

## Concept Note for the Immediate Response Facility of the UN Peace Building Fund

<b>Project Title:</b>	<b>Multi-Stakeholder Dialogue and Urgent Stabilization Measures to Facilitate Comprehensive National Reforms in Lesotho</b>	
<b>Recipient UN Organizations</b>	UNDP Lesotho, SADC and UN Women	
<b>Implementing Partner(s):</b>	Government of Lesotho (Office of the Prime Minister), Lesotho Council of NGOs, Christian Council of Lesotho	
<b>Location:</b>	Lesotho	
<b>Indicative Project Budget:</b>	<b>PBF contribution (IRF):</b> US\$3,000,000	
	<b>Other contributions (Govt &amp; others):</b> TBC	
<b>Duration:</b>	<b>Planned Start Date:</b> 1 March 2018	<b>Planned Completion:</b> 30 September 2019
<b>Gender Marker Score:</b>	2 [for projects with specific activities and budget allocated to women]	
<b>Summary Project Description:</b>	<p>The political and security crisis in Lesotho has placed the country on the agenda of the Southern African Development Community (SADC) and necessitated the deployment of the SADC Observer Mission (SOMILES) and appointment of a SADC Facilitator in 2014; appointment of a SADC Commission of Inquiry in 2015; the deployment of the SADC Oversight Committee since 2016; and the SADC Prevention Mission in Lesotho (SAPMIL) from December 2017. Two military commanders have been killed in two years; three national elections held in five years; and opposition leaders fled the country after the 2015 and 2017 elections, respectively. Concerns have also emerged over missing weapons. Despite these challenges, there is a strong consensus in Lesotho and among its international partners that comprehensive sectoral, institutional and constitutional changes are the only way to ensure stability and prevent further crises. While all major political parties signed the Reforms Pledge in April 2017 committing to the reforms and the new government has proposed a Reforms Roadmap and formally requested for UN support to reforms, agreement on the process, content and mechanisms for implementing the reforms remains elusive. The UN proposes to collaborate with SADC to create an enabling environment for the reforms by supporting a multi-level national dialogue process; urgent stabilization measures targeting the security sector; and the development and implementation of a communication strategy on the reform processes.</p>	
<b>Overall Outcome:</b>	There is a conducive environment for the peaceful and inclusive implementation of comprehensive reforms and agreement on the promotion of national reconciliation.	
<b>Priority areas</b>	<ol style="list-style-type: none"> <li>1. Inclusive, participatory and transparent national dialogue to build consensus on the processes and content of the proposed comprehensive reforms and national reconciliation and unity.</li> <li>2. Urgent measures to enhance stability and security through the reintegration and rehabilitation of soldiers formerly exiled, detained or suspended, and sector-wide re-orientation and re-visioning to increase professionalism and public trust in the security agencies.</li> <li>3. Development and implementation of a national communication strategy to provide the public with coherent, accurate, unbiased and timely information on the dialogue and reforms processes.</li> </ol>	
<b>Theory of Change</b>	If a structured multi-stakeholder national dialogue and measures to increase stability and public trust in the security agencies are undertaken in a timely manner, a deeper crisis will be prevented and a broad political and societal consensus built which will in turn create a conducive environment for the implementation of the proposed constitutional, legislative, sectoral and institutional reforms to safeguard the long-term stability and development of Lesotho.	

## **Problem Statement and Justification**

1. Lesotho has had a long history of political instability and security challenges going back to the period immediately preceding and following independence in 1966. This history includes an eight-year military and, while the military handed over to a civilian administration in 1993, its incursion into politics and government laid the ground for a perennially politicised security apparatus. A symbiotic alliance between sections of the security forces and factions of the political elites over the years led to what has been described as the politicization of the military and the militarization of politics. There has been a tenuous relationship between the Lesotho Defence Force (LDF) and the Lesotho Mounted Police Service (LMPS) due to perceptions of encroachment into each other's mandates, a situation traced back to the ambiguous provisions in the 1993 transitional constitution which, even though amended since then, has retained those ambiguities.
2. At independence, Lesotho had two main political parties and a third one with a modest following. The two main political parties forged strong rivalries which, in an otherwise ethnically and culturally homogeneous society, often mirrored racial and ethnic division. Thus, harassment of rivals, inclusion and exclusion, reward and victimization, etc., which often characterize politics in ethnically polarized societies, were meted out along political party lines. While the political party landscape has changed dramatically since independence, today's 30-odd political parties all trace their parentage to the original 'Nationalist' and 'Congress' formations and, despite shifting alliances, the historical rivalries are often invoked for political purposes.
3. The last three elections in Lesotho (2012, 2015 and 2017) did not produce a decisive winner and led to a new trend of coalition governments, two of which collapsed within two years of taking office. This new trend of coalition governments is driven by the continued splintering and proliferation of political parties. The onset of unstable coalitions has further complicated Lesotho's challenges and had a negative impact on democratic governance, development planning, investments.
4. The collapse of the coalition government in 2014 was preceded by an attempted coup and LDF attacks on LMPS headquarters leading to the temporary flight of the Prime Minister; while the elections in early 2015 were followed by allegations of a mutiny, arrest of soldiers and flight of others into exile, and the killing of the immediate former commander of the LDF. The affected soldiers were released or returned to Lesotho after the June 2017 election but are yet to be reintegrated into the LDF. At the same time, several serving LDF officers, including the Commander until December 2016 when he was retired under SADC pressure, have been apprehended since the new government came into power and are standing trial for various crimes including murders. A recent audit of the LDF armouries revealed that a significant number of weapons are missing and unaccounted for, thus raising fears they could fall in the hands of disaffected soldiers and politicians.
5. In 2015 and 2017, a new trend emerged of opposition political party leaders fleeing the country. After the February 2015 snap elections which led to the defeat of the incumbent Prime Minister, he and his coalition government partners fled the country, citing fear that elements within the LDF had plans to kill them. They remained in exile until February 2017 when they returned – following assurances of security by the then government and SADC – in time to run for the June 2017 elections which they won and formed a new coalition government. Soon after, the immediate former Deputy Prime Minister and two former ministers and senior party leaders fled the country and remain in exile, also citing threats to their lives.

6. Increasingly, there has emerged recognition among the Basotho and international partners that Lesotho must urgently change course. In particular, the events leading to the appointment of a SADC Facilitator for Lesotho from 2014 to-date, the deployment of the SADC Observer Mission in Lesotho (SOMILES) ahead of the 2015 elections, and the appointment of a SADC Commission of Inquiry in 2015, have placed Lesotho under the continued spotlight of the regional body. SADC's presence in Lesotho has continued in the form of the Lesotho Oversight Committee (LOC) since 2016, and the SADC Preventive Mission in Lesotho (SAPMIL) from December 2017 triggered by the 5 September 2017 assassination of the Commander of the LDF. Lt. Gen. Khoantle Motsomotso was the second commander to be killed in two years, following that of Lt. Gen. Maaparankoe Mahao in June 2015.
7. SADC has been an important stabilizing factor in Lesotho, going back to 1998 when the country experienced its worst post-election violence so far. SADC's current presence in Lesotho is intended to support a conducive environment for the implementation of national reforms for long-term stability. There is concern that unless Lesotho urgently acts on its internal challenges, SADC may not have the resources to continue its supervision of the kingdom. The on-the-ground presence of SAPMIL and the LOC present a unique opportunity for UN-SADC collaboration for longer-term stability.
8. The post-2017 elections period has exposed deepening divisions, anger, fear and mistrust among Basotho. Attempts by the previous government to implement reforms in 2016 faltered due to the perception of government dominance and exclusion of other stakeholders. Now in opposition, politicians in the former government have taken robust positions and given conditions for their participation in the reforms process. It is now widely appreciated that the successful implementation of the reforms would hinge on the ability of the process to be inclusive of all stakeholders. For this reason, SADC, the government, the opposition and other stakeholders have agreed that the reforms must be preceded by a multi-stakeholder national dialogue to build consensus on the process and content of the reforms and seek ways of promoting long-term reconciliation and unity.
9. The proposed reforms and national dialogue provide an opportunity for a fundamental re-engineering of Lesotho society including its gender inclusivity. Despite the considerable gains made thus far in the advancement of gender equality over the years, Lesotho remains a predominantly patriarchal society. While circumstances (such as the effects of HIV/AIDS and migration of males in search of jobs) have placed women in household leadership positions, entrenched societal norms stand in the way of gender equality in opportunities, representation and participation in public decision-making. The recent Lesotho Common Country Analysis (2017) notes that women's participation in political and economic leadership is still very low. Following the June 2017 elections, there is only 22.5 percent women representation in the National Assembly and 24 percent in the Senate. This means that women political representation in Lesotho is far below the SADC recommended target of at least 50 percent.

### **Peacebuilding Context and Opportunity**

10. Prior to the 3 June 2017 election, the majority of the twenty-six political parties which took part in the poll, including the four coalition partners now in government, signed 'The Reforms Pledge.' The pledge reaffirmed the commitment of all parties across Lesotho's political spectrum, in and outside of parliament, to prioritizing the reforms post-election irrespective of the election results. This multi-party agreement further vowed that all political parties will convene an independent national dialogue that will debate and agree on how to implement the reforms.

11. The Coalition Government has especially emphasised its commitment to “*undertake constitutional, political, security and administrative reforms in an independent and inclusive reform process, listing the areas of reform as economic, public service, parliament, judiciary, security sector, decentralization and the review and amendment of the constitution.*”
12. Civil society organizations have been advocating for reforms and, in October 2017, convened a national ‘Post-election Dialogue’ in which the need for a national dialogue and inclusive and participatory reforms were reiterated. Civil society organizations, through the Lesotho Council of Non-Governmental Organizations (LCN) have made their own process suggestions for the reforms.
13. The stabilising facilitation of SADC, the presence of the SADC Oversight Committee and SAPMIL, the Government’s and other stakeholders’ expressed commitments, all provide an opportunity for the UN to support catalytic national dialogue and urgent measures targeting the security services in order to help forge consensus and create an enabling environment for comprehensive reforms. The UN has the trust of national stakeholders including the government and political parties, and a strong working relationship with the Oversight Committee, Lesotho civil society and heads of churches. All these will be critical partners in the implementation of the proposed project.

#### **The Opportunity for Leveraging PBF’s Comparative Advantage**

14. The urgent need to consolidate stability in Lesotho through targeted assistance to security agencies and building consensus through structured and iterative national dialogue on comprehensive reforms to prevent future crises make Lesotho an ideal case for PBF support through the Immediate Response Facility.
  - **Preventing further deterioration:** *The responsive and flexible nature of the Facility will allow timely preventive action and help stabilize Lesotho.* The continued political tensions, unease in the security services and divisions among the electorate increase the unpredictability of the situation in Lesotho.
  - **Strengthening partnership with SADC:** The proposed project offers an opportunity for further solidifying the cooperation between SADC and the UN. SADC’s presence through the LOC and SAPMIL provides a window of stability which could be expanded through synergistic cooperation.
  - **Urgent measures and quick wins in the security sector:** The PBF would allow the UN to go beyond its regular programming to collaborate with SADC to tackle and mitigate risks. The 5 September 2017 assassination of the LDF commander and the subsequent deployment of the SAPMIL is indicative of the unpredictable security environment. The unresolved status of the soldiers formerly detained, court-martialled, suspended or exiled following allegations of a mutiny in 2015 remains a serious concern, as is the report of missing and un-accounted for weapons. Resolving the status of these soldiers would create a stable security environment for national dialogue and reforms. At the same time, urgent action is needed to enhance the professionalism and public trust of the security agencies through increased understanding of rule of law and respect of human rights by personnel of the LDF, the LMPS, the National Security Service (NSS) and the Lesotho Correctional Services (LCS), all of whom have been implicated in unlawful acts including mistreatment and torture of suspects and inmates.

- **Bridging the divide:** The opportunity exists for *a proactive and catalytic response that would boost the momentum for dialogue and reforms for long-term stability and reconciliation*. While Basotho stakeholders remain deeply divided regarding the process and content of the proposed reforms, the government has articulated its own vision through a draft Road Map for the reforms. At the same time, civil society organizations have articulated their own views while opposition parties have aired their conditions for participation on the reforms. A structured and iterative national dialogue would help in forging consensus on the way forward for an inclusive and participatory process. It would also provide an opportunity for Basotho to agree on actions for ensuring long-term reconciliation and national unity.
- **Gender equality and women empowerment:** The proposed reforms present *a unique opportunity to re-engineer society, starting from the constitutional level, to entrench gender equality and empower Basotho women*. Capitalizing on this opportunity will require the deliberate mainstreaming of gender and women considerations in all stages of the reforms. In the proposed project, gender considerations will be mainstreamed in the national dialogue and in the training of members of the security agencies. Recommendations of the National Dialogue will feed into the broader reform process.
- **Reliable information and communication:** An ability to communicate clearly and coherently to the reforms stakeholders is critical for the success of all efforts including the national dialogue and the reforms themselves. A coherent and professional communication strategy would both ensure that stakeholders have the correct information, enhance participation and reduce anxiety among those who may feel targeted by the reforms. It would also increase the understanding of the UN and PBF role.

## **UN Engagement**

15. On 17 September 2017, the Government of Lesotho formally requested for UN support to the reforms. In its request letter, the Government informed that it has established two committees to spearhead the implementation of the reforms process and specifically requested UN's technical support to the two committees *"in the development of an overall framework and detailed steps for a home-grown and inclusive national reform process...[that] will identify the necessary processes, including dialogue and consensus-building, and the technical and material resources required for the reforms."*
16. In high-level bilateral consultations on the side-lines of the 72<sup>nd</sup> General Assembly in New York in September 2017, including one between the UN Secretary General and Prime Minister Thabane, the Lesotho delegation requested UN support to the reforms process. Responding to the specific request made by the Prime Minister, the Secretary-General underlined that the UN stood ready and would place its assistance at the disposal of Lesotho to (1) develop a nationally owned reforms roadmap and (2) support resource mobilization and coordination of the implementation of the reforms.
17. Subsequently, the UN, under the leadership of the Resident Coordinator in Lesotho, deployed a Team of Experts (ToE) in Lesotho. Heedful of the Prime Minister's call for 'a home-grown reform process,' the support of the ToE was through (1) lending its collective expertise to the Steering Committee of Ministers and the Working Committee of Principal Secretaries while consulting other stakeholders as necessary to gain representative perspectives on the proposed reforms; and (2) assisting the Government to coalesce its own thinking on the reforms into an

overarching action plan inclusive of an overall vision, objectives, detailed actions and results under each area of reforms, timelines, the required technical and financial resources, and possible implementation partnerships. The outcome of this support is the document titled, *The Lesotho We Want: Dialogue and Reforms for National Transformation - Vision, Overview and Roadmap*. The government makes clear that the document is presented to stakeholders as the government's own contribution to national consensus-building on the process and content of the reforms

## **Theory of Change**

**18. If a structured multi-stakeholder national dialogue and measures to increase stability and public trust in the security agencies are undertaken in a timely manner, a deeper crisis will be prevented and a broad political and societal consensus built which will in turn create a conducive environment for the implementation of the proposed constitutional, legislative, sectoral and institutional reforms to safeguard the long-term stability and development of Lesotho.**

## **Proposed Areas of Intervention**

19. The envisaged support targets three main priority areas and Outcomes:

**Priority 1: Inclusive, participatory and transparent national dialogue to build consensus on the processes and content of the proposed comprehensive reforms and national reconciliation and unity.**

**Outcome 1: By 2019, a process of national dialogue has led to agreement on the content and processes to achieve inclusive and comprehensive national reforms and national reconciliation.**

**Target Groups:** Key political leaders, Lesotho political parties, representatives of key sectors including government, academia, private sector, civil society organisations), religious leaders, media, traditional leaders, youth groups, women organisations and people living with disabilities, security agencies and citizens in general.

**Implementing UN Agency and Partner:** UNDP, UN Women, Government, SADC, Christian Council of Lesotho (CCL), LCN and CSOs

**Budget:** US\$1,400,000.00

The National Dialogue will provide an iterative platform for trust- and confidence-building, create ownership and build consensus among all Basotho in keeping with Lesotho's traditional dialogue format known as the *Pitso*. It will be open and inclusive process and will commence ahead of the reforms and continue as necessary during the reforms. It will consist of:

- The National Leaders Forum (NLF) made up of key national leaders and convened by the Prime Minister in conjunction with SADC. It will serve to build trust, confidence and consensus among top leaders of the country. It will meet as necessary during the implementation of the reforms to help resolve any stalemates.
- At least two National Plenaries targeted at representatives of all sections of Basotho and facilitated by the National Dialogue Planning Committee (NDPC) composed of government and political party representatives, civil society and Heads of Churches. Plenary I will a) discuss issues that hinder peace and stability and options for national reconciliation, b) the way forward for participatory reforms. It will include sessions on each of the proposed areas of reforms and a special session on gender considerations and women empowerment in the reforms process. It will agree format, guidelines, content and facilitation of District-level consultations. The number of consultations per district may vary depending on size, population and terrain of the area.

- District Consultations in all the 10 districts which will be facilitated by the NDPC and CSOs. The In-district Consultations will be guided by rules and procedures agreed at Plenary I and each consultation will include a session on gender and women empowerment.
- Plenary II will draw the conclusions of the entire National Dialogue. It will also agree on the way forward regarding future Plenaries, the reforms mechanisms, and develop proposals for national reconciliation and its implementation, and adopt the recommendations of the National dialogue.
- A final report and recommendations of the National Dialogue will be produced by UNDP and UN Women in collaboration with the NDPC.

**Priority 2: Urgent measures to enhance stability and security through the reintegration and rehabilitation of soldiers formerly exiled, detained or suspended and building of public trust and professionalism in the security agencies.**

**Outcome 2: By 2019, internal dialogue, visioning and re-organization have led to enhanced professionalism, increased stability and public trust in the security agencies and are facilitating the longer-term reform of the security sector in line with Lesotho's national aspirations.**

**Target Groups:** The Military, Police and National Security Service

**Implementing UN Agency and Partner:** Government, SADC, UNDP and UN Women

**Budget:** US\$1,350,000.00

Activities will include:

(1) Reintegration and rehabilitation of members of the LDF including retraining and counselling of both the returning soldiers and those receiving them in the barracks; and negotiation and settlement of outstanding remuneration; (2) Internal dialogue on security sector reforms and its implications including the need to professionalise the LDF; (3) Develop and implement training for the LDF, LMPS, LCS and NSS on human rights, UN Convention Against Torture, handling of members of the public, gender responsive handling of complainants, suspects and the public; (4) Intra-sector dialogue on the reforms and development of an overall vision and reform plan for the security services of Lesotho for discussion with the public.

**Priority 3: Development and implementation of a national communication strategy to provide the public with coherent, accurate, unbiased and timely information on the dialogue and reforms processes**

**Outcome 3: By 2019, timely and accurate information and public outreach have enhanced trust and confidence among stakeholders and increased participation in the national dialogue, reforms and reconciliation processes.**

**Target Groups:** Government of Lesotho, general public, media houses.

**Implementing UN Agency and Partner:** Government, UNDP, UN Women, media houses, CSOs.

**Budget:** US\$250,000.00

This priority area will ensure all dialogue and reforms stakeholders have equal access to accurate, unbiased and timely information on the dialogue and reforms processes. A coherent and professional communication of the correct information will also enhance participation and help reduce anxiety caused by deliberate disinformation or lack of information. Activities will include:

- Provision of a senior communications expert to the Ministry of Communications, Science and Technology/ Office of the Prime Minister. The expert could move to the independent reforms mechanism, once established.
- Training of existing communication teams within relevant government departments.
- Development and roll-out of a communication strategy appropriate to the various media including giving visibility to the dialogue, the reforms and their progress or outcomes, and highlighting gender considerations.

## **Risk Analysis and Management**

<b>Risk</b>	<b>Mitigation Measures</b>
Boycott of the dialogue and reforms process by opposition parties.	The UN will work closely with all political parties, SADC religious and civil society leaders to ensure the participation of as many political parties as possible. The proposed National Leaders Forum is intended as a problem-solving forum and all efforts will be made to ensure its functioning.
Disruption of the reforms process by disaffected or worried members of the security agencies	<ul style="list-style-type: none"> <li>• The project specifically seeks to reduce this risk by reintegrating a section of soldiers who could otherwise be a source of disaffection. The presence of SAPMIL in the country is intended to mitigate this risk with a possible extension of the mission if it were to become necessary.</li> <li>• Targeted and sector-specific information sharing alongside a national communication strategy will ensure that all sectors to be affected by the reforms are well-informed about their objectives.</li> </ul>
Disagreements within the coalition government could make consensus-building difficult and, at worst, lead to new elections which could disrupt implementation.	<ul style="list-style-type: none"> <li>• In case of serious disagreement within the government, coalition partners will be encouraged to activate the provision for international mediation contained in The Coalition Agreement.</li> <li>• Close monitoring of political dynamics and consensus building efforts will be deployed in partnership with SADC and national dialogue facilitators.</li> </ul>

## **Indicative Budget**

<b>Priority Area/Outcome</b>	<b>Budget US\$</b>
Priority 1: National Dialogue	1,400,000
Priority 2, Stabilization Measures	1,350,000
Priority 3: Communication strategy	250,000
<b>Total PBF Contribution</b>	<b>3,000,000</b>

## **Conclusion**

Lesotho presents a unique challenge of cyclical political instability and insecurity whose long-proposed remedy is comprehensive constitutional, sectorial and institutional reforms. The presence of SAPMIL in the country is testimony to the current uncertainty. The present climate of mistrust and anger among the political leaders and fear and division among the citizens hinders the execution of the proposed reforms. At the same time, the proposed national dialogue provides an exceptional opportunity for the UN to support a catalytic process which could unlock the path to stabilizing reforms and national reconciliation. Stop-gap measures targeting the security agencies would stabilize the country and enhance the environment for longer-term reforms while averting a possible deeper crisis. The situation is an opportunity for the PBF to leverage its comparative advantages through a flexible and timely response and solidifying a partnership with SADC.