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|---------------------------------|--|
| <b>Country/entity</b>           | Lesotho  |
| <b>Region</b>                   | Africa (excl MENA)   |
| <b>Agreement name</b>           | Signed agreement by political parties on the National Assembly Electoral Bill 2011 |
| <b>Date</b>                     | 9 Mar 2011   |
| <b>Agreement status</b>         | Multiparty signed/agreed   |
| <b>Interim arrangement</b>      | Yes  |
| <b>Agreement/conflict level</b> | Intrastate/intrastate conflict   |

#### Lesotho Crisis (1998)

After Lesotho became independent in 1966, the Basotho National Party (BNP) established a one-party-system that lasted for almost three decades. After being beaten in elections in 1998, street protests against the new government were initialized; paving the way for a coup attempt by a faction of the national army. The conflict escalated when South African and Botswanan troops intervened in support of the elected government and although the revolt was effectively dampened by the end of the year, the political situation has remained fragile since.

Close

Lesotho Crisis (1998)

|                        |   |
|------------------------|---|
| <b>Stage</b>           | Framework/substantive - partial   |
| <b>Conflict nature</b> | Government  |
| <b>Peace process</b>   | Lesotho process   |
| <b>Parties</b>         | <p>11 political parties are signatories;</p> <p>Marematlou Freedom Party (MFP), signed by Vincent Moeketse Malebo</p> <p>Lesotho Workers Party (LWP), signed by Sello Maphalla</p> <p>Basotho Batho Democratic Party (BBDP), signed by Jeremane Ramathebane (signed twice)</p> <p>All Basotho Convention (ABC), signed by Tom Thabane</p> <p>Lesotho People's Congress (LPC), signed by Kelebone A Maspu</p> <p>Batotoho National Party (BNP), signed by [Illegible]</p> <p>Popular Front for Democracy (PFPD), signed by Lekhetho Rakuoane</p> <p>Basotho Democratic National Party (BDNP), signed by Pelele A. Letsoela</p> <p>National independent, [illegible]</p> <p>Government of Lesotho, by Archibald [...Illegible...]</p> |
| <b>Third parties</b>   | -   |
| <b>Description</b>     | Agreement for the amendment of the Electoral Law. Notably emphasises ensuring proportionality in the National Assembly, fairness in campaign financing and the inclusion of women in party lists.   |

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| <b>Agreement document</b> | <a href="#">LS_110309_Agreement on National Assembly Electoral Bill 2011.pdf (opens in new tab)   Download PDF</a> |
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## Groups

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

**Racial/ethnic/  
national group** No specific mention.

**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced  
persons** No specific mention.

**Social class** No specific mention.

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## Gender

**Women, girls and  
gender** 12. Gender balance on party lists  
a. Article 47 (2b&c)

13. Gender quota on the party list  
(Minority dissenting view in favour of one-third - BNP and BDNP, PFD)  
(ABC asks for time to consider)

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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**State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections**

Page 1,

1. Proportionality through a Mixed Member Proportional electoral system is enshrined.  
(a) Article 104, Schedule 3, and Const. article 57(1)

2. Pre-electoral alliances are precluded and candidates may not stand for two political parties. (a) Article 47 (4d), 7, 8

i. N change to 47 (4d 7 and 8) needed.

ii. add in 'office bearers' to 47 (8c)

[...] 4. For the purposes of Proportional Party List seat allocation independent candidates in constituencies shall be treated as if they were a political party.  
(a) Article 104 (3) i. Change required. New article 104 (3)  
"For the purposes of Proportional Party List seat allocation independent candidates in constituencies shall be treated as if they were a national political party. Independent candidates shall submit a single name on their party list."  
[...] 6. A deposit of M200 shall be paid for constituency candidates that are run. There will be a deposit o M8,000 for the party list candidates.  
a. Article 41 (2c) and 47 (4e)  
i. Change required. New article 41 (2c)  
"accompanied by the prescribed deposit of M200 paid in the prescribed manner."  
Amend article 47 (4e) to show M8,000

Page 2,

7. One of the causes of the cancellation of the registration of a political party shall NOT be their failure to contest national assembly or by-elections.  
a. Article 27 (2a&b)  
i. Change required. Delete 27 (a&b) and renumber.  
[...] 11. Who can petition the court on electoral issues?  
a. Article 126/127. A political party must have the capacity to petition the court on behalf of its candidates, if they have won seats or not.  
i. High Court must have jurisdiction on PR seats.  
[...] 14. Voter Education  
a. Resources will be made available for a voter education campaign to make voters aware of the change in the MMP election system – i.e., each voter being given a single ballot rather than two ballots as in 2002-2007.

15. Campaign Financing – Consolidated Fund (IEC)  
a. The UN, Government of Lesotho, Foreign missions and International Organisations will endeavour to increase the size of the Consolidated Fund, distributed by the IEC, and disbursed to contesting political parties.

**Electoral commission**

Page 2

15. Campaign Financing – Consolidated Fund (IEC)  
a. The UN, Government of Lesotho, Foreign missions and International Organisations will endeavour to increase the size of the Consolidated Fund, distributed by the IEC, and disbursed to contesting political parties.

|                                 |   |
|---------------------------------|---|
| <b>Political parties reform</b> | <p>Governance→Political parties reform→Other political parties reform</p> <p>Page 1,</p> <p>[...] 4. For the purposes of Proportional Party List seat allocation independent candidates in constituencies shall be treated as if they were a political party.</p> <p>(b) Article 104 (3) i. Change required. New article 104 (3)</p> <p>“For the purposes of Proportional Party List seat allocation independent candidates in constituencies shall be treated as if they were a national political party. Independent candidates shall submit a single name on their party list.”</p> <p>5. There shall be no threshold of candidates to be run in the constituencies for a party to be eligible for party list seat compensation.</p> <p>a. Article 47 (1a)</p> <p>i. Change required. Remove 47 (1a) and renumber.</p> |
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|----------------------|----------------------|
| <b>Civil society</b> | No specific mention. |
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| <b>Traditional/<br/>religious leaders</b> | No specific mention. |
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| <b>Public<br/>administration</b> | No specific mention. |
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| <b>Constitution</b> | <p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1,</p> <p>2. Pre-electoral alliances are precluded and candidates may not stand for two political parties. (a) Article 47 (4d), 7, 8</p> <p>i. N change to 47 (4d 7 and 8) needed.</p> <p>ii. add in ‘office bearers’ to 47 (8c)</p> |
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## **Power sharing**

|                                |                      |
|--------------------------------|----------------------|
| <b>Political power sharing</b> | No specific mention. |
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| <b>Territorial power sharing</b> | No specific mention. |
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| <b>Economic power sharing</b> | No specific mention. |
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| <b>Military power sharing</b> | No specific mention. |
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## **Human rights and equality**

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| <b>Human rights/RoL<br/>general</b> | No specific mention. |
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|-------------------------------|----------------------|
| <b>Bill of rights/similar</b> | No specific mention. |
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|-----------------------------|----------------------|
| <b>Treaty incorporation</b> | No specific mention. |
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|-----------------------------------|----------------------|
| <b>Civil and political rights</b> | No specific mention. |
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|------------------------------|----------------------|
| <b>Socio-economic rights</b> | No specific mention. |
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**Rights related issues**

|                    |                      |
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| <b>Citizenship</b> | No specific mention. |
|--------------------|----------------------|

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| <b>Democracy</b> | No specific mention. |
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| <b>Detention procedures</b> | No specific mention. |
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| <b>Media and communication</b> | No specific mention. |
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| <b>Mobility/access</b> | No specific mention. |
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| <b>Protection measures</b> | No specific mention. |
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| <b>Other</b> | No specific mention. |
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**Rights institutions**

|             |                      |
|-------------|----------------------|
| <b>NHRI</b> | No specific mention. |
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| <b>Regional or international human rights institutions</b> | No specific mention. |
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**Justice sector reform**

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|---|----------------------|
| <b>Criminal justice and emergency law</b> | No specific mention. |
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|--------------------------------------|----------------------|
| <b>State of emergency provisions</b> | No specific mention. |
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|------------------------------|----------------------|
| <b>Judiciary and courts</b>  | No specific mention. |
| <b>Prisons and detention</b> | No specific mention. |
| <b>Traditional Laws</b>      | No specific mention. |

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## **Socio-economic reconstruction**

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|---|----------------------|
| <b>Development or socio-economic reconstruction</b> | No specific mention. |
| <b>National economic plan</b>                       | No specific mention. |
| <b>Natural resources</b>                            | No specific mention. |
| <b>International funds</b>                          | No specific mention. |
| <b>Business</b>                                     | No specific mention. |
| <b>Taxation</b>                                     | No specific mention. |
| <b>Banks</b>  | No specific mention. |

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## **Land, property and environment**

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|---|----------------------|
| <b>Land reform/rights</b>                 | No specific mention. |
| <b>Pastoralist/nomadism rights</b>        | No specific mention. |
| <b>Cultural heritage</b>                  | No specific mention. |
| <b>Environment</b>                        | No specific mention. |
| <b>Water or riparian rights or access</b> | No specific mention. |

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## **Security sector**

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|---|----------------------|
| <b>Security Guarantees</b>                          | No specific mention. |
| <b>Ceasefire</b>                                    | No specific mention. |
| <b>Police</b>                                       | No specific mention. |
| <b>Armed forces</b>                                 | No specific mention. |
| <b>DDR</b>  | No specific mention. |
| <b>Intelligence services</b>                        | No specific mention. |
| <b>Parastatal/rebel and opposition group forces</b> | No specific mention. |
| <b>Withdrawal of foreign forces</b>                 | No specific mention. |
| <b>Corruption</b>                                   | No specific mention. |
| <b>Crime/organised crime</b>                        | No specific mention. |
| <b>Drugs</b>  | No specific mention. |
| <b>Terrorism</b>                                    | No specific mention. |

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## **Transitional justice**

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| <b>Transitional justice general</b> | No specific mention. |
| <b>Amnesty/pardon</b>               | No specific mention. |
| <b>Courts</b>                       | No specific mention. |
| <b>Mechanism</b>                    | No specific mention. |
| <b>Prisoner release</b>             | No specific mention. |



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|------------------------|----------------------|
| <b>Vetting</b>         | No specific mention. |
| <b>Victims</b>         | No specific mention. |
| <b>Missing persons</b> | No specific mention. |
| <b>Reparations</b>     | No specific mention. |
| <b>Reconciliation</b>  | No specific mention. |

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## **Implementation**

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| <b>UN signatory</b>                        | No specific mention.  |
| <b>Other international signatory</b>       | No specific mention.  |
| <b>Referendum for agreement</b>            | No specific mention.  |
| <b>International mission/force/similar</b> | No specific mention.  |
| <b>Enforcement mechanism</b>               | No specific mention.  |
| <b>Related cases</b>                       | No specific mention.  |
| <b>Source</b>                              | UN Peacemaker [ <a href="https://peacemaker.un.org">peacemaker.un.org</a> ] |

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