation and access of women to expression of decision making in and through the media and new technologies of communication. | The recently adopted National Gender Policy seeks to address this through provisions for engender the media<br>There has been slow implementation   | There has been slow implementation of increasing women leadership in the media  |
| Integrate gender concerns and perspectives and programmes for sustainable   | National Gender Policy seeks to address this through provisions for engendering the media. Secondly, Media is one of the thematic areas that are currently being looked into under the reforms process and women’s voices and gender agenda should be very clearly stipulated | The government in partnership with Civil Society Organizations continue to encourage non-stereotypical portrayal of the women in media through training journalists and engagement of editors |

<sup>75</sup>

<sup>76</sup>Gender and Development Policy 2018- 2030

- The media remains male dominated in terms of leadership and ownership. Few of the major newspapers are owned by women. In addition, most of the media do not seem to have gender policies that govern the way they operate or their staff. Another challenge is that the media, especially in the print is still inaccessible to the greater part of the population as a result of cost, and in some instances the failure by service providers to reach certain parts of the country. A disturbing trend however has been the use of the ICTs to perpetuate discrimination against women, particularly among young people who use ICT to portray women as objects.

## K. WOMEN AND THE ENVIRONMENT

- Lesotho's economy is based on agriculture and the utilization of natural resources and minerals. Lesotho has experienced drought in 2018/19 agriculture season impacting current food security situation. The vulnerability assessment indicates a decrease in food insecure population from 679,437 in 2016 to 224,664 in 2017/18. Access to sanitation shows that at least 46% of households were using pit latrines (non VIP), 37% Ventilated Pit latrine, 15% household's open defaecation (bush) as their toilet facility while the remaining proportion either use flush or public toilets.<sup>77</sup> The report further indicates that approximately 86% of women, girls, men and boys feel safe when using WASH facilities at all hours of the day and night.
- In addition, Lesotho is a country that still relies heavily on the natural resources for water, food and general livelihoods. This makes the subject of environment management important, and has informed the policy framework that Lesotho has put in place to support protection of the environment. Statistics already show that the majority of those living in rural areas and likely to rely on natural resources are women who also bear the responsibility of finding water and firewood<sup>78</sup>.
- This has resulted in several community level initiatives to protect the environment wherein women participate in decision making. Lesotho remains committed to ensuring a clean environment, and has managed to maintain a low deforestation rate of just 1.5%<sup>79</sup>. Lesotho remains committed to the international community interventions on environment management and climate change, having ratified all the major conventions and protocols. A major challenge in this area is inadequate data and information on the environmental changes on women and their livelihood. The impact of global warming has not been properly analyzed in relation to women in Lesotho.

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<sup>77</sup> LVAC Rapid Assessment and Analysis Report, 2019

<sup>78</sup> Ibid

<sup>79</sup> Ibid

**Table 5: Women and Media**

| Strategic Objective   | Actions take since 2014   | Implementation  |
|---|---|---|
| Involve women in environmental decisions in all levels  | The 2018 Gender and development policy has included environment as a key areas of intervention  | Though the policy has just been adopted, at local level where communities are taking responsibility on environmental management, women do participate in decision making. |
| Integrate gender concerns and perspectives and programmes for sustainable   | The various policies and development strategies by government are in place such as Mining Policy, Water Policy and NSDP 2 through they do not clearly incorporate gender concerns | Efforts have been made to mainstream gender into sustainable development and environment management programmes though implementation of gender components are too minimal |
| Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of developmental policies on women | Some pilot studies have been conducted to establish the relation between gender and environment   | Lesotho continues to participate in the regional and international initiatives to manage environmental degradation and climate change                                     |

- Specific initiatives to address climate change issues for children were undertaken with partners. In an effort to reduce the country’s emissions contributing to climate change, solar-powered water systems were constructed to provide safe water for a community in Berea district. UNICEF Lesotho put in place a tracking system for all vehicles in a bid to reduce irregular use of vehicles, promote carpooling with UNDP and UNFPA to reduce the carbon footprint. The volume of documents printed and photocopied was reduced by 27% projecting information that is required for meetings onto a screen and by staff using their laptops in meetings.<sup>80</sup>
- UNICEF Lesotho, in partnership with MOH and Catholic Relief Services, reached approximately 12,295 households (61,475 beneficiaries) with safe drinking water through distribution of water purification tablets and flocculants. This exercise was coupled with hygiene education reaching 132,208 people (67 per cent female) with messaging on handwashing, nutrition, living in clean environments and reducing open defecation. Protection issues were addressed through the Child and Gender Protection Units (CGPU), reaching an estimated 160 girls and boys (91 % girls).<sup>81</sup>
- Working for Land and Wetlands Project- Working for Land in partnership with UNDP and NGOs such as Grow Mokhotlong. It is meant for communal farmers and

<sup>80</sup> UNICEF Annual Report 2016

<sup>81</sup> Ibid



community leaders to prevent and continuously control natural resources so as to mitigate bush encroachment/thickening and loss of top soil. This programme also created employment opportunities and socio-economic benefits for the local residents and thus making the necessary contribution to the Expanded Public Works Programme (EPWP). The Special Public Works Programme includes the targets of 60% women, 20% youth and 2% disability. It forms part of the government's Expanded Public Works Programme, which seeks to draw unemployed people into the productive sector of the economy.

- However, a lot more needs to be done to implicate women in sustainable development, policies and programmes or to involve them in environmental decision making. Some obstacles still remain. There is a lack of public awareness about environmental risks and problems and environmental policies and programmes lack a gender perspective failing to take into account women's roles and contributions to environmental sustainability

## L. THE GIRL-CHILD

- In Lesotho children are defined by BoS as those between the ages of 5-14 and comprise 33.1% of the total population.<sup>82</sup>
- The Children's Protection and Welfare Act 2011 currently under review takes into account the gender dimension and thus pays special attention to the social and economic protection of the girl child especially against risk of infectious diseases, violence and abuse.<sup>83</sup> The Land Act of 2010 entitles the girl child to hold title under guardianship of her parents/guardians on the same footing as the boy child.
- The National Adolescent Sexual and Reproductive Health and Rights Framework Strategy developed by Government seek to provide an integrated action guide on adolescent sexual and reproductive health and rights to stakeholders in the country.
- The Strategy is based on five key priority areas: (i) increased coordination, collaboration. Information and knowledge sharing amongst stakeholders; (ii) developing innovative approaches to comprehensive sexual and reproductive health and rights information, education and counselling for adolescents; (iii) strengthening adolescent sexual and reproductive health and rights service delivery and support on various health concerns; (iv) creating effective community supportive networks for adolescents; and (v) formulating evidence based revisions of legislation, policies, strategies and guidelines on adolescence sexual and reproductive health and rights.
- The intended outcomes of the Strategy are meant to equip adolescents of both particularly girls with a sense of inner-belief, self- and mutual respect and build their skills and capacity to make, and take, better decisions on sexual and reproductive health matters concerning them. The strategy aims to also increase their access to these services and information and to enable them to feel free to do so. In addition, the Strategy aims to address family and community role in this regard by building supportive networks for adolescents and enabling active involvement of family and community leaders in initiatives that address adolescent sexual and reproductive health and rights challenges. The Strategy seeks to attain its intended outcomes through increased collaboration amongst stakeholders including greater collaboration between government and civil society organisations

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<sup>82</sup> BoS, 2017

<sup>83</sup> *Ibid*

- Additionally, at the age of 12 schools, and health services offer a series of lectures designed to inform girls about puberty issues. At the age of 15 teachers on sexual education and reproductive health as well as information on HIV/AIDS are offered. The Ministry of Health in cooperation with the Ministry of Education has introduced, various programmes of sex education in the school curricula. School programmes are also offered on the role of domestic violence. Schools and the media have also tried to raise the girl child's awareness, of and participation in social economic and political life.
- There are a number of initiatives – often ad hoc and not always consistently implemented – to build girl learners' mathematics and science abilities, and to encourage their entry into SET fields. More often than not, the initiatives take the form of girls' camps to create an environment that allows for intensive engagement with science and maths concepts. Such Girls' camps are run by mostly civil society organisations working in collaboration with the Ministry of Social Development. The education sector camps are often implemented in partnership with initiatives such as Help Lesotho through and UN agencies under Global Girls Education Programme.
- The introduction of the Child Parliament and junior local authorities, where gender equality in leadership is encouraged and exercised has seen an increase in the number of girls participating in social and political life.
- The child marriage campaign which was launched by Ministry of Social Development and CSO organisations such as World Vision, WLSA, FIDA and Help Lesotho in 2018 followed by a number of sensitization around this issue has also contributed a lot towards the girls' confidence to refuse marriage at an early age. WLSA has also conducted a research and produced an article on child marriage which recommends shadow legislative provisions against child marriages.
- There are also advocacy campaigns, lobbying and dialogues between CSOs and Parliamentarian Social Cluster of SRHR for harmonisation of both marriage and inheritance laws Pushing for minimum age of marriage to 18 years and equal inheritance rights for both girls and boys respectively. The risk of early marriages is intense in the rural mountain areas where it is reported that 19% of young girls get before the age of 18.<sup>84</sup>

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<sup>84</sup> UNICEF Report, 2016. Child Marriage Campaign

- Girls remain vulnerable to abuse both in the home and in public spaces due to deep seated cultural and religious practices. Thus for example girls find themselves being the first ones forced to drop out of school during times of economic distress. Further, girls are the ones that are likely to also drop out of school to take care of sick parents/guardians or to look after siblings in the event of the death of parents/guardians. The increase in poverty means that despite the positive steps made in providing education and an enabling environment for girls to grow up, girls are still vulnerable to discrimination and exclusion especially on the right to inheritance.
- Although Sexual Offenses Act 2003 protects all children from all form of sexual abuse, including, economic exploitation, trafficking, violence & sexual abuse the duality of laws still exposes them to other forms of GBV such as child marriages.
- Since the explosion in the use of information technology and due to the fact that nearly all children between the ages of 12 and 18 own a phone there have certain concerns regarding exposure to Internet content the ethical use of mobile phones and internet safety. As a result, ongoing discussions to the extent of identifying a specialized NGO that offers services such as helplines hotlines and Internet awareness are almost finalised.

### **SECTION III: DATA AND STATISTICS**

- Bureau of Statistics Lesotho collects gender disaggregated data on a number of issues, including, economic activities, education, poverty, employment, health and other issues. Government departments also collect different administrative data and also conduct surveys and research on different issues. Local and international NGOs conduct research on different gender specific research on areas in Lesotho.
- The responsibility of collecting data is not located within one entity. There are different sources of data for monitoring gender equality which include; Administrative data, surveys and census. Even within government, there are many other sources. In particular, many government agencies have administrative data that are analysed to determine issues regarding access of women, men, girls and boys to the various services delivered by government. For example, the agriculture sector is expected to provide information on access to farms by rural women etc.
- The greatest challenge in tracking implementation of gender equality in Lesotho has been the difficulty in establishing national indicators for monitoring progress due to lack of adequate data and statistics. An additional challenge relates to the fact that the responsibility to collect data related to implementation of the Beijing Platform for Action remains unknown. While civil society organizations attempt to collect gender disaggregated data, in the specific areas that they operate in, there is generally no national level responsibility for the collection of data on implementation of the Beijing Platform for Action as a whole. The national statistics body, Bureau of Statistics collects data at the national level, however this generic data is not tailored to respond to the questions related to implementation of the BPA.
- Efforts are underway to develop gender specific data collection tools, as evidenced in the indicators developed for implementation of the newly revised Gender and Development Policy. While the indicators may not meet the detailed format of the “Minimum Set of Gender Indicators”, a significant number of issues provided for in the Minimum Set of Indicators are actually covered under the indicators for the implementation of the revised Gender and Development Policy. The current policy provides for a set of indicators to monitor the eight critical areas it focuses on, but again

the responsibility for data collection is left with Bureau of Statistics and other research institutions.

- Statistics related to rural women, women living with HIV and AIDS are available through Bureau of Statistics as the institutions collects data on a variety of issues. Further, since the advent of the land reform programme in Lesotho together with the requirements of MDGs, data on rural women may be available from Bureau of Statistics. In addition, given the priority that the government of Lesotho has placed on HIV and AIDS, sex-disaggregated data on HIV/AIDS, specifically reflecting the national figures on women living with HIV and AIDS is available from Bureau of Statistics. The national data on HIV/AIDS is being collected and systematized for broader national presentation by the responsible institutions i.e. Ministry of Health and the National Aids Commission via Health Management Information System.
- Over the years, partnership by the Ministry of Gender, Youth, Sport and Recreation with UN and other development partners have filled in gaps in areas such as violence against women and girls though with not intensive efforts to in order to bring the intended results.
- There are opportunities to strengthen data collection on women and girls through the existing surveys and reports such as the DHS, the household surveys and the VAC. The men and women report produced by Bureau of Statistics relies on already collected data from other surveys. The Ministry of Gender, Youth, Sport and Recreation intends, over the next years, to strengthen its collaboration and work with Bureau of Statistics to identify gaps in gender data and influence surveys by the Ministry so that they cover these gaps. In addition, specific surveys to address each of the critical areas for better analysis of progress in each of the critical areas will be undertaken under this collaboration.
- Mainstreaming of gender in statistics and data collections remains a commitment of the MGYSR and this is part of its strategy of monitoring other government departments' performance in meeting gender equality obligations in terms of the new gender policy, other regional and international commitments that Lesotho has acceded to.

## SECTION IV: EMERGING PRIORITIES

Acceleration of the implementation of the Beijing Declaration and Platform for action in the next five years for Lesotho is critical given the challenges and numerous gaps noted in this report. Key priorities therefore will not focus on the critical areas of concern alone, but also on administrative arrangements to facilitate better tracking and monitoring of implementation of gender equality and empowerment.

### I. CRITICAL AREAS OF CONCERN

#### a) Gender responsive budgeting

Since the advent of constitutional democracy, Lesotho has implemented various measures that seek to ensure financing for women's empowerment at all levels of government. This has entailed the integration of gender considerations in the preparation and implementation of the national and other budgets to become responsive to the needs of women. The process also seeks to ensure that where possible, resources are deployed as a positive measure to equalize opportunities between men and women. While many challenges were experienced with respect to the full implementation of gender responsive budgeting in Lesotho, it has been noted that this can be achieved by;

### II. AT NATIONAL AND DISTRICTS LEVEL GOVERNMENT SHOULD:

- ❖ Run gender budgeting pilots in a few Ministries first and evaluate results before wider application. These pilots could be linked to ensuring gender disaggregated data for key conditional grants as part of the grant framework;
- ❖ Ensure Ministries institutionalise gender planning by sector (e.g. water, energy, and sanitation, LED etc.) and include gender disaggregated performance indicators and targets;
- ❖ Provide gender budgeting good practice guides and toolkits; and
- ❖ Provide guidelines for collecting sex-disaggregated data for budgeting processes and ensure that ministries have the capacity to analyse budgets from a gender perspective.

#### While the local government should:

- ❖ Institutionalise gender-responsive budgeting process linked to District Plans;
- ❖ Build capacity for gender mainstreaming and Community Council level;
- ❖ Ensure gender-responsive appropriations and budget allocations; and

❖ Ensure gender-sensitive public participation and consultations at local level.

**a) Gender, Constitutional and Legal Rights**

The focus here would be on aligning the laws with new emerging issues mostly Sexual orientation, diversity & identities as well as raising awareness on the provisions of the newly enacted laws and the rights that the laws provides for women.

**b) Gender and Economic Empowerment**

This would focus on increasing women's capacity to meaningfully participate in economic activity. This would cover issues such as access to credit and the means of production such as land. It may also be necessary to put in place a policy framework for women's participation in the economy both in terms of the formal and informal sectors.

**c) Gender, Politics and Decision Making**

Women in Lesotho remain under represented in political, economic and other forms of decision making. It is therefore important to fully implement the proposed affirmative action provisions in the upcoming National Reforms to increase the numbers of women in decision making, including encouraging more women to seek political leadership.

**d) Gender Based Violence**

Given the high incidences of GBV in its forms especially sexual abuse and trafficking in persons in Lesotho currently, focus should now be on addressing the causes and ways to eliminate violence against women and girls, with a specific focus on implementation of preventive laws and programmes to change practices and attitudes.

**e) Gender and Climate Change**

There is inadequate information on women and the adaptation to different climate change diversities; therefore, focus should be on demystifying environment management and climate change, the creation of gender sensitive policies and enhancement of participation by women in matters related to management of the environment.

**f) Gender, Media and ICTS**

There is still a great need to change the stereotypical presentation of women in the media and ICT. This will require gender mainstreaming in the media institutions themselves, as well as enhancing women's access to new forms of media and ICTs. Further there is need to harness the power and potential of media and technology for the advancement of women's rights.



These seven areas will need specific focus, given that performance and implementation in the period under review has failed to meet most of the actions that should have been taken. The major limitation to the implementation of the critical areas has been the inadequacy of resources. Therefore, these identified areas will succeed on the back of adequate financial and other support. It is imperative therefore that there is support for the national machinery to implement these critical areas. The collaboration and support of women NGOs and other stakeholders cannot be over-emphasized.

### **III. ADMINISTRATIVE ARRANGEMENTS**

One of the greatest challenges of monitoring and providing a comprehensive and fair assessment of implementation of the Beijing Declaration and Platform for Action has been the gaps in terms of information and data. It is therefore important that in implementing the now identified priority areas, the following be taken into account;

#### **a) Research**

The current analysis of implementation of the critical areas is in most cases without baseline information. Even where there is baseline information, there are no further mechanisms to continue action research in implementation of the critical areas. Further in most of the critical areas due to capacity and resource constraints, most of the research required to be undertaken was not done. Thus in the next phase, research will be a key component of implementing the Beijing Declaration and Platform for Action.

#### **b) Data Collection**

Data collection for implementation of the Beijing Declaration and Platform for Action was not assigned to MGYSR. Bureau of Statistics in Lesotho was thus supposed to mainstream gender and provide gender disaggregated data on the critical areas but this did not happen. Thus in the next phase, there will be development of both indicators and a system for data collection that makes data on implementation of the Beijing Declaration and Platform for Action readily accessible and available. The MGYSR will work closely with Bureau of Statistics on this.

#### **c) Knowledge Management System**

In addition to inaccessibility of data, a major challenge with assessing implementation of Beijing Declaration and Platform for Action has been the fact that significant amounts of strategic information are just not readily available. Further, where the information is available, it is fragmented and scattered. For example, it is difficult to give the information on women

and the economy, despite the presence of anecdotal data that shows the poor participation of women. In the next phase, it is imperative that there be collation of all the data relating to gender equality and empowerment under the coordination of the MGYSR.

**iv. Violence against women indicators:** The violence against women indicators proposed for monitoring implementation of management of violence against women have not been utilized. Adoption of those indicators would go a long way in beginning to address some of the gaps in information currently available on violence against women in terms of implementation of the Beijing Declaration and Platform for Action and enhancing the prevention and management mechanisms currently in place.

#### IV. PRIORITIES AND RECOMMENDATIONS

Gender equality and women empowerment remain critical and relevant to any meaningful discussion on development. There can be no development without the participation of women, and the participation of women should not be an add-on, but should be at the core of discussions on development. The participation of women in development is dependent on their freedom from violence, their ability to speak and be heard and their access to resources and opportunities equally with men. Outside of this, there can be sustainable development and thus the key recommendation is that there is need to sustain the implementation of the Beijing Declaration and Platform for Action at the international and local levels. The Government remains committed to supporting the country level plans of action towards achieving gender equality and women empowerment. In particular;

- **Mainstream gender equality and the empowerment of women into development policies, programmes, projects, budgets (GRB), plans and activities.** Under the NSDP II gender is mainstreamed in all the four key priority areas that anchor the its Strategic Framework and has been highlighted as crucial for the realization of inclusive growth in Lesotho. The NSDP II are: i) Promoting inclusive and sustainable economic growth and private sector-led job creation; ii) Strengthening human capital (health, nutrition, education & skills development); iii) Building enabling infrastructure; and iv) Strengthening governance and accountability systems.
- **Advocate for gender responsive social norms, values, behaviors and practices.** Women and girls continue to experience and face multiple discriminations in different spheres of their lives influenced by these social norms, values, behaviours and practices. For example, this includes young women; differently-abled women; women living with HIV, economically marginalized rural and urban women; sex workers and lesbian, bisexual and transgender women.
- **Promote women's economic rights in relation to full control over productive resources: Land, Livestock, Inheritance (LLI) and natural resources (i.e. wells/springs, mines, mountains).** The continued women's economic disempowerment – which manifests in the high levels of feminized poverty, proliferation of women in care and other unprotected work spaces, especially in the informal economic sector, domestic work, agriculture among other care type economic

activities cannot be ignored. The country will ensure that strategic programmes, policies and laws that respond to women's access to economic justice are in place.

- **Promote inclusive and gender responsive governance cognizant of the fact that elections are in 2022.** Noting that women's representation in both local and national governments has decreased in the past elections<sup>85</sup>, there is need to embark on other strategic approaches that will ensure a fair representation and participation of women and men in public life, including in leadership public and private sector positions.
- **Prevent violence against women and girls as well as child marriage through a coordinated multi-Sectoral and integrated response.** Ministry of Social Development, in collaboration with UNICEF, and other civil society organisations such as World Vision, WLSA and FIDA launched a child marriage campaign in 2016. The Ministry is currently reviewing the Children's Protection and Welfare Act of 2010 to include issues of child marriage and set minimum age at 18 years for both boys and girls.

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<sup>85</sup> National Assembly Elections (July 2017) & Local Government Elections (October 2017)

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