

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

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Lesotho process
Parties	<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>Batoto 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>
Third parties	-
Description	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.

Agreement document	LS_110309_Agreement on National Assembly Electoral Bill 2011.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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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)
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Men and boys	No specific mention.
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LGBTI	No specific mention.
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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.

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 of 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)

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Political parties reform Governance→Political parties reform→Other political parties reform
Page 1,
[...] 4. For the purposes of Proportional Party List seat allocation independent candidates in constituencies shall be treated as if they were a political party.
(b) 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.”
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.
a. Article 47 (1a)
i. Change required. Remove 47 (1a) and renumber.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making
Page 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)

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	UN Peacemaker [peacemaker.un.org]
