

TURN A NEW CHAPTER

A HUMAN RIGHTS AGENDA FOR THE NEW LESOTHO
GOVERNMENT



Portrait photo of Kopano Francis Mokutoane who died after being shot by members of the Lesotho Mounted Police Service during a student protest the National University of Lesotho on 16 June 2022. © Amnesty International

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CONTENTS

1.	INTRODUCTION	3
2.	TORTURE AND OTHER ILL-TREATMENT	4
1.1	THE case of Napo Mafaisa, human rights lawyer	5
1.2	The Case of Mateboho Matekane	5
1.3	Ill-treatment of 35 protesters in Liseleng	6
1.4	The torture and other ill-treatment of the village community members in the Lesotho Highlands region	7
1.5	Lack of accountability and a culture of impunity in the police	8
3.	END SUPPRESSION OF FREEDOM EXPRESSION, ASSOCIATION AND ASSEMBLY	10
2.1	The case of Kopano Francis Mokutoane	10
2.2	Self-censorship and restrictions on media	12

1. INTRODUCTION

In October 2022, Lesotho elected new leaders who are faced with addressing a history marked by repeated human rights violations and a culture within the country's security forces where impunity has become pervasive. Amnesty International calls on the new government to break the cycle of violations by state security forces and ensure accountability for cases of torture and other ill-treatment, excessive use of force, and arbitrary arrests and detention of peaceful protesters that were a common feature of the past five years.

During his inauguration in October as Lesotho's new Prime Minister, Sam Matekane vowed to undertake reforms, to prevent and combat corruption and make public service transparent, accountable and effective. If the Prime Minister is indeed committed to making public service transparent, accountable, and effective, his government should start with promptly, thoroughly, independently, transparently and effectively investigating cases of excessive use of force by security forces, primarily by the Lesotho Mounted Police Service (LMPS) and in some cases the Lesotho Defence Forces (LDF). Suspected perpetrators of these violations must be brought to justice in fair trials, and victims provided with access to justice and effective remedies. Only vigorous and concrete measures by Prime Minister Matekane to ensure justice and accountability under his leadership will break this cycle of human rights violations and end impunity.

Amnesty International visited Lesotho between 24 and 29 July 2022 to monitor the human rights situation in the country. While in Lesotho, Amnesty International conducted 27 interviews with people that included seven survivors of torture and other ill-treatment and their families, university students and human rights activists who were arrested during protests, four human rights lawyers handling cases of victims of human rights violations, three journalists, seven human rights NGO workers, and members of the diplomatic community. Amnesty International also met with the Police Commissioner Holomo Molibedi, and three members of his senior management team while in Maseru, to discuss the conduct of police officers involved in human rights violations, including police brutality. Where available, the organization reviewed medical reports and photographic evidence showing evidence of torture, as well as court documents of legal claims filed by victims of torture and the families of those who died in custody, in addition to analysing relevant legislation, media and NGO reports.

Amnesty International calls on the new authorities to ensure that human rights are central to all their policies. As a priority, Lesotho's government must address a legacy of human rights violations and end impunity for security forces. Authorities must prevent and combat torture and other ill-treatment, and end police brutality, including excessive use of force in law enforcement operations and the violent dispersal of protests, which have at times resulted in unlawful killings. Authorities must also ensure that people can freely exercise their right to freedom of peaceful assembly.



2. TORTURE AND OTHER ILL-TREATMENT

Over the years, Lesotho's police have been accused of committing torture and other ill-treatment. In fact, in 2018, the African Commission on Human and Peoples' Rights (ACHPR), in its statement following a visit to the country, said that it was "concerned by persistent allegations of police brutality and reports which purport to demonstrate that torture is being utilized by security forces in the country."¹ In 2020, during the Universal Periodic Review (UPR), Lesotho received recommendations to initiate independent and impartial investigations into claims of torture, police brutality and unlawful killings, including possible extrajudicial executions by the LMPS.² These recommendations were echoed by former UN High Commissioner for Human Rights, Michelle Bachelet, in a letter addressed to the government of Lesotho in December 2020.³

Lesotho is a State Party to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), having acceded to it in 2001. The country is also a State Party to the African Charter on Human and Peoples' Rights (ACHPR) which prohibits torture and other ill-treatment. Under the 2012 Penal Code Act, torture, if proven as part of 'a widespread or systematic attack directed against any civilian population', may constitute a crime against humanity.⁴

The Constitution of Lesotho guarantees everyone **"freedom from inhuman treatment"** and stipulates that **"no person shall be subjected to torture or to inhuman or degrading punishment or other treatment."**⁵

To date, Lesotho has yet to adopt a comprehensive law that criminalizes torture as defined in the CAT as a distinct crime and with appropriate punishments. It has also failed to thoroughly, independently, impartially and effectively investigate and punish suspected perpetrators of acts of torture and other ill-treatment. Detainees continue to report torture and other ill-treatment at the hands of the LMPS⁶ and in some cases the LDF, particularly during interrogations aimed at extracting forced confessions, showing the extent to which a culture of torture and other ill-treatment remains entrenched within the security forces. According to a November 2021 report by Transformation Resource Centre, a local NGO, some 110 people were killed, tortured, and/or assaulted by members of security institutions between 2017 and 2021.⁷ The organization reported that these violations took place in detention, during arrests and in operations to quell riots during public demonstrations.

Dozens of victims of torture and other ill-treatment, and the families of the deceased continue to seek justice and accountability for the human rights violations suffered at hands of the police. Below are some emblematic cases documented by Amnesty International.

¹ African Commission on Human and Peoples' Rights, Press Release, Mission of the African Commission on Human and Peoples' Rights to the Kingdom of Lesotho, 08 – 12 October 2018, achpr.org/pressrelease

² UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Lesotho*, March 2020, un.org/doc/UNDOC/GEN/G20

³ United Nations Human Rights, Office of the High Commissioner for Human Rights UPR Letter Lesotho, 4 December 2020, www.ohchr.org

⁴ Section 94(b) of the 2012 Penal Code defines torture as "the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions." Penal Code Act 2012, Lesotho, lesotholii.org

⁵ Constitution of Lesotho, Lesotho's Constitution of 1993 with Amendments through 2018, Sections constituteproject.org

⁶ Transformation Resource Centre, Lesotho Human Rights Report 2021: State of Human Rights in Lesotho 2021, www.trc.org.ls/documents

⁷ Transformation Resource Centre, Lesotho Human Rights Report 2021: State of Human Rights in Lesotho 2021, www.trc.org.ls/documents

1.1 THE CASE OF NAPO MAFAISA, HUMAN RIGHTS LAWYER



On 13 January 2022, 35-year-old human rights lawyer, Napo Mafaesa was arrested by members of the LMPS on charges of concealing a gun belonging to his client, a police officer who was accused of committing robbery.

At some point between 4pm and 6pm, police arrested Mafaesa at his law firm in the central business district of Maseru, Lesotho's capital city. Police took Mafaesa to Hamabote Police Station where he alleged that he was subjected to torture to force him to confess that he was in possession of his client's gun despite his repeated claims that he knew nothing about it.

According to information available to Amnesty International, when they arrived at Hamabote Police Station, the police officers shackled Mafaesa's legs, tied his hands and fastened them causing him pain. He alleged that three police officers restricted his breathing by placing a deflated tyre on his face, while also repeatedly pouring cold water on his face. They also beat his buttocks and legs with batons. Police subjected Mafaesa to this treatment for about four hours, from 7pm to 11pm, leaving him in severe pain. They did not offer Mafaesa any medical care. He described being in a lot of pain and said that the torture left him with "deep psychological scars".⁸

Mafaesa was released at about 4am of the following morning on 14 January 2022 after his lawyer, Kabelo Letuka, filed an urgent habeas corpus application for his release. In April, Mafaesa filed a civil claim for damages against the police of about USD 28,000 (M5 million) for the torture he claims he suffered.

Mafaesa's lawyer, Kabelo Letuka, told Amnesty International that police have indicated that they will oppose the claim.⁹ Police authorities told Amnesty International that they were made aware of the allegations of the torture suffered by Mafaesa and said that they were investigating the case.¹⁰

1.2 THE CASE OF MATEBOHO MATEKANE



In another case documented by Amnesty International, Mateboho Matekane, a 46-year-old textile worker who lives in Ha Pita in Maseru, was arrested on 29 November 2021 under suspicion of theft of money belonging to her community group's savings club, an accusation she denied.

After questioning Matekane at Lithoteng police station on 29 November 2021 officers decided to hold her overnight. She was not given any food or water while she was in detention the entire night.¹¹

The following day, on 30 November 2021, three police officers, one man and two women, continued to interrogate her, accusing her of lying about the disappearance of the social savings money. In the afternoon, her torture ordeal began with the same three police officers. She explained that the male police officer sat down and held her head between his thighs. They forced her to lie on her stomach, while the two female police officers repeatedly beat her on her buttocks with a metal spade. She told Amnesty International that police officers took turns beating her and told her that they would not stop beating her

⁸ Interview with Napo Mafaesa, 25 July 2022, Maseru, Lesotho

⁹ Interview with Lawyer, Napo Mafaesa, 25 July 2022, Maseru, Lesotho

¹⁰ Interview with National Police Commissioner Holomo Molibeli and police management, 27 July 2022, Maseru, Lesotho

¹¹ Interview with textile worker, Mateboho Matekane, 28 July 2022, Maseru, Lesotho

until she urinated on herself. She said that the beating continued for hours until she did eventually urinate on herself, at which point they laughed at her. Matekane told Amnesty International,

“I was beaten until I passed out and got tired of crying.”

When she passed out, the police officers poured cold water on her to wake her up. They then asked her to stand up, but she said she could not do so because she was in pain. At that point, she was allowed to briefly fall asleep. She explained that when a fourth policeman entered the room, the three police officers who had assaulted her told him to continue to torture her as she was refusing to “confess”. Matekane said that the police officer placed a cotton cloth over her face and continued beating her for hours. She said that she could no longer control her bladder at this point and repeatedly urinated. When she asked for water, police gave her half a loaf of bread with no water several hours after the assault had started.

Matekane was released on 1 December 2021 after her family went to the police station to ask for her release so that they could take her to the hospital for treatment. She has since sued the police for damages, but discovered that the police had laid a counter-charge of robbery against her when she went for her court hearing on 21 July 2022.

Following her torture, Matekane lost her job because she could not report for work. As a result, she could not afford to send her children back to school for the 2022 academic year and she complains that she is constantly in pain because of the injuries she suffered from the torture.

1.3 ILL-TREATMENT OF 35 PROTESTERS IN LISELENG



On 19 May 2022, 35 people who embarked on protests against electricity cuts in Liseleng, Thaba-Tseka, were subjected to ill-treatment by police officers and members of the LDF, according to media and NGO reports. The 35 people started protests after they experienced power cuts for more than a month. The victims, 19 men and 16 women, were beaten and made to roll for several metres on a muddy road leading to nearby Matsoku River and then back again.¹² The protesters were subsequently arrested and charged with disturbing the peace. They were later released on bail and appeared in court for the first time on 24 May 2022. Their case was still pending in early 2023.

Management of the police, led by national commissioner Holomo Molebeli, did not deny the ill-treatment of the protesters when asked about the case by Amnesty International during a meeting at police headquarters in Maseru in July 2022.¹³ Instead, they stated that the police were not acting alone but together with LDF members. Police officials also told Amnesty International that the protesters were blocking a public road when officers intervened, and that an investigation into the conduct of officers had been launched. No one had been charged of the ill-treatment suffered by the protesters at the time of writing.

¹² Lesotho Times: 35 tortured as police brutality rears its ugly head again <https://lestimes.com/35-tortured-as-police-brutality-rears-its-ugly-head-again/>

¹³ Interview with management of the LMPS led by national Police Commissioner Holomo Molibeli, Police Headquarters, Maseru, Lesotho, 27 July 2022

1.4 THE TORTURE AND OTHER ILL-TREATMENT OF THE VILLAGE COMMUNITY MEMBERS IN THE LESOTHO HIGHLANDS REGION

In December 2018, reports surfaced of torture and other ill-treatment committed by police officers against dozens of people, mostly men, from villages in the Lesotho Highlands region.¹⁴ On 27 December 2018, approximately 70 uniformed heavily armed police officers raided two villages, Lihloahloeng, and Ha-Shishila Kao in the Lesotho Highlands region. Police officers forced their way into houses by kicking the doors open.

According to witnesses interviewed by Amnesty International, they rounded up dozens of people and took them to the riverside. As they were being rounded up, the police beat the people with the butts of their guns, sticks and chisels. When they arrived at the river, they forced the people to lie down on their stomachs, kicking them and ordering them to roll on the stones on the riverbank. As they were subjecting the people to this, the police kept asking the men why they had disrespected the Kao area chief and the local diamond mine. In total, at least 45 others sustained injuries as a result of the ill-treatment inflicted upon them by the police.

Three men in the group, who were known activists with the Transformation Resource Centre, a local human rights organization, were singled out for additional beatings, and then handcuffed and transferred to a police van to Mamohau hospital. One of the activists, identified as Moloi, died as a result of this torture, while the other two were later treated for injuries. A medical report confirmed that Moloi died on arrival. An autopsy report identified the cause of Moloi's death as a "head injury with subarachnoid haemorrhage; chest injury with lung contusion; pneumothorax and lung collapse", which indicated that the injuries suffered by Moloi are consistent with being consistently hit by an object for an extended duration of time.

To this day, it is unclear why the police raided the villages of Lihloahloeng, and Ha-Shishila Kao. In interviews with people from the villages, Amnesty International was told that the raid happened two days after an altercation at a local bar between an off-duty police officer and a person from one of the villages. At the time the raid was conducted, there were also ongoing community-led protests for the local mine to provide infrastructure, including roads and electricity, to the affected mining community, which included the two villages.

It has been more than four years since the raid occurred and the victims of torture and other ill-treatment are still waiting for justice and accountability. Immediately after the incident happened, the leadership of the Lesotho Mounted Police Service (LMPS) launched an investigation into the alleged torture and other ill-treatment committed by the police. In an interview with Amnesty International, national police commissioner Holomo Molibeli said that police stopped the investigation because of the parallel investigation that parliament is conducting. It is not clear how far parliament has gone with its investigation.

¹⁴ Amnesty International, Lesotho Transformation Resource Centre and Southern Africa Human Rights Defenders Network, Lesotho: Authorities must ensure an independent investigation into torture allegations and death, 22 february 2019, [amnesty.org](https://www.amnesty.org)

1.5 LACK OF ACCOUNTABILITY AND A CULTURE OF IMPUNITY IN THE POLICE

Police authorities are currently facing numerous legal cases for crimes ranging from murder, cover-up and defeating the ends of justice in relation to cases of torture and other ill-treatment and deaths in custody. According to one law firm in Maseru, as of September 2022, it was pursuing 58 cases of police brutality, which include murder, torture and other ill-treatment, assault in police custody and others.¹⁵

One of these ongoing cases is that of the death in police custody of two men in Hlotse. Timeletso Sekhonyana, aged 28, and Lethusang Mongali, aged 33, died at the Hlotse Police holding cells on 14 January 2019. According to their post-mortem reports, which were reviewed by Amnesty International, their bodies bore signs of physical assault which led to cardiorespiratory failure, resulting in their deaths. Legal documents seen by Amnesty International show that police are being sued by the family of Sekhonyana for M3,000,000.00 (about \$164,000USD) for his death.

Four lawyers who represent families of victims of suspicious deaths, including deaths in custody, and of victims of torture and other ill-treatment committed by the police told Amnesty International that such violations were widespread in Lesotho. They also said that there was no political will to address them and hold perpetrators to account. Meanwhile, police commissioner Holomo Molibeli, has acknowledged to Amnesty International during a meeting at the police headquarters in Maseru in July 2022 that torture and other human rights violations have come up within their ranks, blaming such acts on some “rogue police elements”.¹⁶ They stated that they were taking steps to address the problem – including promoting a culture of respect for human rights by actively reaching out to police stations across the country to educate police about torture. They added that, as of July 2022, there were 77 police officers facing disciplinary measures for offences such as “torture, assaulting suspects, murder and for committing crime”.

In addition, a number of police officers were suspended from their duties and were under investigation for torture and other criminal acts, including seven police officers who were policing the National University of Lesotho protest in June 2022 where one student was killed (see below). It was unclear however, what disciplinary measures the police implicated, including in torture and other ill-treatment cases, were facing and whether they were facing criminal charges for their alleged conduct. It is also not clear how many were successfully prosecuted and led to convictions.

Given the prevalence of torture and other ill-treatment and the large number of complaints filed by victims and their families, Amnesty International is concerned at the lack of prompt, thorough, independent, impartial, transparent and effective investigations into these allegations.

¹⁵ Interview with Advocate Molati, 26 July 2022, Maseru, Lesotho

¹⁶ Interview with management of the LMPS led by national Police Commissioner Holomo Molibeli, Police Headquarters, Maseru, Lesotho, 27 July 2022

AMNESTY INTERNATIONAL IS THEREFORE CALLING ON THE NEW LESOTHO GOVERNMENT TO END THE PRACTICE OF TORTURE AND OTHER ILL-TREATMENT INCLUDING BY:

- Making a clear public commitment to end the practice of torture and other ill-treatment by police authorities and to bring suspected perpetrators to justice;
- Adopt legislation that criminalizes torture and other ill-treatment as defined in the CAT as a distinct crime with appropriate punishment;
- Carrying out thorough, prompt, independent, impartial, transparent, and effective investigations into all allegations of torture and other ill-treatment, including allegations of acts of torture committed by members of the LDF and LMPS, and ensuring suspected perpetrators are brought to justice in fair trials and without recourse to the death penalty;
- Ensuring access to justice and effective remedies for victims of torture and other ill-treatment, including adequate compensation and rehabilitation, as well as access to medical care and ongoing access to psychological support to those suffering from trauma;
- 1. Establishing effective, independent oversight bodies with powers to review and investigate complaints of torture and other ill-treatment during detention and to monitor conditions in all prisons and detention facilities;
- Suspending all suspected LMPS and LDF members who have been implicated in torture and police brutality, pending investigation and ensuring that all those found criminally liable are tried in courts in fair trials.



3. END SUPPRESSION OF FREEDOM EXPRESSION, ASSOCIATION AND ASSEMBLY

Lesotho's Constitution guarantees the rights to freedom of expression, peaceful assembly and association under Sections 4, 14, 15 and 16.¹⁷

However, during the Covid-19 pandemic, these rights came under severe restrictions which were put in place under the guise of preventing the spread of the Covid-19 virus. All public gatherings, with the exception of funerals and religious services not exceeding fifty people, were subjected to a blanket ban¹⁸ under Public Health Regulations enacted in March 2020.¹⁹ This blanket ban on assemblies was used by authorities to suppress dissent and prevent young people from protesting and demanding inclusion in the economy and the country's political and social affairs. There were several cases of violent dispersal of protests by the police using excessive force. In at least one case during this period, Lesotho security forces used lethal force against protesters. The government lifted all Covid-19 restrictions across the country on 5 August 2022.²⁰

While states may restrict the right to peaceful assembly to protect public health, restrictions must be necessary, proportionate, and not imposed in a blanket fashion.

Amnesty International is also concerned about reports of self-censorship. Journalists interviewed by the organization said that they often refrained from criticizing the authorities or reporting on certain issues deemed controversial such as allegations of corruption out of fear of reprisals and intimidation. Indeed, journalists have been targeted in the past for exposing allegations of corruption and human rights violations

2.1 THE CASE OF KOPANO FRANCIS MOKUTOANE



On 16 June 2022, police forces shot dead Kopano Francis Mokutoane, a 27-year-old environmental health student in what appeared to be an unlawful killing during a protest at the National University of Lesotho's main campus in Roma. Students had been protesting the unilateral decision of the National Empowerment Development Secretariat (NMDS), to reduce their monthly allowances from about \$70.00 USD to about \$28.00 USD despite an existing ten months' contract for the payment of the prior amount.²¹ Police were deployed to monitor the protest.

According to eyewitnesses and activists who spoke to Amnesty International, at one point in the afternoon, some protesting students started throwing stones at university buildings and interrupting examinations.²² Police then opened fire at them. Kopano was caught in the crossfire and suffered gunshot wounds on the face and his head. He was rushed to the nearest hospital, St. Josephs, with seven other students who were wounded in the incident. Kopano, however, was declared dead shortly after arriving at the hospital.

¹⁷ Lesotho's Constitution of 1993, with Amendments through 2018, https://www.constituteproject.org/constitution/Lesotho_2018.pdf?lang=en

¹⁸ The Post, We are on our own, [the post](https://www.thepost.co.ls/)

¹⁹ Lesotho, Public Health Act, 1970 Public Health (COVID-19) Regulations, 2020. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/110077/136762/F-2046154148/LSO110077.pdf>

²⁰ UK.GOV, Lesotho foreign travel advise, 2022, [gov.uk](https://www.gov.uk)

²¹ Interview with student activists and Students' Representative Council member at National University of Lesotho, 28 July 2022, Lesotho Maseru

²² Interview with student activists and Students' Representative Council member at National University of Lesotho, 28 July 2022, Lesotho Maseru

His father, Lepekola Mokutoane, who later went to the hospital mortuary to identify the body of his son told Amnesty International that he counted 11 bullet wounds on his son's face and head including another wound on the neck.²³ He told Amnesty International that doctors told him that his son had a blood clot in the brain, leading to his death. His death certificate, which Amnesty International was able to review, declared that he had died of unnatural causes. The family was still waiting for the full forensic report from the hospital at the time of writing.

In a meeting with Amnesty International, management of the LMPS, including police commissioner Holomo Molibeli, took responsibility for the killing of Kopano, and said that seven police officers who were deployed to the university to police the protest, had been suspended.²⁴ Speaking at a Truth and Reconciliation meeting on strategies to mitigate protests, Police Commissioner Holomo Molibeli said that he saw himself guilty over the conduct of the LMPS, stating that he “cannot justify why and how a student was killed. I stand here to apologise on behalf of the LMPS”.²⁵ While the seven suspended policemen had not been arrested, they were being investigated by the Police Complaints Authority for their conduct.



“We want the post-mortem report so that we can read it and question it”.

Lepekola Mokutoane

In another case of clear suppression of dissent, the Coalition of Youth in Lesotho or #BachashutDown, who have been campaigning for the inclusion of young people in the country's affairs, wrote a letter to the former Prime Minister Moeketsi Majoro on 10 August 2021 seeking permission to hold a protest on 20 August 2021. The said protest was to demand the cancellation of Covid-19-related tax-free petrol allowances of M5,000 monthly that members of parliament were receiving on top of their earnings, which #BachashutDown saw as abuse of power and state resources. The movement asked the then Prime Minister to take reasonable steps to proactively facilitate safe and peaceful protest activity. However, he never responded to their letter.

²³ Interview with Lepekola Mokutoane, Kopano Francis Mokutoane's father, Khokhobe, Quthing July 2022

²⁴ Interview with the management of the Lesotho Mounted Police Service, 27 July 2022, Maseru, Lesotho

²⁵ Public Eye, I feel weak and ashamed..., publiceyenews.com

On 20 August 2021, three members of the movement, including Kananelo Boloetse and Motsamai Mokotjo, were ambushed and detained by the police while walking in Maseru where they were planning to peacefully march to parliament. In an interview in July 2022, they told Amnesty International that police took them to Maseru Central Police Station where they were detained for about six hours between 10:00am to 5:00pm local time.²⁶ They were released without being charged and the planned march did not go ahead.

In another case, on 6 November 2020, the local Sunday Express newspaper reported that heavily armed LMPS officers descended on thousands of youths who had taken to the streets to protest against high unemployment and other socio-economic problems facing the country.²⁷ To disperse the peaceful protest, police fired teargas and rubber bullets at them and in some instances even beat protesters who heeded youth group Transform Lesotho Initiative (TLI)'s call to demonstrate peacefully in downtown Maseru. NGOs corroborated this information through their monitoring and documentation.

According to human rights groups and lawyers, several protesters were left nursing injuries after the police violently dispersed them for demonstrating without a permit.²⁸ Eleven youths were arrested for participating in the march. They spent three nights in police custody at the Maseru Central Police Station. Lawyers representing the victims accused the police of subjecting the youths to torture and detaining them in uninhabitable holding cells which lacked proper ventilation, lighting, beds and mattresses. They also accused the police of denying the assaulted victims medical treatment.

According to the group's lawyers, the police invaded the protesters' privacy by confiscating their mobile phones and deleting videos and photos that they had taken during their arrests. Amnesty International corroborated these reports with local NGOs who documented the case.²⁹

2.2 SELF-CENSORSHIP AND RESTRICTIONS ON MEDIA

In another worrying sign of mounting restrictions on the right to freedom of expression, in March 2022, the MNN Centre for Investigative Journalism reported that there were attempts to hack into its staff emails. The centre alleged that it was being targeted for doing its work, including holding those in power accountable and exposing wrongdoing.³⁰

There were also cases of brutal attacks against journalists whose work involved writing about police corruption. For example, the editor of the *Lesotho Times*, Lloyd Mutungamiri, was left in a critical condition in hospital after being shot at by unknown gunmen on 9 July 2016 at his home.³¹ Mutungamiri was charged with criminal defamation in September 2014 for reporting on police corruption in a clear case of harassment and intimidation. His case was never brought to court. However, the case of his shooting is still ongoing in the country's courts and the suspected perpetrators have not yet been found guilty.

²⁶ Interview, Kananelo Boloetse and Motsamai Mokotjo, 25 July 2022, Maseru, Lesotho

²⁷ Sunday Express, Thabane Allies, Opposition Slam Govt, Police, 24 November 2020, [sundayexpress.ls](https://www.sundayexpress.ls)

²⁸ MISA, Lesotho, Lesotho police shoot journalist during protests, 16 November 2020, [misa.org](https://www.misa.org)

²⁹ Interview with lawyers, youth activists, July 2022, Maseru, Lesotho

³⁰ MNN Centre for Investigative Journalism, Journalism Under Attack, 30 March 2022, [lescij.org](https://www.lescij.org)

³¹ Amnesty International, Lesotho, Shooting of newspaper editor is a chilling attack on freedom of expression, 11 July 2016, [amnesty.org](https://www.amnesty.org)

AMNESTY INTERNATIONAL IS CALLING ON THE NEW LESOTHO GOVERNMENT TO RESPECT, PROTECT, PROMOTE AND FULFIL THE RIGHTS TO FREEDOM OF ASSOCIATION, PEACEFUL ASSEMBLY AND EXPRESSION INCLUDING BY:

- Publicly reaffirming its commitment to respect, protect, promote and fulfil the right to freedom of expression, which includes the right to seek, receive and impart information;
- Refraining from using unnecessary and excessive force to disperse protesters, and ensuring that the LMPS policing demonstrations comply fully with the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Investigating allegations of surveillance against investigative journalists and reaffirming their right to exercise their freedom of expression;
- Guaranteeing the rights to freedom of expression, association and peaceful assembly beyond the 2022 election, and removing any impermissible restrictions on the right to peaceful protest.



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