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| UNIVERSAL PERIODIC REVIEW 0F the kingdom of LESOTHO  3rd CYCLE MID-TERM REPORTING | **MID-TERM PROGRESS REPORT BY THE KINGDOM OF LESOTHO ON ITS IMPLEMENTATION OF RECOMMENDATIONS MADE ON 22 JANUARY 2020** |

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# **INTRODUCTION:**

The Kingdom of Lesotho was reviewed by the Universal Periodic Review (UPR) Working Group 35 in January 2020. It received 211 recommendations and supported 168 recommendations at the adoption of its UPR outcome at the Human Rights Council 45, in September 2020. Supported recommendations related to: ratification and domestication of treaties, cooperation with treaty bodies, establishment of a National Human Rights Commission, human rights promotion, human rights training, rights of the child, poverty eradication, combating HIV/Aids, gender-based violence, access to justice, health rights, human trafficking, non-discrimination, right to education, water and sanitation.

# **ACKNOWLEDGEMENTS**

The Government of Lesotho acknowledges profoundly the meaningful contributions made by members of the National Mechanism for Reporting and Follow-up (NMRF) which was established and approved by the Cabinet in August 2021 to facilitate the implementation and reporting process of human rights recommendations. We further wish to acknowledge contributions made by government ministries, departments and agencies as well as Civil Society Organisations in the development of this implementation matrix for the 3rd Cycle mid-term review of the Universal Periodic Review Recommendations. Indeed, without their valuable input this work would have been impossible.

The Government further acknowledges the technical and financial support provided by the United Nations Office of the High Commissioner for Human Rights (OHCHR) and other development partners, as well as private sector partners for making this valuable undertaking a success geared at effectively promoting and protecting human rights in Lesotho.

# **ABBREVIATIONS:**

**ICCPR** International Convention on Civil and Political Rights

**CAT** Convention Against Torture

**NMRF** National Mechanism for Reporting and Follow-up

**UNOHCHR** United Nations Office of High Commissioner for Human Rights

**NGOs** Non-Governmental Organisations

**IOM** International Organisation for Migration

**NCC** National Consultative Committee

**SDG** Sustainable Development Goals

**NSDP** National Strategic Development Plan

**DCEO** Directorate on Corruption and Economic Offences

**CSOs** Civil Society Organisations

**LNFOD** Lesotho National Federation of Organisations of the Disabled

**SRHR** Sexual Reproductive Health Rights

**PMTCT** Prevention from Mother to Child Transmission

**UNFPA** United Nations Population Fund

**UPR** Universal Periodic Review

**UNICEF** United Nations children’s Fund

**IAEAI** International Atomic Energy Agency

**LNDC** Lesotho National Development Corporation

**IMPLEMENTATION MATRIX:**

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| **UNIVERSAL PERIODIC REVIEW – THIRD CYCLE**  **A mid-term report on the implementation of the recommendations by the Government of Lesotho** | | | | | | |
| **FULLY IMPLEMENTED** | | | | **PARTIALLY IMPLEMENTED** | **NO MEASURES TAKEN** | |
| **ACCEPTED RECOMMENDATIONS** | | | | | | |
| **RECOMMENDATION** | | **MINISTRY** | **IMPLEMENTATION MEASURES** | | | **STATUS** |
| 110.3  110.40  110.1  110.8  110.6 | Submit reports to the different human rights treaty bodies in a timely fashion (Mozambique);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Response to list of issues on the International Convention on Civil and Political Rights (ICCPR) was submitted in April 2020. Examination or presentation will be done in June 2023. * Finalization of periodic report on CEDAW is underway. * List of issues on Convention Against Torture (CAT) not yet submitted. | | |  |
| 110.4 | Continue its efforts to convey as soon as possible its periodic report on commitments generated by international human rights instruments (Senegal);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | Please see reply to recommendations 110.3, 110.40, 110.1, 110.8 and 110.6 | | |  |
| 110.5  110.10  110.31  110.45 | Establish a mechanism to ensure timely reporting and follow-up on the implementation of recommendations from the various treaty bodies (Sierra Leone);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Lesotho’s National Mechanism for Reporting and Follow-up (NMRF) was established and approved by Cabinet in August 2021. The Ministry of Law and Justice is the chair and it is composed by line Ministries. Others will be co-opted as and when the need arises. | | |  |
| 110.7 | Adopt an open, merit-based process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Foreign Affairs | * The recruitment procedure still remains the same | | |  |
| 110.35 | Fully comply with the State’s obligations under international human rights instruments to which it is a party, including by timely submission of periodic reports to the respective treaty bodies and domestication of its human rights obligations (Ukraine);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice, Ministry of Foreign Affairs | Please see reply to recommendations110.5, 110.10,110.31 and 110.45   * In May 2022 Government of Lesotho submitted 3rd periodic review report on the UN Convention on the Rights of the Child | | |  |
| 110.14  110.12  110.13  110.15  110.16  110.17  110.18  110.20  110.22  110.23  110.25  110.26  110.27  110.28  110.30  110.33  110.34  110.37  110.38  110.39  110.41  110.42  110.40  110.43  110.44  110.48  110.49  110.50  110.51 | Consider the immediate operationalization of the National Human Rights Commission in line with the Paris Principles, as well as the possibility of bilateral and cross-regional exchanges and collaboration with other national human rights institutions (Indonesia);  **Source of Position:** A/HRC/44/8 - Para.110 | Parliament, Ministry of Law and justice | * The Human Rights Commission Act 2016 was reviewed with the aim of repealing it. * It has been entrenched in the 11thAmendment to the Constitution Bill 2022 (Omnibus Bill of 2022). * It could not be passed as the tenure of the 10th Parliament came to an end. * Notwithstanding, sensitization and trainings for District Administrator’s, principal and area chiefs, councilors and heads of departments in 3 regions (North, South and Central) on the work and mandate of the Human Rights Commission were implemented. | | |  |
| 110.19 | Endeavour to domesticate the ratified international and regional human rights instruments (Mozambique);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Not much domestication has been done since the last review.However, in December 2022 the Government of Lesothoenacted the Counter Domestic Violence Act of 2022 | | |  |
| 110.79 | Enact legislation on access to information (Seychelles);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Communications | * The 11th Amendment to the Constitution of Lesotho Bill provides for access to information. After its enactment, Access to Information Act shall be enacted to operationalize the Amendment to the Constitution. | | |  |
| 110.110 | Continue legislative measures aimed at ensuring quality and inclusive education (Libya);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Education | * Persons with Disabilities Equity Act No 24 of 2021 was enacted in March 2021 it speaks to the right to inclusive quality Education by persons with disabilities in Line with Inclusive Education Policy 2022. * The Ministry of Education is in the processes of engaging the Parliament of Lesotho to enact non-formal education law intended to regulate non-formally education which is highly inclusive in nature. * The Ministry in currently in the process of identifying stakeholders in non- formal education and is continuing consultations, and has received stakeholder’s inputs on what should be contained in the non-formal education law with already identified stakeholders. * Stakeholder workshops to that effect are already in progress sponsored by the UNOHCHR and some NGO. Stakeholder workshops on formulation ofstrategies towards inclusion of marginalized groups in Education are continuously held so that such strategies would be co-opted in the intended non-formal education law. | | |  |
| 110.9 | Implement recommendations emanating from the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and finalize the draft action plan in this regard (Zimbabwe);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Home Affairs  Ministry of Labour | * Government of Lesotho in addressing issues of migration generally has, through assistance of the International Organisation for Migration (IOM), developed the Lesotho National Migration Policy which addresses the migration and development policy gap by providing a framework for action at the national level. * The Governmentfurther established an inter-ministerial and multi-sectorial body that has an advisory role to government in all aspects of migration issues. This body is called the Lesotho National Consultative Committee on Migration and Development (NCC). * The Government under Ministry of Labour established a special unit dedicated specifically to immigration matters. There is also a child-labour unit and committee on child labour and human trafficking which operates joint inspections with police, labour and immigration officials. * Lesotho Labour Code was reviewed through 2022 Draft Bill to improve a definition of forced labour to ensure that it complies with international standards. * The Government has submitted in November 2022 a report to the regional SADC mechanism on implementation of SADC Labour Migration Policy * Government of Lesotho in December 2022 reviewed the Recruitment Guidelines for recruitment agencies which was benchmarked on the ILO Fair Recruitment and International Organisation for Migration (IOM) Ethical Recruitment. * The Government provided capacity-building for labour officers on migration through short courses with the assistance of the IOM. * Stakeholders sensitisations were conducted on issues of labour exploitation, human trafficking and forced labour. | | |  |
| 110.11 | Consider effective implementation of the National Strategic Development Plans (India);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Planning,  Ministry of Finance | * Government has aligned the Sustainable Development Goals (SDGs) with the National Strategic Development Plan (NSDP) II to ensure effective implementation of both SDGs and NSDP II. | | |  |
| 110.24  110.29 | Continue to undertake reforms for improving policies and programmes geared towards respecting and promoting human rights (Pakistan);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Constitutional reforms were completed in 2022 and generally geared towards promotion and protection of human rights.Reforms are incorporated in the 11thAmendment to the Constitution Bill 2022 (Omnibus Bill). | | |  |
| 110.54  110.59 | Not to relent in its determination to combat corruption and ensure good governance (Nigeria);  **Source of Position:** A/HRC/44/8 - Para.110 | DCEO  Ministry of Law and Justice,  Ministry of Public Service,  Ministry of Police | * A Fully-fledged DCEO with prosecution powers has been provided by the 11th Amendment to the Constitution of LesothoBill (Omnibus Bill). The Bill is still pending in Parliament. When the Omnibus Bill has been passed into law, there shall be new anti-corruption framework which establishes amongst others, steering committees. * Government of Lesotho is working on the establishment of a specialized anti-corruption court. Stakeholders have already established a task team with the leadership of the Registrar of the High Court. | | |  |
| 110.75  110.80 | Continue to strengthen the justice system and other mechanisms to prevent, remedy and ensure accountability for human rights violations, including by adopting measures to assure their administrative and budgetary autonomy (Brazil);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Measures have been taken by the Government of Lesotho to ensure administrative autonomy of the institutions of justice. This has been further strengthened through 11th Amendment to the Constitution of Lesotho 2022 (Omnibus Bill 2022). However, there are no tangible measure to strengthen such institution to have autonomy over their budgets. | | |  |
| 110.32 | Finalize the Older Persons Protection Bill to ensure the protection and promotion of their human rights (South Africa);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Social Development | * There is no progress made yet towards enacting the Older Persons Protection Bill into an Act of Parliament. * Lesotho Policy for Older Persons is still operational in the absence of the Act. | | |  |
| 110.43  110.111  110.113  110.115  110.158  110.165 | … Adoption of the implementation plan for inclusive education and the adoption by Parliament of the draft legislation on equality for persons with disabilities (Benin);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of social Development,  Ministry of Education | * Government of Lesotho enacted Persons with Disabilities Equity Act No 24 of 2021 speaking to equal access to inclusive education by the disabled persons. | | |  |
| 110.47 | Take effective measures to ensure the implementation of the 2018–2028 Gender and Development Policy as a possible way of addressing gender equalities (Botswana);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Gender | * Ministry of Gender supported by UN Agencies developed implementation Plan of the Lesotho Gender and Development Policy 2019-2023. The plan ensures successful progress and delivery of Gender and Development Policy 2018-2030 by identifying outcomes, outputs and activities aimed at accelerationg gender equity and equality. * Sector consultations awere executed with line ministries and institutions of higher learning to mainstream gender into their plans and budgets in line with the strategies outlined in the policy | | |  |
| 110.52  110.118  110.122  110.132  110.140 | Enhance efforts in mitigating the negative effects of practices that could lead to discrimination between men and women (Indonesia);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Gender | * Ministry of Genderhas an HIV/AIDS Coordination Unit which works on prevention of discrimination and stigma of public officers, the unit also engages with CSOS, traditional leaders and the communities to raise awareness on Gender, HIV and AIDS to address issues of stigmatisation and discrimination. * The Ministry also works with LGBTIQ+ on issues of Gender Based Violence and other human rights violations. * The Ministry also works with LNFOD to ensure that issues of disability are mainstreamed. It also works with LNCW to ensure that the elderly are not left behind in developmental efforts. | | |  |
| 110.53 | Adopt norms that will guarantee to lesbian, gay, bisexual, transgender and intersex persons the full enjoyment of their rights on the basis of equality in all spheres, combating discrimination and negative stereotypes that still exist in the society (Argentina);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Gender | * The revised Gender and Development Policy 2018-30 incorporates issues affecting LGBTIQs+ under marginalised groups. * The Ministry collaborates with Organisations for LGBTIQs and such organisations are represented in the Gender Technical Committees. * The Ministry held trainings for LGBTIQ+ Organisations and has sent staff on training on GBV perpetrated against LGBTIQ+. | | |  |
| 110.56  110.60 | Ensure that the implementation of its climate change policies and resiliency frameworks are gender-responsive and disability-inclusive, consistent with the United Nations Framework Convention on Climate Change and the Sendai Framework for Disaster Risk Reduction, to address the economic, cultural and social impacts and challenges that climate change represents, for the full and effective enjoyment of human rights for all (Fiji);  Source of Position: A/HRC/44/8 - Para.110 | Environment; Department of Meteorology | * Government of Lesotho through Lesotho Meteorological Services established the National Climate Change Committee (NCCC)as an advisory body representative from government and non-state stakeholders (Civil Society, private sector, academia and development partners) in order to fully implement the National Climate Change Policy. * Institutional catchment management has been established and spearheaded by ReNoka which is a project led by the GIZ as well the European Union Integrated Catchment Management in collaboration with Department of Environment and Meteorology. * Capacity building is currently being provided to the established structures which encompasses monitoring and evaluation. | | |  |
| 110.91  110.55  110.164  110.83  110.87 | Continue working to increase the efficiency and coverage of social protection programmes through the strengthening of institutional coordination and legal frameworks, as well as the consolidation of existing social assistance programmes (Cuba);  Source of Position: A/HRC/44/8 - Para.110 | Ministry of Small Business and Development.  Ministry of Social Development | * Lesotho has made significant investments in developing social protection programs as part of the Government’s commitment to protecting vulnerable groups.While several social assistance programs in Lesotho are found to be effective, whether measured by impact or spending effectiveness, cost-effectiveness varies. Most of the overall social protection spending goes to old-age pensions, school feeding, and tertiary bursaries. * The Government contemplates to review the allocation of spending across the social protection programs with a view to improve value for money. | | |  |
| 110.90 | Continue to promote sustainable economic and social development, and improve living standards in order to lay a solid foundation for its people to enjoy all human rights (China);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of development and planning,  Ministry of Small business. | Please see reply to recommendations 110.91, 110.55, 110.164, 110.83 and 110.87 | | |  |
| 110.105 | Continue the policy to include hygiene and menstrual hygiene management as part of national policy (Spain);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Gender | * Ministry held fora for young school drop outs in several districts and trained them on Sexual Reproductive Health Rights (SRHR) and to distribute Menstrual Hygiene Kits for women and girls. This was in collaboration with development Partners and CSOs * SRH services, HIV Testing and psychosocial support are also provided at Youth resources Centres at district level. | | |  |
| 110.141 | Run information and awareness-building campaigns to combat stigmatization relating to menstruation (Costa Rica);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health,  Ministry of Education | * Government of Lesotho in collaboration with Non-Governmental Organisations hold awareness campaigns in different districts on menstrual hygiene to highlight the importance of good menstrual management. | | |  |
| 110.93  110.95  110.99  110.107 | Continue the efforts for enhancing access to health-care services, particularly for HIV/AIDS care (India);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health | * The Government of Lesotho under UNICEF is providing health care, HIV prevention and treatment services to the population by expanding access to quality PMTCT and Pediatric care and treatment as well as strengthening partnerships to improve coordination and coverage of HIV prevention intervention for young people, prioritizing hard to reach locations. | | |  |
| 110.96  110.154 | Allocate the necessary resources for the provision of qualified medical staff and health-care facilities for people in remote areas (Mauritius);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health | * Ministry of Health is strengthening human resource by providing capacity building, research at national and district level and enhances the functionality of the district health system. * The Government of Lesotho under immunization project provides vaccine logistics management, advocacy and social mobilization. It supports procurement of vaccines, conducts immunization campaigns and training of Health care workers and Village Health care workers through workshops. | | |  |
| 110.97  110.98  110.100  110.101  110.108 | Design a national plan to guarantee access to health services, including sexual and reproductive health services, for, among others, people with disabilities, women, girls and teenagers (Mexico);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health,  Ministry of Gender | * Ministry of Health through support from the UNFPA is currently implementing a project to support reproductive health. The objectives of the project are:  1. To increase utilization of comprehensive quality sexual and reproductive health information and services focusing on HIV/AIDS, reduce maternal deaths and morbidity including the prevention of unsafe abortion and management of its complications. 2. To increase access to voluntary health planning by individuals and couples. 3. To increase utilization of HIV and STI prevention services especially for women, young people and other vulnerable groups and improve life skills based on SHR education. | | |  |
| 110.102  110.103  110.104  110.106 | Take further measures to improve health-care infrastructure, access to emergency obstetric care, midwife training and resources devoted to maternal health (Solomon Islands);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health | * Ministry of Health has developed, set up and implemented a comprehensive Emergency Transportation System available to pregnant mothers and newborns during emergencies. | | |  |
| 110.166 | Take the necessary steps to combat discrimination on grounds of sexual orientation and gender identity and discrimination against persons with disabilities (Costa Rica);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | * Government is working in partnership with People’s MATRIX Association which engages in impactful programming at building sustainable community of people with diverse orientations, gender identity and gender expression in Lesotho. * MATRIX hosted trainings for officials of the Ministry on sexualminorities. * An action plan has been drafted on activities relating to awareness on combating victimization and discrimination on grounds of sexual orientation and gender identity. | | |  |
| 110.84  110.86  110.89  110.92  110.114 | Continue to implement the National Nutrition Policy (2016) to address malnutrition using evidence-based action plans (Pakistan);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Health  Ministry of Social Development,  Ministry of Agriculture | * Government of Lesotho under the projectLesotho Nutrition and Health System Strengthening supported by the World Bank, has embarked on:   1) Improving health and nutrition outcomes by increasing quality and utilisation of services at community and health facility levels.  2)Improving capacity of communities, households and individuals to understand their nutritional problems in practical terms and take appropriate action to address them through behavior change communication.  3) Improving nutritional status of the population with emphasis to adolescent girls, pregnant and lactating women and children.   * The Government implemented a project aimed at assessing body composition for mothers, adolescent mothers and infants and to study breastfeeding practices in selected population. Ministry of Health embarked in a project to generate accurate data on how current and future interventions impact on child health and nutrition. With the assistance of International Atomic Energy Agency (IAEA), the Ministry of Health aimed to develop human resource and laboratory capacity for assessment of child nutritional status using body composition as the main indicator. | | |  |
| 110.82 | Mobilize resources for the construction of the industrial estates in order to create job opportunities (Ethiopia);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Planning and Development,  ministry of Labour, Ministry of Mining | * Government of Lesotho through the Lesotho National Development Corporation (LNDC) constructed the M900 million Ha-Belo Industrial Estate. Phase 1 of the project is expected to deliver 16 factory shells employing over 14,500 people. Other phases of the project will create 41,000 jobs from 51 shells. Among prospective tenants, sites will cater for the textile industry, agri-business and other sectors. | | |  |
| 110.117 | Advance policies and actions that aim at providing an equal and encouraging environment for the participation of women in decision-making positions (Indonesia); | Ministry of Gender,  Ministry of Development Planning | * To ensure gender equality and empowerment of women, the Government has mainstreamed gender in the **The National Strategic Development Plan II 2018-2023** as one of its pillers. | | |  |
| 110.2 | Adopt national anti-torture legislation to ensure full implementation of the Convention against Torture (Bahamas);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice | No progress | | |  |
| 110.66  110.69  110.70  110.72  110.74 | Undertake impartial investigations into allegations of police brutality, corruption, and human rights violations and abuses, including reported extrajudicial killings and torture by the Lesotho Mounted Police Service, and continue to operationalize the Police Complaints Authority (United States of America);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Police | * Section 15 of the Police Service ACT 1998 states that the Minister responsible for Police shall consult the Commissioner of Police in order to determine Objectives for the Policing of Lesotho for the year. Pursuant to this section, the Ministry of Police has as one of the Objectives, as set out in the policing plan for the fiscal year21/22, ARREST OF POLICE BRUTALITY. In line with that objective, several police officers have been criminally charged and also some have been subjected to disciplinary proceedings. * With regard the operationalisation of the Police Complaints Authority, the 11th Amendment to the Constitution of Lesotho Bill, provides for strengthening of the institutions. | | |  |
| 110.81 | Allocate additional resources to address overcrowding, inadequate sanitary conditions and lack of medical care in prisons and detention centres (Canada);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice,  Ministry of Correctional Services. | * Inmates have access to clean piped water in all the institutions even though Leribe Correctional Institution experiences water shortages which is a problem facing not only the institution but the entire district. * The new infrastructural renovations in a number of the correctional institutions (Leribe, Maseru, Mohale’s Hoek and Mafeteng) have created adequate space and come with improvements of lighting and ventilation to address health conditions associated with overcrowding. Since the emergence of covid-19, efforts were made to decongest correctional institutions through the engagement of the rehabilitation section where numbers have declined steadily. * All of the newly renovated facilities including female and juvenile facilities use water system toilets accessed by inmates even after lock-up time while other institutions use the VIP toilets and after lock-up these facilities are still forced to use the bucket system. * Inmates continue to receive medical care freely at the government expenses. Nevertheless, those who wish to be consulted by a private doctor are authorized to do so at their own expenses. The health service for the inmates is availed within the in-house primary health care clinics and referrals are made to the health facilities outside whenever necessary. * There has been a renovation of kitchen, administration and dispensary blocks at Mohale’s Hoek Correctional Institution. There has also been an upgrade of store room with cold storage. Re-plumbing, re-wiring and re-painting of cell blocks were also effected. There has, also been a construction of consulting rooms, gate house and isolation cells. * Inmates continue to be provided with three meals a day without fail across all the correctional institutions. However, the provision of a balanced diet remains a challenge due to a declining budget allocation that has been experienced recently. Inmates take part in food production for their own upkeep and such include vegetable, poultry and piggery production to supplement those purchased through the government procurement system. | | |  |
| 110.77  110.21  110.79 | Take urgent action to promote open and transparent Government, ensuring access to information by promulgating a freedom of information law and honouring information requests (United Kingdom of Great Britain and Northern Ireland);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Communications, Lesotho Communications Authority | * Bills not yet reviewed, they are awaiting Royal Assent. * There is a model law developed by Southern Africa Development Community (SADC).Ministry of Communications is still waiting for regional cyber security model law to be validated. This cyber security model law shall be used to benchmark Lesotho’s current Computer Crime and Cybersecurity Bill, 2021. * SADC Data Protection model law was validated on the 29th November 2022, the Ministry of Communications is yet to review the Communications (Subscriber Identity Module and Mobile Device Registrations) Regulations, 2021 benchmarking on the proposed SADC model law. * Lesotho does not have any law on access to information, however, National Reforms incorporated provisions of access to information as provided by the 11thAmendment to the Constitution of Lesotho Bill 2022 (Omnibus Bill 2022) which is still pending in parliament. | | |  |
| 110.78  110.67 | Adopt all the necessary measures to guarantee the freedom of expression and information, ensuring that the journalists and the media can carry out their work in a safe environment, free from intimidation and reprisals, in accordance with international standards (Uruguay);  Source of Position: A/HRC/44/8 - Para.110 | Ministry of Communications | * Media policy was formulated and adopted in November 2021 by the National Assembly | | |  |
| 110.36  110.61  110.62  110.63  110.64  110.65  110.68  110.71  110.167 | Fully implement the Anti-Trafficking in Persons Act 2011, including by taking measures to ensure investigation, prosecution and conviction of human traffickers in fair trials, including officials complicit in trafficking crimes (United Kingdom of Great Britain and Northern Ireland);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Home Affairs  Ministry of Local Government, Chieftainship, and Police | * In its efforts to eliminate trafficking, Government of Lesotho has identified more trafficking victims and increasing investigations and prosecutions. * The Government launched its national action plan and allocated funding for implementation; finalized and implemented guidelines for victim identification and referral to care; and increased its anti-trafficking training and awareness-raising efforts for law enforcement, diplomats, and the public. * Government through courts of law, convicted the first trafficker in four years and sentencing him to imprisonment; * Government enacted a new anti-trafficking law that closed key legislative gaps, including criminalizing all forms of sex trafficking and prescribing penalties commensurate with the penalties for other serious crimes; * government carried-out criminal investigations into multiple government officials allegedly complicit in human trafficking offenses. * Modest funding for victim protection, for the first time, was provided by the Government; * Government further formulated 2021-2026 Anti-trafficking National Action Plan. | | |  |
| 110.73  110.123  110.138 | Strengthen mechanisms to investigate cases of forced labour, in particular the Child and Gender Protection Unit, and increase efforts to ensure the lawful prosecution of perpetrators of trafficking, exploitation and abuse (Germany);  Source of Position: A/HRC/44/8 - Para.110 | Ministry of Labour  Ministry of Police | * Lesotho’s legislature passed an amendment to the Anti-Trafficking in Persons Act that removes the requirement for proof of force, fraud, or coercion even in the case of sex trafficking for minors. The addition of this amendment brings the law up to international standards. * Police established the Trafficking in Persons and Migrant Control Unit within the Lesotho Mounted Police Service to oversee human trafficking cases. * Lesotho’s Multisectoral Committee on Combating Trafficking in Persons launched the National Referral Mechanisms in Trafficking in Persons. * The Government of Lesotho also created standard operating procedures for responding to human trafficking violations, with the Home Affairs Ministry distributing the documents in the 10 districts of the country. * The labour inspectorate significantly increased the number of inspections. | | |  |
| 110.85  110.88  110.94 | Step up efforts to fight poverty and hunger, as well as to ensure access to safe drinking water and sanitation (Sudan);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Water Affairs | * To address pervasive hunger in Lesotho, the Government through Ministry of Health has its own projects and initiatives targeting food insecurity. One of these is the Lesotho Nutrition and Health System Strengthening Project. The project budgets more than $50 million for the implementation of health and nutrition programs designed to improve food security for the workforce. The government’s commitment to striving toward the second Sustainable Development Goal is reassuring, but it needs the resources to succeed. * The World Food Programme is funding the Lesotho country Strategic Plan (2019 - 2024). This plan includes improving food quality and quantity while implementing sustainable farming practices to help guard against future food supply shocks. It features public work food programs and school feeding programs to ensure citizens are properly fed. * The European Union has commissioned funds to help decrease hunger in Lesotho. The funding provides food assistance directly to subsistence farming households affected by droughts and support disaster preparedness projects. Emergency aid from other donors is also needed, however, to provide immediate food security to hundreds of thousands of Lesotho residents. * With regard to provision of access to safe drinking water and sanitation, no tangible steps have been taken to implement recommendations from the Global Water Partnership reviewing water legislation; Water Act of 2008, aimed at ensuring that the Act conforms with international trends and best practices. | | |  |
| 110.116  110.119  110.120  110.121  110.124  110.125  110.126  110.127  110.128  110.129  110.130  110.131  110.133  110.134  110.135  110.136  110.137  110.139  110.159  110.161  110.163 | Enact the Domestic Violence Bill, support its immediate implementation and strengthen coordinated essential services and referral pathways between the health, social services, police and justice sectors in order to respond to gender-based violence (Iceland);  Source of Position: A/HRC/44/8 - Para.110 | Ministry of Gender  Ministry of Law and Justice | * Counter Domestic Violence Bill has been declared null and voidas it was passed by the 10th parliament during the state of emergency which was also declared to be null and voidby the High court of Lesotho. * In remedying the abovementioned defect, Government of Lesotho in December 2022, enacted the yet again the Counter Domestic Violence Act of 2022 which remains in force to date. | | |  |
| 110.142  110.144  110.146  110.147  110.148  110.149  110.150  110.153  110.156  110.162 | Intensify its efforts to protect children, including through the finalization of the review of the Child Protection and Welfare Act of 2011 (Islamic Republic of Iran);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Gender  Ministry of Education | * The Ministry of Gender holds campaigns on prevention of child marriage and promotes protection of children’s rights through outreach activities especially during commemoration of International Childrens Day and International Girl Child’s Day | | |  |
| 110.157 | Allocate sufficient resources to ensure that institutions, such as the children’s court and the Child and Gender Protection Unit, effectively protect the rights of children (Barbados);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Law and Justice  Ministry of Social Development  Ministry of Police | Please see reply to recommendations 110.75 and 110.80 | | |  |
| 110.143  110.145  110.151  110.152  110.160 | Fully implement the Anti-Trafficking in Persons Act and strengthen the efforts to investigate cases of child labour and trafficking in persons and to prosecute the offenders (Italy);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Home Affairs,  Ministry of Gender  Ministry of Labour | * Lesotho’s legislature passed an amendment to the Anti-Trafficking in Persons Act that removes the requirement for proof of force, fraud, or coercion even in the case of sex trafficking for minors. The addition of this amendment brings the law up to international standards. * Police established the Trafficking in Persons and Migrant Control Unit within the Lesotho Mounted Police Service to oversee human trafficking cases. | | |  |
| 110.168 | Amend legislation to ensure universal, free and accessible birth registration, and adequate safeguards against statelessness for children born in the territory, as well as safeguards in the process of renunciation and change of citizenship (Portugal).  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Social Development | * Issues of birth registration, statelessness and citizenship falls within the Department of Home Affairs. Section 3(2) of the Eighth Amendment to the Constitution Act of 2018 provides for restoration of Lesotho lost citizenship and does not provide any room for statelessness. | | |  |
| 110.58  110.57 | Continue investing resources for the effective implementation of the Sustainable Development Goals (United Republic of Tanzania);  **Source of Position:** A/HRC/44/8 - Para.110 | Ministry of Planning and Development | * Government has incorporated SDGs in its National Strategic Development Plan II, 2018/19 to 2020/22/23 and its associate financing strategy. | | |  |
| **NOTED RECOMMENDATIONS** | | | | | |  |
| 111.1  111.43 | Redouble efforts to ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Djibouti); | Ministry of Social Development  Ministry of Law and Justice | Not progress | | | No progress undertaken |
| 111.2 | Ratify the International Labour Organization’s Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Honduras); | Ministry of Labour | No progress | | | No progress undertaken |
| 111.3  111.6  111.7  111.12  111.13  111.14  111.19 | Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Honduras) (Montenegro) (Mozambique) (Senegal) (Ukraine) (Chile) (Costa Rica) (Germany) (Denmark); | Ministry of law and justice | No progress | | | No progress undertaken |
| 111.4  111.9  111.15  111.16 | Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Honduras); | Ministry of Law and Justice | No progress | | | No progress undertaken |
| 111.5  111.6  111.8  111.17  111.18  111.20  111.33  111.34  111.35  111.36 | Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland); | Ministry of Law and Justice | No progress | | | No progress undertaken |
| 111.10 | Ratify the Convention against Discrimination in Education (Serbia) (Congo); | Ministry of Education | No progress | | | No progress undertaken |
| 111.11  111.23 | Become a party to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Seychelles); | Ministry of Education | No progress | | | No progress undertaken |
| 111.21 | Ratify the main international human rights instruments to which the country is not yet a party (Côte d’Ivoire); | Ministry of Law and Justice | No progress | | | No progress undertaken |
| 111.24  111.25  111.27  111.28  111.29  111.30  111.31 | Criminalize homophobia and transphobia to prevent violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons (Honduras); | Ministry of Gender | The Gender and Development Policy 2018 has strategic action to provide counselling,support and GBV management including services for key populations | | | In Progress |
| 111.26 | Amend section 3 of the Marriage Act of 1974 for it to be inclusive of same-sex couples (Iceland); | Ministry of Home Affairs | Section 3 of the Marriage Act 1974 provides that no person may be compelled to marry against his or her wish, it does not single out sexuality of the person. Therefore, amendment is not necessary. | | |  |
| 111.32 | Guarantee legal status to persons with disabilities by fully adopting the draft law on equal opportunities establishing a disability benefit (France); | Ministry of social Development |  | | |  |
| 111.37  111.38 | Put an end to threats and intimidations against journalists and human rights defenders and promote freedom of expression, which is guaranteed in the Constitution, by retracting the notion of the “crime of sedition” from the Penal Code (France); | Ministry of Communications  Ministry of Law and Justice |  | | |  |
| 111.39 | Amend legislative provisions that discriminate against women and girls in areas relating to marriage, inheritance and family (Namibia); | Ministry of Gender | The Ministry advocated for the enactment of a law that will remove legal restrictions imposed on women to fully exercise her economic rights, the proposal was to ensure that widows have a right to administer propertywithout consent of their firstborn sons and allow widows to inherit all allocated property upon death of the husband and be able to dispose it as she wishes without consulting in-laws but in line with best interest of the child. The bill was declared null and void by the high court of Lesotho | | | In progress |
| 111.40  111.42 | Resist calls to further liberalize abortion, and instead implement laws aimed at protecting the right to life of the unborn (Solomon Islands); | Ministry of Health | No progress | | | No progress undertaken |
| 111.41 | Amend or repeal section 18 (4) (c) of the Constitution of Lesotho, which allows for discrimination against women with respect to adoption, marriage, divorce, burial and devolution of property on death (Canada); | Ministry of Gender  Ministry of Home Affairs | Ministry of Gender has engaged in several awareness creation campaigns to create public debates about repealing of section 18(4)(C). Avocacy material was also distributed across the country. | | | In progress |