



# LESOTHO

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## EXTRAORDINARY

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### CONTENTS

**No.** **Page**

#### ACT

6 National Reforms Dialogue Act, 2018 ..... 826

#### GOVERNMENT NOTICE

36 Statement of Objects and Reasons of the National..... 835  
Reforms Dialogue Act, 2018

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## ACT NO. 6 OF 2018

**National Reforms Dialogue Act, 2018**

## ARRANGEMENT OF SECTIONS

**Sections**

1. Short title and commencement
2. Interpretation
3. Objectives of the Act
4. Establishment of the National Leaders Forum
5. Composition of the Forum
6. Functions of the Forum
7. Meetings of the Forum
8. Establishment of the National Dialogue Planning Committee
9. Composition of the Committee
10. Criteria for membership of the Committee
11. Functions of the Committee
12. Secretariat of the Committee
13. Meetings
14. Commencement and Dissolution of the Committee
15. Duration

## ACT NO. 6 OF 2018

**National Reforms Dialogue Act, 2018**

An Act to provide for the establishment of the National Leaders Forum and the National Dialogue Planning Committee for purposes of facilitating a national reforms dialogue and for incidental matters.

Enacted by Parliament of Lesotho

**Short title and commencement**

1. This Act may be cited as the National Reforms Dialogue Act, 2018 and shall be deemed to have come into operation on the 1st September, 2018.

**Interpretation**

2. In this Act unless the context otherwise requires -

“Committee” means the National Dialogue Planning Committee;

“CSO” means Civil Society Organisations;

“EU” means the European Union;

“Facilitator” means the President of the Republic of South Africa as appointed by SADC;

“Facilitation Team” means the support team to the Facilitator;

“Forum” means the National Leaders Forum;

“GOL” means the Government of Lesotho;

“Minister” means the Minister responsible for law, constitutional affairs and human rights;

“MSND” means Multi Stakeholders National Dialogue;

“Plenary I” means a plenary session which targets a representative

sample of Basotho from top leaders to community representatives and defines issues affecting peace and causing instability;

“Plenary II” means a concluding plenary session which will draw conclusions of the entire MSND process;

“Prime Minister” means the Prime Minister of the Kingdom of Lesotho;

“SADC” means Southern African Development Community; and

“UNDP” means United Nations Development Program.

### **Objectives of the Act**

3. The objectives of this Act are to provide for the establishment of the National Leaders Forum and the National Dialogue Planning Committee which shall facilitate the national dialogue on transformation for the Kingdom of Lesotho into a just, prosperous and stable society marked by effective institutions through -

- (a) the promotion of long-term national stability, unity and reconciliation;
- (b) the creation of professional, functional and efficient institutions for the effective management of public affairs, service delivery and development;
- (c) building a national consensus and implementation of constitutional changes as needed; and
- (d) the promotion of stakeholder consensus on the reforms and long term national unity and reconciliation.

### **Establishment of the National Leaders Forum**

4. There is established forum to be known as the National Leaders Forum which shall perform such functions as are necessary for the attainment of the objectives of this Act.

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## Composition of the Forum

5. The Forum shall consist of -
- (a) thirty-three leaders of all political parties registered with the Independent Electoral Commission;
  - (b) thirty-three women representing each political party registered with the Independent Electoral Commission;
  - (c) eighteen members representing the National Assembly based on the proportionality as follows:
    - (i) ten from the ruling coalition (at least three women and two youths);
    - (ii) eight from the opposition parties (at least three women and two youths);
  - (d) seven members representing the Christian Council of Lesotho and heads of other Churches;
  - (e) four members representing the College of Chiefs;
  - (f) two members representing CSOs;
  - (g) two members representing former and serving Speakers of the National Assembly;
  - (h) three members representing former and serving Presidents of the Senate; and
  - (i) any other leader who participated in the National Leaders Forum.

## Functions of the Forum

6. The functions of the Forum shall be to -
- (a) forge political consensus on the reforms and national

- reconciliation;
- (b) contribute to building trust and confidence among political leaders;
  - (c) provide a forum where leaders can meet from time to time as necessary in order to promote reforms;
  - (d) facilitate the national dialogue;
  - (e) bring political leaders together in order to seek political level consensus and a common ground for broader national dialogue; and
  - (f) do anything necessary to attain the objectives of this Act.

### **Meetings of the Forum**

7. (1) The Forum shall meet as and when necessary when there are issues that are deemed likely to derail the process of reforms.

(2) Meetings of the Forum shall be convened by the Prime Minister in conjunction with SADC and facilitated by the Leader of the Facilitation Team.

### **Establishment of the National Dialogue Planning Committee**

8. There is established Committee to be known as the National Dialogue Planning Committee which shall perform such functions as are necessary for the attainment of the objectives of this Act.

### **Composition of the Committee**

9. (1) The Committee shall consist of -
- (a) three persons, one of which shall be a woman, representing the ruling coalition government;
  - (b) three persons, one of which shall be a woman, representing opposition parties in Parliament;

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- (c) two persons, one of which shall be a woman, representing parties outside Parliament;
  - (d) one person representing the Lesotho Council of Non-Governmental Organisations;
  - (e) one person representing academia;
  - (f) one person representing the youth;
  - (g) one person representing the media;
  - (h) one person representing persons with disabilities;
  - (i) one person representing the College of Chiefs; and
  - (j) one person representing the business sector.

(2) The Minister shall publish names of members of the Committee in the Gazette.

(3) Members of the Committee shall be paid such remuneration and allowances as may be determined by the Minister in consultation with the Minister responsible for finance.

### **Criteria for membership of the Committee**

10. A person may be nominated to the Committee if that person has most or at least one of the following technical skills -

- (a) designing, planning and executing events;
- (b) budgeting and finance;
- (c) drafting, writing, reporting and documentation;
- (d) community organising and mobilisation; and
- (e) media and communication.

**Functions of the Committee**

11. (1) The Committee shall -
- (a) design and plan the national dialogue plenaries including topics and themes, speakers and facilitators, and parallel thematic sessions;
  - (b) develop criteria for representation at the national dialogue and drawing of a list of participants;
  - (c) develop a true and impartial final report of the dialogue processes and make it available to the public;
  - (d) sensitise and communicate dialogue plans to the public to ensure meaningful participation;
  - (e) provide technical support to the dialogue processes;
  - (f) develop draft guidelines for district consultations to be endorsed in National Dialogue Plenary I;
  - (g) oversee the district consultations in conjunction with the lead implementing partner and presenting them to the National Dialogue Plenary II;
  - (h) provide general administration for the national dialogue; and
  - (i) perform any other functions necessary for the efficient and successful conduct of the national dialogue.
- (2) The Committee may in the discharge of its functions co-opt any person as may be necessary based on technical expertise or any other specific skill.

**Secretariat of the Committee**

12. The Secretariat of the Committee shall consist of -

- 
- (a) the Executive Secretary;
  - (b) the Planning, Coordination and Logistics Officer;
  - (c) the Administrative Associate;
  - (d) a communications expert who shall be seconded to the Committee; and
  - (e) one representative of GOL.

### **Meetings**

13. (1) The Committee shall hold regular meetings as may be required for the planning of the Multi-Stakeholder National Dialogue.

(2) The Government shall provide appropriate office accommodation and meeting venues for the Committee meetings.

(3) The Leader of the facilitation team shall be the Chairperson of the Committee.

(4) The quorum for the Committee shall be fifty percent plus one of the voting members.

(5) The decision making of the Committee shall be by consensus.

### **Commencement and Dissolution of the Committee**

14. The Committee shall -

- (a) commence its operations immediately after its inauguration by the National Leaders Forum; and
- (b) stand dissolved after the conclusion of the National Dialogue Plenary II, and the submission of the final report of the Multi-stakeholder National Dialogue to the Facilitator, copied to the Prime Minister and the Leader of Opposition in Parliament.

**Duration**

15. This Act shall continue to be in existence until the submission of the final report of the Multi-Stakeholders National Dialogue to the Facilitator.

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GOVERNMENT NOTICE NO. 36 OF 2018

**The Parliament of Lesotho**

**Statement of Objects and Reasons of the  
National Reforms Dialogue Act, 2018**

**(Circulated by the Authority of the Minister responsible for law, constitutional affairs and human rights, Honourable Lebohlang Hlaele)**

The purpose of the Bill is to establish the National Leaders Forum and the National Dialogue Planning Committee for the purpose of facilitating a national reforms dialogue.

The Kingdom of Lesotho has embarked on extensive national reforms whose vision is “The transformation of Kingdom of Lesotho into a just, prosperous and stable country marked by effective and people-focussed institutions, national unity of purpose, rule of law, good governance and human rights.”.

The Bill proposes the overall objective of the reforms to facilitate the national transformation of Lesotho to a just, prosperous and stable society through:

- (a) the promotion of long-term national stability, unity and reconciliation;
- (b) the creation of professional, functional and efficient institutions for the effective management of public affairs, service delivery and development; and
- (c) building a national consensus and implementation of constitutional changes as needed.

To ensure that every Mosotho participates in the reforms process, the Bill proposes that the reforms process include the promotion of stakeholder consensus on the reforms and long-term national unity and reconciliation through a National Dialogue. The National Leaders Forum and the National Dialogue Planning Committee shall be the vehicle to support the National Dialogue.

The National Leaders Forum shall forge political consensus on the reforms and national reconciliation, and contribute to building trust and confidence among

political leaders. Further, the forum shall provide a forum where leaders can meet from time to time as necessary in order to promote reforms and facilitate the national dialogue.

The National Dialogue Planning Committee shall design and plan the national dialogue plenaries topics and themes, speakers and facilitators, and parallel thematic sessions. Furthermore, the Committee shall develop draft guidelines for district consultations to be endorsed in the National Dialogue Plenary I being a session which targets a representative sample of Basotho from top leaders to community representatives.

Also the Committee shall sensitise and communicate dialogue plans to the public to ensure meaningful participation and provide technical support to the dialogue processes.