



## Women Economic Empowerment and Gender Responsive Budgeting

### Lesotho

Total Population mid-2018	2 183 000
	51.4% women
	48.5% men
Population Annual Growth Rate	1.3%
Adult Literacy 2017	79.39%
	95.7% women
	82.7% men
Maternal Mortality Rate 2017	487/100,000 live births
Infant Mortality 2018	150
Total Fertility Rate, per woman	3.2
People Living with HIV and AIDS	306,000
HIV incidence	
(new infections) all ages	1.9%
HIV prevalence	
(% of people living with HIV)	25.6%
Annual GDP (2018)	US\$2.5 billion
GDP Annual Growth Rate (2018)	1.2%

#### Socio-Economic Empowerment of Women

Women with account at financial institution or mobile money	46.5%
Mandatory paid maternity leave	84 days
Proportion of:	
Women who own farms (2017)	36.6%
Households headed by Women	35.4%
Parliamentarians who are Women	23.3%

The Lesotho Gender Policy is aligned to international and regional frameworks that call for women empowerment and gender equality. On the international arena these include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); Beijing Declaration and Plan of Action and the Sustainable Development Goals (SDGs). The AU Protocol to the African Charter on Human and People's Rights on the Rights of Women and the AU Solemn Declaration on Gender Equality in Africa are among the continental frameworks. In the Southern African Development Community (SADC) region, Lesotho signed and ratified the



SADC Protocol on Gender and Development in 2008 and later the Agreement to revise the protocol in 2016. The SADC Protocol on Gender and Development was revised to align with international and continental frameworks such as the Sustainable Development Goals and Africa's Agenda 2063.

Lesotho has taken into account the provisions of the SADC gender protocol as stipulated in its National Gender and Development Policy 2018-2030. The overall goal of the gender policy is to promote and provide guidelines for institutionalizing gender equity and equality as an integral component of social, economic and political development. The Policy is anchored along priority areas which include gender and governance; access to productive resources, employment and economic empowerment; agriculture, food and nutrition security. Lesotho's revised National Strategic Development Plan - NSDP II 2018/19- 2022/23 and the Vision 2020 are in addition economic blueprints which mainstream gender in all thematic areas.

According to Population Census Report, men own almost 70 percent of land relative to 30 percent owned by women. In 2006, Lesotho enacted the Legal Capacity of Married Persons Act (LCMPA) which removed marital power and allowed married women to have equal say in all joint matrimonial properties and issues. The Act is aligned to the SADC Gender and Development Protocol and permits married women to have equal access and rights to credit, capital, mortgages, security and training as men. Prior to this enactment, married women and youth were all of equal status and regarded as legal minors and accordingly suffered equal prejudices with regards to access to resources and credit. Pursuant to these statutes, women can now hold title to land, if unmarried they can acquire land and other productive resources in their own right without the assistance of any male relative as used to be the case before 2006.

## Productive Resources and Property

### Kingdom of Lesotho

### Policies on Access to Productive Resources

Policy & Legal Framework	Main Objective
Legal Capacity of Married Persons Act, 2006	Section 7 provides that spouses married in community of property acquire the consent of the other to obtain a loan, mortgage or any financial credit thus repealing the minority status of women married in community of property
Companies' Amendment Act, 2008	The Act allows women to be directors of companies and set up their own companies. It further grants women opportunities for collateral to obtain loans or credit from commercial institutions.
Land Act, 2010	Aims to ensure that land allocation and titling is made on the basis of merit and need. Further, the Act ensures that application is based on specificity and gives women space by specifically emphasizing on their inclusion on certain clauses. For example, section 10 (3) & (4) of the Act provide as follows: (3) Transactions in relation to land shall be conducted by both spouses in monogamous marriages in community of property jointly or with the consent of another spouse, and where any document requires a signature the document shall be signed by both spouses unless they agree in writing that one spouse shall represent and sign on behalf of the other. (4) Subsection (3) shall apply in the same manner in polygamous marriages and each of the multiple wives shall be responsible for land matters relating to her household.
Lesotho Bank Saving and Development Amendment Act 2008	Allows women to open bank accounts without requiring the consent of the husband.
Micro, Small and Medium-sized Enterprises (MSMEs) Policy	The Policy has been produced as a framework and strategy to the development of MSMEs and building their productive capacities. In response to this policy, the Government of Lesotho and Lesotho National Development Corporation (LNDC) have also established Partial Credit Guarantee Schemes in 2012 meant to ease access to finance for MSMEs. The implications are since women occupy a very high percentage within the informal sector, supporting SMEs through training, better management skills, and information services will have the potential to promote their firms' growth and increase in productivity activities, therefore emancipating them from economic dependence of their male counterparts.
Minerals and Mining Policy, 2015	Though adopted in 2015, its operationalisation depends on completion of the new consolidated mining sector law, which is currently under development. Furthermore, the Taxation amendment bill is still in the development stage. This provides an opportunity to align both legal frameworks and to further strengthen working relations between the players and regulators in the industry.

Source: Policies and Frameworks of Lesotho

Despite the government putting in place progressive legislation such as Legal Capacity of Married Persons Act of 2006 and the Land Act of 2010, in practice, the reality demonstrates that access to economic resources such as land remain gendered in Lesotho. The combination of a dual legal system, state policies socio-cultural practices and economic crisis, have shaped the dominant gender contract system such that men still own more rights in rural areas than women in land and in agricultural equipment ownership. Financial institutions are still not at ease to grant credit to women if they do not have spousal consent.

In addition, the housing rights of women in Lesotho are embedded in customary law with widows being the most vulnerable. Despite legal reforms women continue to experience discrimination and disadvantage in access to land and housing. In an attempt to address this, the Government of Lesotho has adopted the National Housing Policy 2018, where gender and human rights are cross cutting themes embedded within the policy to ensure that men and women have access to decent housing.

### **Agriculture**

Agriculture remains largely untapped though it has great potential to create jobs, especially for the majority of the population living in rural areas, women and youth included. In recent years, this sector was faced with challenges fuelled by the El Niño drought in 2016 and thus resulting in the current food security situation. Lesotho continued to experience severe drought in the 2018/19 agriculture season impacting on livelihood sources due to fail in crop sales that decreased by 64 percent, weeding by 53 percent and sales of livestock products by 70 percent. To address the situation, the government



implemented the Enhanced Integrated Framework (EIF) Tier II project that provided greenhouse technology to local farmers. One hundred and fifteen greenhouses have been installed in Maseru, Mafeteng, Berea and Leribe districts for production of high value fresh fruits and vegetables. This project created 100 jobs were 79 men and 21 women benefited with total annual income of M865, 200 or average income of M721 per month, per person.

## Mining

The mining sector in Lesotho is not gender responsive as it is dominated by men at all levels. Currently the Ministry of Mining relies on outdated pieces of legislation namely; the Precious Stone Order and Regulations, 1970; Precious Stone Mine Safety Act, Kimberley Process Regulations, 2003; (Diamond Dealers License, 2004; 1981 and the Mines and Minerals Act, 2005 all which do not take into account gender mainstreaming. The draft Green Paper on the Mining and Minerals Policy 2014 is currently the only policy document that takes into account gender issues. The policy advises against human rights abuses in all mining activities, in particular, preventing the use of child labour and discriminatory practices against women. One of the objectives of the policy is to promote and facilitate employment and participation of women in mining through the removal of obstacles which are impeding their involvement. Although this law protects women in the mining sector, supporting data on representation and participation of women in mining was not readily available.

## Credit

A significant development has been made in Lesotho with regards to access to credit for the disadvantaged groups. One such



development is the amendment of the Lesotho Bank Savings and Development Order which made reference to the minority status of women as a limitation to accessing credit. The amendment ensures access to opportunities to acquire collateral, obtain loans or credit from commercial institutions and empower women to own and manage companies or enterprises, a positive step towards realization of the clauses in the SADC Protocol on Gender and Development. In addition, the Youth Entrepreneurship Micro-Credit Scheme; Village Savings and Loan Associations (VSLAs); Women's Entrepreneurship Development and Gender Equality (WEDGE); Rural Financial Intermediation Programme (RUFIP) are among the programmes that have been developed to allow women to access credit. One notable initiative is the Gender Equality in Economic Rights project of the MCA Lesotho. This project aims to create women's and girls' "equal access to economic resources and opportunities for their meaningful participation in economic growth". This is done through supportive laws and increased capacity and awareness to address gender equality in economic rights and improved knowledge. The envisaged project output is to have key stakeholders in the economic sector trained on gender equality.

### Employment and Benefits

The country's economy is transiting from traditionally-based agriculture, livestock, manufacturing and remittances of labourers employed in South Africa, to diversification into export commodity production of water, wool, and mohair and textile manufacturing sectors which employs mainly women. The levels of unemployment have grown from 23 percent to 29.4 percent in 2009 as a result of global economic crisis fuelled by





retrenchments both from the garments sector in Lesotho and mining sector in South Africa. Labour force participation stands at 72.6 percent for men and 55.3 percent for women while unemployment rates are 21.2 percent for men, 24.6 percent for women and 47.4 percent for the youth (LBS, 2016). The textile and garment industry, the largest formal employer in Lesotho, provides 80 percent of all jobs in the manufacturing sector and 80-85 percent of the jobs in the garments sector are occupied by women. This sector allows for eight weeks maternity leave but only pays for six weeks. Given the drastically reduced income for female employees on maternity leave, some women have resorted to using their annual leave as their maternity leave to avoid losing their full salaries. Pushing nursing women to forfeit part or all of their wages leads to deprivation which has a direct impact on the well-being of the infant and the mother.

The provision of paid sick leave is dependent upon continuous employment for a period of six months (Labour Code Order, 1992).

## Multiple Roles of Women

Policies in Lesotho do not recognize the multiple roles of women and as a result, no Time Use Surveys have been conducted.

## Gender Responsive Budgeting

Lesotho does not have any specific Gender Responsive Budgeting (GRB) framework. However, as of 2019, the Ministry of Gender, Youth, Sports and Recreation in collaboration with the Commonwealth Secretariat is undertaking a study on the Economic Cost of Violence against women and girls. It is expected that the results of the study will include the development of a framework or strategic tool on gender responsive budgeting.



In the national budget of 2017/18, only 0.7 percent of the M18, 709.3 million was reserved for the gender machinery while the Ministry of Finance and Development Planning received 4 percent and the Ministry of Defence 4.3 percent. The government, through the Beijing Platform for Action +20 Report under Section E on Budget Allocation, introduced training in gender-responsive budgeting in 2010 for economic planners from government departments, but has not provided information on the results of the trainings and any other recent GRB initiatives.

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