

**LESOTHO**

**AFRICAN UNION SOLEMN  
DECLARATION ON GENDER  
EQUALITY IN AFRICA**

**JUNE, 2006**

## Introduction

The Sesotho culture is based on a patriarchal ideology whereby one's identity is traced through one's paternal lineage and descent. Some aspects of this culture have been incorporated into customary law that places women under the perpetual custody and protection of men. A number of customs and practices have evolved which give men more decision-making powers and the position of the heads of households. A woman who is married in community of property owns half of the joint estate, but the whole estate is administered by the husband who is at liberty to do as he pleases with it even if it means to dispose of it, alienate or donate it to whoever he likes, without consulting the wife. Due to the changing socio-economic circumstances, it is evident that such practices should be revisited as they can be used to perpetuate gender-based violence and restrict many women from carrying on with important tasks in their lives.

Backed by a democratic mandate, Chapter II and III of the Constitution, Government is challenged by gender inequities and inequalities that fuel up poverty, increased spread of HIV and AIDS as well as increased unemployment because with retrenchment from neighbouring Republic of South Africa mines. Gender and Development is based on the realization of human rights for all, women and men alike, holding to principles of equal participation of women and men in politics and decision-making positions; non-discrimination and the empowerment of women, men, girls and boys.

Government adopted the Gender and Development Policy in 2003. As gender inequalities and disparities lie paradoxically both at the heart of women's limited advancement and vulnerability, the Policy seeks to redress this situation using the policy as a framework to address "the challenges of gender inequities and inequalities, poverty, increased spread of HIV/ AIDS, retrenchment and unemployment by adopting a rights-based approach to development. Policy objectives are:

- To ensure equal opportunities and participation by women and men, girls and boys in the development process in order to promote a better standard of living for all and to achieve economic efficiency.
- To ensure equal access to education and training, health services and control over resources such as land and credit.
- To conserve positive and mitigate negative aspects of Basotho culture in order to promote equality of women and men, girls and boys and to sustain social stability and peaceful co-existence

- To ensure that gender-sensitive laws exist and are enforced.
- To guide in the allocation of resources and public expenditure so that they are equally beneficial to women and men, girls and boys.
- To set guidelines for public awareness and promotion of understanding of the link between gender equality and development through the media.
- To promote equal opportunities and participation in politics and decision-making.
- To provide direction for development of effective programmes on awareness creation on the causes and consequences of gender-based violence and of mechanisms geared at eradicating such problems.
- To facilitate promotion of acquisition of life skills in order to overcome gender and development problems
- To promote equal decision-making in sexuality matters in order to reduce the spread of STIs and HIV/AIDS among women and men, girls and boys

### **Coordination and Collaboration**

In order to ensure effective implementation of the Gender and Development Policy (2003), the following structures have been established:-

- a) Gender Focal Points (GFP): These have been drawn from the line ministries, parastatals, University and Civil Society Organisations. Their specific role is to propose appropriate and effective gender mechanisms within their respective institutions and to provide support and direction for taking gender concerns into account in all aspects of planning and programming;
- b) Gender Caucus Group (GCG): This body supports the Ministry responsible for Gender to sensitise policy makers and traditional leaderships on current and emerging gender issues. Members of GCG are selected on the basis of their expertise on thematic gender issues.
- c) The Basotho Women's Parliamentary Caucus (BWPC) has been established. It is made up of the members of Parliament. The BWPC discusses gender and development issues across party lines. The objective of the caucus is to enable members to present, discuss and analyse issues from a gender-sensitive perspective.

### **Lessons Learned, Best Practices**

- ✓ Gender and Development has gained a wider appreciation from the public.
- ✓ Social mobilization on gender and development creates a conducive environment for implementation of the Gender and Development Policy.
- ✓ Intensive lobbying and advocacy on equal participation of women and men in politics and decision-making is a necessary basis for the appreciation of gender and development issues by the Basotho society.

### **Challenges**

- ✓ Gender mainstreaming in policies and programmes
- ✓ Equal participation of women and men in the coming 2007 national elections.
- ✓ Economic empowerment of women.
- ✓ Gender sensitivity in a highly patriarchal society.

## **1. HIV/AIDS**

Sexual violence is considered a crime that is punishable under the **Sexual Offences Act (2003)**. This Act protects the victims/survivors of sexual violence. It recognizes the willful exposure of a person to HIV and provides for increased punishment in such cases, identifying a link between sexual violence and the spread of HIV/AIDS.

**The Gender and Development Policy (2003)** discusses HIV/AIDS under Gender and Health; Gender-Based Violence; Gender and Youth. Health practices like safer sex and contraceptive use are discussed as challenges for Basotho women and men. A number of studies show that it is still difficult for the majority of women to negotiate safer sex and that some women do not use contraceptives (Gender and Development Policy, 2003; National Action Plan on Women, Girls and HIV/AIDS, 2005). Religious beliefs and power relations within intimate relations are some of the factors that prevent them from negotiating safer sex and using contraceptives. These put them at risk of contracting HIV/AIDS. The Policy calls for mainstreaming gender at policy and programme level in order to address the identified challenges effectively. The policy has pointed to the burden of care born mostly women and girls.

**The draft National HIV and AIDS Policy (2006)** proposes a multi sectoral approach to tackling this problem of HIV/AIDS. It lists food insecurity,

structural poverty and inequalities as some of the factors that make people vulnerable to HIV/AIDS. Lastly, it emphasizes support to the most vulnerable groups like women and children. The Government has established a National AIDS Commission.

## **2. Peace and Security**

Lesotho is in the process of developing specific peace and security programmes as stipulated by the Solemn Declaration.

## **3. Child Soldiers**

The minimum age to qualify for recruitment as a soldier in Lesotho is 18.

## **4. Gender-Based Violence**

### *Domestic violence, wife /partner violence including emotional abuse*

Domestic violence is on the increase in Lesotho (PRS, 2004/2005–2006/2007). It takes the following forms: physical, verbal, emotional and economic abuse. Before the establishment of Child and Gender Protection Unit domestic violence was considered as a family problem that was solved within the family. This however proved to be ineffective because the domestic violence still continued even after family interventions.

Domestic Violence legislation is at proposal stage to protect the victims of domestic violence and prevent domestic violence in Lesotho. The Ministry of Gender & Youth, Sport & Recreation through the Department of Gender runs a support programme for survivors of domestic violence, while the CGPU provides restorative justice programme for survivors of domestic violence and information on gender based violence.

### *Femicide or killing of women*

Killing is considered as a crime regardless of whether a dead person is male or female. Femicide or killing of women is treated as murder and it is classified under Common Law in Lesotho.

### *Sexual violence against adult women*

Sexual violence against adult women refers to both the attempted or forced sex perpetrated by males against women. Sexual violence against women is very high in Lesotho. For instance, a study that looked at the

prevalence of sexual abuse in Lesotho reported that 61% of participants had experienced sexual violence (MEASURE Evaluation et al, 2003).

Some of the causes of sexual violence are the lower economic status of women and their dependency on men for financial support. These enable some men to use their position of authority to force women to engage in unwanted sex. There is a link between physical violence and sexual abuse. For instance, studies have shown that women engage in unwanted sex because of fear of physical violence (MEASURE Evaluation et al, 2003). In most cases a survivor/victim of sexual violence is blamed, how a woman was dressed, her alcohol consumption and moving/going around at night are emphasized whenever a woman reports sexual violence, thus excusing a sexual perpetrator. This secondary victimization prevents most survivors/victims of sexual violence from reporting these incidents. The measures that were taken to encourage reporting in Lesotho are 16 Days of Activism Against Gender-Based Violence campaigns undertaken by government and non-governmental organizations.

Free Medical Exams for survivors of sexual violence are offered at government hospitals and clinics. These free medical exams are done to encourage the reporting of sexual violence to the police, to cut medical expenses and to enable them to have complete medical examination. The emergency contraceptive pills are also provided for all survivors/victims of sexual violence; however, there is no legal provision for Post Exposure Prophylaxis (PEP) which reduces a victim's chances of being infected with HIV & AIDS. It is necessary to administer PEP considering the link between sexual violence and HIV & AIDS. Legal Aid is supposed to provide legal advice for survivors of sexual violence but there is need to strengthen it if it has to function effectively.

### *Criminal Harassments including Stalking*

Criminal Harassments like common assaults and stalking are punishable under Common Law. Records at police stations suggest that common assaults are very high, but stalking is rarely reported.

### *Sexual Harassment*

According to the Labour Code Order, sexual harassment takes place when “any person offers employment or threatens dismissal or who threatens the imposition of any other penalty against another person in the course of

employment as a means of obtaining sexual favours or who harasses workers sexually shall commit an unfair labor practice” (1992:1350). The Ministry of Employment & Labour conducts labour inspections to look at working conditions. The Labour Court finds out if a person has engaged in unfair labour practices. According to records at the Ministry of Employment & Labour, very few people report sexual harassment in a year. It is necessary that government ministries implement a policy of non- sexual harassment at work.

### *Prostitution*

The law is silent about prostitution in Lesotho. However prostitution is considered to be socially unacceptable. According to the Children’s Protection Welfare Bill (2004) child prostitution is considered as an offence. The Worst Forms of Child Labour in Lesotho (2004) study has noted that there is adult prostitution in Lesotho.

Child prostitution is considered as an offence in the  
*Trafficking in Women*

Trafficking in women is considered a crime in Lesotho. In collaboration with South Africa, the government of Lesotho has taken measures to control cross boarder crime. For instance, resident permits are not given to individuals who engage in trafficking of women and girls. Children’s Protection Welfare Bill (2004) has a chapter on trafficking of children. Labour Code Order (1992) does not allow a person less than 18 years to engage in Foreign Service. The Ministry of Employment & Labour requests foreign companies to provide information on how the needs of a person who engages in Foreign Service will be met.

### *Child Sexual Abuse*

Child sexual abuse refers to attempted or forced sex perpetrated by other children or adults against children. In Lesotho, a child is anyone who is below 18 years. In the same way as sexual violence against adult women above, child sexual violence is high in Lesotho. For instance, a study that looked at the prevalence of sexual abuse in Lesotho reported that 33% of participants said they had unwanted sex before they reached 18 years (MEASURE Evaluation et al, 2003). This suggests that children are mostly vulnerable to sexual abuse however, orphans are even more vulnerable. A number of studies have shown that child sexual abuse results in children’s

susceptibility to HIV & AIDS, early pregnancy and high drop-out rates of girls in schools.

*Child Physical Abuse and male physical abuse*

Child physical abuse is classified under domestic violence/partner violence. Male Physical/Emotional Abuse is also classified under domestic violence/partner violence.

### 5. Gender Parity Principle

Lesotho is currently governed under a democratic system characterized by the rule of law, regular free and fair elections, and a balance of power in a Government made up of a Constitutional Monarch, the Executive, the Legislature and the Judiciary. Politics in Lesotho are generally a male-dominated affair; since Independence in 1966, Lesotho’s Parliaments have had minimal representation of women. This imbalance in representation stems from cultural norms in Lesotho where women have been systematically excluded from participating in political affairs. The patriarchal nature of the Basotho society confers decision-making powers and headship on males and contributes largely to the absence of women in mainstream politics. However, this is not to say that women do not have any interest in political affairs. What is of concern is the manner in which their participation in politics is registered. Current statistics of political parties in Lesotho indicate that the numbers of women in the central committees of these parties are indeed very low. There are women’s wings and leagues in which women participate actively, especially when it comes to electioneering and canvassing. Despite this, women’s issues have failed to appear in the party’s agendas and nor do the parties take proactive measures to encourage the inclusion and participation of women in the party’s governance policy-making activities.

Table 1

**Executive Committee Ruling and Main Opposition Party**

Party Name	Female	Male	Total
<b>Ruling Party</b>			
Lesotho Congress for Democracy	7 (41%)	10 (59%)	17
<b>Main Opposition Party</b>			
Basutoland National Party	6 (32%)	13 (68%)	19

Lesotho faces the challenge of gender inequality with respect to Gender and Power, Politics and Decision-Making. According to EISA (2003) “the role of women MPs in male dominated parliaments is obviously bound to be tremendously marginal. Women MPs in the Lesotho parliament hardly propose motions or introduce issues for policy debate.” EISA suggests that in order to realize equal participation of women and men in parliament, equality of female and male MPs must be institutionalized through reform of the standing orders and increasing the number of women in parliament through quota. Political parties themselves should also facilitate women’s participation in parliament. Non-governmental organizations should lobby aggressively for law reforms that would enable active participation in the running of Lesotho’s national affairs. Gender must be mainstreamed in all political processes and the functioning of the state system. EISA further proposes that training on women Members of Parliament special needs and constraints should be held for women MPs.

The 2002 general elections registration recorded 57% women and 43% men voting population. While there were no gender differentiation in campaigning strategies adopted by political parties and their candidates. According to EISA (2004) women experienced more challenges than men associated with, socialization, lack of control of resources and gender roles.

Why are women not interested or visible in political development of Lesotho? Women have been brought up to regard politics as alien. Socialization has always directed women’s activities away from activities of power. Women have to balance career and family – limiting their opportunities for career development. According to Gender Links (2004) women do not lack the will and attributes to participate in decision-making but they are systematically discriminated against by men in authority who refuse to promote them; and by legislation, which limits their opportunities. In support of this male ‘political gate keeping’ is a hostile media that hounds or ridicules women who dare to venture into the political sphere.

According to The United Nations (2002), Claude Kabemba et al. (2003) political leadership needs to put in place mechanisms that would ensure that women and other under-represented groups are meaningfully represented in future parliaments. The lack of intra-party democracy is

reflected in the under-representation of women in political parties' higher echelons, which directly impacts on the representation of women in national parliament. Political parties, as major deciders of who gets nominated for public office, further contribute to the under-representation of women in the public arena. Thus political parties and the electoral systems are the major determinants of the presence or absence of women in national legislature. In Lesotho the MMP electoral system has failed to usher women into parliament. The numbers of women would have increased had the ruling party taken a policy decision to apply a quota system within constituency and compensatory (PR) seats. A quota policy decision would also have increased the numbers of women in parliament, but no political party has consciously taken the decision to adopt a quota system for increasing women representation within party structures.

Lesotho's current composition of the National Assembly (NA) has by far the largest representation of women since the first Parliament in 1966. Notably, the Speaker is female and there is representation from ten different political parties with the ruling party (Lesotho Congress for Democracy) occupying eighty seats and the main opposition (the Basutoland National Party) occupying twenty one seats. The past elections held in 2002 were conducted under the Mixed Member Proportionality Electoral System (MMP) which facilitated for the wide representation of parties in Parliament. MMP is a combination of First Past the Post FPTP and Proportional Representation (PR). All of the nine opposition parties have gained entry into the NA through the PR.

**Table 2**

**Members of Parliament**

	Institution	Females	Males	Total
Speaker	National	1	0	1
Members NA	Assembly	17 (14%)	103 (86%)	120
President of Senate	Senator	0	1	1
Senators		11(33%)	21(64%)	33 (1 post vacancy)

In 2005 Lesotho entered a new era of governance through the introduction of Local Government in the country. Local Government now consists of community councils and district councils made up of directly elected

representatives throughout the ten districts of Lesotho. The Ministry of Gender in collaboration with NGOs undertook an intensive campaign that encouraged women to stand in the Local Government Elections. IEC had set aside 30% of the local government electoral divisions for women's contestation. Women needed to be encouraged to seize the opportunity to stand for public office. The elections ushered in 58% representation of women throughout the community councils and district councils that form part of the local government structures. There is also a significant number of women in positions of responsibility and leadership namely the District Administrators, District Council and Community Council Secretaries.

**Table 3**

**Local Government**

Institution	Female	Male	Total
District Administrators	3 (30%)	6 (60%)	10 (1 position vacant)
District Council Secretaries	7 (70%)	3 (30%)	10
Community Council Councillors	58%	42%	

The SADC Gender and Development Declaration has been translated into Sesotho and is being disseminated together with the Gender and Development Policy. The Ministry is in the process of translating the Gender and Development Policy and CEDAW into Sesotho.

The national Gender and Development Policy commits the Government to “promote and facilitate equal representation and participation of women, men including those with disabilities in politics and at all levels of decision-making structures.” Lesotho is also a signatory to international gender protocols agreements that are binding to promote to the full and equal participation of women and men in politics and decision-making.

Cognisant of the above has resulted in more appointments in government of women to positions of responsibility and decision-making.

Table 4

**Ministers and Deputy Ministers**

Category	Females	Males	Total
Ministers	5 (31%)	11 (69%)	16
Assistant ministers	1 (25%)	3 (75%)	4
Total	6	14	20

The Cabinet reshuffle in 2005 saw the promotion of a female Assistant Minister to that of Minister increasing the total number of female Ministers to six. The Right Hon. the Prime Minister further demonstrated his commitment to the achievement of gender parity in government by inviting women into politics and decision-making position with a presentation of a 50/50 key in May 2006 during the International Women’s Day celebration. The Local Government Election Amendment Act explicitly reserved by law a third of all the electoral divisions for contestation by women only.

The ruling party in its latest party elections brought into effect a policy stating that a minimum of 30 per cent of the positions in the central committee will be occupied by women.

**6. Human Rights of Women**

Lesotho operates under a dual legal system that comprise customary law and the received or imported common law. Under both these systems Basotho women married in community of property are considered legal minors and as such cannot access certain services. In essence, the husband is said to have marital power over the wife, which prevents her from accessing services or entering into certain transactions without the consent of her husband. This impinges on women’s access to productive resources such as land and credit that could contribute positively to the development of themselves, their families, communities, and the country. The Ministry of Gender together with the Law Reform Commission are working on the Married Person Equality Bill, which seeks to redress this imbalance of power. So far, the White Paper to the bill has been approved by Cabinet and the bill is due to be presented to Parliament.

Discrimination in any form is illegal and the Constitution makes no guarantee for laws with discriminatory provisions with the exception of customary law, and the private law of persons e.g marriage and inheritance *Section 18 4 (c)*. This implies that any discriminatory cultural laws and practices will be protected and condoned by the Constitution.

Unequal power relations that exist between women and men stem from condoning cultural beliefs and practices which are discriminatory in nature. These are further fuelled by the fact that women married in community of property are considered legal minors. This minority status renders unequal control over land, property and productive resources which in turn curtails women's productive capabilities. As a result, this perception of women manifests itself in unsavoury behavioural norms such as the persistence of gender based violence and the high prevalence of HIV/AIDS, which disproportionately affects women as they are more susceptible and vulnerable to infection.

✓ *The Constitution*

The Bill of Rights in The Constitution secures certain rights and freedoms, particularly the right to equality before the law. Despite the discriminatory clause in Section 18 4(c), laws and policies promoting equality can be enacted and developed.

*Section 18 4(e)* states that: “whereby persons of any such description is mentioned in subsection (3) may be subject to any disability or restriction or may be accorded any privilege or advantage which, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other such description, is reasonably justifiable in a democratic society. Nothing in this section shall prevent the making of laws in pursuance of the principle of State Policy of promoting a society based on equality and justice for all the citizens of Lesotho and thereby removing any discriminatory law.”

*Section 26 (2)* makes for the provision to “take appropriate measures in order to promote equality of opportunity for the disadvantaged groups in the society to enable them to participate fully in all spheres of public life”.

✓ *Legislation*

Sexual Offences Act, 2003

This law was enacted in 2003 to consolidate laws relating to sexual offences to combat sexual violence and to prescribe appropriate sentences for sexual offences. Amongst others, the Sexual Offences Act recognises marital rape as an offence – section 3 (3) states that “Marriage or any other relationship shall not be a defence against a charge under this Act”. Under this law the minimum penalty is eight years imprisonment and the maximum is death sentence.

✓ *Legislated Quotas*

The Local Government Elections Amendment Act of 2004 stipulated that 30% of all electoral divisions would be reserved for contestation by women. The reserved divisions were selected randomly.

This law was set to address the low numbers of women represented in political structures in Lesotho: namely, the Parliament, Cabinet and the (new) local government councils. Thus it was intended to increase participation of women in politics as well as ensuring increased numbers of women in decision-making especially at community council levels. These are still largely male-dominated with 17 women (14%) in Parliament and 5 women (31%) in Cabinet.

✓ *Landmark Court Decisions*

Preceding the 2005 Local Government Elections, a man brought forward a case claiming violation of his Constitutional right to participate in government – in this case to stand for election. His claim was based on the premise that the above mentioned Local Government Amendment Act of 2004 was discriminatory on the basis of sex, against males in particular, by reserving 30% electoral divisions for women only. His case was lost on the basis of Sections 18 4(e) and 26 in the Constitution.

✓ *Policies*

The Gender and Development Policy

The Gender and Development Policy (2003) is Lesotho’s official policy on promoting gender equality. The policy is informed by the Constitution of Lesotho which, as the supreme law of the land, enshrines the principle of

equality for all Basotho. The policy is modelled in such a way that it would address a wide spectrum of developmental issues, in order to create a conducive environment for the attainment of gender equity and equality. The policy has ten thematic areas that are based on the 12 Critical Areas in the Beijing Platform for Action; these are: gender and poverty and economic empowerment, gender and education and training, gender and youth, gender and power, politics and decision-making, gender and health, gender-based violence, gender and civil society organisations, gender and media, gender and environment, gender and science and technology.

The policy is intended to be used as a guiding tool in the gender mainstreaming process due to take place in all government ministries. Through the mainstreaming process, other government departments and ministries will be equipped with the necessary skills and tools to be able to integrate gender concerns into their policies and programmes.

#### Police Child and Gender Protection Unit (CGPU)

The primary function of the CGPU established in 2003 is to protect children, women, and men from violence, sexual abuse and exploitation. This is done through, sensitization and education campaigns, provision of user-friendly reporting environment, investigations on complaints relating to child and gender-based offences.

### **7. Land, Property and Inheritance Rights**

The Land Act of 1979, though non-discriminatory in nature its implementation is based on a discriminatory legal instrument, the Deeds Registry Act of 1967. According to the Deeds Registry Act no land can be registered in the name of a woman married in community of property. This law is in line with the customary law that provides that a woman married in community of property cannot own property. In cognizance of the need to present collateral in poverty alleviation interventions, women may not be in the position to raise it. It is necessary therefore that poverty alleviation barriers such as these, are eliminated. The Land Review Commission report (2000) has recommended the need to review the deeds registry act such that it becomes gender sensitive, this is in agreement with the Gender and Development Policy strategy (d) page 12.

According to Anita Larsson et al (2003) insecurity of tenure and housing remains a problem for women in Lesotho. Women especially those married

in community of property are unable to access land on their own. This inability to secure and maintain housing emanates from gender biased laws, policies, customs and tradition, which cumulatively work against women. The Deeds Registry Act of 1967 therefore needs to be reviewed if women's rights of access to land have to be ensured.

According to women that were interviewed on land issue, they related that they are not male appendages – always to seek permission from husbands or male relatives in matters related to landed and other property. They pointed out that they are people in their own right with individual and specific needs that could be changed by reviewing and reforming gender insensitive laws. They called for changes regarding the right of property i.e land. They deposited that it would be proper for individual women and men irrespective of their gender and marital status, those who are interested to be allocated, where it is sold those who can afford be permitted to purchase (Victor Ngonidzashe Muzvidziwa 2003).

Land Policy Review Commission report (2000) has recommended that in order to allocate land fairly the following should precede:

- ✓ All laws discriminating against women in Lesotho must be repealed forthwith in so far as access to land is concerned. These include all the discriminatory sections in the Deeds Registry Act 1967 more especially Section 14 and 35 (c) thereof. Women shall be entitled to own land on merit and to register it in their own names just like their male counterparts.
- ✓ Section 18 (4) (c ) of the Constitution of Lesotho must be amended and deleted forthwith to the extent that it justifies discrimination against women under the guise of customary law.
- ✓ All laws, whether customary or legislative, preferring male heirs over women in so far as access to land or land property is concerned must be repealed or abolished forthwith. These include Sections 7 (5), 7 (6), 11, 12, 13, and 14 of the Laws of Lerotholi.
- ✓ Access to land or land property and inheritance of the same shall be based on merit regardless of sex having regard to the question whether the applicant shall make the best productive use of the land applied for.

The Married Persons' Equality Bill white paper 2006 has been approved by Cabinet and will open avenues for the Married Persons' Equality Bill to be discussed in Parliament. The purpose of the white paper and particularly its bill is to equalize marital statuses of spouses. They are intended to encourage communication, dialogue and discussions of

spouses on family issues. Once the bill goes through Parliament women and men will have equal access to and control over credit, livestock and economic resources

Table 5

Access & control of resources	Land	Livestock	Markets	Credit	Technology	Poverty Alleviation
a.ii. What Measures were adopted (policies, programmes and projects)	<ul style="list-style-type: none"> <li>✓ Gender &amp; Development Policy</li> <li>✓ Land Review Commission report</li> <li>✓ Married Persons Equality white paper</li> <li>✓ Poverty Reduction Strategy</li> <li>✓ Equal participation of women and men in politics and decision-making</li> </ul>					
a.iii. What were the results of these measures?	<ul style="list-style-type: none"> <li>✓ The Right Hon. the Prime Minister has handed over a key of equal participation in power, politics and decision-making during the IWD celebration.</li> <li>✓ Married Persons Equality white paper approved by Cabinet</li> </ul>					
a.iv. Any other comments?	<ul style="list-style-type: none"> <li>✓ Married Persons Equality Act will possibly be in place this year.</li> <li>✓ Lesotho needs to adopt explicit measures of ensuring equal participation and entrance into National Assembly e.g quotas for the 2007 elections. These may be applicable to PR lists submitted to the National Assembly and or apply to the constituencies that have to be contested.</li> </ul>					

## 8. Education

According to the Gender and Development Policy (2003) Lesotho has enjoyed high literacy rate in the past. The high female literacy has not translated into equal participation in development between Basotho women and men, girls and boys. This unequal participation in development is clearly demonstrated by employment figures particularly for decision-making positions. Since these disparities are mainly due to stereotyped socialisation, there is a need to sensitise individuals in order to redress the stereotypes so as to give people equal participation based on their

capabilities. For example in most schools, sex-stereotyping influences the choice of subjects which boys and girls undertake and limits their capacity to venture into non-traditional careers like medicine and politics for girls and catering and nursing for boys. It is therefore necessary to include gender studies and gender-sensitive career guidance at all levels of education.

The Gender Audit on the Education Sector (2003) reflect that national, legal and policy documents show varying degrees of gender insensitivity, gender blindness, gender bias and unresponsiveness to disadvantaged girls and boys. It shows that most documents deal with girls and boys in inclusive terms and programmes and implicitly assume that girls and boys have the same problems. It realized that gender gaps, bias and discrimination exist against women but many managers do not understand the issues and do not view them as critical management concerns. The audit findings suggest that the social baggage of traditional culture and practices that regard women as “minors” give rise to the lack of interest and commitment of the ministry’s human resource to address gender issues in the management. Teacher training institutions also are said to not addressing the problem of gender-insensitive curriculum and instructional materials. They do not therefore empower future curriculum developers and teachers with skills to challenge gender insensitivity, bias and discrimination.

According to Colleen Lowe-Morna (2001) merely increasing the number of women in top positions will not result in better coverage of women’s issues and a more equitable workplace. Educational institutions should include gender issues in educational training and curricula, so as to avoid sidelining of gender and development issues.

Table 6

<b>Women / girls in educational institutions</b>	<b>Primary Schools Education</b>	<b>Secondary School Education</b>	<b>Lesotho College of Education</b>	<b>National University of Lesotho</b>	<b>Technical and Vocational Education</b>
<b>aii. % of total enrolment</b>	50%	55.9%	54.7%	50.7%	51.6%

Source: Ministry of Education – statistics May 2006

According to the MOET, Lesotho Education Sector Strategic Plan 2005–2015 (2005) under the strategic objective “**Attain gender equity and parity in the educational system**”, the ministry has targeted the “elimination of gender disparities in primary and secondary education by 2015” and has set the following activities::

1. Implement the Gender and Development Policy
2. Promote gender sensitive equitable access to, and participation in education and training.
3. Develop a gender–responsive curriculum and learning support materials
4. Create a learning environment that is healthy, safe, responsive and free of gender–based violence
5. Target and protect the interest of the girl and boy child and persons with disabilities, particularly those in less resource endowed rural mountain areas and the urban poor.
6. Mainstream gender equity in the education sector through the forging of effective and inclusive partnerships with other stakeholders.
7. Design appropriate mechanism for periodically monitoring of those interventions that target the bridging of the gender gaps within the education sector.

All of the above set activities directly or indirectly relate to curriculum review and development. In the higher education the plan is to review higher education programmes so that they eradicate gender stereotypes and become gender responsive.

## **9. Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa**

Lesotho has fully ratified this Protocol. The Government is creating awareness on this protocol and the need to domesticate it. The White Paper to the Married Persons Equality Bill has been approved by Cabinet thus it has opened an avenue for presentation of the Bill to Parliament. The enactment of the Married Persons Equality Act will go a long way into implementing the provisions of the above–mentioned protocol.