



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Lesotho

January 2026

Context

Period Covered by this report: September 2025 to January 2026

Lesotho's enabling environment for civil society in the reporting period reflects a widening contradiction between reformist institutional developments and a deteriorating operational climate. The implementation of the [constitutional reforms](#) remained a significant issue during the reporting period. The amendment introduced provisions strengthening public participation and expanding opportunities for public-interest litigation, potentially enhancing avenues through which civil society organisations can pursue accountability and constitutional remedies. However, [ongoing legal challenges](#) by the Law Society of Lesotho created uncertainty regarding the scope and implementation of some provisions.

During the reporting period, civil society organisations and governance actors continued to reference the [proposed public participation bill](#) as key mechanism for addressing longstanding concerns about inadequate public consultations in legislative processes. Although the parliamentary motion initiating development of the bill was approved earlier in 2025, debates regarding the institutionalisation of public participation remained active albeit lack of resources for CSOs sponsoring the private member's bill formulation.

These developments suggest a potentially stronger legal basis for civic inclusion. However, implementation remains uncertain, and recent legislative processes continue to demonstrate that consultation is often rushed, selective, and procedural rather than substantive.

Economically, Lesotho continued to [face significant challenges](#), including high [unemployment](#), particularly among young people, rising living costs, and persistent poverty. These socio-economic pressures contributed to public concern over service delivery, economic opportunities, and government responsiveness. Civil society organisations played an important role in facilitating citizen engagement on these issues and advocating for inclusive policy responses.

At the same time, the civic operating environment has become more contested. Journalists and editors have faced [arbitrary arrest and intimidation](#), social media activists [have been detained](#), and labour unions have [encountered state restrictions](#) when mobilising around workers' rights. Security forces have also increasingly been deployed in response to lawful assembly, including the reported [military encirclement](#) of opposition and labour organisers planning a legal protest in October 2025. These incidents point to growing securitisation of civic activity, especially where criticism intersects with labour rights, media scrutiny, or political dissent.

Civil society remains active and visible, particularly in governance, gender justice, legal aid, and service delivery. Yet its credibility has also been strained by [corruption allegations](#) involving senior NGO officials in high-profile donor-funded organisations, reinforcing public scrutiny around transparency and accountability in the sector. Meanwhile, donor engagement, especially from the EU, continues to provide critical support for civil society resilience, but also underscores structural dependence on external funding.

Taken together, the reporting period shows an enabling environment that remains formally pluralistic but substantively fragile: reform is advancing in law and policy, while repression is increasingly exercised through intimidation, selective enforcement, and informal coercion.

1. Respect and protection of fundamental freedoms

Respect for fundamental freedoms in Lesotho has deteriorated over the reporting period, particularly in relation to freedom of expression, peaceful assembly, and civic dissent.

Although constitutional guarantees remain formally intact, recent developments point to growing intolerance toward criticism, protest, and independent reporting.

Freedom of expression has come under increased pressure through arbitrary arrests and intimidation targeting journalists and digital activists. The [arrest of the editor of *Lesotho Times and Sunday Express*](#), Mohalenyane Phakela, on 29 August 2025 reflects a pattern of using law enforcement to punish criticism and create a chilling effect on public commentary. Later, on 10 September 2025, the Directorate on Corruption and Economic Offences (DCEO) [admitted to having wrongly arrested](#) the journalist. Media actors have also reported intimidation beyond formal detention, including [assault and harassment by police](#) after exposing alleged bribery involving irregular cross-border migration. These incidents reinforce concerns that state actors increasingly treat investigative reporting and whistleblowing as threats rather than protected democratic functions.

Freedom of peaceful assembly has also come under strain. [Labour unions protesting for workers' rights](#) were reportedly restricted by government in November 2025. Restrictions witnessed included the [denial of permits](#) for planned protest, tight police surveillance when the protest ultimately proceeded, and [army roadblocks](#) effected by searching vehicles on roads leading to the capital city. This signals a growing intolerance of organised labour mobilisation. Similarly, heavily armed members of the Lesotho Defence Force reportedly [surrounded a meeting](#) of opposition parties and labour unions convened to organise a lawful protest in October 2025, in what witnesses described as an intimidating show of force. Such responses suggest a securitised approach to assembly rights, where even lawful civic and political gatherings are increasingly treated as security threats rather than democratic expression.

Freedom of association remains legally protected but increasingly constrained in practice. Civil society organisations involved in accountability, labour rights, media freedom, and governance reform increasingly reported operating in a politically polarised environment in which criticism of public institutions was often met with hostility from political actors and supporters. A case of [digital attacks](#) against Phafane Nkotsi, the publisher of Lesotho Tribune newspaper, is an example of attacks against institutions that strive to hold power accountable. The cumulative effect is a more fragile civic space in which rights remain formally recognised but are increasingly undermined through intimidation, arbitrary enforcement, and coercive state conduct.

2. Supportive legal and regulatory framework

Lesotho's legal framework for civil society saw both enabling and restrictive developments during the reporting period, reflecting a broader pattern of progressive reform coexisting with legal uncertainty and selective constraint.

The [Tenth Amendment to the Constitution](#) introduced potentially significant gains for civil society's operating space. The constitutional reforms strengthen public participation and expand opportunities for public-interest litigation, thereby potentially widening operational space by enhancing avenues through which civil society organisations can pursue accountability and constitutional remedies. However, these gains remain contested. The Law Society of Lesotho [has challenged](#) sections of the amendment in court. Activist and journalist Kananelo Boloetse later joined the Law Society in also [challenging](#) the constitutional amendment. They argue that parts of the reform required a referendum and were passed unlawfully, creating legal uncertainty around implementation.

At the same time, restrictive legal developments continue to affect civic actors. Implementation of the tenth amendment to the constitution would not automatically eliminate restrictions such as the Law Society's denial of practising certificates to NGO-employed lawyers. However, it significantly strengthens the constitutional grounds upon which such restrictions are currently

being challenged, particularly where they impede access to justice, public-interest litigation, and the accountability role of civil society organisations. Hence the case by Women and Law in Southern Africa (WLSA) and Seinoli Legal Centre launched as a [constitutional challenge](#) against the Law Society of Lesotho after it barred these NGO-employed lawyers from receiving practising certificates, effectively limiting their ability to represent indigent and vulnerable communities in court, is very important. This Law Society decision, if upheld, would significantly weaken access to justice and undermine legal aid provided by civil society.

The regulatory environment therefore remains mixed: reform processes have created meaningful opportunities to expand the operational space of civil society organisations, but implementation remains uncertain and key parts of the legal framework continue to be contested, exclusionary, or vulnerable to restrictive interpretation.

3. Accessible and sustainable resources

Access to resources for civil society in Lesotho remains heavily dependent on international donor support, with external financing continuing to sustain much of the sector's advocacy, service delivery, and governance work. While recent donor commitments have created important opportunities, the overall funding environment remains fragile, uneven, and vulnerable to both reputational shocks and long-term sustainability challenges.

The most significant positive development during the reporting period was continued support from the European Union, which remains one of the most important financial backers of civil society in Lesotho. In late 2025, the EU [disbursed €2.87 million](#) in grants to four civil society organisations to support programmes in water access, sanitation, sustainable energy, gender equality, women's economic empowerment, and climate justice. The EU has also continued to fund broader governance and participation initiatives and [launched new calls](#) to support civil society engagement in local governance and economic sustainability. These investments reaffirm donor confidence in CSOs as central actors in service delivery, advocacy, and governance reform.

Beyond direct grants, the EU Delegation's [mapping of civil society](#) organisations in Lesotho also signals growing donor interest in strengthening sector coordination, visibility, and structured engagement. Together, these initiatives represent important enabling developments, particularly for formalised and donor-facing organisations.

However, the sector remains structurally dependent on external funding, with limited domestic philanthropy, weak private-sector support, and almost no meaningful public financing for independent civic work. This leaves many CSOs, particularly grassroots and rights-based organisations, highly vulnerable to donor cycles and funding volatility.

Public trust in CSO resource management has also been [strained by corruption](#) and fraud cases involving senior officials in prominent NGOs, including WLSA and the Lesotho National League of Visually Impaired Persons. These cases risk deepening public scepticism about NGO accountability and may undermine future donor and public confidence. As such, while funding opportunities remain available, sustainability remains uneven and closely tied to donor priorities, institutional credibility, and the sector's ability to maintain public trust.

4. Open and responsive state

State openness toward civil society in Lesotho remains selective and inconsistent. While government continues to engage civil society in certain policy and development processes, this openness is often issue-specific, donor-driven, and limited in its influence on final decision-making.

On the positive side, CSOs have continued conversations on the Parliament-approved [motion to develop a Public Participation Bill](#), which provides a basis which could establish legally binding mechanisms for citizen and civil society participation in legislative processes. If enacted, this would address longstanding concerns that public consultation in Lesotho is discretionary, inconsistent, and often tokenistic.

Additionally, there are still important areas of cooperation between civil society and the state. Civil society organisations continue to work with government on policy development, service delivery, and public awareness, particularly in governance, gender equality, and human rights. [Lesotho's 2026 National Report](#) notes that government and civil society jointly run campaigns on gender-based violence (GBV) prevention and human rights, and that CSO-led studies have informed government interventions on GBV. This reflects continued state recognition of civil society as a relevant policy actor in selected sectors, particularly where collaboration aligns with development priorities.

This pattern is also reflected in broader governance processes. The [Inclusive Lesotho – Election Cycle Support Project](#), funded by the EU and supported by UNDP, has created a formal platform bringing together state institutions, civil society, and development partners to strengthen political participation, electoral integrity, and inclusion of marginalised groups. This represents a meaningful opportunity for structured engagement on democratic governance.

However, such openness remains limited and uneven. Civil society participation in policymaking is often consultative rather than influential, with engagement frequently occurring late in legislative processes and with little evidence that CSO input substantively shapes outcomes. This concern was central to calls for a Public Participation Bill and remains one of the clearest limitations in state responsiveness.

Moreover, state openness appears significantly weaker where civil society engagement becomes adversarial, rights-based, or politically sensitive. CSOs working on accountability, labour rights, media freedom, and legal reform continue to face more resistance, suggesting that government openness is strongest where civic engagement is service-oriented and weakest where it is critical or rights-assertive. As a result, state responsiveness remains real but conditional, with collaboration possible in developmental sectors but more constrained in areas of scrutiny and dissent.

5. Supportive public culture and discourses on civil society

Public discourse on civil society in Lesotho has become increasingly polarised, with civil society actors simultaneously recognised as development partners and portrayed as politically suspect or economically self-interested.

On one hand, civil society continues to be publicly recognised by government and international partners as an important actor in governance, rights protection, and service delivery. State collaboration with CSOs on gender-based violence, human rights, and development programming reinforces a public narrative that civil society plays a constructive and necessary role in national development. Donor-backed initiatives have also strengthened the visibility of civil society as a legitimate governance actor.

At the same time, public and political narratives have become more hostile toward sections of civil society, especially independent media and rights-based actors. Political rhetoric increasingly frames some civic actors as partisan, foreign-influenced, or misaligned with national interests. This was illustrated by remarks from youth leaders of the ruling coalition government's leading party, the Revolution for Prosperity (RFP), calling on government to [deny advertising revenue](#) to foreign-owned media houses. Such statements contribute to a

more exclusionary public discourse and risk legitimising economic retaliation against critical media institutions.

Public confidence in civil society has also been weakened by [corruption allegations](#) involving senior officials in high-profile NGOs, which have reinforced scepticism around transparency and accountability within the sector. These scandals risk fuelling narratives that civil society is donor-dependent, elite-driven, and insufficiently accountable to the public.

As a result, public discourse remains contested. Civil society continues to be seen as a valuable development actor, but increasingly also as politically vulnerable, praised when aligned with service delivery and reform, and delegitimised when associated with scrutiny, dissent, or external influence.

While inequalities generally continue to hamper full inclusion of all groups, the Tenth Amendment to the Constitution constitutes an opportunity to address these. It introduces affirmative action measures in favour of groups marginalised by gender, age, disability, or historical discrimination. The implementation of these measures continues to be uncertain due to the judicial challenges lodged against the amendment.

6. Access to a secure digital environment

Lesotho remains broadly open in terms of internet access, with no recent reports of nationwide internet shutdowns or blanket social media restrictions. Civil society organisations, journalists, and activists are generally able to access and use digital platforms for communication, mobilisation, and public engagement. However, the digital environment has become less secure, with growing concerns around surveillance, cyber harassment, and politically motivated digital attacks.

A key concern during the reporting period was the emergence of new surveillance risks. A new [directive reportedly](#) requires police to formally apply to magistrates and serve mobile network operators, primarily Vodacom Lesotho and Econet Telecom, when seeking access to communications data. While presented as a judicial oversight mechanism, the directive has prompted concern among journalists and civic actors about expanded state surveillance capacity and the potential use of legal processes to monitor communications under a veneer of legality.

Digital harassment and cyber intimidation have also become more visible. Lesotho Tribune reported a coordinated [digital attack targeting its proprietor](#), Phafane Nkotsi, involving unauthorised security prompts, verification attempts, and the disabling of his personal Facebook account under damaging allegations. The paper interpreted the incident as an attempt to compromise access to its official digital platforms and silence an independent media institution. This suggests that cyber harassment is increasingly being used as a tool of intimidation against independent media.

Online harassment also intersects with [offline repression](#). Journalists and whistleblowers reporting on corruption and police misconduct have reportedly faced both physical assault and digital targeting, reinforcing the insecurity of online civic expression.

While Lesotho's digital environment remains accessible, it is increasingly insecure. Civil society can still organise and communicate online, but growing surveillance risks, cyberattacks, and online intimidation are weakening digital safety and raising concerns about the protection of privacy, expression, and secure civic communication.

Challenges and Opportunities

Over the next four months, Lesotho's civic space is likely to face continued pressure from political polarisation, securitised responses to dissent, and growing mistrust of independent institutions. Key risks include further restrictions on protest and labour mobilisation, increased intimidation of journalists and critics, and the continued use of informal coercion, including surveillance, legal pressure, and reputational attacks, to suppress dissent. These risks are expected to worsen given increasing levels of dissatisfaction with the economic and labour situation, affected by globally rising prices and the loss of employment. Public trust in civil society may also remain fragile, particularly if corruption allegations involving NGOs continue to dominate public discourse.

At the same time, there are important opportunities to strengthen the enabling environment. The proposed [Public Participation Bill](#) offers a significant opening to institutionalise civic engagement in governance. If enacted meaningfully, it could reduce arbitrary exclusion and improve accountability in policymaking. [Constitutional reforms](#) also provide an opportunity to expand inclusive participation, particularly for marginalised groups, if implementation is protected from legal rollback. Continued donor support, especially for governance, civic participation, and institutional resilience, remains essential. Infighting within the ruling Revolution for Prosperity Party may further risk the continued deliberation of these bills in parliament.

To navigate current challenges, civil society will need stronger legal protection, more secure digital practices, improved internal accountability, and broader public trust-building. The sector's ability to use current reform openings while resisting growing informal repression will be central to whether Lesotho's enabling environment improves or continues to narrow.



EU SEE

SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY



Funded by
the European Union

