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## **Draft report of the Working Group on the Universal Periodic Review\***

### **Lesotho**

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its eighth session from 3 to 14 May 2010. The review of Lesotho was held at the 6th meeting, on 5 May 2010. The delegation of Lesotho was headed by the Honourable (Mrs.) Mpeo Mahase-Moiloa, Minister of Justice, Human Rights and the Correctional Service and of Law and Constitutional Affairs of the Government of the Kingdom of Lesotho. At its 10th meeting, held on 7 May 2010, the Working Group adopted the report on Lesotho.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Lesotho: Cameroon, Slovenia and the United Kingdom of Great Britain and Northern Ireland.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Lesotho:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/8/LSO/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/8/LSO/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/8/LSO/3).
4. A list of questions prepared in advance by Argentina, the Czech Republic, Denmark, Germany, Ireland, Latvia, the Netherlands, Norway, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Lesotho through the troika. Those questions are available on the extranet of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of Lesotho introduced its national report and stated that the country had undergone a similar process under the African Peer Review Mechanism (APRM) in July 2009. Lesotho's national report to the universal periodic review had been prepared through an integrated institutional process and in consultation with civil society.
6. The delegation noted that Lesotho was one of the least developed countries and one of the countries with the lowest official development assistance per capita. The global financial and economic crises had had devastating socio-economic effects. Despite the adverse affects, Lesotho had made major strides towards the full enjoyment of human rights.
7. The delegation noted that national reports on domestic implementation had been submitted on ICCPR in 1999, on ICERD in 2000 and on CRC in 2001. There were currently draft reports on ICESCR and a periodic report on ICCPR, and every effort would be made to submit the report to the Committee on the Elimination of Discrimination against Women before the end of 2010.
8. When examining Lesotho, the Human Rights Committee had made recommendations on some provisions of the Constitution that were not compatible with the

Covenant. In response, Lesotho had enacted laws such as the Legal Capacity of Married Persons Act 2006, which ruled out discrimination against women in marriage, and the Sexual Offences Act 2003, which addressed areas under the common law offence of rape. The Committee had also commented on the need to improve conditions of prisons, and the delegation had stated that conditions were being improved through renovations.

9. The Committee on the Rights of the Child had recommended that the Children's Protection Act 1980 be brought into conformity with the principles of CRC. Consequently, a comprehensive children's protection and welfare bill had recently been forwarded to Parliament.

10. The delegation noted that CERD had been concerned by the absence of a comprehensive legislative framework prohibiting acts of racial discrimination and by the lack of effective remedies. The Race Relations Order 1971 had then been amended to include provisions for the teaching of tolerance and peaceful coexistence among people of diverse origins.

11. The delegation indicated that, in an attempt to make Parliament more responsive to the needs of the population, some reform measures had been introduced, and it now had portfolio committees that monitored ministries and facilitated people's participation in law making, policy formulation and the fielding of proposals.

12. The Independent Electoral Commission (IEC) is empowered to conduct free and fair elections and referendums. The delegation highlighted the fact that the IEC was independent and that it had organized the first National Assembly elections in 1998 and subsequent elections in 2002 and 2007. The delegation noted that all had been declared free and fair by domestic, regional and international observers.

13. The Office of the Ombudsman complemented the work of the judiciary as a constitutional body, mandated to investigate all allegations involving acts perpetrated by Government agencies. The enforcement of the Ombudsman's recommendations was overseen by Parliament and was working well.

14. The delegation noted that Lesotho retained the death penalty solely for the following offences: murder, treason and rape. However, there were appropriate safeguards. Capital punishment had not been carried out since 1995, and most sentences had been commuted to terms of life or long imprisonment.

15. Lesotho noted that it had witnessed an increase in human trafficking involving women and children, and that plans were under way to establish a legislative framework for addressing this.

16. The delegation indicated that Lesotho's achievements included high literacy rates and the adoption of the Mixed Member Proportional Representation Electoral Model. The Government had also taken steps to empower women politically; hence, the Local Government Act in 2004 had been amended to allocate 30 per cent of the seats in the Local Councils to women, and 58 per cent representation of women had actually been achieved.

17. Regarding the HIV/AIDS pandemic, various efforts have been undertaken, including voluntary counselling and testing and the establishment of the National Aids Commission. An HIV/AIDS Bill is under preparation and will provide a legal framework for interventions. Despite resource limitations, the poor are afforded free access to available health services.

18. Lesotho continues to be beset by a decline in agricultural production as a result of soil erosion and periodic droughts. As a result, the country is experiencing a worsening food deficit and widening poverty and food insecurity. Despite those setbacks and negative

effects, the Government continues to prioritize social safety nets, such as school feeding and orphaned and vulnerable children's programmes and old-age pension schemes.

19. The delegation stated that the already high levels of unemployment had been exacerbated by the global crises. The economy was in dire straits, and economic and social rights would be seriously threatened unless the international community should provide additional support. Despite challenges, Lesotho remained committed to achieving the Millennium Development Goals and the Vision 2020 Strategic Framework.

20. In response to advance questions, Lesotho stated that it had maintained the death penalty under statutory law as a form of deterrence; the penalty had not been carried out for the past 15 years. The Government took note of the international trend towards the abolition of the death penalty. Freedom from torture and inhuman or degrading treatment was guaranteed under the Constitution and was prohibited under applicable common law; and, in 2000, Lesotho had ratified the Convention against Torture. It provided information about the Police Complaints Authority and the Office of the Ombudsman, established to address allegations of torture in places of detention. The ratification of the Optional Protocol to the Convention against Torture would be considered.

21. Concerning places of detention, conditions have been improved considerably following the renovation of certain institutions in some districts, including the Mental Institution for Inmates, which is currently under construction. Nonetheless, there is still a need for infrastructural improvements, resources permitting.

22. The delegation noted that Lesotho adhered to the right to freely participate in public processions and gatherings, as well as to freedom of expression, in as much as Lesotho had the duty to ensure the security of the people. Through the enactment of the Public Processions and Meetings Bill, Lesotho was seeking to strike a balance between those two obligations.

23. The delegation stated that in Lesotho, freedom of press flourished and there were about 10 privately owned radio stations and newspapers, all of which enjoyed free broadcasting and publishing. Independent bodies such as the Lesotho Telecommunications Authority, the Media Institute of Lesotho and others regulated media issues. The draft media policy upheld the right of freedom of expression.

24. The delegation stated that the Children's Protection and Welfare Bill, inspired by the Convention on the Rights of the Child, would be discussed during the current sitting of Parliament. The Government had put in place Child and Gender Protection Units at all police posts to respond to allegations of violence against children. A toll-free child help line for reporting abuse was also in place.

25. As the plight of HIV and AIDS had led to more children being orphaned, the Government provided payment of school fees, monthly grants and food packages to such orphans.

26. Concerning the protection of children in conflict with the law, the Government had enacted the Children's Protection Act 1980. Rather than employing usual criminal justice procedures, the country had adopted the use of restorative justice. The Children's Protection and Welfare Bill had further improved the child justice system.

27. The Constitution established the age of majority at 18. Lesotho was working on various pieces of legislation to bring them into conformity with the Constitution and international standards.

28. The delegation noted that, despite the existing reservation to article 2 of CEDAW, Lesotho had undertaken measures to ensure the elimination of discrimination against women, as well as gender equality, by undertaking a review of all discriminatory laws. The

Child and Gender Protection Unit actively addressed issues related to gender-based violence.

29. The delegation referred to a study to assess the prevalence and impact of domestic violence, the outcome of which would be used to inform the enactment of legislation on domestic violence.

30. The delegation stated that it was necessary to proceed cautiously, beginning with sensitizing the public in order to pave the way for the establishment of a Human Rights Commission, and that the relevant draft legislation was already in place.

31. Lesotho was overdue in submitting some reports under certain human rights instruments owing to, inter alia, limited capacity. However, measures were being taken to address the situation.

32. Regarding an invitation to special procedure mandate holders, the delegation noted that Lesotho had already resorted to that function under APRM and found it to be quite adequate, and that duplication of efforts should be avoided.

33. The delegation indicated that the 2007 general election had never been subject to dispute. What had been disputed was the allocation of proportional representation seats. These were allocated by an independent body, IEC. Parties had agreed to amend relevant electoral laws in preparation for the 2012 general elections, while dialogue continued on the allocation of proportional representation seats and other outstanding issues.

34. The delegation concluded by indicating Lesotho's ambition to move forward expeditiously towards best practice in the field of human rights. The pace was determined by the availability of the requisite resources and capacity, as well as the receptiveness of society.

## **B. Interactive dialogue and responses by the State under review**

35. During the interactive dialogue, 48 delegations made statements. Recommendations made during the dialogue are found in section II of the present report.

36. A number of delegations thanked Lesotho for its cooperation with the universal periodic review mechanism and commended the delegation for the consultative process for the preparation of the national report, as well as for the comprehensive presentation.

37. Nicaragua recognized Lesotho's implementation of its strategic framework, Vision 2020. It noted that poverty and extreme poverty were the principal obstacles to the full enjoyment of human rights. It applauded Lesotho's strategies of alternative development, adapted to its situation, with a view to achieving a stable democracy, peace and security, good governance and the full enjoyment of human rights. It noted the negative impact of the current economic and financial crisis on Lesotho's economy. It asked about measures to harmonize its mixed judicial system with international human rights norms. It made recommendations.

38. Mexico noted Lesotho's challenges, particularly under difficult economic and social conditions. It welcomed the implementation of Vision 2020, which identified areas of priority attention and programmes of structural adjustment for poverty reduction. It noted Lesotho's adherence to and ratification of a number of international human rights instruments. It asked about the submission of overdue reports to treaty bodies and the incorporation of international obligations into national laws and norms. It expressed solidarity with Lesotho's appeal for material, technical and financial assistance. It made recommendations.

39. The Bolivarian Republic of Venezuela highlighted Lesotho's efforts in education, in spite of the global economic and financial crisis affecting its economy. It noted the fact that free primary education had been introduced in 2000, the implementation of the programme "Education for All" and Lesotho's unique position in sub-Saharan Africa, with an enrolment rate of 84 per cent for 2006. It highlighted the efforts to establish mandatory primary education and to promote amendments to the Law of Education. It made recommendations.

40. Cuba highlighted the strategies of Lesotho concerning the fight against poverty; the modification of the law of racial relations, which provided for protection from racial hate; and the 2008 law on the environment. It also highlighted advances in protecting the rights of peoples with disabilities, women and children, ensuring access to health and education and guaranteeing the right to food. It highlighted the National Plan of Food Security and strategies to improve agricultural productivity. It made recommendations.

41. Brazil noted the increase in the representation of women in political positions. The persistence of female genital mutilation was of particular concern, and it expressed concern about allegations of excessive control of the media. It asked in which areas the international community could better assist in controlling and combating the spread of HIV/AIDS. It asked what measures were being undertaken to guarantee that social, economic and cultural rights received the same treatment as civil and political rights under the Constitution. Brazil made recommendations.

42. Belarus noted that Lesotho needed international assistance to resolve the problems it faced with respect to the AIDS/HIV pandemic and poverty, and to ensure capacity-building for human rights protection. It congratulated Lesotho on its support for UNICEF and the European Commission in its effort to help categories of children, including orphans. It welcomed the drafting of a bill on the protection and well-being of children, considered as a priority by the Government. Belarus made recommendations.

43. Algeria referred to the technical assistance requested by Lesotho with respect to its periodic reports and the setting up of a national human rights commission. It also inquired about the measures Lesotho intended to take to overcome the negative effects of the economic and financial crisis and to indicate what kind of assistance was needed in that area. Algeria noted that improving the functioning of justice was one of the national priorities. It inquired about the measures Lesotho intended to take to find a lasting solution to the problem of food insecurity. Algeria made recommendations.

44. The United States of America commended Lesotho for efforts to eliminate gender discrimination and advance women's role in the political realm. It noted the statement promising figures regarding women's participation in local government. It urged taking advantage of the international focus to rally support for a comprehensive law to combat the trafficking in persons. It commended efforts to professionalize the police and to guard against impunity. It commended the tabling of the children's protection and welfare bill and hoped that the bill would be promptly enacted, taking into account the statement that it drew inspiration from the Convention on the Rights of the Child. The United States made recommendations.

45. Argentina recognized the establishment of the Ministry of Gender Affairs and the Unit for the Protection of Women and Children, and the focus on positive discrimination adopted at the level of local government. It asked about legislation on the age of majority, as well as women's civil rights. It made recommendations.

46. Egypt commended the efforts made in the fight against poverty, including the poverty reduction strategy paper and National Vision 2020, based on the three principles of democracy, good governance and human rights. It hailed efforts undertaken to provide quality health services, in addition to compulsory free primary education, and for the

achievement of food security. It welcomed in particular the adoption of the Children's Protection Act of 1980. However, it stated that such efforts were hampered by the lack of capacity and resources. Egypt made recommendations.

47. Germany appreciated the fact that the interests of the child remained one of the top priorities in the Government's policies and programmes. On the other hand, the Committee on the Rights of the Child had raised serious concerns about incidents of violence against children committed by law enforcement officials and the lack of investigation or criminal justice response to such incidents. Another serious issue was the indications of a high number of sexual abuses against women. It asked which measures the Government had taken or would take to strengthen the awareness of children's rights issues within the criminal justice system. Germany made recommendations.

48. Norway noted the progress reported on gender equality, but remained concerned about, inter alia, the persistence of discrimination based on customary law. It expressed concern about apparently insufficient information about, and the organization of, the local elections to be held in 2010. It was concerned about the Independent Electoral Commission and its ability and role in electoral processes and in disseminating voter awareness. It expressed concern about reports that newspapers had been subjected to claims of defamation for having reported on political leaders. It commended the draft media policy, which included appropriate codification of the right to freedom of expression. Norway made recommendations.

49. Morocco inquired about the community programme for rehabilitating persons with disabilities, launched in 2005, and particularly its goals and its implementation process. Morocco noted with satisfaction the National Vision 2020 as a strategic framework for economic, social, political and human development. It referred to the negative impact of the international financial and economic crisis on Lesotho. Finally, Morocco was pleased by the priority placed on the establishment of a human rights commission in accordance with the Paris Principles. Morocco made recommendations.

50. Nigeria encouraged Lesotho to continue to build its socio-economic and political frameworks for enhancing the protection and promotion of fundamental human rights and freedoms for its people. It referred to the challenges faced by Lesotho in the implementation of its international and national human rights obligations. Therefore, it called on the international community and United Nations agencies such as WHO and FAO to provide support to Lesotho. Nigeria made one recommendation.

51. Bangladesh highlighted Lesotho's challenges as a least developed country. It appreciated the efforts made in education and in enhancing the participation of children at the primary level through legislation and the Vision 2020 initiative, which addressed the rights of children. It expressed concern about violence against women and HIV/AIDS prevalence. It reiterated that the international community should consider providing support to Lesotho for follow-up on recommendations. It made recommendations.

52. Netherlands commended Lesotho for having ratified most core human rights treaties. It expressed concern that, despite the country's efforts, violence against women and children persisted. It expressed concern about the reported interference of the army in the discharge of the duties of the police, in matters such as the disputes following the 2007 elections. It noted with concern the reported lack of independence of the judiciary. It mentioned the issue of the rights of lesbian, gay, bisexual and transgender persons, and the fact that a sexual relationship between consenting adult men was still illegal. It understood that the Sexual Offences Act had made the Sodomy Law useless. Netherlands made recommendations.

53. Indonesia noted with appreciation the fact that Lesotho had ratified almost all the core human rights treaties. It welcomed Lesotho's efforts to promote the rights of people



with disabilities by establishing the Rehabilitation Unit in the Ministry of Health. It also referred to the fact that HIV/AIDS was considered the single most important threat to the development of the country. Indonesia made recommendations.

54. China highlighted Lesotho's progress in increasing the literacy rate, improving the political status of women and curbing the spread of HIV/AIDS. China welcomed Vision 2020, a strategic framework for reducing poverty and improving the protection of the rights of adolescents and children with disabilities. It noted poverty, HIV/AIDS and the shortage of food as challenges. It appealed to the international community to provide the technical assistance necessary to help the country overcome these difficulties and achieve the Millennium Development Goals. It made recommendations.

55. Ireland welcomed, inter alia, the passage of the Legal Capacity of Married Persons Act 2006 and the provision of free primary education and legislation making it compulsory. With regard to the Public Processions and Meetings Bill before Parliament, it noted that civil society groups and political parties would have to apply for permission. It considered that safeguards should ensure that the provisions of the Bill did not infringe on the right to freedom of association and assembly. It was aware that the death penalty was still on the State books, and it wished to encourage the formalization of the moratorium and the abolition of the death penalty. Ireland made recommendations.

56. France referred to independent reports and to the Human Rights Committee, noting frequent instances of torture and ill treatment by the police, in particular with respect to inmates held in prisons. France referred to treaty bodies and special procedures, citing the persistence of serious discrimination against women with regard to employment, education, inheritance and the right to property. It referred to the 2007 UNFPA report, which indicated an increase of violence against women and a high incidence of HIV/ AIDS among women. It inquired about the measures that the Government intended to take to remedy that situation. France made recommendations.

57. Philippine noted Lesotho's challenges as well as its ratification of virtually all core human rights instruments. It highlighted that the international community should help Lesotho in submitting reports to treaty bodies, and also in establishing a national human rights institution, for which draft legislation was in place. It noted that a children's protection and welfare bill, patterned after CRC, was being considered by Parliament. It welcomed the fact that there had been no execution of capital punishment sentences since 1995, and it also welcomed the promotion of gender equality and women's rights. It made recommendations.

58. Australia looked forward to the establishment of the Human Rights Commission. Although executions had not been carried out since 1995, it regretted the fact that Lesotho had not formally abolished the death penalty. While noting progress in women's rights, Australia expressed concern about ongoing gender discrimination, violence against women and unequal access to employment. It noted with concern reports of violence against and the sexual exploitation of children, as well as child labour. It remained troubled by ongoing discrimination against homosexuals and the criminalization of male homosexuality. Australia made recommendations.

59. Canada stressed that the 2003 Sexual Offence Act and the 2006 Legal Capacity of Married Persons Act represented significant milestones in the advancement of women's rights. It expressed concern about reports regarding the incidence of child exploitation, abuse, trafficking and child labour, and the fact that some of these violations were increasing. Canada noted the State's direct ownership and control of public broadcasting and its content. Canada made recommendations.

60. The United Kingdom of Great Britain and Northern Ireland noted attempts to address differences over the 2007 election results, a review of the Electoral Law, and hoped

that all parties were confident that their views would be represented in the 2012 elections. The United Kingdom urged legislation to abolish the death penalty. It welcomed and asked about the further improvement of prison conditions. It noted concerns and urged the establishment of a media council to ensure media plurality. It encouraged the prioritization of domestic violence legislation and asked about other measures to be taken to address gender-based violence. The United Kingdom made recommendations.

61. Senegal was pleased that Lesotho was a party to most international legal human rights instruments and had adopted a number of laws to protect those rights, including for women, children and persons with disabilities. Senegal also noted that Lesotho had established a number of institutions tasked with protecting and promoting human rights, stressing human rights education, and it welcomed this spirit. Senegal made recommendations.

62. In response, the delegation of Lesotho thanked the States for their questions. The head of delegation stated that, to the best of her knowledge, Lesotho did not practice female genital mutilation. Concerning food insecurity, the Government was doing its best to invest resources in an agricultural project, “block farming”, assisting farmers in increasing food production. With support from donor partners, Lesotho would be able to deal with the issue of food insecurity to some degree.

63. With regard to addressing the issue of social, economic and cultural rights on an equal footing with that of civil and political rights, the delegation indicated that this would depend on, inter alia, economic strength, and that it was making progress. In considering education and health policies, Lesotho was making an effort to ensure that those rights were enjoyed.

64. With regard to reporting under human rights instruments, Lesotho was indeed engaged in consultations with OHCHR for technical assistance to ensure that the country complied with reporting obligations. The delegation considered that Lesotho would be able to accomplish this shortly.

65. Concerning the establishment of the Human Rights Commission, the delegation referred to the technical assistance of UNDP, through which Lesotho had prepared a draft piece of legislation. Challenges included establishing appropriate infrastructure and assigning commissioners, given Lesotho’s limited resources. Lesotho was raising public awareness, which would pave the way for the draft bill to be tabled before Parliament.

66. With respect to the human rights situation during the political unrest, such as that in 2007, as had been pointed out, the delegation stated that the Government insisted on the rule of law. Aggrieved citizens had the right to resort to legal means, the courts, the ombudsman and the police complaints mechanism, and the delegation emphasized that all reported cases, even those against law enforcement officials, would be investigated and, where necessary, brought before courts of law.

67. The delegation stated that the Children’s Protection and Welfare Bill had been read out before Parliament on 5 May 2010 and that there was confidence that, given the preparations, it would shortly be adopted. Financial resources were a major challenge to the implementation of the Bill, as it provided for the introduction of institutions to be built. Child labour and other social and welfare issues were included in the Bill.

68. Concerning HIV/AIDS, the delegation indicated that Lesotho had a policy and was drafting a bill that would be taken to Parliament in order to address issues concerning infected persons, including children and all groups affected by the pandemic.

69. As regards the death penalty, the delegation of Lesotho stated that it continued to exist as it was confined to three capital crimes and that, beyond that point, the courts always adopted a very restrictive approach. Even when the death penalty was imposed, the Pardons

Committee would recommend that the head of State exercise his prerogative of mercy in commuting it to life imprisonment. The delegation stated that, in reality, capital punishment did not exist in Lesotho, although it remained in the statute book.

70. The delegation stated that as regards local government elections, which were supposed to be held in 2010, there was an agreement with all stakeholders to delay this election in order to clarify and straighten out certain issues as regards the local councils. On the issue of freedom of expression, it is enshrined in the constitution. While exercising it towards other people, the prescribed limitations on such cases will be decided by the courts.

71. The delegation stated that it was taken aback by the questions regarding the independence of the judiciary, as Lesotho was proud of its independent and free judiciary, which drew inspiration from the Constitution. The Government availed itself of all resources at its disposal to protect and enhance the independence of the judiciary.

72. As regards children and justice, Lesotho remained ready to support the rights of children, as it regarded them as the future. Lesotho was working tirelessly to reform the justice sector and to be more sensitive in its treatment of children who had come into contact with the law. It had developed units within the police service to care for such children and conducted related training programmes for judges, prosecutors and magistrates. Lesotho, with the assistance of the United Nations, was carrying out sustained sensitization programmes to provide care for children in contact with the justice system, in compliance with the relevant United Nations guidelines.

73. Slovenia commended achievements in the area of gender equality, including the high percentage of women in Parliament. Despite progress, it expressed concern about reported discrimination against women, permitted under customary and common law. Slovenia was pleased to know that the draft Children's Protection and Welfare Bill was before Parliament. It expressed concern about the reported use of children for the production and trafficking of drugs, and referred to recommendation of the ILO Committee of Experts. Slovenia made recommendations.

74. Spain highlighted the measures promoting gender equality and the protection of children's rights through the establishment of the Dependency of Protection of Women and Children in 2002 in the police force, as well as the Gender Department in the Ministry of Women. It made recommendations.

75. Hungary noted with concern that the impact of HIV/AIDS had adversely affected the effective realization of human rights in general and the human rights set out in CRC and CEDAW in particular. Hungary urged Lesotho to fully implement the principle of non-discrimination regarding girls and women by improving, inter alia, their access to education and health. Referring to overdue national treaty body reports, it stressed that, while technical assistance might be necessary, it should not be a substitute for States' primary responsibility in terms of protecting and promoting human rights. Hungary made recommendations.

76. Slovakia highlighted a report indicating rising levels of gender-based violence. It welcomed the establishment of the Department of Gender, providing, inter alia, an outreach centre for abused women and children, and the setting up of the Child and Gender Protection Unit and the Victims of Crime Support Office. It stated that the minimum age of criminal responsibility, currently 7 years, was very low. It referred to a 2007 report indicating a high incidence of the sexual abuse of children. Slovakia made recommendations.

77. Italy expressed concern at the persistence of customary practices in contrast with the rights of women and the widespread phenomenon of violence against women and girls, including domestic and sexual violence. It welcomed the de facto moratorium on the death

penalty, in place since 1995. It noted that legislation did not fully reflect the principles and provisions of CRC, including the minimum age for criminal responsibility. It made recommendations.

78. Singapore referred to the prevalence of HIV/AIDS in Lesotho as one of the highest in the world. It welcomed the draft bill on children's protection and welfare, currently being discussed in Parliament. It acknowledged Lesotho's success in promoting a gender perspective, including through the establishment of the Ministry of Gender and the development of a Gender Policy and a Unit for Gender and Child Protection.

79. The Sudan welcomed Lesotho's accession to a number of human rights instruments and protocols. The national report reflected the efforts made to protect the family, combat crime, alleviate poverty and improve school curriculums as well as the well-being of youth. It commended the emphasis placed on education and noted that the literacy rate had reached 84.4 per cent. It noted that Lesotho suffered from the phenomenon of female genital mutilation, referring to the increasing numbers of people infected with HIV/AIDS, in particular young people. The Sudan made a recommendation.

80. The Libyan Arab Jamahiriya noted that initiatives such as Vision 2020, the poverty reduction strategy paper and the Vision and Strategy for the Justice Sector would enhance progress in the economic, social and political areas, as well as human development. It highlighted legislation and policies concerning the protection and well-being of children. It noted Lesotho's problems in the area of child labour and the commercial exploitation of children, and asked about its implementation of the programme to eliminate child labour. It made recommendations.

81. Mozambique noted that Lesotho had ratified at least 13 international and regional legal instruments, including ICCPR, ICERSC, CERD and CRC. It noted the policy to promote the rights of the people with disabilities, enacted five years previous, and encouraged the Government to proceed vigorously with programmes aimed at containing and reversing the spread of HIV/AIDS. The practice of commuting the death penalty to life sentences was one to be continued.

82. Nepal noted that the Office of the Ombudsman was empowered to investigate any malpractice in administrative offices, while the Police Complaints Authority investigated alleged human rights violations by police personnel. Nepal was pleased to note that a Human Rights Unit had been established within the Ministry of Justice, Human Rights and Correctional Service, and it welcomed the plan to establish a national human rights commission. It commended efforts to promote gender parity and noted the success achieved in ensuring high representation of women at various levels of government. Nepal made a recommendation.

83. Chad congratulated Lesotho on the clear presentation of its national report. It noted with satisfaction that Lesotho was a party to most of the core human rights instruments, whether regional or international. Chad made recommendations.

84. Burkina Faso encouraged Lesotho to continue its efforts to strengthen and improve the situation, suggesting that it request the support of the relevant international bodies, particularly for technical assistance and capacity-building, as indicated in its national report, inter alia; to submit the national reports under the instruments to which Lesotho was a party; to improve the effectiveness of its legal system; and to bring its efforts into line with the Paris Principles. Burkina Faso inquired about the strategies planned to apply the fundamental precepts of human rights in rural areas in order to assist the population in achieving the necessary balance between customary law and constitutional and international principles.

85. Zimbabwe commended Lesotho for its national report, which was the product of inclusive stakeholder consultations. It noted that Lesotho was committed to human rights and saluted its achievements. As a member of the region, it recognized Lesotho's challenges, noting that they were not insurmountable. It made recommendations.

86. Botswana commended Lesotho for its measures to guarantee Basotho the full enjoyment of all human rights and fundamental freedoms, in particular through National Vision 2020, the Justice Sector Vision and Strategy, and the National Youth Policy. It highlighted Lesotho's strides in promoting women's rights. It welcomed the fact that Lesotho was candid regarding its challenges, such as the HIV/AIDS pandemic and the effects of the economic and financial crisis, which threatened, *inter alia*, to undermine its social safety net mechanisms. It made recommendations.

87. South Africa noted the challenges faced by Lesotho as a least developed country, which had been compounded by the recent crises. It welcomed the assistance provided by Norway and Japan facilitating access to education and essential services for persons with disabilities. It commended progress in the elimination of discrimination against women, legislation protecting child rights and other vulnerable groups, access to justice, the rehabilitation of offenders and the improvement of prison conditions. It asked about challenges and lessons learned as a result of HIV/AIDS programmes. It noted Lesotho's reservation concerning article 2 of CEDAW. It encouraged stakeholders to continue their capacity-building and their technical cooperation with Lesotho. It made recommendations.

88. Ghana commended the relatively high rate of literacy, the implementation of bursary schemes for orphaned children, and the introduction, on a pilot basis, of human rights education in 10 schools. It welcomed the 58 per cent representation of women in the 2005 local government elections. It highlighted development challenges including widespread poverty, extremely high unemployment, severe food insecurity and the HIV and AIDS pandemic. It hoped that the Government's request for technical assistance and capacity-building would receive the sympathetic consideration of the international community. It welcomed the ongoing efforts by the Government to establish a national human rights commission. Ghana made recommendations.

89. Latvia noted that Lesotho had ratified most international human rights treaties and had recently acceded to the United Nations Convention on the Rights of Persons with Disabilities. It appreciated the response given regarding the issue of standing invitations to the special procedures. Latvia made a recommendation.

90. Kuwait welcomed the methodology used in preparing the national report, which was based on transparency and objectivity and was a participatory report that had involved all relevant bodies. It welcomed the measures taken by Lesotho to strengthen its cooperation, which had already been close with international bodies. It noted the report and the efforts that had been made in extremely difficult circumstances to promote human rights despite the global economic crisis. Indeed, the socio-economic situation in Lesotho had been faced despite very serious development challenges, including, *inter alia*, an increasing level of poverty, food insecurity and unemployment, as well as the AIDS pandemic. Kuwait made a recommendation.

91. Tunisia noted that Lesotho had ratified a number of international human rights instruments. Moreover, it stressed that positive law accorded a primary role to human rights and was enshrined within Lesotho's Constitution. It stated that Lesotho had set up a structured institutional arsenal to defend human rights as its first task. Tunisia praised Lesotho's efforts to promote the rights of women by, *inter alia*, allocating 30 per cent of the seats in local councils to women. Tunisia made a recommendation.

92. Cameroon welcomed the fact that a number of institutions guaranteed the defence of rights, including a mediator office and a national directorate against corruption and other

economic offences. It supported efforts to combat poverty and appreciated National Vision 2020, which largely took into consideration the Millennium Development Goals. It appreciated the fact that the protection of women and children was supported, in particular by a ministerial department responsible for gender issues. It called on Lesotho to continue efforts to establish a national human rights commission in accordance with the Paris Principles. It appealed to the international community to fully support initiatives undertaken by Lesotho.

93. Ethiopia noted that democracy and rule of law had taken root in Lesotho. It noted the holding of free and fair elections in 2002 and 2007. It noted the establishment of a victim protection unit under Maseru magistrate courts, a high literacy rate, the provision of legal aid, the expansion of health services and the provision of special protection and assistance to people living with disabilities. It asked whether there was a statutory revision of customary decisions in situations in which there was a potential conflict between customary laws and human rights, and whether there was a statutory law regulating that relationship. It applauded Lesotho's Vision 2020. It made recommendations.

94. The Democratic Republic of the Congo praised, inter alia, Lesotho's schooling rate for girls, the representation of women in parliamentary institutions at both the national and provincial levels, and policies to protect the rights of persons with disabilities and retirees. It referred to the prevalence of AIDS and to the recurrent periods of drought, which had been accentuated as major difficulties by the current economic crisis. It highlighted the need for sustained assistance from the international community to ensure that the progress made in the area of human rights would not be called into question as a result of those difficulties. The Democratic Republic of the Congo made recommendations.

95. In response, the delegation of Lesotho refuted the references to the existence of the practice of female genital mutilation in the country, together with drug trafficking involving children. With regard to gender equality, Lesotho considered itself to be one of the best countries in the region. Concerning child labour and the practice of "herd boys", the delegation referred to the bill that had made education free and compulsory, even in rural areas, while acknowledging that the practice was a deep-rooted cultural one. As regards a standing invitation to special procedures, Lesotho stated that the same process is adequately performed under the auspices of APRM and that it wished to avoid a duplication of efforts. With respect to juvenile training centres, the delegation stated that they provided education and shelter to young offenders who had no one to take care of. Concerning HIV/AIDS in rehabilitation centres, Lesotho referred to the strategic plan and the increase in the number of inmates coming forward for counselling and testing. The delegation concluded by thanking States for their constructive questions and recommendations.

## **II. Conclusions and/or recommendations**

**96. The recommendations formulated during the interactive dialogue and listed below have been examined by and enjoy the support of Lesotho:**

**96.1. Apply the same spirit of protecting and promoting human rights, stressing human rights education, to the efforts undertaken to implement its National Vision 2020 (Senegal);**

**96.2. Continue working to attain the objectives stated by the country in its strategic framework Vision 2020 (Nicaragua);**

**96.3. Continue to strengthen its education policy, with international cooperation and technical assistance, enabling the required infrastructure to provide an inclusive education that meets the needs of its people, in conditions**

that guarantee full equality in terms of access (Bolivarian Republic of Venezuela);

96.4. Continue to apply the strategies and socio-economic development plans designed for poverty reduction (Cuba);

96.5. Continue to apply measures to guarantee access to health services and quality education for all its population (Cuba);

96.6. Redouble efforts in the field of primary, secondary and tertiary prevention of HIV/AIDS in order to drastically reduce its prevalence, especially among women and children (Argentina);

96.7. Continue to focus on reducing poverty and curbing the spread of AIDS in its efforts to improve the protection of human rights (China);

96.8. Elaborate and promote a national human rights plan that integrates all of its administration, harmonizes its internal legislation with its international obligations, includes awareness-raising programmes on diverse human rights subjects, links public and private actors in its defence and guides its public policies with strategies to protect human rights, in order to achieve greater systematization of its human rights action (Spain);

96.9. Continue to work towards attaining food security, and fight HIV and AIDS as conscientiously as already demonstrated (Zimbabwe);

96.10. Continue with all the initiatives and commitments to address the identified key national priorities in order to consolidate the promotion and protection of human rights, as broadly defined as these have been in the Kingdom (Zimbabwe);

96.11. Continue to strengthen its poverty eradication strategies, as well as programmes aimed at improving maternal health and conditions of employment, including the need to obviate child labour, particularly for those children orphaned by the HIV and AIDS pandemic (South Africa);

96.12. Pursue aggressively its efforts to achieve its goals stated in the Vision 2020, through effective international cooperation and technical assistance (Ethiopia);

96.13. Request United Nations technical assistance in the preparation of national reports on the implementation of international human rights treaties (Libyan Arab Jamahiriya);

96.14. Reinforce the legal and implementation infrastructure aimed at upholding the rights of women and children, and continue, with strengthened international support, its efforts to combat HIV/AIDS (Egypt);

96.15. Continue its efforts for the advancement of women, with an emphasis on curbing violence against women (Bangladesh);

96.16. Continue to improve access to basic services, such as health and education, with the full support and cooperation of the international community (Bangladesh);

96.17. Continue its efforts to protect vulnerable categories of children, including orphans, extending them to all regions of the country (Belarus);

96.18. Continue to combat poverty with appropriate and targeted international assistance, in particular that provided by competent United Nations agencies and programmes (Algeria);

- 96.19. Continue its efforts to combat poverty, and call for technical and financial assistance at the international and bilateral levels to that end (Morocco);
- 96.20. Continue its efforts to promote maternal and child care and care for young girls (Tunisia);
- 96.21. Spare no effort to care for orphans who have become victims of the AIDS pandemic; national compassion should face this national drama (Democratic Republic of the Congo);
- 96.22. Continue to combat poverty with the full support and cooperation of the international community (Bangladesh);
- 96.23. Enhance international cooperation to strengthen programmes aimed at combating the spread of HIV/AIDS (Philippines);
- 96.24. Continue its effective measures to fight poverty, in particular through the pursuance of its Interim National Development Framework towards the attainment of the ideals under the country's Vision 20/20, and also to meet the Millennium Development Goals targets (Botswana);
- 96.25. Enhance its educational system with a focus on further improving literacy rates, with the support of the international community (Philippines);
- 96.26. Seek technical, material and financial assistance from the international community in order to help to address its human rights challenges (Chad);
- 96.27. Seek to further targeted technical assistance and capacity-building towards its key initiatives in meeting its human rights obligations at the national, regional and international levels (Botswana);
- 96.28. Seek technical assistance from the international community with regard to establishing a National Human Rights Institution, intensifying public awareness in the area of human rights, improving school curriculums and improving financial and social administration in general (Kuwait);
- 96.29. Enact and implement outstanding bills and policies to fulfil its obligations under international human rights instruments to which it is a party (Canada);
- 96.30. Take all necessary social, educational and legal measures to address the problem of violence against women and to ensure that cases of domestic violence within the family are properly investigated and punished (Italy);
- 96.31. Intensify efforts to conclude the submission of overdue reports to the various treaty bodies (Spain);
- 96.32. Intensify its efforts in combating gender-based violence in all its forms (Slovakia);
- 96.33. Strengthen efforts to ensure the full implementation of the principle of non-discrimination, particularly in the promotion of gender equality and women's empowerment (Mexico);
- 96.34. Make the efforts necessary to adopt the law on the protection and well-being of children in the near future, and make every effort to ensure that it is successfully implemented (Belarus);



96.35. **Develop additional programmes to strengthen its alternative child care facilities (Slovakia)<sup>1</sup>;**

96.36. **Continue to exercise its sovereign right of implementing its laws and legislation in conformity with the universally agreed human rights standards and norms, and further resist any attempts to enforce values and principles alien to those that are internationally agreed (Egypt);**

97. **The following recommendations enjoy the support of Lesotho, which considers that the recommendations below are either already implemented or in the process of implementation:**

97.1. **Incorporate international human rights instruments into domestic law, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (Australia)<sup>2</sup>;**

97.2. **Continue its efforts towards expediting the domestication of its international obligations in the area of human rights into the national legal system (Egypt);**

97.3. **Integrate the various regional and international human rights instruments to which it is a party into its domestic legislation, particularly concerning torture, the state of prisons, freedom of the press and of assembly, child welfare, gender equality and so on (Chad)<sup>3</sup>;**

97.4. **Finalize its reform of the Penal Code as rapidly as possible, and improve conditions of detention, in particular combating prison overcrowding (France);**

97.5. **Enact the Children's Protection and Welfare Bill 2004 (Australia);**

97.6. **Expedite the adoption of the Children's Protection and Welfare Bill (Brazil);**

97.7. **Include in the Children's Protection and Welfare Bill the prevention of the worst forms of child labour and the provision of equal access to education for all children (United States);**

97.8. **Pass the long-awaited Children's Protection and Welfare Bill, and pass the necessary legislation to ensure that national legislation is in line with the Convention on the Rights of the Child (Norway);**

97.9. **Prioritize enacting the draft Children's Protection and Welfare Bill, ensuring that Convention on the Rights of the Child provisions are fully incorporated into national legislation (United Kingdom);**

<sup>1</sup> Recommendation originally read: "Develop additional programmes to strengthen its alternative children care facilities, ending the practice of using the Juvenile Training Centres to detain children as a form of alternative care" (Slovakia).

<sup>2</sup> Recommendation originally read: "Incorporate international human rights instruments into domestic law, including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Kinds of Discrimination against Women and the Convention on the Rights of the Child" (Australia).

<sup>3</sup> Recommendation originally read: "Integrate the various regional and international human rights instruments to which it is a party into its domestic legislation, particularly concerning the death penalty, torture, the state of prisons, freedom of the press and of assembly, child welfare, gender equality and so on" (Chad).

- 97.10. Review its children-related normative framework, including the adoption of the Children's Protection and Welfare Bill, to ensure full conformity with the Convention (Slovakia);
- 97.11. Bring all relevant legislation into line with CRC (Italy);
- 97.12. Reinforce its legislative framework to protect children from all forms of sexual abuse and exploitation, including in the family (Netherlands);
- 97.13. Review the legislation related to the minimum age of criminal responsibility in order to comply with international standards (Slovakia);
- 97.14. Take the measures necessary to protect children from hazardous work in the informal sector (Germany)<sup>4</sup>;
- 97.15. Prioritize enacting a Domestic Violence Bill (United Kingdom); enact legislation to address domestic violence (Canada);
- 97.16. Expedite, as far as possible, the setting up of the National Human Rights Commission in order to have, together with civil society, a good overview of the situation in the country (Democratic Republic of the Congo);
- 97.17. Hasten the establishment of an independent national human rights institution with the support of and in cooperation with the international community (Indonesia);
- 97.18. Establish a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (Germany);
- 97.19. Establish the delayed National Human Rights Commission in accordance with the Paris Principles (United Kingdom);
- 97.20. Set up the National Human Rights Commission in accordance with the Paris Principles (Nepal);
- 97.21. Intensification of these ongoing efforts by the Government to ensure the speedy establishment of the National Human Rights Commission (Ghana);
- 97.22. Establish a national human rights institution and strengthen human rights education and school programmes and general social measures, with the support of the international community (Kuwait);
- 97.23. Proceed, within the shortest possible amount of time, with the establishment of a national human rights institution in accordance with the Paris Principles (Mexico);
- 97.24. Harmonize its national institution in order to bring it fully into line with the Paris Principles (Spain);
- 97.25. Develop and implement policies to protect the rights of the child which fully take into account the implications of the increasing number of HIV/AIDS orphans (Canada);
- 97.26. Apply a human rights approach in its fight against poverty and HIV/AIDS (Hungary);

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<sup>4</sup> Recommendation originally read: "Adopt legislation criminalizing female genital mutilation as well as to take necessary measures to protect children from hazardous work in the informal sector" (Germany).

- 97.27. Strengthen the Police Complaints Authority and the Directorate on Corruption and Economic Offences; increase training for law enforcement officers; and increase the capacity of Lesotho's police force and other public agencies to gather data and share that data with the international community so that improvements can be tracked (United States);
- 97.28. Adopt the Media Policy in Parliament (Norway);
- 97.29. Implement appropriate policies and measures, including care and rehabilitation, to prevent the sexual exploitation of children (Netherlands);
- 97.30. Disseminate information to the population to increase awareness of women's rights and, in particular, of the 2006 Legal Capacity of Married Persons Act (Canada);
- 97.31. Do more to prohibit persistent forms of discrimination, such as issues of discrimination in inheritance rights, and to strengthen the principle of equality for women, particularly at top levels of political party leadership (United States);
- 97.32. Ensure full implementation of the principle of non-discrimination, *inter alia*, by amending domestic legislation and increasing awareness among the population (Germany);
- 97.33. Implement a plan to combat violence against women and to guarantee equal rights, abrogating the legal provisions that prohibit women from borrowing, signing contracts, opening bank accounts or applying for a passport without their husband's authorization (France)<sup>5</sup>;
- 97.34. Raise the minimum age of criminal responsibility, and abolish child corporal punishment (Brazil);
- 97.35. Consider enacting specific domestic legislation on combating domestic violence and human trafficking (Philippines);
- 97.36. Ensure that cases of domestic violence, ill treatment, sexual and other abuse within the family are properly investigated and that perpetrators are sanctioned (Netherlands);
- 97.37. Investigate cases of domestic violence, ill treatment, sexual and other abuse within the family, and apply sanctions to perpetrators (Germany);
- 97.38. Set up credible mechanisms to investigate human rights violations carried out by the security forces in order to allow for the compensation of victims and to bring to justice those responsible for these acts (France);
- 97.39. Carry out the legal reforms necessary to ensure an independent judiciary (Netherlands);
- 97.40. Consider the establishment of an efficient, child-friendly mechanism through which children can make complaints on abuses of their rights (Slovakia);

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<sup>5</sup> Recommendation originally read: "Implement a plan to combat violence against women and to lift its reservations to CEDAW and to guarantee equal rights and abrogating the legal provisions which prohibit women from borrowing , signing contracts, opening bank accounts or applying for a passport without their husband's authorization" (France).

- 97.41. Implement measures to permit State-owned media to operate independently and at arm's length from government (Canada);
- 97.42. Promote voter awareness and participation, and ensure free and fair elections, as these conditions are equally important on the local as on the national level (Norway);
- 97.43. Put in place safeguards to ensure that freedom of assembly is not adversely affected in the implementation of the Public Processions and Meetings Bill (Ireland);
- 97.44. Continue to address the issue of child labour and exploitation and to finalize the draft of the National Action Programme (Norway);
- 97.45. Draw up plans for combating the threat of HIV/AIDS (Sudan)<sup>6</sup>;
- 97.46. Call for the assistance of the High Commissioner for Human Rights, in particular to facilitate the timely submission of its periodic reports to treaty bodies (Algeria);
- 97.47. Call for international technical assistance, in particular from the High Commissioner for Human Rights, and explore the possibility of benefiting from the experience of countries that have succeeded in reforms to improve the functioning of justice (Algeria);
- 97.48. Solicit the necessary international assistance and cooperation in the establishment of a National Commission on Human Rights in accordance with the Paris Principles (Morocco);
- 97.49. Seek the support of the international community and cooperate with it to formulate policies aimed at preventing the spread of HIV/AIDS (Indonesia);
- 97.50. Call for the support from the international community for the efforts aimed at combating the AIDS pandemic by ensuring its capacity-building (Senegal);
- 97.51. Seek the necessary international assistance, upon identification of its national priorities, to be better able to fulfil its obligations in the area of the promotion and protection of human rights (Egypt).
98. The recommendations below did not enjoy the support of Lesotho:
- 98.1. Revise the provisions on defamation and libel in order that these are not considered crimes in national legislation (Mexico);
- 98.2. Repeal legislation criminalizing male homosexuality, and introduce policies aimed at ending discrimination against homosexuals (Australia);
- 98.3. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia); issue a standing invitation to all special procedures (Spain);
- 98.4. Decriminalize homosexuality and abrogate the law which prohibits sexual relations between people of the same sex (France);
- 98.5. Amend the Sodomy Law so that a sexual relationship between two consenting adults of the same sex is no longer punishable (Netherlands).

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<sup>6</sup> Recommendation originally read: "Draw up plans for combating the threat of HIV/AIDS as well as for the elimination of female genital mutilation practices" (Sudan).

99. The following recommendations did not enjoy the support, since Lesotho considers that they are inaccurate and/or factually incorrect:

- 99.1. Adopt legislation criminalizing female genital mutilation (Germany)<sup>7</sup>;
- 99.2. Adopt measures to eradicate in a definitive manner the practice of female genital mutilation (Argentina);
- 99.3. Take the necessary measures to ensure the primacy of civil and political authority (Netherlands);
- 99.4. Take all necessary measures to prohibit the use, procuring or offering of a child for the purpose of the production and trafficking of drugs (Slovenia);
- 99.5. Draw up plans for the elimination of female genital mutilation practices (Sudan)<sup>8</sup>.

100. The following recommendations will be examined by Lesotho, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:

- 100.1. Take all necessary steps towards ratifying or acceding to the main international human rights instruments and treaties which are still outstanding (Nigeria);
- 100.2. Sign and ratify the Optional Protocol to CAT and the International Convention for the Protection of All Persons from Enforced Disappearance (France);
- 100.3. Remove the reservations it has made to CEDAW (Canada);
- 100.4. Consider withdrawing reservations to the Convention on the Elimination of All Forms of Discrimination against Women and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Brazil); consider withdrawing its reservation to article 2 of CEDAW, in line with its Constitution and international human rights instruments (South Africa);
- 100.5. Sign the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ireland);
- 100.6. Reconsider their reservation from article 2 in the Convention on the Elimination of All Forms of Discrimination against Women, and ensure that all discrimination under customary law comes to an end (Norway);
- 100.7. Withdraw the reservation to article 2 of the Convention on the Elimination of All Kinds of Discrimination against Women (Slovenia);
- 100.8. Ratify the following international instruments: OP2-ICCPR, OP-CAT, CRPD-OP and CED (Argentina);
- 100.9. Sign and ratify OP-ICESCR, OP-CAT, CRPD-OP and CED (Spain);

<sup>7</sup> Recommendation originally read: "Adopt legislation criminalizing female genital mutilation as well as to take necessary measures to protect children from hazardous work in the informal sector" (Germany).

<sup>8</sup> Recommendation originally read: "Draw up plans for combating the threat of HIV/AIDS as well as for the elimination of female genital mutilation practices" (Sudan).

- 100.10. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty (United Kingdom);**
- 100.11. **Ratify the second Optional Protocol of the ICCPR, and formally establish a moratorium on the use of death penalty with a view to its abolition (Italy);**
- 100.12. **Accede to outstanding international human rights instruments, including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty (Australia);**
- 100.13. **Consider ratifying the outstanding core international human rights treaties (Nepal, Ghana);**
- 100.14. **Incorporate international human rights instruments into domestic law, including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Australia)<sup>9</sup>;**
- 100.15. **Integrate the various regional and international human rights instruments to which it is a party into its domestic legislation, particularly concerning the death penalty (Chad)<sup>10</sup>;**
- 100.16. **Implement, and amend when appropriate, the Sexual Offences Act in compliance with international human rights standards to ensure the full accountability of offenders, providing efficient reintegration programmes to victims (Slovakia);**
- 100.17. **Enhance substantially its cooperation with treaty bodies and special procedures mandate holders (Hungary);**
- 100.18. **Strengthen its cooperation with treaty bodies, including by agreeing on timelines for the submission of overdue reports (Norway);**
- 100.19. **Make further efforts to combat any forms of discrimination against women and harmonize its legislation, including its customary law practices, with international obligations and standards (Brazil);**
- 100.20. **Consider abolishing the death penalty (Brazil); consider positively the establishment of the moratorium on the death penalty with a view to its abolition (Mexico);**
- 100.21. **Move forward towards formally abolishing the death penalty (Ireland);**
- 100.22. **Definitively abolish the death penalty, and sign and ratify the Second Optional Protocol to ICCPR, which bans capital punishment in all circumstances (France);**
- 100.23. **Lift its reservations to CEDAW (France)<sup>11</sup>;**

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<sup>9</sup> Recommendation originally read: "Incorporate international human rights instruments into domestic law, including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child" (Australia).

<sup>10</sup> Recommendation originally read: "Integrate the various regional and international human rights instrument to which it is a party into its domestic legislation, particularly concerning the death penalty, torture, the state of prisons, freedom of the press and of assembly, child welfare, gender equality and so on" (Chad).

<sup>11</sup> Recommendation originally read: "Implement a plan to combat violence against women and to lift its

100.24. **Abolish the death penalty for all cases, and sign and ratify OP2-ICCPR (Spain);**

100.25. **Develop additional programmes to end the practice of using the Juvenile Training Centres to detain children as a form of alternative care (Slovakia)<sup>12</sup>.**

101. **All conclusions and/or recommendations set out in the present report reflect the positions of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

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reservations to CEDAW and to guarantee equal rights and abrogating the legal provisions which prohibit women from borrowing , signing contracts, opening bank accounts or applying for a passport without their husband's authorization" (France).

<sup>12</sup> Recommendation originally read: "Develop additional programs to strengthen its alternative children care facilities, ending the practice of using the Juvenile Training Centres to detain children as a form of alternative care" (Slovakia).

## Annex

### Composition of the delegation

The delegation of Lesotho was headed by The Honourable (Mrs.) Mpeo Mahase-Moiloa, Minister of Justice, Human Rights and the Correctional Service and of Law and Constitutional Affairs of the Government of the Kingdom of Lesotho, and was composed of the following members:

- Mr. Tsokolo Makhethe, Alternate Head of Delegation, Attorney General, Ministry of Law and Constitutional Affairs of the Government of the Kingdom of Lesotho;
- Mr. Retselisitsoe Calvin Masenyetse, Principal Secretary, Ministry of Justice and Human Rights and the Correctional Service,
- Dr. Mothae A. Maruping, Delegate, Ambassador, Permanent Representative, Permanent Mission of the Kingdom of Lesotho, Geneva;
- Mr. Pitso Makosholo, Director, Legal Affairs, Ministry of Foreign Affairs and International Relations of the Government of the Kingdom of Lesotho;
- Ms. Polo Chabane-Moloi, Chief Legal Officer, Ministry of Justice and Human Rights and the Correctional Service;
- Ms. 'Matsitso Leomile Khuele, Principal Legal Officer, Ministry of Justice and Human Rights and the Correctional Service;
- Mr. Ntsime Victor Jafeta, Counsellor, Permanent Mission of the Kingdom of Lesotho, Geneva;
- Ms. Palesa Liphoto, First Secretary, Permanent Mission of the Kingdom of Lesotho, New York;
- Mr. Tsotetsi 'Makong, First Secretary, Permanent Mission of the Kingdom of Lesotho, Geneva.