



MEMORANDUM OF AGREEMENT ON THE LESOTHO REFORMS PROCESS


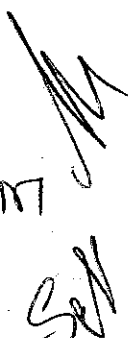
WHEREAS all political parties in Parliament as well as extra parliamentary parties and stakeholders in the Kingdom of Lesotho agreed to a process of speeding up the constitutional reforms through the signing of the Framework agreement on the 24 August 2018.

AND recalling that all political parties and extra-parliamentary stakeholders accepted the importance of confidence-building and trust through a memorandum of understanding on the 16 October 2018 at Maseru

AND further recalling that a National Leaders Forum (NLF) agreed and adopted the National Dialogue Planning Committee (NDPC) which was meant to the process of multi national stakeholders dialogue

AND further recalling the convening of the First Plenary in November 2018 and its Extension during February 2019 in Maseru.

AND noting that the Plenary I Extension was convened to provide further consultations in all the districts in Lesotho. The NDPC saw the need to extend consultation process to include both the diaspora and sectoral consultations.

M.E.M



AND noting further that the NDPC is in the process of consolidating reports emanating from the consultations process (Plenary I, In-district and diaspora consultations).

CONVINCED that there is the need for continuity of the constitutional, parliamentary and security sector reform process.

APPRECIATING that in terms of National Reforms Dialogue Act, 2018, the term of office of the NDPC comes to an end on conclusion of the Second Plenary.

RECOGNISING that the recommendations and decisions of the Plenary II should be implemented by a mechanism that is independent, inclusive, effective and efficient.

BELIEVING the political parties in parliament and extra-parliamentary parties should act in utmost good faith and commitment to the reforms process.

RE-EMPHASISING the need for commitment from all parties/stakeholders or their representatives not to make any statements undermining the national reforms

REAFFIRMS and respecting the integrity and honesty of the Facilitation Team in carrying out this task on behalf of SADC.

THE PARTIES AGREE AS FOLLOWS:

1. The parties agree to protect and safeguard the progress and milestones that have been already achieved in the reforms process; the parties commit to remove all the obstacles and impediment which might unduly delay, undermine or derail the reforms process in the Kingdom of Lesotho.
2. The Parties to this agreement undertake that Parliament shall be convened not later than 5 August 2019 for the purpose of enacting the law that establishes the National Reform Authority.
3. There shall be a mechanism or structure that will be established and enacted as a successor of the National Dialogue Planning Committee which will have its primary objective as the implementation of the resolutions and decisions of the Second Plenary. Such mechanism or structure shall be referred to as the 'National Reform Authority' shall manage, coordinate and shepherd the reform process after the Second Plenary.
4. The National Reform Authority shall be an inclusive political and executive body consisting of no less than 45 and not more than 50 members with one representative of the political parties registered with the Lesotho

Independent Electoral Commission (IEC) and one representative from political Parties outside Parliament civil organisations in Lesotho.

5. The Chairperson and Deputy Chairperson shall be elected amongst its members and their respective names shall be submitted to the Government for formal appointment and gazetting.
6. The National Reform Structure shall be independent, transparent and accountable to any affected party with a legitimate interest in matters related to National Reform Structure.
7. The National Reform Authority shall initiate the process for the appointment of the Chief Executive and Deputy Chief Executive officers. In addition, the National Reform Authority must appoint seven (7) qualified and experienced persons as technical heads of the seven agreed thematic areas of reforms.
8. There shall be a Secretariat made up of suitable and qualified persons who must assist the Chief Executive Officer in his or her financial, human resource and other management responsibilities.
9. Parliament must enact legislation that gives effect to the establishment of the National Reform Authority and must be convened for this intended and specified purpose.
10. The functions of the National Reform Authority will include the following:
 - (a) Shall be a custodian of national reforms
 - (b) Ensure the implementation of national reforms
 - (c) Propose legislation and policy documents for national reforms in line with the National Multi-stakeholder National Dialogue and navigate the same through the relevant national structures for legislation
 - (d) Engage the service of experts where necessary
 - (e) Shall liaise with Executive and Legislature;
 - (f) Facilitate implementation decisions of the MSND
 - (g) Appoint technical committees in the identified thematic areas of reforms;

(h) Identify and recommend to Parliament issues needing urgent attention;

(l) Plan management and oversight of the decisions of the Second Plenary;
and

Provide reports to the SADC Facilitator, Government of the Kingdom of Lesotho and Leader of the Official Opposition Parties in Parliament.

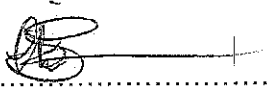
11. The Parties agrees to the timeframes set out hereunder:


- (a) The submission of the final report on sectoral consultations :12 July 2019
- (b) Pre-National Leaders Forum: 22 to 23 July 2019.
- (c) National Leaders Forum : 30 to 31 July 2019
- (d) The Second Plenary shall be held on 16 to 18 September 2019.


12. The qualification and disqualification of members of the National Reform Authority will be set out in the legislation which will be informed by the criteria of representivity, competence, experience and integrity.

13. The National Reform Authority must complete its work within one year and if necessary for an extended period not exceeding six months.

DONE AND SIGNED AT MASERU, KINGDOM OF LESOTHO BY THE UNDERSIGNED REPRESENTATIVE ON THE 4 JULY 2019

SIGNATURE.......... GOVERNMENT OF THE KINGDOM OF LESOTHO

SIGNATURE.......... REPRESENTATIVE OF OPPOSITION PARTIES IN PARLIAMENT

SIGNATURE.......... REPRESENTATIVE OF PARTIES OUTSIDE PARLIAMENT

SIGNATURE.......... SADC FACILITATION