



A POLICY BRIEF ON GENDER-BASED VIOLENCE PREVENTION



**LESOTHO GENDER AND
DEVELOPMENT POLICY
2018 – 2030**



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Preamble

The constitution of Lesotho as the supreme law of the land is committed to social and gender justice. At the international and regional level, there exist a series of instruments that protect women and girls against gender-based violence (GBV). Lesotho is a signatory to most of the commitments in these instruments and has a host of legislative and policy frameworks to address GBV. Lesotho is undertaking comprehensive measured steps to address gender inequality in all its manifestations through the Gender and Development Policy 2018-2030 as encompassing and overarching policy instrument. Gender-based violence continues to be a challenge in a number of ways from: achieving food security, the sustainable development goals (SDGs) and national and global human security.

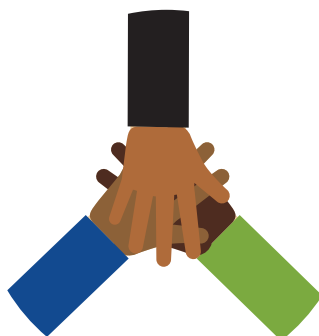
This policy brief on GBV is a succinct text that aims to provide clarity to all gender practitioners and activists on GBV status and prescribed response measures. Economic cost of GBV in Lesotho are well noted and there is warrant to respond swiftly to GBV as a response first to women's and children's rights as they are predominately victims, and secondly to economic destruction.

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List of Acronyms

GAD	Lesotho Gender and Development policy
GBV	Gender-Based Violence
IPV	Intimate Partner Violence
LGBTQI	Lesbian, Gay, Bisexual, Transsexual, Queer and Intersexual
MGYSR	Ministry of Gender, Youth, Sports and Recreation
PfP	Regional Programme on Partnerships for Prevention of Violence against Women and Girls in Southern Africa
SADC	Southern African Development Community
VAWG	Violence against Women and Girls



1 Introduction

The Government of Lesotho is committed to the promotion of gender equity and equality. This is demonstrated by the fact that the *National Strategic Development Plan II 2018/19 -2022/23* made it mandatory for all sectors to address gender concerns and issues through their development programmes. *The Gender and Development Policy 2018-2030* provides further guidance to and commitments from all sectors to ensure their contribution for the promotion of gender equity and equality. The Policy's development is based on Lesotho's strong alignment to national, regional and international obligations on gender equality, equity and empowerment. It incorporates the equality provisions of the *Lesotho Constitution*, the aspirations of the *United Nations 2030 Agenda for Sustainable Development* and *African Union Agenda 2063* and is aligned to *Southern African Development Community (SADC) Gender Protocol*. All these documents point to gender equality and empowerment of women as imperative in the attainment of fundamental principles of democracy, human rights and a pre-requisite for sustainable development.

The *SADC Protocol on Gender and Development* also clearly identifies gender-based violence (GBV) as an area of concern and reflects commitment to address GBV comprehensively, indicating urgency and proposing pragmatic actions by Member States. Lesotho, as a member of SADC and signatory to the *Gender and Development Declaration*, developed the *Lesotho Gender and Development (GAD) policy* which was approved by the cabinet in 2018.

KEY DOCUMENTS



National Strategic Development Plan II 2018/19 -2022/23

The Gender and Development Policy 2018-2030

Lesotho Constitution

United Nations 2030 Agenda for Sustainable Development

African Union Agenda 2063

Southern African Development Community (SADC) Gender Protocol

SADC Protocol on Gender and Development

SADC Regional Strategy and Framework of Action for addressing GBV 2018 – 2030

The GAD policy reflects the commitment of Lesotho to addressing GBV comprehensively in the country.





The development of the Policy Brief on GBV provides a starting point for providing shared goals and strategic frameworks based on the Lesotho GAD Policy.

The process of developing the GAD Policy for Lesotho took into consideration the importance of aligning it to the *SADC Regional Strategy and Framework of Action for addressing GBV 2018 – 2030*. Hence, the GAD Policy provides a framework to address GBV as a human rights violation and an impediment to prosperity and development of an inclusive and participatory society. In collaboration with the Regional Programme Partnerships for Prevention of Violence against Women and Girls (PfP) of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, the Ministry of Gender, Youth, Sports and Recreation (MGYSR) has decided to develop a policy brief on GBV.

The policy brief is aimed at all citizens with an emphasis on gender practitioners and activists and will serve as an educational tool on GBV. It is intended as an information manual to change attitudes and perceptions on harmful gender stereotypes to contribute to the primary prevention of GBV in order to stop it from happening all together.



2 Context

Gender-based violence in Lesotho

The Government of Lesotho has enacted the *Sexual Offences Act of 2003* which, among others criminalizes marital rape and provides for compulsory HIV testing of perpetrators. The Act further imposes heavy penalties to perpetrators who committed the offence knowing their HIV positive status in order to respond to high incidences of sexual offences acts. The government further enacted the *Penal Code of 2010*, which regulates all assault cases inclusive of domestic violence.

Human Trafficking continues to plague specifically women and children around the world. Lesotho is considered to be a source, destination and transit point for women and children subjected to sex and labour trafficking. Though the country has enacted the *Anti-Trafficking in Persons Act of 2011* as well as the *Child Protection and Welfare Act of 2011*, there is still a significant gap in legislation dealing with domestic violence.

GBV in its various forms is endemic in communities of Lesotho. The impact of GBV resonates in all spheres of society, including political, economic and social. While women and girls constitute majority of victims and are the most visible survivors, they are not the only ones suffering consequences of GBV.

Epidemiological evidence shows that violence is a major cause of ill health, high mortality and disabilities as a result of injuries among women and girls. Violence against women remains a major challenge as it adversely impacts women's health, productivity and wellbeing.

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KEY LEGISLATION

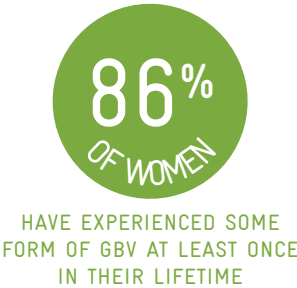
Sexual Offences Act, 2003

Penal Code, 2010

Anti-Trafficking in Persons Act, 2011

Child Protection and Welfare Act, 2011

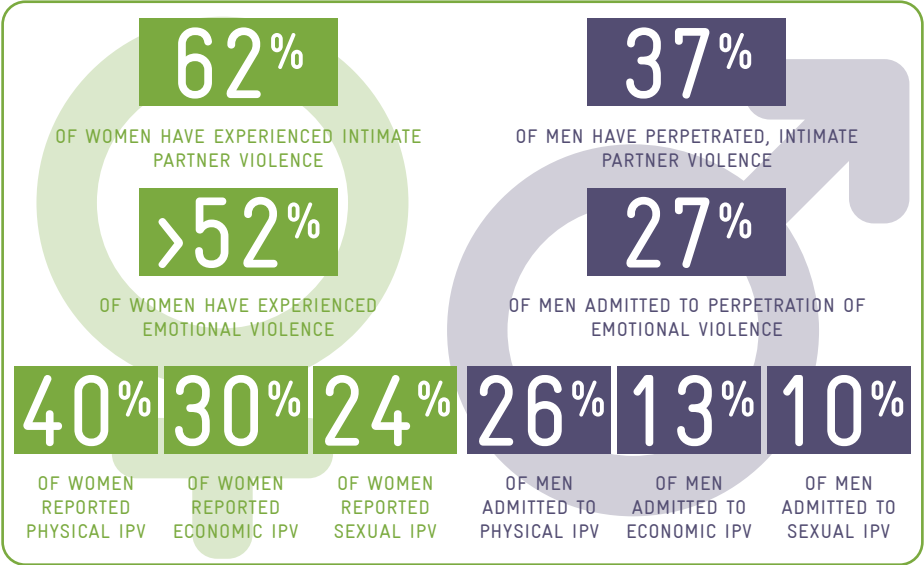




A study by Gender Links found that in Lesotho, 86% of women have experienced some form of GBV at least once in their lifetime, including partner and non-partner violence. The forms of violence experienced include physical, sexual, psychological and economical abuse. 40% of men have perpetrated GBV as least once in their lifetime.

A significant proportion of GBV cases happen within intimate relationships. 62% of women have experienced, while 37% of men have perpetrated, intimate partner violence (IPV). The predominant form of IPV is emotional violence, which includes insults, belittling and verbal abuse. More than half (52%) of women experienced this in their lifetime. Women also reported physical (40%), economic (30%) and sexual (24%) IPV. For all forms of violence, a lower proportion of men admitted to perpetration: emotional IPV (27%), physical IPV (26%), economic IPV (13%) and violence IPV (10%).

GBV in intimate relationships



3 Gender and Development Policy

The Gender and Development Policy (GAD) clearly specifies that:

“the Government of Lesotho shall promote an environment of zero tolerance to all forms of GBV at all levels in order for women, men, the elderly, girls, boys as well as lesbian, gay, bisexual, transsexual and Intersexual (LGBTI) persons and people with disabilities to live a life free from violence”.



It is the GAD Policy's objective on GBV to prevent and reduce all forms of GBV in the public and private spheres and to provide integrated services to GBV survivors and perpetrators.



Guiding Principles and Cross-Cutting Strategies



The GAD Policy clearly states that “the impact of GBV resonates in all spheres of society, including political, economic and social”. Hence, all efforts to prevent and reduce GBV need to be embedded in a broader framework. Only if all measures and activities are guided by the same principles and cross-cutting strategies will a holistic approach to end GBV be possible. Without the same shared understanding and approach to overcome gender inequality and at its heart GBV the effectiveness and efficiency of efforts will fall short.

Guiding principles for the implementation of the Lesotho GAD Policy

- **RIGHTS BASED APPROACH:** Women's, men's, girls', boys' and marginalized groups rights are human rights. They are an integral part of good governance, eradicating corruption and fostering democracy.
- **EMPOWERMENT OF WOMEN AND GIRLS:** Gender equity and equality can only be achieved if women and girls have the skills, confidence and agency to claim their legal, social, economic and political rights.
- **EMPOWERMENT AND INVOLVEMENT OF MEN AND BOYS:** Men and boys have a key role to play in achieving gender equality.
- **MULTI-SECTORAL APPROACH:** All stakeholders including state and non-state actors across all sectors need to work together as partners in a coordinated way to achieve gender equity and equality.
- **MONITORING AND EVALUATION:** Periodic assessment of the situation or development intervention to reflect its impact on gender socially, economically and politically.
- **GENDER RESPONSIVE FINANCING:** All Government agencies and non-state actors are responsible for providing budgetary and human resources needed for implementation of this Policy, including through the strategy of gender responsive budgeting outlined above.



Cross-cutting strategies supporting the implementation of the Lesotho GAD Policy

- **RESEARCH, STRATEGIC INFORMATION AND DOCUMENTATION:** Conduct regular research and periodic reviews in the light of emerging issues, report and document and share the experiences learned.
- **COORDINATION:** Conduct regular coordination meetings to ensure harmonization of and synergies between efforts of all stakeholders to avoid duplication; and monitor and evaluate progress on the implementation of the gender and development policy and the impact made.
- **CAPACITY BUILDING FOR GENDER MAINSTREAMING:** Capacitate all stakeholders to include gender equality into the development of policies and programmes.
- **CAPACITY STRENGTHENING OF GENDER MACHINERY:** Strengthening the capacity and competencies of the Gender Machinery in both government and Non-Government organisations.
- **FINANCING FOR GENDER EQUALITY:** Reviewing financing patterns and lobby development partners to increase resource allocations for promoting gender equality in Lesotho.
- **GENDER RESPONSIVE BUDGETING:** Promote gender equality by influencing the budgeting process and assuring the allocation of adequate resources and public expenditure for all sectoral programs in order to address gender inequalities. Collectively, Gender Responsive Budgeting initiative seeks to raise awareness of the effects that budgets have on women and men, girls and boys and other marginalized groups. It holds the Government accountable for its commitments to gender equality.

Lessons on GBV 5

The Implementation of the Lesotho GAD Policy on GBV is guided by these lessons:



01 Abuse is cyclical.

02 Violence occurs throughout the life cycle.

03 A comprehensive response must ensure attention to vulnerable and underserved populations including women and girls living in poverty or rural areas, women and girls with disabilities, those in conflict and refugee situations, and indigenous women.

04 Engaging women and girls as change agents, partners, and survivors in policy, programme development, implementation and evaluation is important in addressing their GBV related needs.

05 Engaging men and boys as allies, advocates, role models, change agents, partners and survivors in policy, programme development, implementation and evaluation is important in prevention and mitigation of GBV.

06 Effective coordination and partnerships include engaging religious organisations, the community, the business sector, local civil society, as well as local government leaders and service providers.

07 Understanding the causes and socio-cultural dynamics that perpetuate violence is key to designing relevant, targeted and effective interventions.

08 Consideration should be given to the potential impact of efforts in order to 'do no harm' to the intended beneficiaries.

The needs and wishes of victims and survivors are not the same. All must be recognised and treated with respect.

6 Emerging Gender concerns and observations

The GAD Policy identifies and highlights some emerging gender concerns. As GBV is entrenched in all areas of life, these emerging gender concerns and observations have an impact on the risk and prevalence of GBV overall.

- **Quantifying the cost of Gender inequality**, for example the cost of gender-based violence and financing gender equality is one of the key issues.
- **Absence of specific legislation on Domestic Violence** – this has left gender-based violence inadequately addressed by the law since it is executed using other laws. As a result perpetrator of GBV either go unpunished or get lighter sentences.
- **Changing gender relations and gender identities** – the societal expectations on males and females. To prevent GBV from happening in the first place means to address its root causes and promoting gender transformation. Gender transformation necessitates social norms change regarding stereotypes, attitudes and behaviours that promote gender inequality as well as violence as an acceptable form of conflict resolution. Positive change of gender norms lies at the centre of primary prevention approaches.
- **Male involvement in the promotion of gender equity and equality** – this will lay a strong foundation for the establishment of the principles of shared power and responsibility among women, men and other marginalized groups at home, in the community and in the workplace including the wider national and international community. Hence, men and boys are key in preventing GBV, to address its root causes and promoting gender transformation.
- **Hot spots for GBV:** GBV does not occur in a vacuum, but within social spaces, where it is sometimes least expected. Some GBV hot spots include the following¹; fields, households, dongas/gullies, initiation schools, families.
- **Climate change, such as the effects of El-Nino drought on livelihoods and agriculture.** A UNDP study indicated that in 2016 incidences of GBV increased as families became food insecure. Food insecurity increases stress levels and tensions in households and e.g. men might perceive it as a personal failure to not conform with their roles as family providers assigned by society. Without positive change of gender norms, the risk of GBV as an acceptable form of conflict resolution increases.
- **Continued perpetuation of gender inequality because of unpaid care work, domestic work and community work.** This is calling for investing in potential and strategic areas to maximise gender mainstreaming efforts.



¹ [https://www.undp.org/content/dam/unct/lesotho/docs/Publications/BASELINE%20STUDY%20UNFPA%20FINAL%20DRAFT%20-%202017032017%20\(3\)th.pdf](https://www.undp.org/content/dam/unct/lesotho/docs/Publications/BASELINE%20STUDY%20UNFPA%20FINAL%20DRAFT%20-%202017032017%20(3)th.pdf)

Role and Actions

of the Government, Civil Society, Academia and Private Sector



The government of Lesotho has committed to developing and strengthening institutional frameworks for implementation and monitoring of the GAD policy. To achieve the commitments, the government undertakes the following strategic actions:

STRATEGIC ACTIONS

- 1. Set up and strengthen National Gender Machineries**
- 2. Capacity building for Gender Machineries**
- 3. Coordinate resourcing for the National Gender programs**
- 4. Strengthen the mandate and functioning of the Gender Technical Committees at national and district level**
- 5. Capacitate and strengthen Gender Technical Committee**

In order to address GBV, different stakeholders are needed, as this will enhance existing efforts. The following table allocates responsibilities and tasks respectively.

Ministry of Gender and Youth, Sports and Recreation	• Coordinate all gender-based violence related activities conducted by governmental, non-governmental and private sector and international actors. • Embark on gender responsive budgeting for all sector policies and programmes.
Ministry of Home Affairs	• Protection of human life and controlling free movement of people into, within and out of Lesotho • Embark on gender responsive budgeting for all sector policies and programmes
Ministry of Police	• Capacitate division of CGPU to deal with gender related offences adequately • Embark on gender responsive budgeting for all sector policies and programmes
Ministry of Justice and Correctional Services	• Help in the making of non-discriminating legislature. • Embark on gender responsive budgeting for all sector policies and programmes
Ministry of Health	• Provision of quality health care services for survivors of gender based violence, addressing their physical, mental and reproductive health needs • Embark on gender responsive budgeting for all sector policies and programmes
Ministry of Social Development	• Extend effective social development service to anyone exposed to gender based violence • Embark on gender responsive budgeting for all sector policies and programmes
CSOs	• Advocacy and lobbying • Awareness creation

Service Directory

Knowledge sharing platform



- **CGPU** Toll Free Number for Reporting – 80066666
- **Nokaneng:** App (Android) Google Play store by inserting 'Nokaneng' and then download.
- **Nokaneng:** SMS-Based solution can be accessed on this short code: 36677 by Vodacom-Lesotho subscribers only.
- **Help Lesotho-Maseru Office**
Post Office 15105, Maseru 100 LESOTHO **+266 28330581**
- **Help Lesotho - Leribe Office**
P.O. Box 231, Leribe 300 LESOTHO, **+266 28400809**
info@helplesotho.org, www.helplesotho.org
- **Ministry of Gender & Youth, Sports & Recreation district offices, Maseru**
Post Office Building 3rd Floor, **+266 22326465, 22326463**
Department of Gender website link: www.gender.gov.ls
- **Health Centres in all 10 Districts**
- **Chiefs or Community leaders in all districts**
- **Lesotho Planned Parenthood Association (LPPA): +266 22313645/ 57257020**
- Karabo ea Bophelo
 - Berea: +266 57215775
 - Botha-Bothe: +266 57122181
 - Leribe: +266 57617944
 - Mafeteng: +266 57347769
 - Maseru: +266 57813452
 - Mokhotlong: +266 57014256
 - Mphahlele: +266 57560682
 - Thaba-Tseka: +266 57727847
 - Quthing: +266 57727808

- **Gender Links:** LNDC Kingsway Maseru Block C Level 4, Room 421, +266 22316755
- **Migrant Workers Association of Lesotho:** +266 57351287/ 59519138
- **Social Development district offices:** +266 22324099, +266 22314099, +266 22226004/3
- **FIDA- Federal of Women Lawyers:** Hoohlo Extension, +266 22325466

Info Box: Nokaneng

'Nokaneng' includes three components: Digital solutions, media and community-based interventions. The digital component consists of two solutions - a smartphone app and a SMS-based solution - that facilitate easy access to edutainment content that informs and sensitises women about what constitutes violence, VAWG related rights and services, safe support networks as protective measures (such as a panic button-function and alarm function) and virtual counselling. The aim of the digital solutions is preventive in that it seeks to sensitize women and girls, stimulate conversation among them and build solidarity in order to help address VAWG. Links to services for survivors are added to provide an immediate response.



www.gov.ls/ministry-of-gender-youth-and-sports

www.partnershipsforprevention.org

Partnerships
for **Prevention**

of violence against
women and girls
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