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List of Abbreviations

CGPU	Child and Gender Protection Unit
CPF	Community Policing Forum
GoL	Government of Lesotho
LCS	Lesotho Correctional Service
LDF	Lesotho Defense Force
LMPS	Lesotho Mounted Police Service
MoD	Ministry of Defense
MoP	Ministry of Police
NAP	National Action Plan
NDPC	National Dialogue Planning Committee
NSS	National Security Services
PCA	Police Complaint Authority
RSA	Republic of South Africa
SADC	Southern African Development Community
SALW	Small Arms and Light Weapons
SOMILES	SADC Observer Mission in Lesotho
SSR	Security Sector Reforms
VIP	Very Important Person

1. Introduction

Lesotho has witnessed an upsurge insecurity and political instability over the last 53 years of independence. The root cause of the tension between the government and security institutions is attributed to politicization of the security institutions during the authoritarian (1966 - 1986) and military rules (1986 - 1993).¹The transition from military regime to civilian government in 1993 was affected by pockets of resistance from the army, culminating in violent conflict between army factions and the assassination of the Deputy Prime Minister in 1994. The prevailing political unrest was exacerbated by disturbances within the National Security Services (NSS) and the strike by the police over salary increase in May and June 1994 of the same year². Security agencies have also been recently blamed for the current political impasse and deteriorating security conditions characterised by fragile coalition governments that have failed to remain in power for the five year constitutional term. This has resulted in unprecedented incidents such as the convening of general elections three times in five years since 2012, the attack on Lesotho Mounted Police Services (LMPS) police stations by Lesotho Defence Force (LDF) members in 2014, Lesotho Correctional Services (LCS) go-slow strike over salaries in 2014 and the assassination LDF commander in 2017³.

The above incidences have triggered an urgent need to review and reposition the Kingdom's governance discourse in the following roadmap areas: constitution, economy, justice, parliament, public service, media and security, a position which is affirmed by regional and international bodies. It is in the same spirit that political parties in Lesotho and the government of Lesotho (GoL) had through the Reforms Pledge and the Coalition Agreement for National Unity, committed to undertake extensive reforms of various state sectors, including security sector. The sector has undergone previous reform initiatives, but the prevalence of crises indicates the need for further work in this regard. Considering the implication of every Mosotho in the effective governance and delivery of security, the National Dialogue Planning Committee

¹ Country Watch 2018. Lesotho Country Review. Houston, Texas 77056 U.S.A.: Country Watch, Inc. www.countrywatch.com, accessed 21 August 2019

² African Peer Review Mechanism: Country Review Report no. 12 - Kingdom of Lesotho June 2010

³ The Lesotho we want: Dialogue and Reforms for National Transformation, 2018

(NDPC) has carried out a robust broad-based consultation with Basotho citizens and representatives of security sector institutions, to source their perceptions and expectations. These will be collated to constitute of The Lesotho We Want reform agenda.

2. **Security sector reform**

Lesotho has been on SADC agenda for quite some time, thereby exposing the short weakness of the country's security sector in handling and dealing with security crises. Accordingly, the regional body through its different forums decided to: appoint the SADC facilitator; establish the SADC Observer Mission in Lesotho (SOMILES); deploy SADC Standby Force.⁴ There is an urgent need to conduct security sector reforms (SSR) in Lesotho with a view to provide an opportunity for SSR actors to define desired results: constitutional, legal, policy and institutional changes in the governance of security sector - before the design of the strategy geared to achieve the objectives. SSR is defined as "*the process by which countries formulate or re-orient the policies, structures and capacities of institutions and groups engaged in the security sector, in order to make them more effective, efficient, and responsive to democratic control, and to the security and justice needs of the people*"⁵.

Thus, while SSR processes differ from country to country, the underlying objective is to infuse a culture of accountable and efficient security for the state and its citizens without discrimination and within a framework of democratic civilian control, respect for human right and rule of law⁶. Consequently, the following essential principles must be considered to ensure that this objective is realist: buy-in to and ownership to the process by all stakeholders; inclusive and participatory process, including SSR in national reforms; adopting a holistic approach to the security sector with emphasis on governance issues⁷. SSR has proved to produce meaningful results for post - conflict and transitional societies such as Burundi, Mali, Sierra Leon and South Africa where

⁴ The Lesotho we want: Dialogue and Reforms for National Transformation, 2018

⁵ African union Policy Framework on Security Sector Reforms

⁶ Mark Sedra The Future of Security Sector Reforms 2010

⁷ Foalang and Ousman Security Sector Programming DCAF, 2015

improved governance had ushered in an environment where there is peace and sustainable development.⁸

3. The security community

Security sector is defined differently by different scholars and multilateral intuitions. Such definitions may be classified in narrow definition - include only state security institutions and broader definition which encompasses all state and non-state actors⁹. This report adopts a broader definition of security sector because of its compatibility with SSR objective of enhancing both accountability and efficiency (see Figure 1). Therefore, SSR can only be based on an inclusive definition of security sector encompassing all institutions, and personal charged with security provision, management and oversight.

Figure 1 : Narrow and broad definitions of Security Sector Reform¹⁰.

Not compatible with SSR	Narrowest	Narrow	Broad	Broader	Broadest
State security providers only e.g. police, armed forces, intelligence, etc.	State security providers AND security oversight and management bodies, including civil society and justice institutions involved in oversight e.g. parliaments, ministries, courts, ombuds-institutions, women’s groups, academia, media, among others.	State justice institutions closely linked to security provision e.g. actors in criminal justice or entire justice sector.	Non-state security and justice providers e.g. commercial security providers, community security groups, customary justice providers.	External actors supporting national SSR efforts e.g. in transition or post-conflict contexts.	Armed non-state actors e.g. armed groups that use force to achieve political or criminal goals outside the remit of state control, including criminal or political organizations.

⁸ CIT Kenya Security Sector Reform and Transitional Justice in Kenya 2010

⁹ OECE The OSCE Approach to Security Governance 2019

¹⁰ DCAF The Security Sector: Roles and Responsibilities in Security Provision Management and Oversight

Looking back at the range of security sector reform initiatives that have been undertaken over the past decade and considering the narrow and broad agendas of security sector reform, we have begged the question of 'how sustainable a peace does Lesotho need?' Figure 1 indicates that comprehensive peace can only be achieved by a broadening and even a deepening the reform agenda. While a broader and deeper security sector reform agenda will demand more resources and political will from Basotho, the recommendations made by Basotho reflect that Lesotho's current context demands a broadened agenda and the sustainable peace that it will bring about.

4. Objective

The primary objective of this exercise is to build a sector wide policy direction that re-orientes the policies, structures and capacities of institutions and groups engaged in the security sector, towards greater effectiveness, efficiency, and responsiveness to democratic control, as well as the security and justice needs of the Basotho people. Remaining true to Basotho's views and recommendations, this report presents an unbiased perspective of plausible paths towards achieving The Lesotho We Want reform agenda. The key issues that have been raised by Basotho on their perception of security sector efficiency and service delivery, an analysis of the root policies and processes that have given way to the current state of the security sector, and recommendations.

5. Methodology

The essence of this exercise is staying true to the challenges and recommendations of Basotho by making policy proposals that address and reflect the fundamental elements of their contributions. As a first step, all verbatim contributions classified into constitutional, institutional, political and socio-political issue areas. The contributions in each issue area were then distilled to identify emerging issues, which formed the strategic priority areas. These priority areas reflect the desired state of affairs and point to the intervention areas. For example, the stated

challenges around slow police response time indicate a need for institutional intervention towards effective and accountable delivery of security services.

In responding to the challenges, the scenarios built are also strongly based on the contributions submitted through the dialogue platforms and written submissions. Due credit is given to a range of scenarios based on the contributions, with each scenario being interrogated on the opportunities and risks it presents. The recommended scenarios are also primarily informed by the proposed solutions and outcomes presented by the Basotho people. They are recommendable on the basis of their feasibility and ability to address as wide a range of challenges as possible, the evaluation of opportunities versus risks, and their fit to the socio-political and economic climate of the nation.

Intervention action proposed to bring about the desired state of affairs are also drawn from Basotho's recommendations. These are mainly based on the short, medium and long or continuous term because they are not meant to be temporal recourse for change. Instead, the very same interventions are meant to be forward looking conduits towards a sustainable order of peace and stability. Despite their emergence in the form of robust reform, actions such as planning, monitoring and evaluation will facilitate incremental change further down the line to bend security institutions and their functioning towards peace rather than keeping them stagnant and resistant to change. As this exercise will show, the detriment of this institutional recalcitrance in policy and legislation is partly responsible for instability, wherein institutional legislation and policy is not responsive enough to the changing environment outside the institution itself.

6. Results

The results of this analysis show that there are sixteen key areas for reform within the security sector. These areas are not under the exclusive purview of the security sector institutions they affect, however, and thereby require constitutional, legislative and administrative changes in relation to the other six reform thematic areas designated by the current reform agenda. These sixteen areas are:

1. Development of a National Security Policy/Strategy
2. Civilian supremacy, democratic control and neutrality of the security sector
3. Establishment of a National Security Commission
4. Depoliticization of security sector
5. Relations among security institutions
6. Effective and accountable delivery of security services
7. Service recruitment, retention and conditions of service
8. Lesotho Correctional Service as a security institution
9. Court martial proceedings
10. Deployment and Positioning of LDF
11. Public trust in security institutions
12. Police-Public relations
13. Respect for Human Rights
14. Gender mainstreaming in the security sector and its operations
15. Security sector and youth development
16. Combating the proliferation of illicit small arms and light weapons (SALW) in Lesotho
17. Police law enforcement suffering at the cost of a focus on non-core functions
18. Regulation and aligning private security to the public interest and promote safety
19. Prime Minister and Ministerial/Executive VIP Service
20. Transitional justice process

Testament to the complex character of security sector good governance, the results further portray a gamut of recommendations from Basotho that will only be achieved through the extant political will of office holders, citizens and serving security sector employees. In addition to the issues that have been raised by Basotho citizens and sector stakeholders, there are issues that deserve mention, but were not raised in the dialogue consultations. Amongst these is the definition of a foreign policy to orient Lesotho's external posturing, even in a unique geostrategic context of complete enclosure by the Republic of South Africa.

The recommendations from multi-stakeholder national dialogue, diaspora consultations, in-district consultations, Plenary I, and the extension of Plenary I, as well as written submissions, were considered, analyzed and formulated into policy scenarios. These scenarios were also inspected along the opportunities and risks they present. Of the policy scenarios, the most plausible are summed as the recommended scenario with regards to the respective strategic priority area. Recommended scenarios remain primarily based on the contributions made by Basotho citizens, with international best practice and expert contribution as secondary yet equally important inputs. And the weight of these popular contributions should be acknowledged, because eventually, it is the Basotho, as recipients and referent of security, who will be the judges of how well security is being delivered.

Figure 2 : Security sector consolidated challenges and recommendations

Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Development of a National Security Policy/Strategy	<ul style="list-style-type: none"> - The country does not have National Security Policy/Strategy to articulate the country’s vital interests, to guide, inform, and communicate security goals, vision, and priorities 	There is no legal provision for the formulation of National Security Policy
Possible Solution			
<p><i>Recommended Solution</i></p> <p>Development of a National Security Policy/Strategy that is:</p> <ul style="list-style-type: none"> - In line with the country’s constitution and strategic interests; - Articulated in a framework that will be drawn and periodically revisited to reflect the changes in the strategic environment; - Detail security sector specific components and the broader security considerations including the country’s foreign policy;¹¹ - Compiled by the Prime Minister and his cabinet in consultation with sectoral chiefs, experts and civil society organisations; - Presented to parliament; - Presented to the nation’s citizens; - Accompanied by a National Security Review to highlight the interventions, achievements and shortfalls experienced in the term period. <p>Opportunities:</p> <ul style="list-style-type: none"> - Articulation and nationwide awareness of strategic security priorities - Guidance for planning across the security sector 			

¹¹ AU Policy Framework for Security Sector Reform

	Risks: <ul style="list-style-type: none"> - A culture of excessive securitization to justify extraordinary measures to protect interests - Elitist security culture 		
	Time frame	Type of action	Implementing agency
	Short term	- Development of a guiding framework for formulation of a National Security Policy; use AU Policy Framework as a departure point pending the commencement of constitutional and legislative provisions for the development of a National Security Policy/strategy ¹²	Parliament, Senate, and all Security sector institutions, heads of strategic industries, academia, civil society
	Medium term	- Constitutional and legislative provision for the development and dissemination of the National Security Strategy/Policy and a National Security Review.	
	Long term	- Continuous review the nation's strategic goals to inform national security vision, strategy and policy.	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Development of a National Security Policy/Strategy	<ul style="list-style-type: none"> - The current SSR reform neglects the need for defined national interests and their strategic projection - External threats to the national interest continue to be points of political instability - Excessive focus on institutional reinforcement 	There is no legal provision for the articulation of the national interest and external threats
	Possible Solution		
	Recommended Solution		
	<ul style="list-style-type: none"> - Inclusion of foreign policy in the security sector reform agenda; 		

¹² Ibid

- Integrated approach to the role of the security sector in pursuit and protection of the national interest that included other policy sectors, i.e. immigration;
 - Articulation of external security and strategic environment; its opportunities, vulnerabilities and threats;
 - Senior security and Executive personnel are trained to be versant in strategy and issues of national security;
 - Integrated approach to the role of the security sector in pursuit of the national interest;
 - Establishment of a National Security Advisory Board under the purview of the Council of State comprising experts from strategic industries and fields to give technical input towards the pursuit of the national interest;
- Opportunities**
- Strategic orientation to achieve and protect the national interest
- Risks**
- Political high-jacking of the national interest agenda;
 - Securitization of key industries and their activities at the cost of market, labour and best practice principles.

Time frame	Type of action	Implementing agency
Short term	<ul style="list-style-type: none"> - Development of a framework for the definition of the national interest - Crafting of an integrated approach and architecture for the pursuit of the national interest - Identification of stakeholder institutions - Crafting of an integrated approach and architecture for the pursuit of the national interest - Identification of stakeholder state and private sector institutions - Expert and government dialogue on the national interest 	Parliament, and all Security sector institutions, heads of strategic industries, academia, civil society
Medium term	<ul style="list-style-type: none"> - Establishment of statutory bodies to monitor alignment of government, national industries and sectors with the national interest 	

		- Continuous dialogue on the national interest	
	Long term	- Review and realignment of policy and security sector policy formulations and change to the national interest	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Establishment of a National Security Commission	<ul style="list-style-type: none"> - The absence of a body commissioned to: <ul style="list-style-type: none"> o Deal with the recruitment of all SSA staff so as to remove political interference in recruitment of SSA staff o Regulate the influence that political leaders have on SSA o Oversee and lead the recruitment, discipline, removal of security sector personnel according to current legislation, policy and regulations 	No legal provision on the establishment of a neutral body to deal with the appointment, disciplining and removal of service chiefs, based on published criteria
Possible Solution			
Scenario 1			
<ul style="list-style-type: none"> - Reinstatement of the Defence Commission - Chaired by the King - Primary mandate to insulate security forces from political interference and exploitation 			
Opportunities:			
<ul style="list-style-type: none"> - The role of the king gives a united front compared to contentious part politics 			
Risk:			
<ul style="list-style-type: none"> - The membership does not guarantee insulation from political influence - Transition into a security state 			

- Undemocratic powers of the King as Chairperson over the Commission and the sector

Recommended Scenario

- Reinstitution, recommissioning and restructuring of the Defence Commission into a National Security Commission
- Change in nomenclature to eliminate dominance by the armed forces and accommodate civil security institutions
- Primary mandate is the oversee service recruitment and conduct in relation to political involvement
- Purview of the Commission will cover LDF, LMPS, NSS, LCS, Fire Fighters, Paramedics and Private security companies
- The Chairperson of the Commission is the Prime Minister
- Membership of the Commission will comprise: heads of security agencies, a legal expert, and security studies expert, representative(s) for parliament, civil Society organizations and veterans
- Non-statutory members to be selected through an application process and scrutiny by the Parliament Portfolio Committee on Security
- Endow the Commission with capacity consultative and decisive authority over recruitment policy
- Checks and balances on the Commission’s capacity to influence politicians

Opportunities:

- Shared principles of practice in recruitment, retention and dismissal
- Concerted approach to building a common approach in security sector institutions’ interaction with political executives
- Leveraging on the Commission’s independence and impartiality

Risks:

- Does not guarantee non-partisan decision making

Time frame

Type of action

Implementing agency

	Short term	<ul style="list-style-type: none"> - Assessment to identify the necessary changes to the architecture of the former Defence Commission to accommodate mandate of the National Security Commission - Policy and regulatory assessment to identify push and pull factors of recruitment policy deviations - Assessment to identify channels of political interference and grounds for political aspiration - Formulation of a tailored institutional, rule based and preference shaping framework for de-politicization - Establishment of monitoring and reporting mechanism to identify and act on trends 	Parliament, Ministry of Law and Constitutional Affairs, LDF, LMPS, LCS, NSS, Civil society and Acadmia
	Medium term	<ul style="list-style-type: none"> - Hosting a working group to carry out periodic dialogue on security sector governance - Preiodic report to be released to the public on the state of national security security governance areas 	
	Long term	<ul style="list-style-type: none"> - Continuous monitoring, evaluation and review of best practices and changing national security context to inform the adjustment of administrative legislation, policy and regulation in the secueity sector 	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Civilian supremacy, democratic control and neutrality of the security sector	<ul style="list-style-type: none"> - The appointment of service chiefs is based on political affiliation and not on merit; - The military and police are used by politicians for their personal agenda - Killings in Lesotho result from hatred fuelled by politicians who use the army and police to push their own agenda - There is too much power given to politicians over these institutions, i.e. The Prime Minister has sweeping powers over appointments of senior staff and Chiefs of security, and these powers need checks and balances - Recruitment, appointment of rank-in- file is highly politicised 	Sweeping powers of political authority to appoint and remove the heads of security institutions without statutory criteria and terms.

	<ul style="list-style-type: none"> - Youth are recruited on the basis of political party membership cards - Hiring procedures are influenced by politicians - There are no clear frameworks and guidelines in the process of appointment of senior officers in the four security agencies. 	
<p>Possible Solution</p>		
<p><i>Scenario 1</i></p> <ul style="list-style-type: none"> - His Majesty the King appoints the chiefs of security with the help of a National Security Commission through a sitting with the King where they recommend three candidatures per security agency; - Background checks and eligibility of the candidates are compared for suitability based on a merit based metric score, which will have been conducted by the NSS. - This is followed by a swearing in ceremony by the King. <p>Opportunities:</p> <ul style="list-style-type: none"> - The appointment will be given credibility by the King’s perceived neutrality and loyalty to the Basotho rather than the incumbent party in government. <p>Risks:</p> <ul style="list-style-type: none"> - The unitary concentration of select in power in the King is undemocratic and could lead to dictatorial governance of the security sector, because it does not rule out the appointees being loyal to the King; - Professionalism of the security Chiefs will be compromised due to the narrow command and accountability structure. 		
<p><i>Scenario 2</i></p> <ul style="list-style-type: none"> - Prime Minister nominates one candidate to the role of chief of the respective security institution, - Nomination approved by parliament using a secret ballot vote. Where the parliamentary vote disapproves the candidate, the Prime Minister nominates another candidate until parliament approves one candidate, 		

Opportunities:

- As the people’s representatives, parliamentary vote will reflect popular consensus instead of the preference of the incumbent party.

Risks:

Due to the proportional party representation in parliament, the appointment will not be insulated from political majority and interest of the incumbent party.

Recommended Scenario

- The King shall appoint a Service Chief on the advice of the Prime Minister who will have approved the candidate recommended by the National Security Commission, based on the candidates’ merit and performance assessments as well as background vetting by the NSS.
- The National Security Commission recommends to the Prime Minister to discharge or dismiss the Service Chief if the Commission evaluates and finds the Chief incompetent; involved in politics; or absent from duty
- The Prime Minister may exercise the power conferred by the Constitution of Lesotho to remove the Service Chiefs from office, only after consultation with the Security Commission,
- The Commission make a recommendation after an exhaustive and objective evaluation to the Prime Minister on whether or not a Service Chief should be removed
- Where the Prime Minister does not agree with the recommendation of the National Security Commission, the matter shall be deferred to the State Council and His Majesty, which shall make a recommendation that the Prime Minister will approve.

(a) Qualification for appointments of service chiefs and their deputies:

- (i) A Lesotho citizen
- (ii) Has not been convicted of a criminal offence
- (iii) Hold a degree from a University recognised by the Counsel of Higher Learning – Lesotho
- (iv) Had served the service for at least 15 years; seven of which had been in senior management in line with the progression plan and have a distinguished career in their respective fields

	<p>(v) Is a serving member of the institution in question, of or above the rank of a Colonel, Assistance Commissioner and Director.¹³</p> <p>Opportunities:</p> <ul style="list-style-type: none"> - This places the appointment and removal of Security Chiefs under civilian control, and balances political prerogative of the appointing authority. <p>Risk:</p> <ul style="list-style-type: none"> - The removal process in the case of the prime minister’s deadlock with the security commission upon removal of a Service Chief may be long and time consuming.
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	Time frame	Type of action	Implementing agency
	Short term	<ul style="list-style-type: none"> - No appointments and removals in the interim 	The coalition partners, National Leaders Forum
	Medium term	<ul style="list-style-type: none"> - Constitutional reform establishing a National Security Commission to serve the above mentioned function; It shall comprise of: <ul style="list-style-type: none"> Chairperson of the Public Service Commission, the Chief of the Defence Staff, the Commissioner of Police, the Commissioner of Correctional Service, Director General of the NSS and members of the Parliamentary Defence and Security Portfolio committee. - In the case of death of an incumbent Security Chief, the senior most among the deputies shall assume the appointment in an acting capacity until the recruitment procedure is reinitiated; - Amendment of the Service Acts to reflect the constitutional provision; - Amendment of the Service Acts to reflect the qualification for appointments. 	Parliament, Ministries of Security sector institutions, Prime Minister’s office, Civil Society and Academia, LDF,NSS,LMPS,LCS

¹³ See the example of the Constitutions of Kenya and Zambia

	Long term	- Monitoring and evaluation of adherence to the Constitutional and legal provision as required.	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Depoliticization of security sector	<ul style="list-style-type: none"> - There is too much power given to politicians over security institutions - Beneficiaries of recruitment and promotions are loyal to politicians - Hiring procedures are influenced by politicians - Politically motivated arrests - Relations between the civilian leadership and the leadership of the security sector agencies is the root of killings in Lesotho, which are fuelled by politicians who use the army and police to push their own agenda - LMPS is infested with politicization wherein members of the police service take part in political secret meetings, - LDF is highly politicized. 	<p>Sweeping powers of political authority to appoint and remove the heads of security institutions without statutory criteria and terms.</p> <p>Security remains a taboo subject in Lesotho</p>
Possible Solution			
<i>Scenario 1</i>			
<ul style="list-style-type: none"> - Formulation of institutional, rule based and preference shaping interventions against politicization. - Eradication of political Authority - Sector institutions are run as parastatals whose civic direction and service delivery is run and monitored for efficiency as its sole prerogative 			

	<ul style="list-style-type: none"> - Insulate sector institutions from political enticement through legislative provision for the governance of parties external to these institutions, including political parties, civil society and interest groups, individual citizens and other public interest groups, barring them from interacting with security sector institutions in affairs outside the institutions’ civic duty. - Strong legislative and process change provision for strict laws, regulations and frameworks that will prevent politicians from abusing their political mandate within government <p>Opportunities:</p> <ul style="list-style-type: none"> - Efficiency based service delivery will optimise use of funds. <p>Risks:</p> <ul style="list-style-type: none"> - They become more powerful self-serving institutions because of its profit based orientation such that they fail to obey the civil authority. <p>Subordinate public service to profit making</p>
	<p><i>Scenario 2</i></p> <ul style="list-style-type: none"> - In addition to the scenario outlined above, all sector employees including administrative staff to be barred from voting to mitigate partisanship. <p>Opportunities: The likelihood of partisan interests infiltrating the security sector, its offices and operations is minimal.</p> <p>Risks:</p> <ul style="list-style-type: none"> - Unconstitutional and undemocratic disenfranchisement of sections of the citizenry because those serving in these institutions are first and foremost citizens and subjects of the Kingdom of Lesotho and they are entitled to secret ballot as per the constitution.
	<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - A rule-based insulation at the level of politically appointed executive officers at the Ministries responsible for respective security institutions.

- Mitigate citizen incited politicization using a strong preference shaping discourse shared with to the public, including political parties, civil society and interest groups, individual citizens and other public interest groups in order to build public confidence and of institution's personnel and mechanisms
- Political parties should be obliged by statutory organisational laws that prevent them from interference and punitive measures for inciting any such interference in the security sector.
- Constitutional provision be made to include:

"The following acts are, among others, in relation to a security sector official's acts which constitute active participation in politics –

- (a) Canvassing any person in support of or otherwise actively assisting an organisation or movement of political character;*
- (b) Displaying or wearing symbols, rosettes, posters, placards or like articles having a political significance;*
- (c) Chanting or singing at a political rally or meeting;*
- (d) Publishing views of political character or causing them to be in speeches, broadcasts, letters to the press, articles, leaflets, posters, placards, books otherwise;*

And

- (e) Any other act or conduct whatsoever or a security sector of which the public may reasonably be induced to associate or identify the officer with an organisation or movement.¹⁴*

"Provided that -

- (a) Any member of the security sector in Lesotho shall have the right to resign in order to participate directly in political activities;*
- (b) Nothing in this section shall be deemed to prejudice any member of the security sector have the absolute right to vote in accordance with this constitution and nothing in this subsection shall prejudice the right of any member of the security sector to hold office in or be a member of any association, group or professional body, the purpose of which are principally to represent their members interest in relation to the terms and conditions of employment or the general carrying on of any profession or trade or the promotion of any interest, not*

¹⁴ See the Lesotho Public Service Act, 2008

	<i>pertaining directly to the promotion of a political party, campaign or philosophy or otherwise inconsistent with the functions of the security institution.</i> ¹⁵		
	Time frame	Type of action	Implementing agency
	Short term	- Continuous Code of conduct and professionalism training on politicisation for serving members in security institutions	Ministries of Security sector institutions, Parliament LDF, NSS, LMPS and LCS
	Medium term	- Constitutional provision barring political parties and their members from soliciting support from serving members of security institutions. - Constitutional provision barring serving members from actively participating in politics.	
	Long term	- Periodical signing of officers confidential orders which will cover non-participation in any form of politics.	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Relations among security institutions	<ul style="list-style-type: none"> - Overlapping of mandates and functions of the different security sector agencies; - Overstepping and duplication of responsibilities; - Issues of synergy and complementarities among the different security sector agencies; - There are sour relations between police and army; - There is a need for the security institutions to work together; - At section 146, the constitutional mandate for internal security to the LDF is too broad and causes jurisdictional conflicts amongst the institutions. 	Constitution of the Kingdom of Lesotho, 1993 Sec.146-148 LMPS Act 1998 Sec.4
	Possible solutions		

¹⁵ See the example of the Constitutions of the Republic of Malawi, Zambia and Kenya

Recommended scenario

- Mandates and functions of security sector institutions to be explicated on their exclusivity, complementarities and supplementary execution of their duties¹⁶
- Constitutional and legislative provision for sector institution mandates
- Mandates and functions should be shared to all serving staff and to new recruits
- Cooperative functioning of the sector that emphasises complementarily instead of seniority between sector institutions

Opportunities:

- Improved Coordination and reduced conflict among security institutions.
- Identification of gaps in addressing security gaps with regards to national security priority areas, i.e. Famo conflict rings.

Risks:

- Competition of seniority among security institutions

Time frame	Type of action	Implementing agency
Short term	<ul style="list-style-type: none"> - Establishment of a National Security Commission to oversee relations between sector institutions in their complementarity, which will also be the focal point in the review of functions and mandates of different Lesotho Security Institutions. 	Security sector institutions, Parliament Portfolio
Medium term	<ul style="list-style-type: none"> - Constitutional and legislative provisions following the review of functions and mandates of Lesotho security institutions in line with the National Vision/Interest; - Establish a coordination committee for instance, a National Security Council or; - Re-introduce the previous Joint Operations and Intelligence Committee at National level which will subsequently represented at Regional and district level. 	Committee on Security, Ministry of Law and constitutional affairs,

¹⁶ See RSA and Namibian constitutions for form of statutory provisions of inter-agency complementarity and supplementarity

	Long term	- Establishment of the National Security Commission ¹⁷ .	LDF, LMPS, LCS, NSS
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Effective and accountable delivery of security services	<ul style="list-style-type: none"> - Sector operatives poorly uninformed and under-resourced in equipment and technologies; - Child and Gender Protection Unit (CGPU) depends on the station for transport which often has one vehicle responding to all station cases; - The quality of the security institutions is very low; - Erosion of public trust and confidence in the security sector; - Government and security sector brutality; 	Lack of joint planning and coordination in line with institute priorities, and strategic resource allocation.
Possible solution			
<i>Recommended Scenario</i>			
<ul style="list-style-type: none"> - Conduct needs assessment for all security agencies with a view to providing appropriate personnel, training, experience and equipment; - Conduct sector wide needs and capacity assessment to identify and leverage inter - institutional potential for economic and development advancement; - Develop resource mobilisation strategy to implement the initiative; - Align security institutions structure with the national security strategy to improve control and management of service delivery; - Benchmark rank structures of agencies with other sister organisations in the region; - Provide and improve clear systems for internal control and supervision – code of conducts, internal regulations, and disciplinary standards complaints process; - Security affairs across all agencies should be open to performance auditing through parliament, judicial and independent oversight mechanisms; 			

¹⁷ See example of the constitution Zambia

	<ul style="list-style-type: none"> - Developing frameworks and leverage on security cooperation at bilateral, regional and international. <p>Opportunities:</p> <ul style="list-style-type: none"> - Creates an environment where security sector is not seen as a burden to the state and its citizens, but guarantee security of all citizens on an equal basis. <p>Risks:</p> <ul style="list-style-type: none"> - The intended results may not be realised if change is not implemented from the top and effective change management is instituted. 		
	Time frame	Type of action	Implementing agency
	Short term	<ul style="list-style-type: none"> - Development of two assessment frameworks - Development of internal control and supervision documents 	Ministries of Security sector institutions and Parliament.
	Medium term	<ul style="list-style-type: none"> - Sector wide needs assessments conducted - Security institutions structures changed to suite the current security challenges and rank structures benchmarked with other sister organisations in the region - Implementation of supervision and internal control systems. - Bilateral, regional and international Memorandum of Understanding on security cooperation and capacity building - Implementation of best practice programmes on security cooperation - Constitutional amendment to reflect the establishment of National Security Advisory Board whose other function will be to report to parliament on the state of security in Lesotho¹⁸ 	
	Long term	<ul style="list-style-type: none"> - Leverage the existing policies of strategic planning and reporting with regards to resource allocation 	

¹⁸ Section 240 of the Constitution of Kenya

Institutions	Issue	Challenges	Status quo
LMPS	Effective and accountable delivery of security services	<ul style="list-style-type: none"> - Police training is too short; - CGPU officers are not child friendly, i.e. they do not treat child cases with sensitivity, their uniform and weapons terrorise children; - Police officers have no skills to investigate without assaulting; - Police officers frequently assault citizens without being held responsible; - Internal conflict within LMPS. 	Police Service Act of 1998
Possible solutions			
<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - Reconstitute the Police Appointment and Promotions Board to oversee the professionalization of the police service - The Police should be empowered in the form of resources to prevent crimes rather than solving them. - Legislate community policing forums (CPFs) (Mahokela) in their role addressing crime and broaden community policing to include crime prevention through environmental design.¹⁹ - Resuscitation of Training Advisory Board which will overhaul the curriculum and align it to the national priorities. - Develop training policy in line with emerging crime trends; monitor and approve the training curriculum and oversee its implementation with emphasis on: <ul style="list-style-type: none"> o physical training to deter unnecessary use of firearms o Refresher courses o Senior Officers Command courses o Strengthen CID basic and advanced courses addressing stock theft unit, traffic unit, and gender and child abuse, gender based violence (GBV) work, white collar crimes, interrogation techniques and human right, etc. o Scene of Crime Officers (SOCO) training courses must be revived 			

¹⁹ See example Constitution and section 19(1) of the South African Police Services (SAPS) Act 68 of 1995.

- o Prosecution and Presiding Officer's courses
- o Public order Policing must be emphasized
- The Minister to present crime statistics²⁰ and a report on efficiency and effectiveness of the policing plan from the Inspector of Police, before parliament once a year.
- Introduction of integrated justice system to improve the efficiency and effectiveness of the Lesotho criminal justice process in an effort to increase the probability of successful investigation, prosecution, punishment, and ultimately the rehabilitation of offenders and their restoration back into society.²¹

Opportunities:

- The above mentioned interventions will improve the service of the police to the community, enhance transparency and accountability of LMPS and promote joint problem identification and problem solving.

Risk:

- The success of interventions sought depend on mutual relationship between LMPS and the entire community.
- Complaints resolutions through oversight bodies may be seen to undermine the command and hinder the smooth running of LMPS.

Time frame	Type of action	Implementing agency
Short term	<ul style="list-style-type: none"> - Cabinet decision to introduce integrated justice system - Formulation of a task team on integrated justice system, and terms of references 	

²⁰ See the example Namibian Police Service Act 19 of 1990

²¹ <https://pmg.org.za/files/170531IJSReport>

	Medium term	<ul style="list-style-type: none"> - Constitutional amendment to include the establishment of Police Commission; - Amendment of LMPS service Act of 1998 to reconstitute Police Appointment and Promotions Board; - Stipulate guidelines for training policy and curriculum; - Amendment the constitution and LMPS service Act of 1998 to include the establishment of CPFs and functions; - Amendment of LMPS service Act of 1998 to give PCA powers accordingly; - Amendment the constitution and LMPS service Act of 1998 to include presentation of crime statistics and policing efficiency reports to parliament; - Conduct needs assessment preceding to introduction of integrated justice system. 	Ministry of Police and Public Safety, Parliament
	Long term	<ul style="list-style-type: none"> - Implementation of integrated justice system 	
Institutions	Issue	Challenges	Status quo
LMPS	Effective and accountable delivery of Police Complaints Authority Oversight	<ul style="list-style-type: none"> - The PCA is ineffective in addressing public claims against the police service - Weak oversight of the PCA - PCA only gives recommendations that are addressed at the discretion of COMPOL and other leaders - Public do not have direct access to the PCA - Referral can be denied or delayed arbitrarily - Complainants rarely receive feedback on complaints and findings reports - Only the minister has discretion to act on the reports - Citizens are reluctant to report to the PCA - Counts of concealment, refusal to prosecute, resort to slight reprimands and falsification of facts - Act does not mention the purpose of investigations 	Police Service Act Sec.22

		<ul style="list-style-type: none"> - PCA has no stated visions - Restricted to Maseru - No visible impact on police conduct - High staff turnover in the PCA - Former high ranking police officers being in political authority pits the PCA against its masters and poses a conflict of interest 	
<p>Possible solutions</p>			
<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - Mandatory investigation by Police Complaint Authority in any complaint relating misconduct or non-compliance by police officers whether on or off duty, in the execution of their duties or otherwise.²² - Mandatory Inquest to investigate any death in police custody; death as a result of police action or caused by natural death - Sec.22 of the Police service act should be revised to have Police Complaints Authority and its affiliate Commission to <ul style="list-style-type: none"> o Exclude Minister responsible for Police and Commissioner of Police o Include retired judge/magistrate, civil society organisations o Ascribe to a rigorous vetting system for members o Be autonomous in its functions and complaints submission channels - Regular reporting and public dissemination of the PCA's work - Media and press engagements - Decentralisation and stronger public access to the PCA - Open access to complaints channels - Leverage complaints logs as indicators of public trust in the police service and oversight mechanisms - PCA must have the trust and confidence of both the public and the police. 			

²² See example of the Independent Police Investigative Directorate Act, 2011 (Act 1 of 2011) – South Africa for comprehensive articulation of terms for investigation

Opportunities:

- Dissolution of public sentiment and perception of a repressive police service
- Push factors for professionalization and enhanced conduct of LMPS personnel in their interactions with the public
- Move towards, responsiveness, lesson learning, accountability and away from impunity
- Complaints work as catalytic inputs for incremental and major reform

Risks:

- Institutional resistance and scepticism of non-police procedures from an external autonomous body
- Percieved failure due to legal provisions such as amnesty laws, that might sideline the treatment of historical or highly controversial complaints cases
- Close working relations between institutions and agencies in the criminal justice system may distort transparency in PCA proceedings and recourse channels
- Resource intensive undertaking

Time frame	Type of action	Implementing agency
Short term	<ul style="list-style-type: none"> - Legislative and constitutional provision for an autonomous PCA - Development of a new institutional framework of the PCA to accommodate autonomy and reformulated mandate - Stratification of recourse for complaints and misconduct - Reformulation of the complaint, investigation, decision-making, resolution and or appeal process - Functional decentralisation of complaints channels - Stakeholder dialogue on the PCA, it's mandate and role - Identify existing structures in the Ministry of Justice and Parliament to provide oversight of the PCA's work 	LMPS, PCA, Ministry of Law and Constitutional Affairs, Ministry of Justice and Correctional Service, Parliament, Civil Society.

	Medium term	- Decentralisation of the structural and institutional channels of complaints and recourse	
	Long term	- Monitoring of complaints and resolutions as indicators of public confidence in the police service and justice system - Continuous periodic consultations with police, the public and the justice system on the efficiency of the PCA	
Institutions	Issue	Challenges	Status quo
LDF	Effective and accountable delivery of security services	<ul style="list-style-type: none"> - The role of the army is not clear and members have no work - Soldiers do not have work as there has never been to war in the last 21 years - Infighting within the military set a bad example for children, threatens their security and leaves them vulnerable to violence and exploitation - LMPS is more effective than LDF - Army be responsible for border security 	LDF Act of 1996
Possible solutions			
Scenario 1			
<ul style="list-style-type: none"> - The LDF and the Police service are merged into a single public security force that will be allocated policing, border security and external threat duties - Downsized in line with rationalisations to decrease national defence spending - The remaining minimal standing army should leverage existing LDF food and animal production programmes by upscaling them to produce for national consumption 			
Opportunities:			
<ul style="list-style-type: none"> - The redirection of funds to addressing alternative imminent developmental challenges 			
Risk:			

- A flux of workers into the labour market leading to higher unemployment rates
- A flux of former service member who are not reintegrated into civilian life through work or vocation may lead to the emergence of militia and private security groups that may cause instability inside and outside the country
- Increase in existing stock theft and other crimes along the borders with RSA

Recommended Scenario

- The LDF should optimise its Public Relations officer to vulgarise its existing work, achievements and projects within the limits of not jeopardizing their operations.
- National sensitization of the LDF's peacetime engagement and strategy

Opportunities:

- Public perception of the LDF and the utility of its peacetime strategy will become positive

Risk:

- Expansion of current external communications and engagement activities will require supplementary funding

Time frame	Type of action	Implementing agency
Short term	<ul style="list-style-type: none"> - Formulation of an external communications strategy that engages digital audiences - Formulation and public dissemination of the LDF's peacetime strategy and engagements - Strong public sensitization campaign of the LDF as a deterrent defence force instead of an offensive army - Development of an LDF website, newsletter, twitter and Facebook page 	LDF, Ministry of Defence, Media, Civil Society and Academia

	Medium term	- Creation of media content from existing project monitoring to build communications content.	
	Long term	- Periodic monitoring, institutional learning and goal setting for LDF public engagement strategy and activities	
Institutions	Issue	Challenge	Status quo
NSS	Effective and accountable delivery of security services	<ul style="list-style-type: none"> - Lack of recognition of the NSS as a fully-fledged and independent security institution; - NSS stripped off power of arrest; - NSS officers tend to put less focus on children in their operations, reporting on issues of children drug abuse, smuggling and child trafficking is insufficient to address such issues; - NSS should be trained in the use of international standards on intelligence gathering and technology usage for its work. 	Lack strategic resource allocation.
Possible solutions			
Scenario 1			
<ul style="list-style-type: none"> - Establish the Ministry of Intelligence, conduct continuous training to focus on child specific issues and reinstate the NSS's powers of arrest; 			
Opportunities:			
<ul style="list-style-type: none"> - To leverage autonomy and enhance decision making for early warning and early response to threats 			
Risk:			
<ul style="list-style-type: none"> - Proliferation of ministries is a burden on Lesotho ailing economy. - NSS power to arrest will bring an element of overlapping of mandates with LMPS. 			

- Excessive autonomy of intelligence agencies in developing democracies prone to political crisis leads to repressive exploitation of intelligence agencies
- The conflation of covert intelligence operations and enforcement action functions in a single institution leads to discretionary accountability by the institution

Recommended Scenario

- National Security Service as to be an independent civil institution under it's Director General answerable to the Prime Minister
- Strengthened in intelligence collection operating under cover without compromising intelligence and security ethics
- Maintaining intelligence channels to relevant executive and policy avenues for effective decision making at all levels of government
- Leverage existing counterintelligence capabilities
- Review and restructuring and strengthening of intelligence channels with law enforcement i.e CID, government i.e State Council, and other instituional decision making elements towards intelligence responsive governance

Time frame	Type of actions	Implementing agency
Short term	<ul style="list-style-type: none"> - Capacity building in intelligence ethics - Review of NSS human security priorities - Capacilty building in intelligence responsive governance for the NSS and political authorities 	NSS, Ministry of Defence
Medium term	<ul style="list-style-type: none"> - Constitutional and legislative review of NSS mandates - Intelligence arhitecture revie and restructuring - NSS entrusted with building a culture of monitoring, forecasting, early warning and resilience building across the Government of Lesotho and state institutions. 	
Long term	<ul style="list-style-type: none"> - Monitoring, evaluation and institutional learning to optimise the intelligence and counterintelligence operations, as well as the intelligence cycle to optimise decision making. 	

Institutions	Issue	Challenges	Status quo
LCS	Effective and accountable delivery of security services	<ul style="list-style-type: none"> - Correctional services children detainees are mixed with adults in most stations; - Police officers are allowed by Commissioner of LCS to secretly visit detainees after visiting hours; - Lawyers and doctors are made to wait for a very long time to meet with detainees; - Minor offenders are mixed with those having committed major offences creating bad influence to children detainees and minor offense suspects. 	Lesotho Correctional Service Act No; 3 of 2016
Possible solutions			
<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - Equip LCS officers with capacity to apply child friendly/protection approaches in their service delivery; - Construct separate cells for children to divide them from adults offenders should be separated according to the type of offences committed i.e. petty offences, remand and legal offenders; - Amend the Lesotho Correctional Service Act No; 3 of 2016 to facilitate for the Establishment of the LCS Inspectorate. 			
Time frame		Type of actions	Implementing agency
Short term		- Capacity building in juvenile detention and rehabilitation	LCS, Ministry of Justice and Correctional Service and Parliament
Medium term		- Lesotho Correctional Service Act No; 3 of 2016 amended to facilitate for the Establishment of the LCS Inspectorate	
Long term		- Prison facilities constructed/improved to cater for different categories of prisoners, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. ²³	

²³ https://www.unodc.org/pdf/criminal_justice Standard Minimum Rules for the Treatment of Prisoners: UNODC, 1977

		- Long term training to capacitate LCS officers to endow with child friendly approach in their service delivery conducted.	
Institutions	Issue	Challenges	Status quo
LDF, NSS, LMPS, LCS	Service recruitment, retention and conditions of service	<ul style="list-style-type: none"> - Failure to adhere to existing appointment and promotions policies; - Sweeping powers of appointment and dismissal for senior personnel influences the recruitment, transfer and promotions of rank and file - There is nepotism and favoritism in recruitment at the cost of merit and capability; - Poor guidelines and procedures for promotions within the security forces. 	LDF Act, Police Service Act, Lesotho Correctional Services Act, National Security Service Act.
Possible solutions			
<p><i>Scenario 1</i></p> <ul style="list-style-type: none"> - An independent commission comprising representative of all social sectors shall run recruitment for security institutions. - The recruitment and induction shall consider every Mosotho adult between ages of 18 and 35 (18-26 direct or school leavers) (18-35 professional) recruitment regardless of schooling qualifications - Recruitment periodicity and volumes in the service institutions will be directed by the National Security policy and strategic plan and institutional planning objectives - The recruitment process is required to be free of any gender prejudice or preference, with guidance from the SADC protocol on gender and development - All exams and testing results for recruitment shall be published for public viewing in major media platforms. The institution shall retain all officers and operatives on a five year contract; which shall be reviewed for renewal. <p>Opportunities:</p> <ul style="list-style-type: none"> - Equal opportunities for every patriotic Mosotho adult to serve in the security sector <p>Risks:</p>			

- Performance may be compromised due to recruitment by non-technocrats.
- Gender and other social values could be mis-valuated to compromise quality of recruits.

Recommended Scenario

- Procedures of the Senior Officer Appointments and Promotions Board and its equivalents across the sector shall be transparent and administered along statutory guidelines and explicitly articulated protocols that are non-partisan, in line with labour regulations.
- Legislative provision in the respective institutional Acts establishing a Human Resources (HR) department in each institution in addition with guidance from the HR and legal offices of the responsible ministries, whose policy for recruitment, retention and conditions of service shall be informed by National security and institutional strategy in administering appointments, confirmation and promotions of officer ranks;
- Ensure constitutional compliance in all the conditions and provisions of a human resource policy;
- Recruitment in these institutions shall have leverage the SADC protocol on gender and development;
- The Office of the Ombudsman and other oversight mechanisms leveraging their role by accepting complaints from service and military personnel;
- Legislative provision in the respective institutional Acts allowing service staff to refer their complaints to the Office of the Ombudsman and other oversight bodies.
- Representation of the labour movement in the central body for service recruitment, retention and promotion, whose terms of reference are articulated clearly and tailored to the conditions of service in the different security sector institutions
- Opportunity for Support/"civilian" staff to make lateral transitions into security institutions following due process and training
- Allocation of positions that can be filled by persons with disabilities in security institutions

Opportunities:

- Equal opportunities for every patriotic Mosotho adult to serve in the security sector

Risks:

	- Complaints resolutions through oversight bodies may be seen to undermine service and military command and hinder the smooth running of the institutions.		
	Time frame	Type of actions	Implementing agency
	Short term	<ul style="list-style-type: none"> - Internal assessment of critical opportunity points for external influence in the recruitment process - Establish framework for the yearly review of service conditions and Police Negotiating Council (and equivalents across the sector) sittings 	LCS, LDF, NSS, LCS, Ministry of Labour and Employment, Ministry of Public Service
	Medium term	<ul style="list-style-type: none"> - Establishment of an independent commission to craft, oversee, monitor and evaluate the sector's recruitment strategy - Rule based insulation against political or other influence for individuals who work in the Human Resource department e.g. declaration of assets before taking on office 	
	Long term	<ul style="list-style-type: none"> - Continuous review of the recruitment process to detect and stopgap emerging opportunities for external influence. 	
Institutions	Issue	Challenges	Status quo
LCS	LCS as a security institution	<ul style="list-style-type: none"> - Lesotho Correctional Service is not recognised as a security institution or force - LCS has been mistakenly referred to as 'disciplined force' - LCS has become a breeding ground and manifestations of criminal activities; 	Currently no legal or policy provision articulating functional terms of security forces and services
	Possible solutions		
	<i>Recommended Scenario</i>		
	<ul style="list-style-type: none"> - Elaboration of the LCS's role in the security architecture with a focus on complementarity instead of seniority 		

	<ul style="list-style-type: none"> - Clear demarcation of LCS mandate and personnel stratification i.e, security and rehabilitation programming - Adequate resourcing for efficient Correctional Services - Rehabilitation and social-reintegration centred approach to detention and imprisonment - Continuous capacity building of LCS personnel in rehabilitation and social re-integration - Ensuring the safety of LCS personnel in their interactions with detainees - Efficient institutional management <p>Opportunities:</p> <ul style="list-style-type: none"> - A shift from institutional to functional approach to detention and imprisonment <p>Risks:</p> <ul style="list-style-type: none"> - Success depends on intensive resource mobilisation - Resistance to change, from militancy to civil approach in detention and prisons system 		
	Time frame	Type of actions	Implementing agency
	Short term	<ul style="list-style-type: none"> - Institutional and capacity assessment of the LCS to determine resource gaps - Formulation of an institutional architecture reflecting a demilitarization and civilianisation of the correctional services - Articulation of rehabilitation and physical security roles to identify and stratify capacity building needs - Capacity building in human rights for detainees and prisoners - Develop institutional management framework - Relegate immediate institutional management and direction to the LCS Commissioner 	LCS, Ministry of Justice and Correctional Service
	Medium term	<ul style="list-style-type: none"> - Continuous capacity building in human and physical security for senior and junior LCS personnel 	

	Long term	- Monitoring and review of correctional services to establish a community of practice in correctional services security	
Institutions	Issue	Challenges	Status quo
LDF	Court martial proceedings	<ul style="list-style-type: none"> - Lack of review of court martial proceedings to ensure lawful compliance; - No provision for review of court martial proceedings in cases of gross violations court; - No provision for mandatory presence of Advocate in the High Court during a court martial proceeding to demonstrate judicial character of court martial. 	LDF Act Sec. 17, Part IX
Possible Solution			
<i>Recommended Scenario</i>			
<ul style="list-style-type: none"> - Constitutional and legislative provision in the LDF Act which details for mandatory presence of an Advocate in the High Court to sit in on Court martial and court martial appeal court proceedings in <i>ex-officio</i> capacity to monitor these, and to report on their legality or lack thereof; - Legislative provision for a strong rule based insulation from political partisanship to govern roles that convene, dissolve, sit in and preside over courts martial; - The convening authority's order to convene or dissolve the court martial should be reviewed by a Defence Commission prior to execution of such order; - Leverage the advisory capacity of the LDF Directorate of Legal Services <p>Opportunities:</p> <ul style="list-style-type: none"> - Presence of High Court judge advocate will provide legal legitimacy and advice for the proceedings and subsequent verdicts of court martial. <p>Risks:</p> <ul style="list-style-type: none"> - No guarantee of independence from external influence, though the risk is minimal. 			

	Time frame	Type of actions	Implementing agency
	Short term	- Introduction of teaching military law for all officers at a point of entry and politicians	LDF, Ministry of Defence, Ministry of Justice and Correctional Service, Ministry of Law and Constitutional Affairs
	Medium term	- Potential court martial presidents are subjected to basic civil law education	
	Long term	- Continuous refresher courses in military and civil laws	
Institutions	Issue	Challenges	Status quo
LDF	Deployment and Positioning of LDF	<ul style="list-style-type: none"> - Failure by the LDF to cover other areas of the country (especially in the highlands) leads to a high crime rate in those areas; - The location of the Commanders office within the Barracks is not in line with international best practice,. - Relocation of Commanders offices to a place other than the Barracks. 	LDF Act Sec.12-13
Possible solution			
<i>Recommended Scenario</i>			
<ul style="list-style-type: none"> - Deployment of LDF along the country's porous borders in line with their mandate for territorial security; - Place military bases distanced from locals and villages and keep military visits and business in these villages minimal; - Regional command bases/Regional Brigades are required to be strengthened to improve the efficiency and effectiveness of LDF in urban and rural areas. - Locate Commander's offices outside the Barrack. 			
Opportunities:			

<ul style="list-style-type: none"> - Increasing the number of regional commands will develop and improve monitoring and control of soldiers in operations in remote areas, reduce impunity in isolated cases of violent clashes with civilians, and increase public confidence in the LDF. - Locating the Commander’s office outside the barracks is a risk mitigation strategy meant to reduce the risk (<i>physical and cyber attack</i>) to as low as reasonably practicable.²⁴ <p>Risk:</p> <ul style="list-style-type: none"> - New Commenders offices, regional commands and bases will require financial support. However, direct and consequential loss will outweigh monetary value. 			
	Time frame	Type of actions	Implementing agency
	Short term	- Establishment of regional brigades or bases using temporal materials like tents or prefabs.	LDF, Ministry of Defence, Ministry of Public Works, Parliament
	Medium term	- Establishment of regional commands by lodging into already existing government buildings until permanent buildings are built.	
	Long Term	- Establishment of permanent regional commands or bases.	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Public trust in security institutions	<ul style="list-style-type: none"> - Security forces violate media freedom and freedom of expression by threatening regular callers, owners of media houses, editors and journalists - Erosion of public trust and confidence in the security sector - Government and sector brutality - Lack of public image of trust and respect 	Currently are no dialogue platforms and evaluation measures of public trust and confidence in security institutions

²⁴ The International Security Management Institute

Possible Solution		
<p>Recommended Scenario:</p> <ul style="list-style-type: none"> - Establishment of a public outreach and engagement strategy and office for each institution, that will responsible for joint sectoral outreach and engagement platform - To be carried out in print, broadcast and digital media platforms, and operated in observance of human rights and democratic governance, and in close collaboration with private and public media - Capacity building for institutions and platforms in handling and communication of sensitive issues, rumour management and public dialogue for good governance, conflict prevention and management - Measure oscillations of public trust in the security sector and, identify the root causes of upswings to leverage them and correct the drops i.e a Social Barometer of public confidence and trust in sector institutions <p>Opportunities:</p> <ul style="list-style-type: none"> - Transparency in security sector institutions on issues affecting national security eg: publication of statistics on crime rates, small arms proliferation etc and the changes in these statistics. - Establishment of a monitoring and early warning security culture <p>Risks:</p> <ul style="list-style-type: none"> - Communication platforms can be used for institutional propaganda 		
Time frame	Type of actions	Implementing agency
Short term	<ul style="list-style-type: none"> - Create dialogue spaces for the sector and the public through social engagement events - Leverage existing public relations offices and strategy to run the strategy and feed findings back to the respective institutions to guide internal institutional confidence 	Ministries of security institutions, NSS, LDF,

	Medium term	- Establish platforms for strong institution-public communications to disseminate monitoring data and leverage the public interest in this information	LMPS, LCS, Civil society, Parliament.
	Long term	- Monitor and evaluate this strategy for improvement and adaptation to the socio-political climate	
Institutions	Issue	Challenges	Status quo
LMPS	Police public relations	<ul style="list-style-type: none"> - Police involvement in initiation schools dilutes the essence of initiation customs; - Only Police Officers who had undergone initiation schools should address issues related to initiations. 	No Policy on Police engagement on Customary Practices of Initiation
Possible solution			
Scenario 1			
<ul style="list-style-type: none"> - Initiates should be left to prosecute their own offenders in their own "initiation court"; - All members of Security sector institutions should attend initiation schools; 			
Opportunities			
<ul style="list-style-type: none"> - Cultural values relating to circumcision are safeguarded 			
Risk			
<ul style="list-style-type: none"> - Only Police Officers are mandated by law to among others: detect offences, apprehend offenders and bring them to justice. Delegating this function is against the law - Establishment of extra – institutional law enforcement groups that will compete with statutory law enforcement agencies - Compulsory attendance as initiation school as precondition to join Security institutions is discriminatory. 			
Recommended Scenario			

	<ul style="list-style-type: none"> - The current practice whereby only Police Officers who had undergone initiation school to handle cases relation to initiation schools to continue; however, flexibility should be applied where initiated officers are not available - A Policy on Customary Practices on Initiation in Lesotho be developed with a view to outline the working modalities among initiates, traditional leaders and law enforcement agencies. <p>Opportunities:</p> <ul style="list-style-type: none"> - Common understanding premised on rule of law - Enhanced relations between LMPS and initiation practitioners - A standard way of handling initiation customs by LMPS <p>Risks:</p> <ul style="list-style-type: none"> - Uncertainty and mistrust - Imbalance between tradition, law enforcement and justice 		
	Time frame	Type of actions	Implementing agency
	Short term	- Consultations between LMPS, Ministry of Tourism Environment and Culture and Traditional Leaders to iron out differences and to pave a way forward	LMPS, Traditional Leaders, Ministry of Tourism Environment and Culture
	Medium term	- Policy on Police engagement on Customary Practices of Initiation	
	Long term	- Monitoring and evaluation on implementation of agreed standards	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Respect for Human Rights	<ul style="list-style-type: none"> - Arbitrary arrest and torture by LMPS and LDF - Long detention without trial - Unprofessional conduct by security institutions resulting in gross violations of human rights 	Constitution of Lesotho Sec. 8 (1)

Possible Solution

Recommended Scenario

- Development of a human rights strategy to:
 - o maximise human rights observance in the security sector;
 - o consider both citizens and security sector operatives as right-holders;
 - o emphasise security specific human rights issues such as the *habeus corpus* with regards to the Police Service, Lesotho Defence and the Correctional service, *locus standi* for human rights violations and data protection with regards to intelligence gathering techniques, etc.
- Legislative provision of respective institutional Acts to reiterate the role of the institution, it's executives and operatives as custodians, protectors and fulfillers of human security for every human being within their jurisdiction;
- Assessment of security sector institutions on their human rights performance in preparation for:
 - o Institutional and administrative interventions to strengthening human rights observance, emphasis on the relationship between right holder and duty bearers; and reiterating the rights and responsibilities of both;
- Interventions to be part of a psychosocial behavioural change programme that is both preventative and reactive;
- Goal based monitoring and evaluation that is evidence based (outcomes) instead of output based;
- Integrate human rights into Manuals and Service Operating Procedures for respective Security Sector institutions.

Opportunities:

- Prioritisation and advocacy of the rights of serving security sector employees, who serve in high to very high risk work environments and situations.
- Inform recipients of security services of their responsibilities and liabilities with regards to respecting the human rights of security service employees.

Risks:

- Resistance to change due to the perception of an robust human rights as an interference in institutional culture.

	- Human right prioritisation commonly perceived as a hindrance to fast and effective police work.		
	Time frame	Type of actions	Implementing agency
	Short term	- Formulation and articulation of a sector side Human Rights framework and action plan.	Ministry of Foreign Affairs and International Relation, Parliament, Civil Society, Human Rights Activists/ Academia
	Medium term	- Strengthen the promotion, ratification, and implementation of key international human rights treaties and rights instruments. - Address International observations of human rights abuses by the security sector in Lesotho ²⁵ . - Constitutional provision on the establishment of Human Rights Commission.	
	Long term and continuous	- Organise periodic exchanges of views among Member States on best practice in implementing human rights treaties.	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Gender mainstreaming in the security sector and its operations	- The security sector remains male dominated at lower and directorship levels; - Sector documents do not reflect gender mainstreaming efforts; - The security sector has no gender policy framework or action plan to guide implementation of women peace and security commitments.	Lesotho Gender Policy of 2003
	Possible solution		
	<i>Recommended Scenario</i>		

²⁵ See Lesotho UPR Recommendations

- Lesotho holds a gender outlook that gives opportunity to all Basotho adults to serve in security sector institutions irrespective of biological gender or gender identification;
- Administrative policies should redress gender imbalances through gender inclusive language;
- Use a dual track approach of gender mainstreaming and gender specific policy to identify and eradicate direct and indirect gender discrimination;
- Leveraging the SADC²⁶ Protocol on Gender and Development.
- Institute continuous capacity building across the sector from the most senior to most junior level on:
 - Sound gender approaches to policy making
 - Gender sensitive execution of their duties, such as avoiding secondary victimisation of female and male victims of gender based violence.
- Periodic monitoring and evaluation to gauge the state of gender balance performance and indicate the way forward.

Opportunities:

- Identification of the state of gender balance in the security sector (Gender Barometer);
- Bringing legally non-binding gender considerations into legislation;

Risks:

- Imbalance between gender mainstreaming and positive action towards gender equality;
- Under-valuation of gender justice.

Time frame	Type of actions	Implementing agencies
Short term	<ul style="list-style-type: none"> - Development of a gender performance assessment framework - Formulation of gender sensitization activities for all security sector personnel - Pre and post training/campaign tests to evaluate knowledge levels and attitudes - Creation and opening of spaces for dialogue within security sector institutions 	LMPS, LDF, NSS, LCS, Ministry of Gender,

²⁶ SADC Protocol on Gender and Development

	Mid term	<ul style="list-style-type: none"> - Legislative amendment to address gender balance in the institutional Acts to ensuring gender neutrality. - Intensifying ratification and participation of international treaties and agreements on gender. 	Youth, Sports and Recreation
	Long term	<ul style="list-style-type: none"> - Monitoring, evaluation and institutional learning for continuous implementation of gender balance strategy. 	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Security sector and youth development	<ul style="list-style-type: none"> - Youth have no sense of patriotism; - All youth should be compelled to join the security services for a year 	Currently no policy provision or ongoing interventions or processes
Possible solution			
<i>Recommended Scenario</i>			
<ul style="list-style-type: none"> - Security sector institutions to contribute to teaching and instruction in a national service program which, in addition to the curriculum, will entail patriotism geared education: <ul style="list-style-type: none"> • Program duration of maximum two years • Participants will qualify using high school fourth year results into this program, which • Participants will obtain a Cambridge Overseas School Certificate (COSC) in line with national curriculum and qualification. - Engagement of youth in security discourse. 			
Opportunities:			
<ul style="list-style-type: none"> - Youth involvement in peace and security dialogue; 			

	<ul style="list-style-type: none"> - Youth and children knowing their role and value in sustainable peace, national security and the national interest; - Push an agenda to prevent the recruitment of youth in violent groups. <p>Risks:</p> <ul style="list-style-type: none"> - Youth development and child protection becoming exclusively 'securitised' issues and their political significance reduced. 		
	Time frame	Type of actions	Implementing agency
	Short term	<ul style="list-style-type: none"> - Engage youth in security dialogue, i.e. with Parliament Portfolio Committee - Formulate a national youth resilience and crisis preparedness program, framework and action plan 	Ministry of Education, Ministry of Defence, Ministry of Gender Youth, Sports and Recreation
	Medium term	<ul style="list-style-type: none"> - Run a youth resilience assessment - Formulate and implement framework and action plan to monitor youth resilience during political and security crises 	
	Long term	<ul style="list-style-type: none"> - Dialogue platforms for youth in peace and security 	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS	Proliferation of illicit small arms and light weapons (SALW)	<ul style="list-style-type: none"> - The security institutions fail to control the conflict between factions of Famo music or effectively curb the organised crime by Famo musicians; - People live in fear because of crimes committed through firearms; - There are lot of unlicensed firearms in Lesotho. 	Lesotho Firearms Act no.17 of 1966
	Possible solutions		
	<i>Recommended Scenario</i>		

- Establishment of a National Focal Point Committee (NFPC) to oversee the implementation of the legally binding SADC Protocol on the Control of Firearms, Ammunition and other related material, in terms of article 17 of the Protocol that will be the starting point for further development of a holistic and integrated small arms and light weapons possession policy

Opportunities:

- Lesotho will follow tested model developed by SaferAfrica and Saferworld, and applied in Botswana, Namibia and Tanzania. This approach is also coordinate by Regional Centre in Small Arms (RESCA) in Great Lake Region and Horn of Africa with funding from international community.²⁷
- Clear policy and regulation over possession of SALW for self protection and recreation

Risks:

- The initiative's success rests on public buy-in
- Fire-arms regulation that is not comprehensive usually gives way to extra-legal proliferation

Time frame	Type of actions	Implementing agency
Short term	<ul style="list-style-type: none"> - Formulation of NFPC with a fully functional secretariat 	LDF, LMPS, NSS, LCS, Ministries of Gender, Youth, Sports and Recreation, Foreign Affairs and International Relations, Parliament, Civil Society and Academia
Medium term	<ul style="list-style-type: none"> - National Conference on SALW on conducted; - Mapping phase assessment on the true nature of the firearm problem in the Lesotho conducted; - Policy on SALW developed to address the full spectrum of issues related to SALW and to provide the basis for the review of national legislation, regulation and administrative procedure governing SALW; - National Action Plan (NAP) for Arms Management and Disarmament in Lesotho developed; 	

²⁷ <https://recsasec.org/>

		<ul style="list-style-type: none"> - Resource mobilisation strategy development to fund the implementation of NAP; - Internal Security Arms and Ammunition Act no.17 of 1966 reviewed to be in conformity with regional and international measures to deal with SALW in a comprehensive and coordinated manner; - Central electronic database developed for national recordkeeping, control of the national stockpile and to assist with investigation, national information and regional co-operation priority. - Leverage on existing bi- and multilateral joint operations on curbing illicit firearms and ammunition. 	
	Long term	<ul style="list-style-type: none"> - Continuous Implementation, monitoring and evaluation of NAP on SALW 	
Institutions	Issue	Challenges	Status quo
LMPS	Police law enforcement suffering at the cost of a focus on non-core functions	<ul style="list-style-type: none"> - Law enforcement is weak, unprofessional and ineffective - Traffic, Forensics, Fire Brigade as well as first and emergency response functions currently carried out by the police are weak and inefficient - Lesotho Mounted Police Service to deal exclusively with accident scenes - Traffic related issues to be allocated exclusively to traffic cops and the Lesotho Transport Authority 	Police Service Act, Recent establishment of the Ministry of Transport
	Possible solutions		
	Scenario 1		
	<ul style="list-style-type: none"> - Privatisation of all non-core functions currently handled by the LMPS - Development of a regulation, standards and compliance framework for all these services - Development of a transparent bidding and tendering process for these services 		

Opportunities

- Professional and non-partisan delivery of these services

Risks

- Privatisation of essential services at market process will make them inaccessible to a large part of the populations, which happens to be below the middle income category
- Privatisation of traffic control may create leeway for more corruption than expected where the companies are left unchecked by government and law enforcement

Recommended Scenario

- The Forensic to remain with LMPS, and report to Deputy Commissioner Criminal Investigation Services;²⁸
- Leverage the recent establishment of the Ministry of Transport
- Traffic law enforcement functions to remain with LMPS and clear lines of demarcation and complementarity be drawn between LMPS and Traffic Inspectorate Officers;
- Transfer fire brigade and paramedics function to Ministry of Local Government as emergency services; LMPS to complement on crime scene investigations.

Opportunities:

- Keeping Forensics and Traffic enforcement functions with LMPS will ensure utilisation of already existing resources (human and physical) as well as safeguarding the integrity of forensics investigations. Transferring of fire emergency services to another Ministry will help redistribute functions to alleviate pressure on LMPS core functions.

Risk:

- Resource intensive
- Resistance to change due to fear of unknown

²⁸ See the examples of Botswana, Namibia and South Africa and Zimbabwe

	Time frame	Type of actions	Implementing agency
	Short term	<ul style="list-style-type: none"> - Policy guidelines on lines of demarcation and complementarity between LMPS and Traffic Inspectorate Officers; - Coordination of efforts to avoid duplication and redundancy. 	Ministry Police and Public Safety, Ministry of Transport, LMPS, Ministry of Local Government and Chieftainship, Fire Brigade, Forensic Service Department
	Medium term	<ul style="list-style-type: none"> - Effective change management - Amendment of Road Traffic Act of 1981 to cater for new developments. - Capacitating Fire Brigade to focus more on fire prevention 	
	Long term	<ul style="list-style-type: none"> - Periodic commercial inspection on fire compliance - Continuous accreditation of Forensic Laboratory in line with ISO/IEC 17025²⁹ 	
Institutions	Issue	Challenges	Status quo
LDF, LMPS, LCS, NSS & Private security services	Regulation and aligning private security to the public interest and promote safety	<ul style="list-style-type: none"> - Private security industry is not regulated - Private security guards are not trained on weapon handling - Use of excessive force 	Currently no legal provision addressing private security services
	Possible solutions		
	<i>Recommended Scenario</i>		

²⁹ ISO/IEC 17025 Testing and Calibration Laboratories

	<ul style="list-style-type: none"> - Subject civilian private security services to government regulation, oversight bodies, and programs that enhance standards to improve their contribution to crime prevention and community safety.³⁰ <p>Opportunities:</p> <ul style="list-style-type: none"> - A regulated private security industry will complement the national security sector in projecting a sense of safety and security to ordinary citizens <p>Risks:</p> <ul style="list-style-type: none"> - Resistance to regulatory framework by industry players. 		
	Time frame	Type of actions	Implementing agency
	Short term	- Private security sector mapping to establish the size and activities of sector members	Ministry of Police and Public Safety, Private Security Companies, Parliament
	Medium term	<ul style="list-style-type: none"> - Constitutional and legislative provision for regulation of private security services³¹ with regards to conduct, accountability, accreditation and their role with regards to the national security sector institutions - Legislative provision to attribute the regulation of private security services to the Police Service, to regional compliance boards and to international norms and regimes³² 	
	Long term	- Monitoring, evaluation and review of this strategy and its implementation for increased efficiency	
Institutions	Issue	Challenges	Status quo
	Prime Minister and	<ul style="list-style-type: none"> - Executive and VIP figures are guarded by LDF members - Mistrust between current VIP service custodians and their charges 	There is contention between security

³⁰ State Regulation concerning Civilian Private Security Services and their Contribution to Crime Prevention and Community Safety: UNODC, 2014 , <https://www.unodc.org>

³¹ South Africa, Private Security Industry Act no. 56 of 2001 <https://www.gov.za/documents/private-security-industry-regulation-act> accessed 26 August 2019

³² See The Sarajevo Code of Conduct for Private Security Companies and The Sarajevo Client Guidelines

LDF, NSS, LMPS,	Ministerial/Executive VIP Service		sector agencies on which agency is suited to provide VIP service.
Possible Solution			
<p><i>Scenario 1</i></p> <ul style="list-style-type: none"> - Cabinet Ministers and other high-ranking government officials should be guarded by National Security Service (NSS) and that the Very Important Persons (VIP) Protection Unit within the NSS is resuscitated. <p>Opportunities:</p> <ul style="list-style-type: none"> - Security infiltrators from both security agencies and civilian will easily be identified by the NSS. - Optimization of intelligence loop for VIP protection. <p>Risks:</p> <ul style="list-style-type: none"> - Sole custody of the VIP service in the hands of the NSS makes clients vulnerable to violations of the right to privacy. 			
<p><i>Scenario 2</i></p> <ul style="list-style-type: none"> - Cabinet Minister should hire their own security personnel for their protection from the private sector. <p>Opportunities:</p> <ul style="list-style-type: none"> - Redirection of government funds to alternative imminent development initiatives. <p>Risk:</p> <ul style="list-style-type: none"> - Relegating the responsibility of VIP service from the state to civilian companies will weaken accountability. 			
<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - The Lesotho Mounted Police Service take primary responsibility the VIP service 			

- Specialised training in Executive/VIP protection services
- Placement at high level events and occasions prior to allocation in Executive/VIP protection service
- Regular and comprehensive security assessments of VIP service
- The National Security Service provides intelligence for effective VIP protection
- The protection and security measures of the Prime Minister, Deputy Prime Minister and Cabinet Ministers include, but are not limited to:
 - o regular security assessments in conjunction with the intelligence agencies;
 - o static protection at all official and private residences and office accommodation used from time to time during the term of office;
 - o In-transit protection during all domestic and international movements;
 - o regular vetting of protectors, medical personnel and other staff. The use of Police for the provision of VIP protection services to Presidents/Prime Minister is a common practice in most SADC and Democratic countries.
- Lesotho Defence Force (LDF) provides ceremonial protection to His Majesty King of Lesotho

Opportunities:

- Separation of power and mandates among security agencies.

Risks:

- During insurrection or rebellion and terrorism or any other major political crisis, the police may not be able to manage the situation conclusively.
- Core policing and law enforcement functions may suffer at the expense of Executive/VIP service as a non-core function
- More financial resources needed for recruitment and training of more police officers for the Executive/VIP protection service

Time frame	Type of actions	Implementing agency
Short	- Stratified training of Security Sector Officers in Executive/VIP personal and event security;	Ministries of security sector institutions,

		<ul style="list-style-type: none"> - Establishment of and continuous capacity building Code of Conduct and professionalism to officers in Security Sector agencies with regards to indiscretions in Executive/VIP service. 	Ministry of Foreign Affairs and International Relations LDF, NSS, LMPS, LCS,
Medium	<ul style="list-style-type: none"> - Periodic review of the mandates of Executive/VIP service capabilities and the persons entitled to this service, conditions for the cost of this service; - Build an excellence and performance based Executive/VIP protection service training programme adapted to Lesotho's unique context. 		
Long Term	<ul style="list-style-type: none"> - Establishment of and linkages with platforms for the community of practice in Executive/VIP protection services; - Catalogue and keep in line with shared international best practice to the effect that it enhances the efficiency of the Executive/VIP protection service. 		
Institutions	Issue	Challenges	Status quo
LMPS	Transitional and other justice process	<ul style="list-style-type: none"> - LMPS members kill suspects during interrogations; - Police officers frequently assault citizens without being held responsible; - Unprofessional conduct by security institutions resulting in gross violation of human rights. - The government is complicit in human rights violations by the LMPS 	No legal provision for restorative justice processes
Possible solutions			
Scenario 1			
<ul style="list-style-type: none"> - LMPS should carry out an investigation on allegations of torture and killing of suspects in police custody, apprehend offenders and bring them to justice. 			
Opportunities:			
<ul style="list-style-type: none"> - This allows LMPS to carry its constitutional mandate, for purposes of accountability and redress for victims. 			

- Stronger public accountability by the police service
- Professionalisation

Risks:

- Reluctance to investigate fellow officers.

Recommended Scenario

- Establishing a commission leveraging on the existing PCA to investigate the allegations and make justice a reality for the most vulnerable citizen.
- All complaints to be addressed

Opportunities:

- A renewed commitment to safety and access to justice for citizens - safe from abuses of their own authorities and effectively protected from violation by others.

Risk:

- Political hijacking of transitional and such justice issues.

Time frame	Type of actions	Implementing agencies
Short term	<ul style="list-style-type: none"> - Intensive and advanced human rights capacity building for police officers. - Review of code of conduct and implement it 	Parliament, Media, Civil Society,
Medium term	<ul style="list-style-type: none"> - Establishment of a commission of inquiry on the allegations. 	Academia, Ministry of Police and Public
Long term	<ul style="list-style-type: none"> - Monitor, ratify and engage in international regimes, treaties and agreements that regulate police and security institution to prevent violence against citizens 	Safety, Ministry of Justice and Correctional Services,

			development partners and observers
Institutions	Issues	Challenges	Status quo
LDF, LMPS, LCS, NSS	Transitional and other justice processes	<ul style="list-style-type: none"> - Gross violations of human rights in the form of political injustice, violence, incarcerations torture and killings remain a point of contentin and a source of destabiliing negative dialogue in Lesotho’s politics - The major involvement of security sector personnel in these activities, crimes and violations 	No legal provision for restorative justice processes
Possible Solutions			
<i>Recommended Scenario</i>			
<ul style="list-style-type: none"> - Institution for a Truth and Reconciliation Commission be set up to address all things that have turned the Basotho nation against each other. - Formulation of a TRC model that is suitable to Lesotho’s context - TRC Commission instituted to address incidents of human rights violations and injustices - Focus of reconciliation and peacebuilding without compromising justice and impunity - Participation of all stakeholders - Impartial and non-partisan conduct of the Commission, its processes and its verdicts - A balance between amnesty and prosecution <p>Opportunities</p> <ul style="list-style-type: none"> - Closure for families and loved ones of victims - Comprehensive process to identify salient elements of Lesotho’s political, security, and human rights culture, as well as the way forward to reforming these 			

	<p>Risks</p> <ul style="list-style-type: none"> - Disclosure of information whose secrecy caused fear, anxiety and rage amongst the public - The compromise between amnesty and prosecution is very difficult to reach and often never satisfactory to all parties - The risk of public perceptions of impunity and institutional/personal perceptions of injustice - Security sector personnel are seldom prosecuted in TRC process due to institutional protections - Restorative justice is resource intensive and derails focus from current affairs that need the attention of implementing institutions 		
	Time frame	Type of actions	Implementing agencies
	Short term	<ul style="list-style-type: none"> - Exhaustive broad based dialogue on restorative justice to unpack social notions of concession, impunity, reconciliation etc. and secure public and international buy-in and support - Formulation of the process and its agenda and objectives - Legislative provision for a TRC and the restorative justice process - Identification and development of the necessary institutional infrastructure for the process 	Parliament, Media, Civil Society, Academia, Ministry of all Security institutions, Ministry of Justice and Correctional Services, Political parties, development partners and observers
	Medium term	<ul style="list-style-type: none"> - strengthen and reform existing structures or establish new ones to enforce the TRC verdicts - Institution of Human Rights Commission with a unit dedicated to political and systemic violence 	
	Long term	<ul style="list-style-type: none"> - monitoring, evaluation and reporting of the implementation and follow through of TRC rulings and verdicts - PCA and Ombudsman to carry the baton of recourse for public complaints lodged against sector institutions 	

Institutions	Issues	Challenges	Status quo
LDF, LMPS, LCS, NSS, LLA	Transitional and other justice processes	<ul style="list-style-type: none"> - LLA members have not received demobilisation and disbandment compensation - Members are ostracized due to lack of social integration channels for them in particular, i.e.; reabsorption into the army was unfeasible for many due to advanced age, and those who were absorbed were coerced to retire immediately - Strategic isolation by political elites - Members of the former Lesotho Liberation Army (LLA) not recognised as veterans 	Recommendation by SADC Heads of state on the compensation of former liberation army members
Possible Solutions			
<p><i>Recommended Scenario</i></p> <ul style="list-style-type: none"> - Implementation of recommendations by SADC Heads of State on the compensation of former liberation army members - Development of a tailored rebel- military Integration (MI) process for peacebuilding to: <ul style="list-style-type: none"> o Resolution of issues between the LLA and LDF to dissolve sworn enmity between the two o Ultimately gain former LLA members recognition as veterans - Participation of LLA in the restorative justice process - <p>Opportunities:</p> <ul style="list-style-type: none"> - Institution of mutual trust between security sector institutions and LLA - Social and economic reintegration of LLA <p>Risks:</p> <ul style="list-style-type: none"> - Success depends on cost of defection amongst parties involved in the integration process 			
Time frame	Type of actions		Implementing agencies

	Short term	<ul style="list-style-type: none"> - Dialogue on the role of LLA and the prospect for restorative peacebuilding and reconciliation - Identification of avenues for social and economic reintegration 	Ministry of Law and constitutional affairs, Ministry of Defence, LLA
	Medium term	<ul style="list-style-type: none"> - Identification and formulation of integrating LLA veterans into the mainstream veterans program 	
	Long term	<ul style="list-style-type: none"> - Continuous Documentation, monitoring and evaluation of veterans re-integration overall 	

7. Conclusion

Good governance in Lesotho with regards to the security sector is still grappling with significant challenges. The views of Basotho together with their recommendations, however, display the popular will for change in this regard. The principle of this activity, reform guided by inclusive popular consultation, further highlights this drive for social, political and institutional transformation, for a change that is equally legitimate in its process and its outcomes. The product before you is neither definitive nor prescriptive of the actions required to correct the state of the security sector, rather it is an indicative summary and just a pointer in the right direction.

A key issue that will cement the process of security sector is the confidence of the people in the process, which will eventually foment public confidence in the security sector and its institutions. The responsibility for building this public trust will come from the sector's observance of institutional integrity, human rights and democratic civil control and oversight of the sector in its expressions outlined above. Equally, Basotho citizens must take the responsibility to respect these institutions and the requirement for apolitical execution of their duties. Also, the citizens and civilian leadership must refrain from initiating processes that exploit the weaknesses in these institutions and their vulnerability to external influence. From this perspective, the reform, implementation of reform and the efficient operationalization of the security sector and its accountability is a joint effort of discipline on the part of the citizens of Lesotho and the institutions. Figure 3 in Annex presents the rubric of issues, findings and recommendations