



Lesotho
Joint Stakeholder Report for the United Nations Universal Periodic Review:
The Death Penalty

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status

and

The World Coalition Against the Death Penalty

for the 49th Session of the Working Group on the Universal Periodic Review
April–May 2025

Submitted 11 October 2024

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty (WCADP), an alliance of more than 170 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. Although the last known execution was in 1995, Lesotho has not abolished the death penalty and has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR). Lesotho retains the death penalty for crimes other than the most serious and officials have called for executions to resume. People charged with capital crimes are at risk of torture and other cruel, inhuman, and degrading treatment, and face violations of their fair trial rights. Detention conditions violate international human rights standards.
2. This report recommends Lesotho abolish the death penalty and ratify the Second Optional Protocol to the ICCPR (OP2) and the Optional Protocol to the Convention Against Torture (OPCAT). This report also recommends a broad range of interim measures relating to the death penalty, the prohibition against torture and cruel, inhuman or degrading treatment, access to justice, and detention conditions.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Ratification of & accession to international instruments; acceptance of international norms

Status of Implementation: Not Accepted, Not Implemented

3. In the third-cycle Universal Period Review, Lesotho noted eight recommendations to ratify OP2, aiming at the abolition of the death penalty.¹ Lesotho ratified the ICCPR in 1992 but has neither signed nor ratified OP2.²
4. Lesotho also noted sixteen recommendations to ratify the OPCAT.³ Lesotho ratified the CAT in 2001 but has neither signed nor ratified the OPCAT.⁴
5. Lesotho has historically abstained from voting on or voted against the UN General Assembly resolution calling for a global moratorium on the use of the death penalty, most recently abstaining in 2022.⁵

Death penalty

Status of Implementation: Not Accepted, Not Implemented

6. In the third-cycle UPR, Lesotho noted 10 recommendations to abolish the death penalty, to remove the death penalty from the Constitution of Lesotho, to work toward abolition of the death penalty, and to introduce a moratorium on death penalty with a view to its abolition.⁶ In 2021, the African Commission on Human and Peoples' Rights recommended that Lesotho "[t]ake all necessary measures towards the total abolition of the death penalty from the statutes."⁷ The Government of Lesotho has not taken any actions to implement these recommendations.
7. Lesotho is considered a retentionist state with respect to the death penalty.⁸ Lesotho's last reported execution was in November 1995.⁹ As of the end of 2023, no people were known to be under sentence of death.¹⁰

8. In Lesotho, murder, treason, and rape carry the death penalty.¹¹ Section 297 of the Criminal Procedure and Evidence Act¹² provides that murder shall be punishable by death in the absence of extenuating circumstances and authorizes but does not require the death penalty for treason and rape. In addition, the Lesotho Defence Force Act of 1996¹³ allows the death penalty as a non-mandatory punishment for certain military crimes: aiding the enemy, communication with the enemy, cowardly behavior, mutiny, and failure to suppress mutiny with the intention to assist the enemy.
9. Extenuating circumstances have a significant impact on whether courts sentence people to death.¹⁴ Section 297 of the Criminal Procedure and Evidence Act authorizes the High Court to “impose any sentence other than death upon any person convicted before or by it of murder if [the court] is of the opinion that there are extenuating circumstances.”¹⁵ These circumstances include: “youth, liquor, emotional conflict, the nature of motive, provocation, sub-normal intelligence, general background, impulsiveness, a lesser part in the commission of the murder, the absence of *dolus directus*, belief in witchcraft, absence of premeditation or planning, ‘heavy confrontation’ between the accused and the deceased before the murder, the rage of the accused.”¹⁶ None of the extenuating circumstances is gender-specific. Courts occasionally sentence people to death, but on appeal, courts often find extenuating circumstances and commute the penalty to life in prison.¹⁷
10. Other legal mechanisms reduce the likelihood of a final death sentence. The King must approve executions, and the Pardons Committee may pardon people under sentence of death.¹⁸ Moreover, the Criminal Procedure and Evidence Act expressly forbids the execution of (i) any person who was under the age of 18 at the time of the offense, (ii) any woman who caused the death of her child under 12 months of age and who meets the requirement of having “the balance of her mind . . . disturbed” from childbirth, and (iii) pregnant women.¹⁹ Other categories of people excluded from the death penalty are women with small children, people living with psychosocial disabilities, and people living with intellectual disabilities.²⁰
11. In 2022, a court struck down a law mandating the death penalty for a sexual offense involving penetration while the offender was aware that he or she was HIV positive, an offense operationally defined as “statutory rape.” The Constitutional Division of the High Court of Lesotho determined that section 32(a)(vii) of the Sexual Offences Act No. 29 of 2003 was unconstitutional because it infringed upon the constitutional rights to equality before the law, equal protection of the law, and freedom from inhuman treatment.²¹
12. Lesotho’s *de facto* moratorium on executions is primarily due to budgetary and personnel constraints.²² Authorities have been unable to meet required standards of forensic testing, including DNA testing, and are therefore unable to ensure compliance with fair trial standards.²³
13. Authorities have not encouraged public debate on the death penalty, including its standing in international human rights law or its lack of deterrent effect. Political leaders assert that high murder rates warrant retention of the death penalty.²⁴ According to one local reporter, anger over rampant killings, particularly femicides,²⁵ have “prompted widespread calls for Lesotho to dust off its dormant death penalty and resume executions of convicted criminals.”²⁶ The report goes on to state that “[former] Deputy Prime Minister and Democratic Congress (DC) leader, Mathibeli Mokhothu, is among those who believe there

must be zero tolerance and swift action against the killers. His DC predecessor and former Prime Minister Pakalitha Mosisili and former attorney General, Haae Phoofolo, are also convinced that executions are the only way to punish the criminals and deter like-minded people.”²⁷

14. Other local experts point out that Lesotho’s criminal legal system lacks capacity to investigate crimes, arrest perpetrators, and bring them to trial.²⁸ Hence, calling for executions “without tackling the law enforcement’s challenges in dealing with crimes [i]s not the panacea to Lesotho’s homicides problem.”²⁹ Professor Motlanelle Anthony Kapa, lecturer at the National University of Lesotho, criticized the party in power for calling for the return of the death penalty: “If they are serious about dealing decisively with murders, they have to start by capacitating all the institutions responsible for the criminal justice system. The immediate goal should be to capacitate the police and the judiciary. . . . With these trifling amounts they are allocating the judiciary, there is no way the huge backlog of cases will ever be cleared. This also applies to the police. They need to be capacitated to investigate the cases faster. We also need to address the root causes of murder which happen to be social ills.”³⁰

Prohibition of torture and cruel, inhuman or degrading treatment

Status of Implementation: Accepted, Partially Implemented

15. In the third-cycle UPR, Lesotho accepted six recommendations to (i) investigate all cases of torture and other inhuman and degrading treatment, including claims that police and security forces have committed human rights violations, (ii) adopt national anti-torture legislation to ensure full implementation of the CAT, (iii) take effective measures (including police officer training on human rights) to prevent further acts of torture, arbitrary arrests, and other forms of police violence, and (iv) to bring the perpetrators of such crimes to justice and strengthen mechanisms to remedy human rights violations.³¹
16. The Human Rights Act of 1983 provides the right to be free from “inhuman or degrading punishment or other treatment” unless the punishment is otherwise authorized by law.³² The Constitution states that “[n]o person shall be subjected to torture or to inhuman or degrading punishment or other treatment.”³³
17. Despite these legal protections, there have been multiple recent cases of police and security forces engaging in torture and other human rights violations. Many cases of police brutality, extrajudicial killings, and torture are unresolved. Lesotho has failed to prevent police and security forces from engaging in torture and other human rights violations and has failed to hold many perpetrators to account.³⁴
18. Tlotliso Angelina Polaki, Lesotho’s national ombudsperson, issued “a scathing report on massive-scale torture and assaults that took place in Maseru’s central correctional institution during December 2023, leaving about 95% of the inmates of the prison injured, one dead, and one who is now wheelchair-bound and will never walk again.”³⁵ She found that during a massive prison-wide search, officers and staff of Maseru’s central correction institution engaged in serious human rights violations.³⁶
19. On May 20, 2023, Ntabejane Kanono, a former soldier, was reported dead at Maseru Maximum Security Prison.³⁷ The preliminary autopsy reports suggested that he may have died of poisoning.³⁸ Ntabejane Kanono and several other soldiers had sued the army’s

commander for alleged torture and unlawful arrest in 2015. The army subsequently accused the plaintiffs of mutiny, and a Court-Martial had convicted Ntabejane Kanono of fraud.³⁹

20. On September 25, 2022, seven Mohale's Hoek Correctional Service officers allegedly kicked and beat a man with sticks following allegations he smuggled marijuana into Mohale's Hoek prison.⁴⁰ The man later died in a hospital.⁴¹ Lesotho Correctional Service authorities suspended the seven officers from duty, and police investigated the incident.⁴² As of the end of 2022, however, the Office of Public Prosecutions had not authorized the officers' prosecution.⁴³
21. On January 13, 2022, the Lesotho Mounted Police Service arrested human rights lawyer Napo Mafaesa, on allegations of concealing a gun belonging to his client.⁴⁴ According to Amnesty International, police officers took Mafaesa to the Ha Mabote Police Station and tortured him to extract a confession, even though he told officers he knew nothing about the gun.⁴⁵ Police shackled Mafaesa's legs and bound his hands before putting a deflated tire against his face, causing him to struggle to breathe through his nose and mouth, and repeatedly poured cold water on his face while assaulting him.⁴⁶
22. Amnesty International reported a case in which authorities arrested Mateboho Matekane from Ha Pita in Maseru in November 2021 and accused her of stealing group savings funds.⁴⁷ Matekane told Amnesty International that authorities took her to Lithoteng Police Station, where they beat her with a spade until she urinated on herself and passed out.⁴⁸ The subsequent pain was so significant that she lost her job for being unable to work.⁴⁹
23. In September 2021, police officers in Maseru arrested and detained Tseliso Sekonyela for allegedly stealing liquor.⁵⁰ The next day, Sekonyela's mother visited her son and her son reported that the police had beaten him.⁵¹ She also reported that the police threatened to break Sekonyela's ribs in her presence.⁵² Two days later, Sekonyela's body was delivered to a morgue without explanation.⁵³ The autopsy showed that Sekonyela's ribs and a leg had been broken, he had strangulation marks on his neck, and he had internal bleeding.⁵⁴ Authorities suspended three police officers for the killing of Sekonyela.⁵⁵ Others, however, remained in their posts.⁵⁶
24. Amnesty International reported that in May 2021, the Court of Appeal awarded Tšolo Tjela LSL 250,000 (about US \$17,500) in damages to for the torture he experienced in police custody in Mafeteng city in 2015.⁵⁷ The compensation was for "shock and suffering, contumelia and medical expenses."⁵⁸ The court criticized police use of torture for making "the country . . . lawless."⁵⁹
25. The Police Complaints Authority, which investigates police conduct, faces criticism for being ineffective and lacking institutional independence because it investigates cases only with the minister of police's approval.⁶⁰
26. Authorities recently acknowledged to the Committee Against Torture that because of gaps in the penal code, it is "very difficult for the State to respond effectively to incidences of torture"⁶¹ and as a result authorities have "little information . . . on actions taken against such officers [who perpetrate torture]."⁶²

Gender-based violence; Domestic violence; Discrimination against women

Status of Implementation: Accepted, Partially Implemented

27. In the third-cycle UPR, Lesotho accepted 18 recommendations to improve its response to gender-based violence and 6 recommendations to end child marriage.⁶³ To date, Lesotho appears to have partially implemented these suggestions.
28. Global trends show that women charged with capital crimes (such as murder in Lesotho) face intersectional discrimination. According to a groundbreaking study by the Cornell Center on the Death Penalty Worldwide, most women under sentence of death come from backgrounds of severe socio-economic deprivation and many are illiterate, which can reinforce unequal access to effective legal representation.⁶⁴ This intersectional discrimination exacerbates the risk that a woman charged with a capital crime will experience violations of her right to a fair trial. Illiteracy and lack of education among poor women leave them more vulnerable to discrimination, coercion, and exploitation.⁶⁵
29. The Cornell study found that in the global context, women are most likely to be sentenced to death for murdering a family member, often in the context of gender-based violence.⁶⁶ In many countries that retain the death penalty, however, courts fail to take into account a defendant's experience as a survivor of gender-based violence when making sentencing decisions.⁶⁷ As mentioned in paragraph 9 above, none of the extenuating circumstances authorizing a sentence other than death for murder has a specific gender component or makes specific reference to gender-based violence or child marriage.
30. Research by the Cornell Center shows that women are more likely to receive a death sentence when the adjudicating authority perceives that they are violating entrenched gender norms, being cast as the "female fatale" or the "witch." Women are often put on trial not only for acts they performed but also for allegedly being "a bad wife, a bad mother, and a bad woman."⁶⁸ Even though no women are currently under sentence of death in Lesotho, they are vulnerable to gender-based discrimination in legal proceedings if they kill in self-defense in response to gender-based violence.

Access to justice & remedy

Status of Implementation: Accepted, Partially Implemented

31. In the third-cycle UPR, Lesotho accepted one recommendation to take measures to strengthen the efficiency and the effectiveness of the judiciary system.⁶⁹
32. Authorities recently told the Human Rights Committee that the judicial system is hampered by a "shoe-string" budget and the lack of a judicial training institute.⁷⁰ If defendants in capital cases in the High Court are unable to hire a private attorney, the Registrar may appoint an attorney through either the state or an NGO.⁷¹ NGOs, however, maintain only a few legal aid clinics and the Justice Ministry's Legal Aid Division faces severe lack of resources, undermining its effectiveness.⁷² Appointed attorneys may also lack experience in capital cases.⁷³
33. Lack of technical capacity impairs access to justice in capital cases and risks wrongful convictions.⁷⁴ For example, Lesotho has only one ballistics expert and only two forensic pathologists.⁷⁵ Authorities sometimes need to send DNA samples to Pretoria, South Africa

for analysis, which can take several months.⁷⁶ Police and prosecutors need further resources related to forensic investigations, including qualified staff, equipment, and training.⁷⁷

34. People accused of capital crimes also experience trial delays. Authorities typically arrest individuals suspected of a capital offense for a preliminary investigation and then detain them for an average of two to four years before trial.⁷⁸ In theory, the preliminary investigation should result in the discharge of some cases; in practice, however, authorities never discharge cases at this stage of the proceedings.⁷⁹ If a trial does not conclude in the allotted time, the court postpones it until the next available slot on the judge's schedule, which may be eighteen months in the future. Defendants also wait a long time for the court to render a decision.⁸⁰
35. Amendments made in 2021 to provisions of the 2002 Speedy Court Trials Act call for trials to begin within two months of the accused person first being remanded.⁸¹ According to Freedom House's 2024 Report, however, lawyers for soldiers imprisoned since 2017 in connection with the 2015 murder of former LDF commander Maaparankoe Mahao said in September 2023 that authorities have repeatedly postponed the trial due to the unavailability of the Zimbabwean judge presiding over the case and the prosecution's lack of preparation.⁸²

Conditions of detention

Status of Implementation: Accepted, Partially Implemented

36. In the third-cycle UPR, Lesotho accepted one recommendation to allocate additional resources to address overcrowding, inadequate sanitary conditions, and lack of medical care in prisons and other detention centers.⁸³
37. According to one 2023 report, prison conditions are "harsh" in some facilities due to overcrowding, deteriorating infrastructure, poor quality food, inadequate sanitary conditions, inadequate medical care, and inadequate ventilation, lighting, and heat.⁸⁴ Moreover, detention authorities subject people in detention to abuse.⁸⁵
38. The national ombudsperson's 2023 report found that "a significant number of inmates have died in [Lesotho Correctional Service (LCS)]'s facilities nationwide due to insufficient medical care and unfavorable living conditions."⁸⁶ LCS reports that 68 people died in incarceration between 2017 and 2023, and of that number 94% died of natural causes while the remainder had an unknown cause of death.⁸⁷
39. The report highlighted inhuman living conditions, underfeeding, inadequate ablution facilities, poor ventilation, poor healthcare services, lack of sanitation and privacy, and a shortage of mattresses and blankets.⁸⁸ As a result, the ombudsperson noted in her report, correctional facilities are "hothouses for sexual violence and disease transmission including HIV, tuberculosis, and scabies."⁸⁹ Her report also stated that 50% of the facilities are characterized by over-crowding and that the population of most cells was more than twice the holding capacity.⁹⁰
40. Violence among detained persons is a serious concern. According to an LCS official, detained people brutalize each other.⁹¹ The head of the Lesotho Ex-Offenders Association

reported that rape was common among detained persons, exposing them to the risk of HIV and other sexually transmitted infections.⁹² LCS has reportedly provided people in detention with a full-time HIV/AIDS coordinator, condoms, HIV testing, counseling, and treatment to prevent the spread of HIV.⁹³ Nine people in detention have reportedly died from AIDS, tuberculosis, cancer, and unconfirmed causes.⁹⁴

41. Prison guards also brutalize people in detention. For example, in January 2022, authorities took disciplinary action against five officers who physically assaulted a woman detained at Maseru Female Correctional Facility. Authorities fined four of the five officers.⁹⁵
42. In February 2022, the *Sunday Express* reported that food quality remained poor and the LCS struggled to provide adequate clothing to inmates due to a limited budget.⁹⁶ LCS Commissioner Mating Nkakala stated that infrastructure deterioration rendered unfit for habitation men's prison facilities in Qacha's Nek, Quthing, and Berea Districts, as well as women's and juvenile facilities.⁹⁷
43. The ombudsperson's report found that many detention facilities are old and dilapidated, with leaking roofs, broken windows, and cracked walls.⁹⁸ She reported that most structures required total demolition and reconstruction as they do not conform to international standards.⁹⁹ Due to leaking roofs, inmates' bedding was often wet and they were forced to shift positions or stand by the walls on rainy days.¹⁰⁰
44. People in detention receive water, but sanitation and facilities are poor.¹⁰¹ Facilities lack bedding and proper ventilation and heating/cooling systems, and some do not have proper lighting.¹⁰² The cells are sometimes infested with bed bugs and lice.¹⁰³ Water shortages and cold water temperatures also restrict access to bathing.¹⁰⁴ People in detention rely on principal chiefs, church ministers, representatives of the business community, advocates of the court, and other people who visit prisons and provide toiletries, food, and other necessary items.¹⁰⁵
45. People in detention can receive free medical care from government hospitals, and some detention facilities own ambulances for emergency transportation.¹⁰⁶ Nonetheless, prisons generally have insufficient medicines and medical supplies and lack round-the-clock medical wards, and as a result guards confine sick people to their cells from 3 pm to 6 am.¹⁰⁷ People in detention regularly contract communicable diseases such as the common cold, tuberculosis, and COVID-19 due to inadequate hygiene facilities.¹⁰⁸ People in detention who have disabilities rely on voluntary assistance from others because the LCS does not accommodate their disabilities and buildings lack ramps and railings.¹⁰⁹
46. The ombudsperson concluded that "despite many efforts undertaken to conform, the current conditions in Lesotho's correctional facilities, still fail to meet the minimum standards established in national and international legislations and declarations. The only right that inmates should honestly be deprived of is liberty, whereas their rights to dignity, bodily integrity, and the right to be protected from any cruel, inhuman, and degrading treatment must be upheld in a constitutional democracy. The conditions represent serious breaches of rights enshrined in the Constitution."¹¹⁰

II. RECOMMENDATIONS

47. This joint stakeholder report suggests the following recommendations for the Government of Lesotho:

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- Ratify the Second Optional Protocol to the ICCPR
- In the interim:
 - Fully implement the Human Rights Committee’s 2023 recommendations concerning the death penalty.¹¹¹
 - Establish a de jure moratorium on executions.
 - Prohibit the mandatory imposition of the death penalty and ensure that the death penalty is an available punishment only for the most serious crimes, understood to be intentional murder.
 - In collaboration with civil society, carry out a comprehensive awareness-raising campaign, including in local languages, to educate the public on the death penalty’s lack of unique deterrent effect and mobilize public opinion in support of the abolition of the death penalty.
 - Collect and regularly publish, on at least an annual basis, data on people sentenced to death, disaggregated by gender/sex, age, ethnicity, nationality, crime of conviction, relationship to any co-defendants or victims, status of any appeals or petitions for pardon or mercy, and current location.
 - Step up funding for NGO-run legal aid clinics and for the Justice Ministry’s Legal Aid Division to enhance the quality of legal support, prioritizing legal support to persons charged with capital crimes and funding for their defense investigations.
 - In collaboration with civil society, provide comprehensive training to attorneys providing legal representation to persons charged with capital crimes.
 - Take steps to provide heightened fair trial and due process safeguards in capital cases involving women defendants, including by providing them with access to effective legal representation with experience in capital cases and with training on gender-sensitive defense strategies.
 - Codify gender-specific defenses and extenuating circumstances in capital cases, encompassing women’s experiences of trauma, poverty, and gender-based violence.
 - Ensure that all judicial officers responsible for sentencing in capital cases receive comprehensive training on gender-based

discrimination, gender-based violence, and tactics of coercive control that may lead to women committing death-eligible offenses.

- Provide training to all defense counsel who take on capital cases regarding gender-specific mitigation and extenuating circumstances and how to raise discrimination against clients on the basis of their gender, when appropriate.
- Establish appropriate procedures to enable individuals convicted of serious crimes, including capital crimes, to seek the review of their convictions and sentences on the basis of newly discovered evidence, including by providing free legal assistance for raising such claims and funds for conducting any potentially probative forensic testing or analysis.
- Ratify the OPCAT.
- Urgently adopt legislation criminalizing torture, including by revising article 32 of the Penal Code to ensure consistency with article 1 of the CAT and article 7 of the ICCPR.
- Conduct prompt, thorough, independent, and impartial investigations into all allegations of torture and ill-treatment, in line with the Istanbul Protocol, ensuring that perpetrators are prosecuted, and, if convicted, punished appropriately, and that victims receive full reparations.
- In collaboration with civil society, provide all relevant systems actors with effective training programs integrating the Principals on Effective Interviewing for Investigations and Information Gathering, and implement awareness-raising programs for people in detention on the prevention of torture and ill-treatment.
- Establish a national mechanism for the prevention of torture and an independent mechanism with a direct mandate to investigate all allegations of torture and other cruel, inhuman, or degrading treatment or punishment, and raise public awareness of such mechanisms.
- Collect and regularly publish data on all complaints alleging torture or other ill-treatment by police, other security or law enforcement, and detention staff, including the nature of the complaint, the authority receiving the complaint, investigative measures taken, results of the investigation, accountability measures pursued, and remedies, if any, provided to the victim.
- Taking urgent measures to improve the conditions of detention and ensure that they comply with relevant international human rights standards, including the Nelson Mandela Rules and the Bangkok Rules.
- Reduce prison overcrowding, in particular by continuing the wider application of non-custodial measures as an alternative to imprisonment.
- Allocate additional financial resources to the prison system, prioritizing improving access to medical care, and expand the capacity of the Lesotho Correctional Service and its Legal and Human Rights Unit, as well as the Office of the Ombudsperson.

- Ensure all places of detention remain open to independent, effective, and regular monitoring and inspection by national, regional, and international bodies, without prior notice and on an unsupervised basis.
- Establish an independent monitoring mechanism with the mandate to inspect all places of detention on a regular basis, at least once annually.
- Prioritize significant budgetary enhancements dedicated to the administration of justice so that the criminal legal system has adequate human and financial resources and support its effective and timely functioning, including by funding additional independent ballistics and forensics specialists, the provision of adequate legal aid, and reducing the significant delays in the administration of justice.
- Step up recruitment of qualified judges, prosecutors, justice sector staff to ensure the proper administration of justice throughout its territory, including by improving their qualifications and conditions of service.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.5 Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland); ¶ 111.6 Take all necessary measures to formally abolish the death penalty, including by removing the death penalty from the Constitution of Lesotho and by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland); ¶ 111.8 Work towards abolishing the death penalty through the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (New Zealand); ¶ 111.17 Reconsider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay); ¶ 111.18 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia); ¶ 111.20 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Costa Rica); ¶ 111.33 Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolishing the death penalty, including by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Italy); ¶ 111.35 Abolish the death penalty and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights (France); see Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.

² United Nations Human Rights Treaty Bodies (Lesotho), UN Treaty Body Database, last visited September 16, 2024. Available at:

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=97&Lang=EN

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review:*

Lesotho (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Honduras); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Montenegro); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Mozambique); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Senegal); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Ukraine); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel,

Inhuman and Degrading Treatment or Punishment (Chile); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Costa Rica); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Germany); ¶ 111.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Denmark); ¶ 111.7 Enact a general law to prevent, investigate and punish torture and other cruel treatment or degrading punishment, and ratify the Optional Protocol to the Convention against Torture (Mexico); ¶ 111.12 Accelerate the process of accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sierra Leone); ¶ 111.13 Ratify the Convention against Torture (Somalia); ¶ 111.14 Proceed to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Togo); ¶ 111.19 Consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Azerbaijan); ¶ 111.23 Consider ratifying the outstanding core international human rights treaties and conventions, including the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana); ¶ 111.35 Abolish the death penalty and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights (France); *see* Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.

⁴ United Nations Human Rights Treaty Bodies (Lesotho), UN Treaty Body Database, last visited September 16, 2024. Available at:

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=97&Lang=EN

⁵ Triggers for the Abolition of the Death Penalty in Africa: A Southern African Perspective (Oct. 2017), 25; *9th Resolution for a moratorium on the death penalty: the trend is growing*, World Coalition Against the Death Penalty, 20 Dec. 2022, <https://worldcoalition.org/2022/12/20/9th-resolution-for-a-moratorium-on-the-death-penalty-the-trend-is-growing/>.

⁶ Human Rights Council, *Report of the Working Group on the Universal Periodic Review:*

Lesotho (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.5 Fully abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland); ¶ 111.6 Take all necessary measures to formally abolish the death penalty, including by removing the death penalty from the Constitution of Lesotho and by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland); ¶ 111.8 Work towards abolishing the death penalty through the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (New Zealand); ¶ 111.17 Reconsider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay); ¶ 111.18 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia); ¶ 111.20 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Costa Rica); ¶ 111.33 Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolishing the death penalty, including by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Italy); ¶ 111.34 Consider positively the establishment of a moratorium on the death penalty with a view to its abolition (Fiji); ¶ 111.35 Abolish the death penalty and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights (France); ¶ 111.36 Abolish the death penalty (Chile); *see* Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 111.

⁷ African Commission on Human and Peoples' Rights, *Concluding Observations and Recommendations - Lesotho Combined 2nd To 8th Periodic Report, 2001-2017*, May 4, 2021, ¶ 64, <https://achpr.au.int/en/state-reports/concluding-observations-and-recommendations-lesotho-combined-2nd-8th-period>.

-
- ⁸ The Draft Protocol to the African Charter on Human and Peoples' Rights on the Abolition of the Death Penalty in Africa, 3.
- ⁹ Human Rights Committee, *Second periodic report submitted by Lesotho under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2020*, U.N. Doc. CCPR/C/LSO/2, ¶ 89.
- ¹⁰ Death Sentences and Executions: 2023, Amnesty International (2024), at 35, <https://www.amnesty.org/en/documents/act50/7952/2024/en/>.
- ¹¹ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 3, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹² Criminal Procedure and Evidence Act (Lesotho), (1981) § 297, Available at: <https://media.lesotholii.org/files/legislation/akn-ls-act-1981-9-eng-1600-01-01.pdf>.
- ¹³ Defence Force Act (Lesotho), 1996, Available at: <https://lesotholii.org/lis/legislation/num-act/1996/4>.
- ¹⁴ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 2, https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ¹⁵ Criminal Procedure and Evidence Act (Lesotho), (1981) § 297, Available at: <https://media.lesotholii.org/files/legislation/akn-ls-act-1981-9-eng-1600-01-01.pdf>.
- ¹⁶ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 2, https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ¹⁷ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 2, https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ¹⁸ Defence Force Act (Lesotho), 1996, § 112. <https://lesotholii.org/lis/legislation/num-act/1996/4> ; Criminal Procedure and Evidence Act (Lesotho), (1981) § 300, 2, Available at: <https://media.lesotholii.org/files/legislation/akn-ls-act-1981-9-eng-1600-01-01.pdf>.
- ¹⁹ ICC Legal Tools Database, last visited May 10, 2023, 2. Available at: <https://www.legaltools.org/doc/22f77b/pdf>.
- ²⁰ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 3.5, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ²¹ Library of Congress, *Lesotho: Court Rules Mandatory Death Sentence for HIV-Infected Sex Offenders Unconstitutional*, March 30, 2023. Available at: <https://www.loc.gov/item/global-legal-monitor/2023-03-29/lesotho-court-rules-mandatory-death-sentence-for-hiv-infected-sex-offenders-unconstitutional/>.
- ²² Triggers for Abolition of the Death Penalty in Africa: A Southern African Perspective, (Oct. 2017), 21.
- ²³ Triggers for Abolition of the Death Penalty in Africa: A Southern African Perspective, (Oct. 2017), 21.
- ²⁴ Limpho Sello, *Women Demand Death Penalty*, Lesotho Times, October 5, 2018. Available at: <https://lestimes.com/women-demand-death-penalty/#:~:text=WOMEN%20in%20Matelile%20in%20the,minded%20people%20from%20criminal%20activities>.
- ²⁵ Limpho Sello, *Women Demand Death Penalty*, Lesotho Times, October 5, 2018. Available at: <https://lestimes.com/women-demand-death-penalty/#:~:text=WOMEN%20in%20Matelile%20in%20the,minded%20people%20from%20criminal%20activities>.
- ²⁶ Anonymous Staff Reporter, *Death Penalty Won't Solve Lesotho's Problem: Analysts*, Lesotho Times, October 12, 2021. Available at: <https://lestimes.com/death-penalty-wont-solve-lesothos-problem-analysts/>.
- ²⁷ Anonymous Staff Reporter, *Death Penalty Won't Solve Lesotho's Problem: Analysts*, Lesotho Times, October 12, 2021. Available at: <https://lestimes.com/death-penalty-wont-solve-lesothos-problem-analysts/>.
- ²⁸ Anonymous Staff Reporter, *Death Penalty Won't Solve Lesotho's Problem: Analysts*, Lesotho Times, October 12, 2021. Available at: <https://lestimes.com/death-penalty-wont-solve-lesothos-problem-analysts/>.
- ²⁹ Anonymous Staff Reporter, *Death Penalty Won't Solve Lesotho's Problem: Analysts*, Lesotho Times, October 12, 2021. Available at: <https://lestimes.com/death-penalty-wont-solve-lesothos-problem-analysts/>.
- ³⁰ Anonymous Staff Reporter, *Death Penalty Won't Solve Lesotho's Problem: Analysts*, Lesotho Times, October 12, 2021. Available at: <https://lestimes.com/death-penalty-wont-solve-lesothos-problem-analysts/>.
- ³¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 110.2 Adopt national anti-torture legislation to ensure full implementation of the Convention against Torture (Bahamas); ¶ 110.69 Conduct trainings for police officers on human rights and prevention of arbitrary arrests and torture (Zambia); ¶ 110.70 Conduct independent and impartial investigations into claims that police and security forces have committed human rights violations, including torture and unlawful killings, and initiate prosecutions (Australia); ¶ 110.72 Take effective measures to prevent further acts

of torture and other forms of police violence, and to bring the perpetrators of such crimes to justice (Germany); ¶ 110.74 Consider taking measures to investigate all cases of torture and other inhuman and degrading treatment and punish the perpetrators accordingly (Ghana); ¶ 110.75 Continue to strengthen the justice system and other mechanisms to prevent, remedy and ensure accountability for human rights violations, including by adopting measures to assure their administrative and budgetary autonomy (Brazil); see Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 110.

³² International Labour Organization, Labour Standards, last visited May 10, 2023 (PDF), 3. Available at: http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=101100&p_classification=01.05.

³³ *Constitute*, last visited September 15, 2024, 8(1). Available at:

https://constituteproject.org/constitution/Lesotho_2018.

³⁴ Human Rights Committee, *List of issues prior to the submission of the second periodic report of Lesotho due in 2023*, (Apr. 2, 2019), U.N. Doc. CCPR/C/LSO/QPR/2, ¶ 16.

³⁵ Carmel Rickard, 'No Justification for the Unjustifiable': *Lesotho's Ombud Slams Grand-Scale Torture, Assault in Maseru Prison*, Open Law Africa, Mar. 22, 2024. Available at: <https://africanlii.org/articles/2024-03-22/carmel-rickard/no-justification-for-the-unjustifiable-lesothos-ombud-slams-grand-scale-torture-assault-in-maseru-prison>.

³⁶ Carmel Rickard, 'No Justification for the Unjustifiable': *Lesotho's Ombud Slams Grand-Scale Torture, Assault in Maseru Prison*, Open Law Africa, Mar. 22, 2024, <https://africanlii.org/articles/2024-03-22/carmel-rickard/no-justification-for-the-unjustifiable-lesothos-ombud-slams-grand-scale-torture-assault-in-maseru-prison>.

³⁷ Amnesty International, *The State of the World's Human Rights: April 2024*, (London: Amnesty International, April 2024), 239-240, <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

³⁸ Amnesty International, *The State of the World's Human Rights: April 2024*, (London: Amnesty International, April 2024), 239-240, <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

³⁹ Amnesty International, *The State of the World's Human Rights: April 2024*, (London: Amnesty International, April 2024), 239-240, <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

⁴⁰ Confidential 2023 source on file with The Advocates for Human Rights at 3.

⁴¹ Confidential 2023 source on file with The Advocates for Human Rights at 3.

⁴² Confidential 2023 source on file with The Advocates for Human Rights.

⁴³ Confidential 2023 source on file with The Advocates for Human Rights at 3.

⁴⁴ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022). Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁴⁵ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022). Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁴⁶ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁴⁷ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022). Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁴⁸ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁴⁹ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁵⁰ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.

⁵¹ Confidential 2021 source on file with The Advocates for Human Rights at 2.

-
- ⁵² Confidential 2021 source on file with The Advocates for Human Rights at 2.
- ⁵³ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>; Confidential 2021 source on file with The Advocates for Human Rights at 2.
- ⁵⁴ Confidential 2021 source on file with The Advocates for Human Rights at 2.
- ⁵⁵ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.
- ⁵⁶ Amnesty International, *Lesotho: Authorities must tackle police brutality torture and unlawful killings before and after election*, Amnesty International Press Office, (Sept. 28, 2022), Available at: <https://www.amnesty.org/en/latest/news/2022/09/lesotho-authorities-must-tackle-police-brutality/>.
- ⁵⁷ Amnesty International, *The State of the World's Human Rights: 2021/22*, (London: Amnesty International, 2022), <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.
- ⁵⁸ Amnesty International, *The State of the World's Human Rights: 2021/22*, (London: Amnesty International, 2022), <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.
- ⁵⁹ Amnesty International, *The State of the World's Human Rights: 2021/22*, (London: Amnesty International, 2022), <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>.
- ⁶⁰ Freedom House, *Freedom in the World 2024: Lesotho*, (Washington D.C.: Freedom House, 2024), F3, <https://freedomhouse.org/country/lesotho/freedom-world/2024>.
- ⁶¹ Human Rights Committee, *Second periodic report submitted by Lesotho under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2020*, (Apr. 22, 2020), U.N. Doc. CCPR/C/LSO/2, ¶ 118.
- ⁶² Human Rights Committee, *Second periodic report submitted by Lesotho under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2020*, (Apr. 22, 2020), U.N. Doc. CCPR/C/LSO/2, ¶ 119.
- ⁶³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8.
- ⁶⁴ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 3, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).
- ⁶⁵ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).
- ⁶⁶ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 4, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.
- ⁶⁷ *Ibid.*
- ⁶⁸ *Ibid.*
- ⁶⁹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 110.80 Take measures to strengthen the efficiency and the effectiveness of the judiciary system (Italy).
- ⁷⁰ Human Rights Committee, *Second periodic report submitted by Lesotho under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2020*, (April 22, 2020), U.N. Doc. CCPR/C/LSO/2, ¶¶ 151-152.
- ⁷¹ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 5.3, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁷² Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 5.3, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁷³ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.

-
- ⁷⁴ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 3, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ⁷⁵ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 3, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ⁷⁶ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 3, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ⁷⁷ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, 3, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ⁷⁸ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 5.7, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁷⁹ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 5.7, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁸⁰ Moses O. A. Owori, *The Death Penalty in Lesotho: The Law and Practice*, British Institute of International and Comparative Law, Available at: https://www.biicl.org/files/2197_country_report_lesotho_owori.pdf.
- ⁸¹ Freedom House, *Freedom in the World 2024: Lesotho*, (Washington D.C.: Freedom House, 2024), F2, <https://freedomhouse.org/country/lesotho/freedom-world/2024>.
- ⁸² Freedom House, *Freedom in the World 2024: Lesotho*, (Washington D.C.: Freedom House, 2024), F2, <https://freedomhouse.org/country/lesotho/freedom-world/2024>.
- ⁸³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Lesotho* (Mar. 18, 2020), U.N. Doc. A/HRC/44/8; ¶ 110.81 Allocate additional resources to address overcrowding, inadequate sanitary conditions and lack of medical care in prisons and detention centres (Canada).
- ⁸⁴ Confidential 2023 source on file with The Advocates for Human Rights at 3.
- ⁸⁵ Confidential 2023 source on file with The Advocates for Human Rights at 3.
- ⁸⁶ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ⁸⁷ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ⁸⁸ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ⁸⁹ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ⁹⁰ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ⁹¹ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁹² Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁹³ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁹⁴ Cornell Center on the Death Penalty Worldwide, “Kingdom of Lesotho (Lesotho),” ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ⁹⁵ Confidential 2023 source on file with The Advocates for Human Rights at 4.
- ⁹⁶ Confidential 2023 source on file with The Advocates for Human Rights at 4.
- ⁹⁷ Confidential 2023 source on file with The Advocates for Human Rights at 4.
- ⁹⁸ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho’s Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.

-
- ⁹⁹ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹⁰⁰ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹⁰¹ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹⁰² Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹⁰³ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹⁰⁴ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹⁰⁵ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹⁰⁶ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹⁰⁷ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹⁰⁸ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹⁰⁹ Cornell Center on the Death Penalty Worldwide, "Kingdom of Lesotho (Lesotho)," ¶ 6.2, May 29, 2014, <https://deathpenaltyworldwide.org/database/#/results/country?id=91#fn-19380-U21J55V590280>.
- ¹¹⁰ Mathatisi Sebusi, *Shocking Death Statistics in Lesotho's Prisons*, Lesotho Times, Nov. 7, 2023, <https://lestimes.com/shocking-death-statistics-in-lesothos-prisons/>.
- ¹¹¹ Human Rights Committee, *Concluding observations on the second periodic report of Lesotho* (6 Sept. 2023), UN Doc. CCPR/C/LSO/CO/2, ¶ 26 ("In accordance with its general comment No. 36 (2018), in which the Committee reaffirmed that States parties that were not yet totally abolitionist should pursue an irrevocable path towards complete eradication of the death penalty, de facto and de jure, the State party should consider: (a) Establishing a de jure moratorium on the application of the death penalty, with a view to abolishing it; (b) Acceding to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty and, in the meantime, revising its legislation to make it compliant with article 6 (2) of the Covenant, prohibiting the mandatory imposition of the death penalty and restricting the crimes for which the death penalty may be imposed on perpetrators to the most serious crimes, understood to be crimes of extreme gravity involving intentional killing; (c) Carrying out effective awareness-raising measures to mobilize public opinion in support of the abolition of the death penalty; (d) Provide appropriate procedures to enable individuals convicted of serious crimes, including those sentenced to death or to life in prison, to seek the review of their convictions and sentences on the basis of newly discovered evidence of innocence.").