



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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REFERENCE: YH/follow-up/Lesotho/61

1 September 2015

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined initial to fourth periodic reports of the Kingdom of Lesotho at the Committee's fiftieth session, held in October 2011. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/LSO/CO/1-4). You may recall that in paragraph 47 on follow-up to the concluding observations, the Committee requested the Kingdom of Lesotho to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 and 39 of the concluding observations, namely:

“13. The Committee urges the State party to:

(a) Speed up its Constitutional review and urgently repeal sections of the Constitution that allow discrimination based on sex/gender in matters relating to adoption, marriage, divorce, burial, devolution of property, death or other matters that fall within the provisions of personal law;

(b) Include in its Constitution and other appropriate legislation prohibition of discrimination against women, which encompasses both direct and indirect discrimination in the public and private spheres, in line with article 1 of the Convention, and also to include provisions prohibiting all forms of discrimination against women on all grounds, including adoption, marriage, divorce, burial, devolution of property, death or other matters that fall within the provisions of personal law, as well as where customary law is applicable.”

“39. The Committee calls on the State party to:

(a) Prepare a unified family code, in conformity with the Convention, in which unequal inheritance rights, property and land rights and polygamy are addressed;

(b) Ensure equality between women and men in marriage and family relations, amend, without delay, all remaining discriminatory provisions and administrative regulations, including provisions and regulations relating to family, marriage and divorce, and take all necessary legislative measures to ensure that women have an equal share in all marital property, regardless of monetary and non-monetary contributions to said property;

(c) Prohibit polygamy, in accordance with the Committee's general recommendation No. 21.”

H. E. Mr. Nkopane Monyane  
Permanent Representative of the Kingdom of Lesotho  
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The Committee received the follow-up report in August 2013 (CEDAW/C/LSO/CO/1-4/Add.1). At its fifty-seventh session, held in February 2014, the Committee examined this follow-up report and, in a letter of 8 April 2014 (see letter attached), the Committee made the following recommendations.

The Committee recommended that the State party provide, by 31 December 2014, additional information on actions taken to:

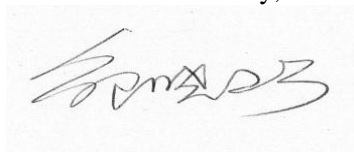
- 1) Review and repeal sections of the Constitution that allow discrimination based on sex/gender in matters relating to adoption, marriage, divorce, burial, devolution of property, death or other matters that fall within the provisions of personal law;
- 2) Include in its Constitution and/or other appropriate legislation prohibition of discrimination against women, which encompasses both direct and indirect discrimination in the public and private spheres, in line with article 1 of the Convention, and also continue to include provisions prohibiting all forms of discrimination against women on all grounds, including marriage, divorce, burial, devolution of property, death or other matters that fall within the provisions of personal law, as well as where customary law is applicable;
- 3) Finalize the unified family code, in conformity with the Convention, and ensure that it addresses unequal inheritance rights, property and land rights and polygamy;
- 4) Amend, without delay, all remaining discriminatory provisions and administrative regulations, including provisions and regulations relating to family, marriage and divorce, and take all necessary legislative measures to ensure that women have an equal share in all marital property, regardless of monetary and non-monetary contributions to said property; and
- 5) Prohibit polygamy, in accordance with the Committee's general recommendation No. 21.

Although the additional information sought by the Committee was due in December 2014, it has not been received to date. Accordingly, I would be grateful for clarification as to the current status of your Government's response on the matters, and as to when the information requested will be forthcoming.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of the Kingdom of Lesotho on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry without further delay. You are therefore kindly requested to send a Word electronic version of the information to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to [cedaw@ohchr.org](mailto:cedaw@ohchr.org).

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Xiaoqiao Zou  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women