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LEGAL NOTICE NO. 79 OF 2022

Declaration of a State of Emergency, Proclamation, 2022

WHEREAS it is the Government's legal duty and moral responsibility to safeguard the existence of the national stability and prosperity;

WHEREAS the current political climate poses substantial threat, risk and danger against the country's stability and prosperity;

REALISING that Lesotho has endured sustained political instability, injustice and discord going back to the 1960s and that the situation is continuous and aggravating;

HAVING identified factors that undermine political stability, justice, and peace as unchecked politicisation of the public service, including the security agencies, loopholes in the Constitution, formation of coalition governments, unregulated floor crossing in Parliament and inadequate regulation of political parties;

ACKNOWLEDGING that Lesotho still relies heavily on international partners for financial and investment support and that some of that support is linked to Lesotho undergoing reforms to bring about lasting political stability, justice and peace;

HAVING undertaken to undergo national reforms to bring about lasting political stability, justice and peace by passage of laws in Parliament, namely the Eleventh Amendment to the Constitution Bill, 2022 and National Assembly Electoral Amendment Bill, 2022;

REALISING that failure to pass the two bills means continuation of unchecked politicisation of the public service, including the security agencies, loopholes in the Constitution, formation of coalition governments, unregulated floor crossing in Parliament and inadequate regulation of political parties, which have been identified as factors undermining political stability, justice and peace in the country;

CONSIDERING the impact of imminent sanctions and loss of financial and investment support from Lesotho's international partners due to failure to pass the two bills;

CONSIDERING the gravity of the killings post the general elections and other cruel and inhuman attacks that are being caused and perpetrated by political factionalism;

RECOGNIZING the adverse effects of Lesotho's political instability post the general elections and the impossibility of preventing its continuance through the current legal framework.

SINCE Parliament has failed on account of lapse of time to pass the Eleventh Amendment to Constitution Bill, 2022 and National Assembly Electoral Amendment Bill, 2022 aimed to avert the above stated undesirable situation;

SINCE it is necessary to take measures to counter and prevent social, economic, security and political damage being caused by political instability;

WHEREAS the conditions are of extreme peril to the safety of persons and property and exist due to the above stated undesirable situation;

UNLESS the stated undesirable situation is addressed, it is likely to be beyond control and escalate thus causing more threat to the peace, safety and stability of the Basotho nation; and

Recognizing that failure to pass the bills constitute public emergency;

NOW THEREFORE, I,

MOEKETSI MAJORO,

Prime Minister of Lesotho, pursuant to section 23(1) of the Constitution of Lesotho, 1993 and acting in accordance with the advice of the Council of State, and recognizing that failure to pass the bills constitute public emergency, by proclamation, declare the state of emergency to exist in Lesotho, from the 16th to 29th August, 2022.

DATED

**DR. MOEKETSI MAJORO
PRIME MINISTER OF LESOTHO**