



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fifth to seventh periodic reports of Lesotho*

Women's rights and gender equality in relation to the coronavirus disease (COVID-19) pandemic, recovery efforts and global crises

1. Please describe efforts made and mechanisms put in place to contend with the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways that those efforts and mechanisms may be applied in the State party's response to current and future crises, such as armed conflict, food insecurity, energy crises and other relevant areas. Please provide information on strategies pursued to ensure that gender equality and the empowerment of women are fundamental requirements in addressing such crises and in elaborating adequate responses, including with regard to policies, the scope of essential services, assistance programmes, recovery efforts and the application of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in those processes and to ensure that such crises will not lead to a reversal of the progress made in the protection and promotion of women's rights.

Legal status and visibility of the Convention and its Optional Protocol

2. Please provide updated information on any steps taken towards the domestication of the Convention through a parliamentary act. Please also provide information on the efforts that have been made to:

(a) Give visibility to the Convention and its Optional Protocol, including any awareness-raising campaigns among the general public, including women and girls, about the prohibition of discrimination against women. Please also specify measures taken to provide systematic capacity-building or regular training to judicial and law enforcement personnel, legal practitioners and civil society organizations on the application of the Convention and its Optional Protocol and the interpretation of national legislation in the light of the Convention, in court proceedings. Furthermore, please provide updated information on the number of court decisions referring to provisions of the Convention;

(b) Provide capacity-building and awareness-raising for traditional and religious leaders in Lesotho in line with the Convention and regional women's rights instruments ratified by the State party.

* Adopted by the pre-sessional working group on 30 October 2024.



Reservations

3. In view of the Committee's previous concluding observations ([CEDAW/C/LSO/CO/1-4](#), para. 15), please provide information about any steps taken towards withdrawing the reservation to article 2 (e), which is contrary to the object and purpose of the Convention.

Definition of equality and non-discrimination

4. In view of the information provided in paragraphs 47–49 of the State party's report,¹ please indicate any steps taken towards aligning the constitutional prohibition of discrimination with the Convention. Please also:

(a) Provide information about steps taken to remove the exceptions to non-discrimination in respect to the application of customary law pursuant to article 18 (4) (c) of the Constitution, which have a particularly hard impact on rural women, as indicated in paragraph 132;

(b) Outline any steps taken towards the adoption of specific anti-discrimination legislation in line with article 1 of the Convention;

(c) Provide detailed and updated information on the further engagements to remove discrimination in other aspects as referred to in paragraph 17;

(d) Clarify whether the elimination of discrimination in relation to marriage, divorce and the devolution of property referred to in paragraph 17 also applies to customary law, and inform about any steps towards removing all discriminatory legislation from customary law;

(e) With reference to paragraph 58, provide updated information on progress made in relation to securing equal inheritance rights for men and women;

(f) In view of the Local Government Elections (Amendment) Act of 2011 establishing a 30 per cent quota for local government elections, indicate any measures taken, including the adoption of quotas, as well as other measures to discontinue discrimination in representation and representation targets, and to reach parity in all decision-making systems, at both the local and national levels, in line with general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems.

Women, peace and security

5. Please provide information on steps taken to develop a national action plan on women, peace and security in line with Security Council resolution [1325 \(2000\)](#) and other subsequent resolutions, and with general recommendation No. 40 on the equal and inclusive representation of women in decision-making systems, that is adequately resourced and includes a parity approach and parity targets for women's representation in the implementation of peace and security measures, fostering women's role as important agents driving resilient and peaceful societies. Please describe the measures in place to ensure the equal representation of women, in all their diversity, and men in the development and implementation of such a plan.

Access to justice

6. Please provide information on efforts taken to implement general recommendation No. 33 (2015) on women's access to justice. Please provide detailed information on women's and girls' access to justice, including the availability of

¹ Unless otherwise indicated, references to paragraphs are always references to paragraphs of the State party's report ([CEDAW/C/LSO/5-7](#)).

accessible and inclusive quality legal aid and access to tribunals and courts, in particular in rural and remote areas. Please specify measures taken to raise awareness among women and girls, including women in disadvantaged situations, including women with disabilities, of their rights and remedies, such as legal aid and how to claim those rights. Please elaborate on the existence and role of any customary law tribunals and how women's rights are adjudicated therein. Please also elaborate on gender bias in the judiciary and on the measures that are in place to address such bias. Please also provide information on mandatory capacity-building on women's rights, gender equality and access to justice for the judiciary, legal professionals and law enforcement officials, including formal and informal justice actors, in line with the Convention. In view of the victim-unfriendly procedures to gain access to abortion following rape, please inform the Committee about steps taken to ensure that victims of gender-based crimes have access to victim-friendly procedures at all times.

National machinery for the advancement of women

7. Please inform the Committee about the resources allocated to the implementation of the Gender and Development Policy 2018–2030. Please indicate the measures taken to strengthen the capacity of the Ministry of Gender and Youth, Sports and Recreation to effectively work towards the promotion of gender equality and coordinate multisectoral policies in this regard. Furthermore, please specify the efforts made to ensure the systematic allocation of adequate human, technical and financial resources to the Ministry in order to significantly reduce dependence on external donor funding and allow the Ministry to adopt a systematic and coherent approach in its gender equality work. Please also indicate the steps taken to implement the recommendations of the 2022 gender audit study; establish an efficient monitoring and evaluation mechanism to improve the coordination of gender equality policies at all levels; and ensure collaboration with women's organizations in the national machinery for the advancement of women.

National human rights institution

8. In view of the information provided in paragraph 161, please provide updated information on the amendment to the Human Rights Commission Act of 2016 and indicate whether the State party has established a timeline for the establishment of the Human Rights Commission in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), annexed to General Assembly resolution [48/134](#). Please provide the Committee with detailed information on how the Commission will be able to work on the implementation of women's rights according to the draft amendment.

Temporary special measures

9. Please provide updated information on any temporary special measures taken by the State party, in accordance with article 4 (1) of the Convention and general recommendation No. 25 (2004) on temporary special measures, to accelerate the realization of substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, such as participation in political and public life and employment. Please also provide information on awareness-raising campaigns, targeting governmental officials, policymakers, employers and the media, on the non-discriminatory nature, value and importance of temporary special measures for national development.

Gender stereotypes

10. In view of reports before the Committee that gender stereotypes continue to be prevalent, please provide detailed information about awareness-raising, advocacy and

educational campaigns carried out in collaboration with civil society organizations, including women's organizations, religious and traditional leaders, teachers and educators, and other stakeholders referred to in paragraph 23, to address gender stereotypes, including the resources allocated, outreach and any monitoring of results. Please also provide further explanation regarding the statement in paragraph 23 that the impact of those measures "has been that different groups are now able to hold their own closed forums on the issues to decide on appropriate measures to be taken". In addition, please provide detailed information on:

(a) Measures taken to address gender stereotypes and to convey positive images of women as active participants in economic, social and political life, and the impact of those measures, and measures taken to address gender stereotypes relating to women's roles and responsibilities, and negative portrayals of women, including all forms of objectification of women in the media, cyberspace and advertisements, and the results of those measures;

(b) Steps taken to mainstream gender equality into the educational curricula, including measures aimed at enhancing the capacity of teachers and assessments of the impact of such capacity-building activities on women's rights and gender equality;

(c) Efforts made to analyse and address gender-based stereotypes as a root cause of gender-based violence against women and measures taken to monitor their impact.

Harmful practices

11. Please provide information on the measures taken to implement the prohibition and criminalization of child marriage enshrined in the Counter Domestic Violence Act of 2022, including capacity-building measures for law enforcement officers, and please specify the safeguards to ensure that children subjected to such marriages are under no circumstances criminalized. In view of the provisions of the Marriage Act of 1974, in which the minimum marriage age is set at 16 years for girls and 18 years for boys, and, given the indication in paragraph 144 that customary law does not set a minimum marriage age, please indicate which steps have been taken to align customary law and the Marriage Act of 1974 with the prohibition and criminalization provisions in the Counter Domestic Violence Act of 2022 and the Children's Protection and Welfare Act No. 7 of 2011, which domesticates the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. In view of the information provided in paragraph 145, please also indicate which safeguards are in place to ensure that exceptions to the age of marriage are not granted under any circumstances, including in cases of parental and ministerial consent. Please provide a record of reported cases, prosecutions and convictions, and of the sentences imposed on the perpetrators, of harmful practices, in particular of child marriage, disaggregated by relevant factors such as age, migrant status, disability status and geographical location.

Gender-based violence against women and girls

12. Please provide updated and detailed information on the measures taken and the resources allocated to the implementation of the Counter Domestic Violence Act of 2022. Please also provide updated information on any further decentralization of the Lapeng Care Centre referred to in paragraph 25, indicate the current capacity of the Centre and indicate the measures to increase the number of accessible and inclusive shelters for victims of gender-based violence. Please provide information on the efforts taken to establish specialized mechanisms, including gender-based violence courts and desks in the police force; strengthen referral pathways for gender-based violence; ensure the prosecution, conviction and punishment of perpetrators of

gender-based violence against women, including sexual violence and domestic violence; and enhance the State party's data-collection efforts on the prevalence of different forms of gender-based violence disaggregated by sex, age, type of violence and the relationship between the victim and perpetrator. Please provide specific information on access to support services for women and girls in rural and remote areas and indicate whether victims of gender-based violence have access to inclusive and accessible quality legal aid. With reference to the data provided in paragraph 25, please provide information on the cases of family reunion, including whether victims were reunited with families in which they had experienced gender-based violence. Please indicate the measures taken to eliminate the particularly high rate of rape cases, as the State party ranks third globally in rape cases per capita.² Please also specify the steps taken to eliminate the practice of girls being married to the rapist following a "lobola payment" to the parents. Please also provide updated and detailed information on specific educational, capacity-building and awareness-raising measures to promote respect for women and girls and to develop a culture of zero tolerance for gender-based violence. Please elaborate on the indication in paragraph 76 that "though there is slow progress in attitudes change, there is an improved understanding of gender-based violence and its impact", and indicate how progress is measured and which measures are envisaged to accelerate attitude change.

Trafficking and exploitation of prostitution

13. Recalling general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please inform the Committee on:

- (a) Measures taken to strengthen data collection on women and children, including migrants subjected to trafficking, in particular for prostitution and forced labour;
- (b) Resources allocated to the implementation of the Anti-Trafficking in Persons Act of 2011 and the Anti-Trafficking in Persons (Amendment) Act of 2021;
- (c) The status of the draft anti-trafficking national action plan and the resources envisaged for its implementation;
- (d) Measures taken to significantly strengthen victim identification and protection, including any updated measures for establishing a formal referral mechanism. In view of the indication in paragraph 82 that there is currently only one shelter for victims of trafficking, please indicate the steps taken towards establishing more shelters throughout the State party;
- (e) Any safeguards in place to ensure that trafficking victims are not at risk of any form of prosecution, as well as detailed information on the measures taken to provide women and girl victims of trafficking with access to legal aid, free and immediate access to temporary residence permits, medical care, psychosocial and trauma counselling, and rehabilitation and reintegration services, irrespective of their ability or willingness to cooperate with the prosecution authorities;
- (f) Information on efforts taken to build the capacity of law enforcement officials, the judiciary, social workers and legal practitioners on the gendered dimensions of trafficking in persons;
- (g) Measures to strengthen coordination between relevant ministries with respect to resource allocation and anti-corruption measures, to ensure the effective

² Office of the Resident Coordinator, "United to end gender-based violence in Lesotho", *UN Newsletter*, No. 2 (2022), p. 2.

prosecution of perpetrators. In this regard, please also provide the latest available data on perpetrators prosecuted and punished on trafficking-related charges;

(h) Measures to eliminate the root causes of trafficking, including high levels of poverty, a lack of job opportunities and food insecurity in rural areas and among women migrants.

Equal and inclusive representation in political and public life

14. Please comment on the decline in the number of women in public office and elaborate on measures taken to reach parity between women and men on political and public life. In view of the information provided in paragraph 87, please indicate whether any steps have been taken towards establishing a mechanism to reach 50:50 parity in international and diplomatic representation, the judiciary, security organs, academia and all other sectors following the guidance provided in general recommendation No. 40 on the equal and inclusive representation of women in decision-making systems. Please provide further information on the measures taken to promote women's leadership and provide campaign financing, and to address practical and structural barriers that hinder women's participation.

Nationality

15. Please provide updated information on the status of the Immigration and Citizenship Bill of 2019. Please clarify whether any legal amendments have been made to ensure the full implementation of article 9 of the Convention. In view of the information provided in paragraph 88, please also inform about measures to ensure that Basotho women who have had to relinquish their nationality upon marrying a foreigner have the unrestricted possibility to restore it. In view of the information provided in paragraph 143, please clarify whether women who marry a Lesotho citizen are not obliged, but have the option, to apply for citizenship.

Education

16. Please provide detailed information, including in view of the Committee's previous concluding observations ([CEDAW/C/LSO/CO/1-4](#), para. 29) on measures taken:

(a) To ensure equal, inclusive and affordable access for women and girls to all levels and fields of education, including in reaching parity in science, technology, engineering and mathematics (STEM);

(b) To prevent early pregnancies, including by strengthening measures to prevent rape, increase comprehensive, age-appropriate sexuality education and access to contraception, such as information about sexually transmitted diseases, in particular HIV, and to provide the necessary support for girls to ensure that early pregnancies and parenting do not lead to dropping out of school;

(c) To provide subsidies and scholarships to families in need to secure their children's access to all levels of education;

(d) To ensure full and equal access to inclusive education at all levels for women and girls with disabilities;

(e) To overcome stereotyped attitudes that may constitute obstacles to education, including STEM education for girls and women, also through targeted career counselling;

(f) To provide a safe educational environment, free from discrimination and violence, including sexual violence, bullying and online violence, and provide safe transportation to and from schools;

(g) To strengthen awareness-raising and training for school officials and students and the sensitization of children through the media; and to establish reporting and accountability mechanisms to ensure that perpetrators of sexual abuse and harassment are prosecuted and punished;

(h) To prohibit and criminalize sexual harassment in education, and to combat gender stereotypes in educational curricula and textbooks.

Employment

17. Please specify any measures in place to close the gender wage gap. Furthermore, please:

(a) Clarify whether gender-based discrimination in relation to promotions and demotions, as well as on the basis of family status, marital status and pregnancy in general, is prohibited in the State party;

(b) Clarify whether indirect discrimination is explicitly prohibited in employment;

(c) Provide information on the gendered nature of the extractive industry in the State party;

(d) In view of the indication in paragraph 33 that the State party “does not have any temporary special measures for achieving de facto equal opportunities for men and women in the labour market”, indicate whether any progress has been made in that regard;

(e) Inform about specific measures taken to ensure full access by women with disabilities to the formal labour market;

(f) Elaborate on the situation of women working in the informal sector, and in view of the indication in paragraph 33 that there “is no regulatory framework for social security benefits for women working in the informal sector as yet”, please provide the Committee with an update on any progress made in this regard. Please also specify any steps taken to provide the possibility of voluntarily transitioning into the formal sector;

(g) Inform the Committee about any targeted interventions to reach parity in leadership positions in the private sector, as well as to reach parity in innovative sectors within the workforce and in leadership, in particular STEM positions;

(h) In view of reports indicating that women perform a disproportionately large share of unpaid domestic and agricultural work, please elaborate on any measures taken to move towards the sharing of these roles between women and men and to ensure equal opportunities for formal employment. In this regard, please also inform about any steps taken to legislate paternity leave and provide affordable, quality childcare facilities.

Health

18. Please provide detailed information on measures taken to ensure access to comprehensive, accessible and affordable healthcare services throughout the country, including in rural and remote areas, including sexual and reproductive health and rights services, such as access to contraception, in particular in rural and remote areas. In this regard, please also provide additional detailed information on the measures referred to in paragraph 35, including the resources allocated to their implementation and measures to ensure healthcare accountability. Please provide information on the measures taken to tackle maternal and neonatal mortality. In view of reports that unsafe abortion is also a cause of the high rates of maternal mortality, please inform

the Committee about ongoing plans to legalize access to abortion and to provide access to safe abortion and post-abortion care services throughout the country, including by simplifying the complex and onerous existing administrative procedures, including victim-unfriendly procedures in the case of rape, that impede women's access to abortion services in the very limited cases where it is permissible, a limitation that is acknowledged as a "challenge with regard to a woman's right to choose and plan her family and future" in paragraph 117 of the State party's report. Please also indicate any steps taken to outlaw the possibility of a magistrate or health personnel invoking conscientious objection to allowing or performing an abortion. Please also indicate which steps are being taken towards fully prohibiting and criminalizing sterilization without prior, full, free and informed consent, including in relation to women with disabilities. In view of the indication in paragraph 109 that "legal provisions on free and informed medical consent are not widely known", please indicate which efforts are being made to ensure that patients are provided with all the information necessary to take a decision. Please provide information on specific measures taken to ensure full and equal access to healthcare services for women in disadvantaged situations, including women with disabilities.

HIV/AIDS

19. In view of reports that adolescent girls make up the majority of new HIV infections, in particular as a result of sexual relations with older men, please indicate measures to prevent and prohibit these types of relations. Please provide updated information on the resources allocated to and the outreach of the State party's test-and-treat strategy referred to in paragraph 36. Please also provide detailed information on awareness-raising and educational campaigns to prevent the spread of HIV/AIDS.

Economic empowerment of women

20. Please elaborate on the indication in paragraph 127 that "most women do not have opportunities to actively engage in economic and social activities due to structural barriers", clearly indicate what those barriers are and what measures the State party is taking to dismantle those barriers. In view of the information in paragraphs 128 and 140, please indicate the measures taken to ensure all women can have equal access to credit, low-interest loans and loans without collateral on an equal basis with men and without discrimination. Please provide information on gender-responsive procurement and the gender equality and illicit financial flows nexus in the State party. Please indicate the measures taken to ensure women's access to markets, entrepreneurship, technical support to facilitate alternative economic activities, technology, and new and innovative economic sectors.

Rural women

21. Please indicate progress made and resources allocated to ensure access to essential services, including adequate housing, water and sanitation, education, healthcare and reliable infrastructure, including safe public transportation and reliable and affordable electricity for rural women and girls. Please also specify the steps taken to tackle the high rates of poverty among rural women and girls. Please also inform the Committee on any plans introduced in relation to a rural development strategy with a focus on rural women's empowerment and the development of rural communities, and on:

(a) Access to credit and to land ownership for rural women, and indicate the steps taken to discontinue customary land tenure systems, which often discriminate against women, limiting their control over land and resources, including after amendments to the Land Act of 2010 and the Land Regulations of 2011, which still

acknowledge and depend on customary law and chiefs for various key land-related processes;

(b) Availability of adult literacy and vocational skills training programmes for rural women on sustainable agricultural practices, access to markets and value-added processing, which should be prioritized to enhance their economic opportunities and decision-making, livelihood options and abilities;

(c) Any existing and planned measures to facilitate rural women's access to financial services, including agricultural credit and loans, as well as adequate technology to support their participation in income-generating activities and entrepreneurship in the agri-food sector;

(d) Any steps taken towards achieving parity among leadership positions in rural cooperatives and rural groups, within which women constitute a larger number than men but hold no leadership positions.

Climate change and disaster risk reduction

22. In view of general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide information on the equal and meaningful participation of women in the development, implementation, monitoring and evaluation of legal and policy frameworks and programmes on climate change and disaster risk reduction. Please provide information on concrete steps taken to integrate gender and human rights into climate financing in national budgets and into legal and policy frameworks and actions related to climate change and disaster risk reduction, in order to meet the specific adaptation and mitigation needs of women and girls, including elderly women, rural women, women with disabilities, migrants, refugee and asylum-seeking women, and marginalized urban women in the State party.

Marriage and family relations

23. Please inform the Committee about measures taken to ensure that women are aware of their rights following the enactment of the Harmonization of Rights of Customary Widows with the Legal Capacity of Married Persons Act of 2022, under which widows are protected from disinheritance, and the recent Administration of Estates and Inheritance Act of 2024, and that those women know how to claim such rights. Please clarify whether forced marriage is fully prohibited under both civil and customary law. In view of the information provided in paragraph 152, please indicate the measures planned to provide women married under customary law with the same rights as those women married under civil law. Please indicate any steps taken to remove the legal discrimination of married women compared to married men as described in paragraph 158. Please also indicate whether any steps have been taken to outlaw polygamy, while upholding the rights of women currently in polygamous marriages. Please provide the Committee with a list of other discriminatory provisions against women and girls in marriage and family relations that remain valid in civil and customary law.