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This action is funded by the European Union

ANNEX

of the Commission Decision on the Annual Action Programme 2017 in favour of the Kingdom of Lesotho to be financed from the 11<sup>th</sup> European Development Fund

**Action Document for Support to Civil Society in Lesotho**

**INFORMATION FOR POTENTIAL GRANT APPLICANTS**  
**WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) applicable to the EDF by virtue of Article 37 of the Regulation (EU) No 2015/323 in the following sections concerning calls for proposals: 5.4.1 and in the following sections concerning grants awarded directly without a call for proposals: 5.4.2.

<b>1. Title/basic act/ CRIS number</b>	<b>Support to Civil Society in Lesotho</b> CRIS number: LS/FED/040-406 Financed under the 11 <sup>th</sup> European Development Fund (EDF).	
<b>2. Zone benefiting from the action/location</b>	Lesotho The action shall be carried out at the following location: all ten districts of Lesotho. The project team will be based in Maseru, Lesotho	
<b>3. Programming document</b>	11 <sup>th</sup> EDF National Indicative Programme (2014-2020) for cooperation between the Kingdom of Lesotho and the European Union	
<b>4. Sector of concentration/ thematic area</b>	Governance	DEV. Aid: yes <sup>1</sup>
<b>5. Amounts concerned</b>	Total estimated cost: EUR 4 966 667 Total amount of EDF contribution <b>EUR 4 500 000</b> This action is co-financed by potential grant beneficiaries for an indicative amount of EUR 466 667	
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Project Modality <ul style="list-style-type: none"> <li>• Direct management - grants – direct awards and call for proposals - procurement of services</li> </ul>	

<sup>1</sup> Official Development Aid is administered with the promotion of the economic development and welfare of developing countries as its main objective.

<b>7. a) DAC code(s)</b>	150 CIVIL SOCIETY <b>15150</b> Democratic participation and civil society (46%) <b>15151</b> Elections (4%) <b>15160</b> Human rights (30%) <b>15170</b> Women's equality organisations and institutions (10%) <b>15180</b> Ending Violence Against Women (10%)			
<b>b) Main Delivery Channel</b>	<b>Non-Governmental Organisations(NGOs) and Civil Society 20000</b>			
<b>8. Markers (from CRISDAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N/A			
<b>10. Sustainable Development Goals (SDGs)</b>	<i>Main SDG on the basis of section 4.1:</i> N°16: Peace, Justice and Strong Institutions <i>Secondary SDG on the basis of section 4.1:</i> N°1: End Poverty in All its forms everywhere N°5: Gender Equality N° 10: Reduced Inequalities N° 17: Partnerships for the Goals			

## SUMMARY

The National Indicative Programme (NIP) 2014-20 includes governance as one of the three focal sectors of cooperation, support to which will contribute to the implementation of the National Strategic Development Plan (NSDP). An allocation of EUR 4 500 000 is proposed to civil society, the purpose of which is to strengthen the expertise of Civil Society Organisations (CSOs) in areas such as engagement in dialogue; strengthening capacity to monitor public service delivery; and participating in the design, implementation and monitoring of policies linked to the focal sectors of EU cooperation.

Civil Society is recognised in the Cotonou agreement as playing an important role in development co-operation. The European Commission Communication on the Agenda for

Change 2011<sup>2</sup> recommends strong support to human rights, democracy and good governance. The New European Consensus on Development<sup>3</sup> focus points of peace and partnership are the areas the proposed Action is aimed at supporting. The total budget for the proposed Action, which is also in line with the 2012 Communication “The roots of democracy”<sup>4</sup> and the Roadmap for engagement with civil society in Lesotho is EUR 4 500 000, with a proposed operational implementation period of 60 months. The Action will focus on: (i) support public participation in decision-making in the focal area of governance including promotion of justice, rule of law and accountability, human rights, gender equality and women's, children's and disability rights and; (ii) support to capacity development, and more specifically to the coordination and networking of Civil Society Organisations (CSOs) in Lesotho.

The overall objective of the proposed Action is to contribute towards promotion of peace, democratic governance and build effective institutions. More specifically, the Action aims at two specific objectives or outcomes:

Outcome 1: Enhanced participation of the general population, both men and women, in decision-making processes, and in promoting accountable governance.

Outcome 2 - Enhanced coordination of Lesotho Council of NGOs (LCN) for effective engagement with duty bearers and legitimate representation of civil society voice as a whole in Lesotho

## **1 CONTEXT**

### **1.1 Sector/ Country/ Regional context/ Thematic area**

Lesotho is a small, constitutional monarchy, fully independent since 1966, entirely landlocked within South Africa, and with a population of around 2 million inhabitants, 76 per cent of whom reside in rural areas. The economy of Lesotho is mainly supported by exports of textiles, water, and diamonds to the United States, South Africa and Belgium. Lesotho has made some progress towards the Millennium Development Goals (MDGs); however Lesotho is ranked only 161st out of 188 countries in the 2015 UN Human Development Index, and faces serious social and macro-economic challenges and growing fiscal imbalances, including poverty, significant food insecurity, extremely low life expectancy (in part due to very high levels of HIV/AIDS), inequality and weak economic growth.

The political situation in Lesotho has been marked by periods of instability since the earliest years of its independence. In August 2014 security forces operations forced the then-Prime Minister into brief exile. International mediation, led by the Southern African Development Community (SADC) resulted in an agreement between the major political parties for early elections in February 2015. These elections were considered free and fair by international observers, resulting in the formation of a Second Coalition government. The Coalition Agreement on Stability and Reform which has been cut short by snap elections of June 2017, outlined the objectives of restoring national peace and political stability, deepening democracy and respect for human rights, and making transparency and good governance a hallmark of the Government. The agreement also committed the Government to place greater focus on consultation and citizen participation. The June 2017 elections brought in a coalition

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<sup>2</sup> Commission Communication COM(2011)637 final of 13.10.2011

<sup>3</sup> OJ C 210 of 30.6.2017

<sup>4</sup> Commission Communication COM(2012)492 final of 12.9.2012

of four parties, which signed in August a Coalition Agreement for National Unity, Reconciliation, Peace and Stability. First signs of the new government are positive towards engagement with civil society and a Post-Election National Dialogue launched by civil society took place in October 2017 preparing for the upcoming official dialogue on reforms planned mid-November.

The social dynamics in Lesotho society are fast changing, as an important part of the population is less than 25 years of age, which will necessarily impact on gender relations. Historically, men in Lesotho have been labour migrants and women were the organisational factor in society and in productive economy. With change in international economy and labour migration patterns, many men are jobless and less empowered than women. This leads to diminishing social inclusion, increase of domestic violence and frustrations. The situation in mountainous areas of the country is worse according to conclusion of disaggregated focus groups discussions conducted during the preparation of the Gender Country Profile report. Progress has been made in gender issues related to health, education, but political representation of women has decreased over the years. Legal barriers still favour men over women especially around inheritance and marriages laws. Gender equity in favour of men, herd's boys and industry workers is needed to balance social gaps. Lesotho is member of SADC and has ratified the Gender and Development protocol (2008) that will be replaced by the revised Protocol (2016). The revised SADC protocol has included a monitoring and evaluation (M&E) framework, indicators (73) to measure progress and an Economic Empowerment framework.

The 1993 Constitution of Lesotho creates a sovereign democratic Kingdom, with the head of government being the Prime Minister, and the monarch retaining ceremonial functions. The Constitution sets out fundamental human rights and freedoms, while upholding customary law and the traditional system of governance, which are still discriminatory in nature against women.

Lesotho is a member of the United Nations, the African Union, the Commonwealth of Nations, the Southern Africa Customs Union and the Southern Africa Development Community. Lesotho has signed numerous international and regional treaties; however the country has experienced great difficulty in the ratification, domestication and implementation of these agreements, as well as fulfilling their reporting requirements, due to both political and capacity constraints.

### ***1.1.1 Public Policy Assessment and EU Policy Framework***

The Vision 2020 and the NSDP 2012/2013-2016/2017 set out Lesotho's national development policy, and are centred on the Government's strategic orientation towards development through education, social protection and economic growth. The NSDP has been extended with one year until 2017/2018 and it identifies six clusters: i) accelerated, shared and sustainable economic growth, ii) human development and social protection, iii) key infrastructure, iv) good governance, v) environment and vi) climate change, and cross-cutting issues (gender, youth etc.). The NSDP also envisages consultations with development partners, civil society and the private sector. NSDP 2 is under formulation.

The Country EU Roadmap for engagement with the Civil Society 2014 to 2017 outlines a set of priorities for cooperation including support towards realisation of an enabling environment for CSOs, the support to CSOs participation in domestic policies and the support to capacity development. Limited resources have hampered effective implementation of the roadmap. The roadmap further notes that lack of a comprehensive legal and policy framework affects adversely the effectiveness of the sector. There is absence of a formalised structured way of

engagement with the CSOs in national development and the political reform processes; however the umbrella organisation plays a key role in ensuring participation of civil society in political dialogue.

The New European Consensus on Development engages the EU to implement a rights-based approach to development cooperation, encompassing all human rights. It reiterates how the EU values the participation of civil society organisations (CSOs) in development and recognises the multiple roles that CSOs play as promoters of democracy and defenders of rights holders and of the rule of law, social justice and human rights. It reaffirms EU's commitment to promote civil society space and enhance their support for building the capacity of CSOs, so as to strengthen their voice in the development process and to advance political, social and economic dialogue. Under the 11<sup>th</sup> EDF, EUR 4 500 000 are allocated to civil society, the purpose of which is to strengthen the competence and expertise of civil society organisations in areas such as effective engagement in structured dialogue; strengthening their capacity to monitor public service delivery performance; and participate in the design, implementation and monitoring of policies linked to the focal sectors of EU cooperation. In addition, the EU Council Conclusions on Gender Action Plan 2016-2020 note that gender equality is at the core of European values, while the EU Country Roadmap for Engagement with Civil Society 2014-2017 acknowledges the critical role CSOs play in the consolidation of democracy, governance and human rights in Lesotho. The Gender Country Profile report recommends the following response strategies: i) to promote women entrepreneurship with rural micro financing and social motivated economic franchises. (E.g. cheese making, honey farming, sales); ii) Training and Vocational Education and Training (TVET) programmes for unemployed men and youth; iii) enhancement of capacities of the Ministry of Gender as well as Parliament and Local Governments on Gender issues; iv) introduce necessary Constitutional legal changes and frameworks as per the SADC protocol and Gender empowerment framework; v) support civil society and advocacy groups; and vi) more involvement of Private sector, Banks, Unions and Churches in sensitisation on Gender policies.

This action is clearly linked to the objectives of the –EU Gender Action Plan 2016-2020 GAPII<sup>5</sup>, more specifically under the thematic priority for equal rights and ability for women to participate in policy and governance processes at all levels.

### 1.1.2 Stakeholder Analysis

**Civil society organisations (CSOs):** Civil society in Lesotho is highly diverse, and plays an important part in addressing governance issues in Lesotho, but due to insufficient resources and the limited presence in the districts, their individual geographical outreach is limited. There are a number of NGOs whose mandate is specifically targeted at gender positive or gender transformative actions, such as Women and Law in Southern Africa (WLSA), an EIDHR<sup>6</sup> grantee, FIDA (the Federation of Women Lawyers), or Gender Links (supported in the past through Non-State-Actors (NSA) thematic). The Lesotho Council of NGOs (LCN) is the formal umbrella body for NGOs, mandated to provide support to CSOs through networking, information dissemination, capacity building, coordination, advocacy and representation, as underlined in the EU country roadmap for engagement with civil society. LCN is organized into Sectoral Commissions for effective coordination and leadership of collective actions supported by member organisations. NGOs with similar programmes or objectives are grouped together in order to facilitate the effective and efficiency coordination

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<sup>5</sup> Joint Staff Working Document SWD(2015)182 final of 21.9.2015

<sup>6</sup> European Instrument for Democracy and Human Rights

of LCN Secretariat and to facilitate networking amongst themselves and external world. The following are the current Commissions: 1) Agriculture, Environment and Natural Resources; 2) Disaster Management and Humanitarian Relief; 3) Democracy and Human Rights; 4) Health and Social Development, 5) Economic Justice, 6) Women and Children. Civil society in Lesotho benefits from relative legal and administrative ease of operation, but suffers significant constraints relative to coordination, capacity and financial sustainability. National policies and the legislative framework in Lesotho recognise the role of CSOs in contributing to the formulation and implementation of development policies. Lesotho's 'Vision 2020' explicitly mentions the key role of civil society in national development and in the elaboration of the national poverty reduction strategies. However, the actual influence of civil society on national policy and development needs to be further strengthened. Institutional deficiencies within the Government continue to hold back a more inclusive and transparent development process in which CSOs can play a formally recognised role in shaping and monitoring national development processes. The August 2017 Coalition Agreement commits (point 2.5) "to deepen democracy by strengthening democratic institutions including citizen participation" and is open to accept the role that CSOs could play to work for lasting peace and stability of the nation. LCN and WLSA were consulted and are part of the Governance Task Force established by the NAO/Ministry of Finance which has met several times to validate the previous broader Governance proposal as well as this proposal.

**Other: The Lesotho Media** is relatively diverse, and a wide spectrum of political views is generally available and tolerated. Nevertheless, media organisations have been subjected to legal and physical attacks, and there is some evidence of resulting "self-censorship". A system of **traditional authorities and chieftaincies** exists in Lesotho, although many of their traditional functions were transferred to local government. They are considered as important stakeholders at the local level, including in the security and justice sector. There is a small pool of **development partners** currently active in Lesotho, including the World Bank, United Nations (the United Nations Development Programme - UNDP, the United Nations Children's Fund - UNICEF, etc.), the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), and the US Embassy. Several partners have withdrawn their presence from the country in recent years (the UK Department for International Development (DFID), Irish Aid), and key support has been recently deferred vote on (Millennium Challenge Corporation) or terminated (EU Budget Support).

### *1.1.3 Priority areas for support/problem analysis*

Civil Society has grown and gained recognition nationally although capacity constraints limit CSOs outreach programmes as strong organisations are essentially found in the capital (however with most of them still implementing programmes in other districts of Lesotho). There is therefore a need to strengthen the capacity of community based organisations.

CSOs are very influential in the reforms processes which were recommended by SADC in 2016. In the mist of the current political instability, CSOs have been actively involved in finding solutions including efforts aimed at promoting the rule of law and upholding democracy. Women's movements are on the other hand weaker and need further strengthening. EU support towards CSO in the field of governance, democracy and human, gender and electoral processes will build synergies with the ongoing Civic Education Programme (PISA) and previous CSO and ongoing EIDHR thematic projects currently supporting a Paris Principle compliant human rights institution, the protection and promotion of human rights principles in the country and contribution to attain gender equality in

Lesotho. It will therefore contribute to provide the people of Lesotho with more effective public goods and services and greater public accountability and stability.

LCN's main agenda is to empower its members, more specifically those in the districts. LCN recognizes that providing voice to the poor and marginalised groups is a function that can very often be performed only by active and accountable CSOs. Particularly where it concerns situations of extreme social exclusion, for example, among people who live in remote and inaccessible areas, voicing interests and demands is a function that will usually be performed by area-based CSOs. Over the last three years, through EU support, LCN has worked igniting the role of CSOs in Lesotho and how they should be recognised as important stakeholders in development. LCN has managed to enhance the position of CSOs to be recognised as important stakeholders in government decision making process. This is evidenced by the increased commitment of government to attend civil society forums to dialogue with CSOs on matters related to national resource allocation and resource usage, but also reforms and nation building.

Some of the general challenges, which have impacts on all areas of governance, include:

- The current social and political environment since the events of 2014 and subsequent snap elections of 2015 and 2017;
- Significant bottlenecks between institutions contributing blockages and inefficiencies;
- Monitoring and evaluation deficiencies;
- Low levels of public awareness of the responsibilities of government, and of basic human rights; and limited access of general population to justice;
- Poor implementation of sector policies, legislative frameworks and strategies marked by constantly shifting priorities, and interpreted as indicative of a lack of political will to implement reform;
- Difficult access to basic information, hampering the ability of authorities, civil society and the public to follow reform and service delivery, and ensure accountability.

Despite these challenges, the governance context does enjoy some strengths, including:

- A number of recent and detailed strategies and action plans for various sub-sectors, which provide a basis for demanding accountability and results;
- Citizen and civil society participation has improved over the past decade;
- Civil society has developed considerably in recent years, and is expanding its efforts to face current challenges in the country;
- Whilst met with challenges, a variety of independent oversight mechanisms exist;
- Strong “pockets” of capacity and commitment exist within specific institutions.

**Civil society** in Lesotho has considerable strengths, including the existence of a long-standing, credible and accepted structure (LCN), which includes about 160 national and local organisations; some strong informal relations with high-level officials; good gender mainstreaming, and knowledge of rights based approaches, including gender sensitive or gender positive actions. It has considerable challenges in the current political environment, including: inadequate coordination of activities; some misunderstanding of the role of LCN; staff turnover and financial constraints; however the lack of commitment by previous governments to formally engage with CSOs has evolved constructively.

## 2 RISKS AND ASSUMPTIONS

<b>Risks</b>	<b>Risk level</b>	<b>Mitigating measures</b>
<b>Political instability:</b> The volatile political environment may continue or worsen, leading to shifts in priorities, and changing attitudes to civil society and development partners, and result in negative impacts on the Programme.	High	<b>Political dialogue and diplomacy</b> by the EU Delegation and other development partners, underlining the negative repercussions of instability on development cooperation. <b>Support to civil society</b> engaging with political leadership. <b>Integration of monitoring, review and implementation systems</b> in design, including regular risk assessment;
<b>Restriction of CSO environment:</b> Legislative, regulatory or practical restrictions could reduce the ability of CSOs to participate in the Programme.	Low to Medium	<b>Policy and political dialogue</b> by the EU Delegation and other development partners to prevent or minimise restrictions of the CSO environment.
<b>Institutional resources and capacity:</b> Weaknesses in institutional capacity may have negative impacts on the absorption capacity of beneficiaries and the implementation of the Programme.	Low	<b>Assessment of capacity gaps</b> at the inception phase. <b>On-going review of capacities</b> , and adjustment of activities or time-frames as necessary. Programme design centred on <b>building capacities that are essential for implementation</b> of the Programme.
<b>Alignment with other initiatives:</b> While the development partner pool is limited, and coordination is high, some overlap with other programmes may arise.	Low	<b>Regular monitoring and review</b> of existing programmes, particularly in the period prior to implementation of the Programme.
<b>Legislative uptake:</b> Parliament may not enact legislation drafted pursuant to the Programme.	Medium to High	<b>Support to civil society</b> , particularly relative to their advocacy efforts. <b>Policy and political dialogue</b> by the EU Delegation and other development partners.
<b>Resistance to change including resistance to reducing gender inequalities:</b> Institutions and communities resist changes effected through the Programme.	Medium	<b>Communication and outreach activities</b> , within institutions and communities, also in regional areas. <b>Integration of change management</b> into activities, where appropriate. Integration of activities with a gender sensitive/positive perspective.

Assumptions		
<p>Overall: The Government of Lesotho will remain committed to improving governance in Lesotho.</p> <ul style="list-style-type: none"> <li>- The political context is sufficiently stable to maintain an environment that encourages enhanced transparency and dialogue between authorities and citizens</li> <li>- Budgetary resources of Programme beneficiaries are not reduced.</li> <li>-Beneficiaries and key stakeholders remain committed to the Programme, and to the changes foreseen by the activities, including at the local level.</li> <li>- SADC and development partners continue to support the reform agenda in Lesotho.</li> <li>- CSOs are able to work in an enabling environment.</li> </ul>		

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

The Programme design takes into account the lessons learnt through recent governance and support to civil society interventions:

- Mid-Term review of the Deepening Decentralisation and Non-State Actors (DDNSA) programme provided evidence of strength of and great impact of civil society projects.
- **Personal engagement**, relationship building, practical showcasing and political negotiating are critical to obtaining results in the current political environment.
- According to the Gender Country Profile report, Basotho live under patriarchal gender system dictating clear division of labour between the sexes within households. Male heads of household's role is productive breadwinning and decision-making, and women's key role is home maintenance, which has marginalized women's from full access and control of productive resources. Changes due to evolving culture, socio-economic and legal environment are transforming gender roles and relations. The patriarchal culture continues despite the evidence of change influenced by the new socio-economic patterns. While some women see it as liberating, others perceive it as a challenge to be taking over the breadwinner role as their husbands get retrenched from the mines. Changing old attitudes and mind-set in order to accommodate new legal reforms from barriers that excluded women from economic justice and empowerment programmes remains one of the critical areas that civil society is engaged in to ensure that these barriers are overcome.
- Establishing a **monitoring and evaluation approach** including of the results linked to GAPII in the implementation of the Programme will be critical to effectiveness, and measuring results.

#### 3.2 Complementarity, synergy and donor coordination

The Government has shown increased willingness to take upon itself a role of aid coordination according to the Agreements taken at the High Level Fora on Aid Effectiveness in Paris, Accra and Busan in (2005, 2008 and 2011 respectively), and the commitments made under the United Nations Agenda 2030 for sustainable development (i.e. the SDGs). The Aid Coordination Unit in the Ministry of Development Planning is currently gaining strength, with EU support.

**Civil society** is adversely affected by the effects of a shrinking donor pool; they have nevertheless received considerable support in recent years under EU-funded governance

initiatives, but also by UNDP, US Embassy and the World Bank. In addition, the thematic budget lines such as the CSO-LA as well as the European Instrument for Democracy and Human Rights (EIDHR) have provided considerable support in the past and they are complementary to EDF allocation.

Under the EDF 10 Deepening Decentralisation Programme, LCN has been building the capacity of local Community Based Organisations (CBOs) to start constructive engagement in local government. Mapping of community needs through community dialogues has taken place in 38 out of 75 community councils. However, CSOs lack the resources and capacities to establish an effective permanent presence in the districts. This limited capacity is now well complemented by the EDF 11 Participatory Initiative for Social Accountability (PISA) providing civic education and a platform for dialogue in all ten districts.

### 3.3 Cross-cutting issues

A **rights based approach (RBA)** will inform the entire work of the proposed Action. Accordingly, the action focuses on developing the capabilities of both rights holders and duty bearers, and places a particular strong emphasis on the participation and accountability pillars of the RBA.

Considering the deep-rooted and widespread gender disparity in all spheres of society, **gender equality** will be mainstreamed in all components of this action. This will be achieved through targeting women associations and gender-focused organizations in its proposed capacity development support to CSOs as well as through prioritising gender positive and gender transformative projects. This will be ensured by including clear instructions in the call for proposals.

**Support to Youth** issues will also be mainstreamed given that Lesotho has one of the highest unemployed youth populations in the world. Accordingly, empowerment of the youth will be prioritised both in the CSO capacity development and enhanced role of the umbrella organisation components of the action.

Empowerment of other marginalised groups, particularly **people living with disability (PLD) and HIV/AIDS** will also be prioritized in the different components of the action.

Finally, given the central importance of agriculture, sustainable natural resource management and climate change, **environment and climate change** represent an important cross-cutting issue in the proposed programme. Civil society plays a fundamental role in advocacy and capacity development on environment and climate change issues, as well as in supporting the government in associated activities (such as monitoring and research).

## 4 DESCRIPTION OF THE ACTION

### 4.1 Objectives/results

The **overall objective** is to promote peace, democratic governance and build effective institutions.

More specifically, the Action aims at two specific objectives or **outcomes**:

*Outcome 1* - Enhanced participation of the general population, both men and women, in decision-making processes and in promoting accountable governance.

*Outcome 2* - Enhanced coordination of Lesotho Council of NGOs (LCN) for effective engagement with duty bearers and legitimate representation of civil society voice as a whole in Lesotho.

A Human Rights Based Approach will be followed, focusing on rights bearers and on ensuring gender sensitive, gender positive or gender transformative actions and on how civil society can support their resilience to the multi-dimensional aspects of poverty.

The Action will deliver the following **outputs**:

For *Outcome 1*:

1.1 Joint consultation and advocacy on policy engagement involving both men and women from state authorities and communities (at national and local level);

1.2 Gender positive / transformative policies, strategies and articles developed with CSO participation and presented via appropriate channels to duty bearers;

1.3 Legislation identified for amendment and implementation leading to gender positive / gender transformative impact;

1.4 Knowledge on gender positive / transformative approaches for participatory governance among CSOs increased;

1.5 Information conveyance gender sensitive platforms established at local and national level.

For *Outcome 2*:

2.1 Increased promotion and coordination on gender sensitivity and accountability within the CSO community;

2.2 Improved mechanisms for dialogue on Policy & Political Reforms and Nation Building in Lesotho between LCN - CSOs and the Government

2.3 MoU between Government and LCN governing civil society operations negotiated and agreed;

2.4 Increased leadership skills, governance expertise and knowledge on gender mainstreaming among CSOs;

2.5 LCN and its members contribute to, analyse and track the National Budget and ensure gender sensitiveness of Budget is respected

## **4.2 Main activities**

For Outcome 1:

- Organise evidence-based research and advocacy activities for improved and efficient public services;

- Provide training to promote accountability and transparency in governance, including monitoring of human rights protection, promotion of gender equality, public participation;
- Employ activities influencing policy and legislative change for more protection of human rights, gender positive or gender transformative laws and improved services;
- Develop campaigns to promote women empowerment.

For Outcome 2:

- Employ capacity development and coordination activities among civil society organisations in advocacy, lobbying, gender mainstreaming and gender positive or gender transformative actions, policy, research, monitoring and evaluation, resource mobilisation, including through short term technical assistance support;
- Ensure regular holding of annual NGO weeks, promoting coordination and networking mechanisms within the CSO community;
- Provide technical assistance and training to LCN and its members to analyse and track of the National Budgets;
- Organise activities contributing to the National Dialogue, Reforms and Nation Building in Lesotho.

### 4.3 Intervention logic

**Outcome 1 - Support towards enhanced accountability and transparency of public authorities and public services:** The purpose of this outcome is to empower ordinary persons, including disadvantaged, to actively participate in promoting better, improved and responsive governance. This includes improvement of knowledge among civil society of their role in improving governance and democracy and promoting accountability of representatives. The principles for action are therefore as follows:

- (i) Inclusive targeting that includes poor and disadvantaged persons and ensuring actions are gender positive or gender transformative where possible;
- (ii) Building on national strengths and capitalising on existing solutions;
- (iii) Following an integrated gender sensitive approach including promotion and protection of rights and capacity building of duty bearers;
- (iv) Improving institutional capacities to provide remedies to vulnerable groups.

**Outcome 2- Civil society coordination and networking:** Civil society in Lesotho performs an essential role in monitoring governance sector performance, and the Action aims to support organisations' capacity to ensure the accountability of public institutions and in particular their capacity to provide outreach, advocacy and other support to the Action. The Action addresses this in two interconnected ways, firstly by providing direct support to the umbrella organisation LCN, in order to increase its overall institutional and coordination capacity, and secondly by providing support to other organisations through funds allocated through a Call for Proposals. The rationale for this structure arises from the unique capacity-development, coordinating and politically federating role of LCN, which is essential for the continued strength of organisations as a whole.

## **5 IMPLEMENTATION**

### **5.1 Financing Agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 17 of Annex IV to the ACP-EU Partnership Agreement.

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented is **60 months** from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute non-substantial amendment in the sense of Article 9(4) of the Regulation (EU) 2015/322.

### **5.3 N.A.**

### **5.4 Implementation modalities**

#### **5.4.1 Grants: Call for proposals “Civil Society Support to the EU Governance Programme under the 11<sup>th</sup> EDF” (direct management)**

(a) Objectives of the grants, fields of intervention, priorities of the year and expected results

Objectives: To contribute to the EU's support of the governance sector in Lesotho, and in particular relative to capacity building of Civil Society Organisations ability to influence policy, public participation and democratic governance.

Priorities: Actions in support of inclusive decision-making and participation and legislative reforms, promotion of gender equality and empowerment of women, access protection of human rights, economic justice and in particular the activities conducted under EDF 11 Governance programme within the National Indicative Programme.

Types of actions eligible: Advocacy; research and development of policy papers; budget and policy-tracking; publications and communication materials; outreach, awareness-raising and civic education activities; legal and paralegal support, development of and support to rights-based and gender positive approaches; additional needs arising from the impact of the EU civic education programme (PISA).

The Call for proposals will include clear instructions/criterion on the expected gender related requirements.

(b) Eligibility conditions

The geographical eligibility in terms of place of establishment for participating in grant award procedures as established in the basic act and set out in the relevant contractual documents shall apply. The mapping exercise of civil society in Lesotho carried out in 2014 by the Lesotho Council of NGOs (LCN) indicates a total of 913 CSOs registered from 20

community councils of 6 out of 10 districts where LCN was operating. This call will target all CSOs in the country.

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 400 000 to 600 000 and the grants may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

(c) Essential selection and award criteria

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for grants under this call is 90 % of the eligible costs of the action. **Civil Society** is affected by a shrinking donor pool and although UN agencies, US embassy and other regional organisations do provide small funding occasionally, it has become very difficult for Civil Society to raise a 20 % contribution.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 37 of Regulation (EU) 2015/323, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100 %. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative timing to launch the call

Third trimester of year 1.

#### **5.4.2 Grants: Direct Award “Support to the Lesotho Council of Non-Governmental Organisations (LCN)” (direct management)**

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The objective of the grant is to contribute to strengthening the capacity of civil society organisations to ensure the accountability of public institutions in Lesotho. The specific result of the grant will be to increase the institutional and coordination capacity of LCN to hold government accountable.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to Lesotho Council of Non-Governmental Organisations (LCN).

The recourse to award a grant without a call for proposals is justified because LCN has a de facto monopoly. LCN is the only Civil Society umbrella organisation with a mandate to coordinate CSOs in Lesotho. It is the only long-standing, credible and accepted structure which includes about 160 national and local organisations; some strong informal relations with high-level officials; good gender mainstreaming, and knowledge of rights based approaches. While none of the Government Civil Society dialogue platforms are functional,

LCN in its role contributes to the successful formulation and implementation of the EU external objectives in the country, including development cooperation and trade. It plays a crucial role as support to the sector and to effectively contribute to dialogue with public authorities and to oversee public authorities work, together with its member organisations. It is recognised by the government, civil society and development partners.

Under LCN's leadership, civil society contributed to increased public debate on formulation and implementation of government budgets as well as in supporting greater transparency of public revenues. This is evidenced by the commitment of government to attend civil society fora to dialogue with CSOs on matters related to national resource allocation. Throughout the recent political instability in Lesotho, LCN has operated as a mediator crucially contributing to efforts towards stability in the country. In this regard LCN has become an indispensable connector throughout the political spectrum in the Basotho society.

Moreover, it has experience in implementing and coordinating EU-funded projects.

(c) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 90% of the eligible costs of the action. LCN is also affected by a shrinking donor pool and although LCN has occasionally received funding from UN agencies, US embassy and other regional organisations, it has become very difficult for LCN to cover its staffing needs which are high for ensuring its mandate of coordination and advocacy.

In accordance with Article 192 of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 37 of Regulation (EU) 2015/323, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100 %. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative trimester to conclude the grant agreement

First trimester of year 1.

**5.4.3. Procurement (direct management)**

Subject in generic terms, if possible	Type (works, supplies, services)	Indicative number of contracts	Indicative trimester of launch of the procedure
Technical assistance - support the Lesotho Council of NGOs in its capacity development activities	Services	1	3/ Year 1

## 5.5. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 22(1) (b) of Annex IV to the ACP-EU Partnership Agreement on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

## 5.6 Indicative budget

Module	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
5.4.1. Outcome 1: Call for proposals “ <i>Civil Society Support to the EU Governance Programme under the 11<sup>th</sup> EDF</i> ” (direct management)	2 700 000	300 000
Outcome 2 composed of :		
5.4.2 Direct grant to LCN (direct management)	1 500 000	166 667
5.4.3 Procurement of services (direct management)	180 000	
5.9 Evaluation, 5.10 Audit	120 000	
5.11 Communication and Visibility	Included in 5.4.1 and 5.4.2	
Total	4 500 000	466 667

## 5.7 Organisational set-up and responsibilities

The contracting authority for the programme shall be the Delegation of the European Union to Lesotho.

Responsibility for the implementation, coordination, monitoring and evaluation of the remaining activities will vest in civil society organisations receiving grants as per contractual requirements guided by the Practical Guide for EU funded Actions.

A national Project Steering Committee (PSC), formed by key stakeholders will be steering the programme at policy level. The PSC will be composed of four representatives from the national authorities, namely the Ministry of Development Planning who will chair the PSC at Principal Secretary level, Ministry of Finance, Ministry of Local Government, the Parliament and three civil society representatives. The composition might be adjusted during the first year of the programme. The EU Delegation will have an observer status.

## 5.8 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this project will be a continuous process and part of the implementing partners' responsibilities. To this end, the implementing partners shall establish a permanent internal, technical and financial monitoring strategy and system for the action and elaborate regular progress reports (not less

than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the final LogFrame matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

Some of the indicators will require a baseline and final study in order to obtain monitoring data. These studies will be implemented by LCN, during the inception period (for baseline data) and in the last three months of Action implementation (for the final data collection). The studies will be funded from the Action budget. The logframe updated with all the missing baseline data will be enclosed in the Inception report. The final report will include a logframe with an additional column where final data values for each indicator will be provided.

To assist in the process, expertise might be engaged to both develop the monitoring and evaluation system and reporting requirements for the programme, and to provide advice and assistance to beneficiary institutions generally and specifically on how to comply with the programme's monitoring and evaluation system and requirements.

The Commission may undertake project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.9 Evaluation**

Having regard to the nature of the action, mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving in particular with respect to realigning activities to address any changes that have occurred.

The final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the possibilities of further interactions.

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the monitoring and/or evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Indicatively two contracts for evaluation services shall be concluded under a framework contract in year 3 and year 5.

### **5.10 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Indicatively, one contract for audit services shall be concluded under a framework contract in the final year of implementation.

### **5.11 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures, which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used by each grantee to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations, with support from the EU Delegation Press and Information Officer, and short term expertise from the technical assistance, if necessary

These activities will be envisaged in the grant agreements to be concluded during the implementation of the project.

**APPENDIX 1 - INDICATIVE LOG FRAME MATRIX (FOR PROJECT MODALITY)**

	<b>Results chain</b>	<b>Indicators</b>	<b>Baselines (2017)</b>	<b>Targets (2022)</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
<b>Overall Objective: Impact</b>	To promote peace, democratic governance and build effective institutions	Lesotho's performance according to the World Bank governance indicator for Voice and Accountability** EURF L1 16	Voice and accountability (-0.35 World Bank Indicator 2000-2011)	Voice and accountability indicator improved by 20 %	World Bank Governance Report	
		Mo Ibrahim Index	Overall index of 57.8 in 2015	Mo Ibrahim indicator improved by 20 %	Mo Ibrahim index of African Governance	
<b>Specific Objectives: Outcome 1</b>	Enhanced participation of the general population, both men and women, in decision-making processes and in promoting accountable governance	Level of institutionalised consultation of CSOs in the decision making processes	A lack of CSOs consultations in the policy process; absence of legal provision guaranteeing consultations in public policy process	Institutionalised consultation of CSOs by government authorities and parliamentary portfolio committees	LCN survey; Reports from concerned institutions (government, media & civil society); Regional reports specific to Lesotho - ACHPR	Central & local government agree to citizen participation in policy and decision making processes
		% of the population who turn out for National Assembly Elections	47 % voter turnout at 2017 National Assembly Elections	At least 60 % voter turnout at 2022 National Assembly Elections	Independent Electoral Commission Reports	Free and fair elections
		% of National Assembly and Local Government member who are women	23 % of women represented in 2017 National Assembly	At least 33 % of women represented in 2022 National Assembly	Government reports	
		Status of Gender sensitive policies and laws	Gender rights are not systematically reflected in policies and laws of Lesotho	Government adopt gender positive and gender transformative policies and laws	Reports from concerned institutions (government, media & civil society)	

	Results chain	Indicators	Baselines (2017)	Targets (2022)	Sources and means of verification	Assumptions
<b>Outputs (for Outcome 1)</b>	1.1 Joint consultation and advocacy on policy engagement involving both men and women from state authorities and communities (at national and local level).	Number of joint consultation and advocacy processes, involving both men and women from state authorities and communities  Number of joint actions implemented	No institutional mechanism and no policy drafting of policy briefs for community participation in decision making processes  No systematic joint actions CSOs lack sufficient capacity to encourage compliance with policy documents and demand accountability	Institutional mechanism for consultative framework in policy processes is established and;  At least 20 consultation processes are carried out annually and at least 10 joint actions are implemented	CSOs reports including lists of participants, activities report, evaluation reports, presentations	Central & local government agree to citizen participation in policy and decision making processes
	1.2 Gender positive / transformative policies, strategies and articles developed with CSO participation and presented via appropriate channels to duty bearers	Number of gender positive/gender transformative policies, strategies and articles developed with CSO participation and presented to duty bearers	Inadequate engagement of CSOs by government	At least three policies and strategies developed in consultation with CSOs  At least 10 gender positive or gender transformative capacity building seminars are carried out	Reports by Lesotho Council of NGOs and Government reports	
	1.3 Legislation identified for amendment and implementation leading to gender positive / gender transformative impact	Number of potential gender positive or gender transformative legislation identified for amendment and implementation	Some legislation have been identified as requiring amendment/ domestication into national laws (CEDAW for instance)	At least five potential pieces of legislation identified	Reports by LCN and Government	The Parliament is willing to engage CSOs in policy development
	1.4 Knowledge on gender positive / transformative approaches for participatory governance among CSOs increased	Level of knowledge among CSOs on gender positive/gender transformative approaches for participatory governance	Lack of knowledge among CSOs gender on positive / gender transformative approaches	Evaluation confirms improved level of knowledge	CSO reports and evaluations	Cooperation between CSOs in collective advocacy and trainings

	Results chain	Indicators	Baselines (2017)	Targets (2022)	Sources and means of verification	Assumptions
	1.5 Information conveyance gender sensitive platforms established at local and national level.	Number of information conveyance gender sensitive platforms established at local and national level	Inadequate means of diffusing information especially at local level	At least 10 platforms established (one per district)	Community media platforms, local newspaper, radio, TV	Existing information dissemination platforms
<b>Specific Objectives: Outcome 2</b>	Enhanced coordination of Lesotho Council of NGOs (LCN) for effective engagement with duty bearers and legitimate representation of civil society voice as a whole in Lesotho	Number of government consultations where LCN led a harmonised response on behalf of CSOs  Status of representation of civil society in such events	Limited dialogue carried out and without formal set up  Lack of harmonisation in collective advocacy actions by organisations	Regular (at least one per quarter) engagement of LCN with duty bearers based on agreed process for consultation  Full representation of LCN and its members	Reports from government and LCN  LCN reports	Central & local government agree to citizen participation in policy and decision making processes
	<b>Outputs (for Outcome 2)</b>	2.1 Increased promotion and coordination on gender sensitivity and accountability within CSO community	Status of platforms for coordination, gender and accountability	Annual NGO weeks held since year 2000  Inadequate mechanisms towards accountability and gender mainstreaming	Annual NGO weeks continue to take place  Gender mainstreaming platforms established with accountability tools  Implementation of legislation monitored by CSOs	NGO weeks reports  LCN reports  LCN reports
2.2 Improved mechanisms for dialogue on Policy & Political Reforms and Nation Building in Lesotho between LCN - CSOs and the Government		Progress on Policy & Political Reforms and Nation Building	Preparatory meeting for National Dialogue was carried out in October 2017	Platform Government - CSOs on Reform and Nation Building established  At least two meetings of Platform are organised up to 2022	Reports from Government and LCN  Media coverage	Political will of the political parties leaders

	<b>Results chain</b>	<b>Indicators</b>	<b>Baselines (2017)</b>	<b>Targets (2022)</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
	2.3 MoU between Government and LCN governing civil society operations negotiated and agreed	2.3 Status of MoU between Government and LCN governing civil society operations on structured engagement	No enactment of draft MoU's of 1996 and 2000, no dedicated budget  Weak legislations governing Not-For-Profit organisations and CSOs	MoU which is structuring engagements has been signed, enacted and is operational with significant budget	Report from LCN and from line Ministries	Political will of the political parties leaders
	2.4 Increased leadership skills, governance expertise and knowledge on gender mainstreaming among CSOs	2.4 Level of leadership skills, governance expertise and knowledge on gender mainstreaming mechanism among CSOs	Irregular training on related subjects is carried out	Efficient and effective LCN commissions are capacitated, leading to a stronger civil society voice	Lesotho Council of NGOs Board of Directors reports  Attitude and practice survey commissioned by LCN	
	2.5 LCN and its members contribute to, analyse and track of the National Budget and ensure gender sensitiveness of Budget is respected	2.5 Occurrence of quality analyses and related reporting on National Budget by LCN and its members.	NGOs contribute to giving a voice to the communities during preparation of Budget but little analysis and no tracking of National Budget	Civil Society is contributing annually to a gender positive Budget process and is providing quality budget analysis, as well as related reporting (budget tracking etc.).	LCN and media reports	Political environment is conducive and there is political will to implement legislation