



DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

LESOTHO
COUNTRY REPORT

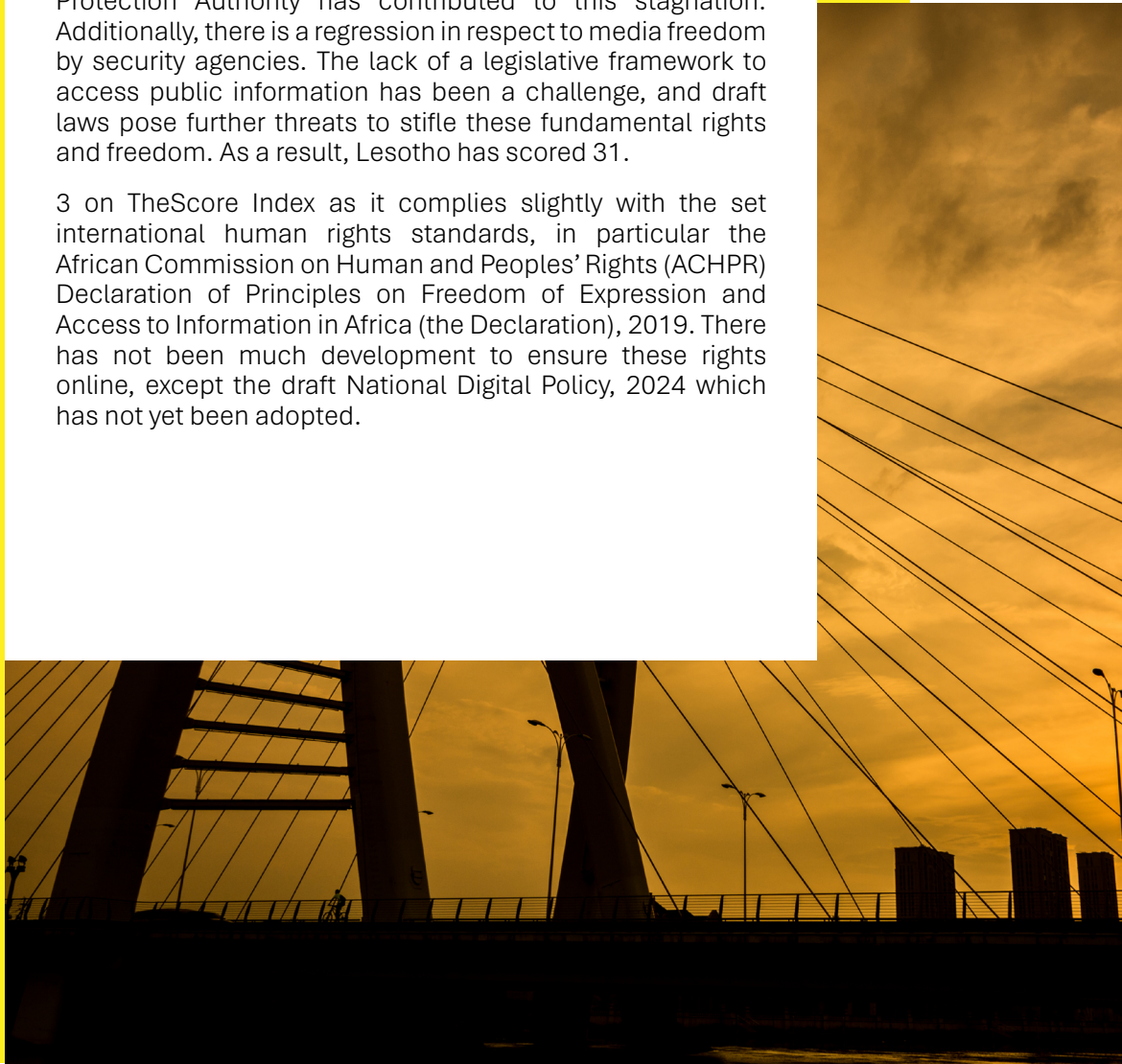
2024



Executive Summary

This report analyses Lesotho's digital rights landscape through a combination of research methods. A desk-based study was used to explore existing qualitative data, while questionnaires were also used to collect primary data. A tailored index, TheScore, developed by Paradigm Initiative, is used to score Lesotho's compliance with the Declaration of Principles on Freedom of Expression and Access to Information, 2019. The research discusses the state of internet access and network coverage, legal and institutional frameworks on data protection, cybersecurity, access to information, censorship and content moderation, and the compliance of Lesotho with its obligations to respect and promote the right to freedom of expression. This report highlights that there has not been much progress with such compliance since the Londa Lesotho 2023 Report and that critical gaps need to be addressed regarding all frameworks through repealing punitive laws, amending the Cybersecurity and Computer Crimes Bill, 2023, passing the Receipt and Access to Information Bill, 2021, and operationalising the Data Protection Authority. The digital rights landscape has not seen much progress since the 2023 Londa report. Internet access and network coverage seem to be the only thematic areas where there has been much progress, although the cost of broadband access is a concern. The lack of a Data Protection Authority has contributed to this stagnation. Additionally, there is a regression in respect to media freedom by security agencies. The lack of a legislative framework to access public information has been a challenge, and draft laws pose further threats to stifle these fundamental rights and freedom. As a result, Lesotho has scored 31.

3 on TheScore Index as it complies slightly with the set international human rights standards, in particular the African Commission on Human and Peoples' Rights (ACHPR) Declaration of Principles on Freedom of Expression and Access to Information in Africa (the Declaration), 2019. There has not been much development to ensure these rights online, except the draft National Digital Policy, 2024 which has not yet been adopted.



Introduction

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Internet access

Principle 37 of the Declaration affirms that the Internet is integral in exercising the right to freedom of expression and access to information and that such access has to be equitable, universal and affordable.⁴⁶⁴ African states are therefore obligated to adopt various measures to achieve such meaningful connectivity by establishing oversight mechanisms, improving Information and Communication Technologies (ICT) infrastructure, promoting local internet access for underserved communities, and promoting basic digital literacy skills whilst refraining from intentional interference of internet access.⁴⁶⁵

As of August 2024, internet penetration in Lesotho is estimated to be 49.84% of the population.⁴⁶⁶ Lesotho has two leading Mobile Network Operators, Vodacom Lesotho and Econet Telecom Lesotho which also offer internet service. Additionally, Leo and Comnet are other local Internet Service Providers (ISPs) in Lesotho.⁴⁶⁷ These corporations are regulated by the Lesotho Communications Authority (LCA), an independent authority that grants licences to all telecommunication companies and develops principles of governance for the industry such as ISPs.⁴⁶⁸

The LCA in 2024 adopted the Lesotho Communications Authority Quality of Service Rule, 2023. The objective of the rules is to set minimum standards for the quality of services provided by telecommunications entities such as Internet Service Providers (ISPs), in particular the standards for network coverage and web browsing parameters. It prescribes that establishing an Internet Protocol (IP) connection to a web server should be less than 8 seconds, while the average data transfer for downloading to be a minimum of 5Mb per second and 25 Mb per second for 3G and 4G connections, respectively. The Rules further make provisions for monitoring compliance from licensees and have the power to impose sanctions of at most 2 million LSL.⁴⁶⁹

Freedom of Expression

The right to freedom of expression is interrelated and interconnected with access to information. This tenet is affirmed by Principle 10 of the African Commission Declaration of Principles on Freedom of Expression and Access to Information, 2019, which provides that freedom of expression includes seeking, receiving and disseminating information through various mediums and platforms.⁴⁷⁰ The right facilitates the tenets of media freedoms such as the protection of journalists and publishing houses, their diversity, independence, and balanced governance by the state or independent authority.⁴⁷¹ The limitations and threats to the right to freedom are often brought to light in discourses around information disorders, sedition and subversion.

Although the right to freedom of expression is provided for under section 14 of the Constitution, 1993, section 14(2) limits the right on the grounds of public health, order, safety, morality, and reputation of others, and restricts public officers.⁴⁷² There are

464 Principle 37(2) of the Declaration of Principles on Freedom of Expression and Access to Information, 2019.

465 Principle 37(3) (n1).

466 Statistica, 2024. "Digital & Connectivity Indicators – Lesotho" <https://www.statista.com/outlook/co/digital-connectivity-indicators/lesotho>.

467 Paradigm Initiative, 2024. "Londa 2023: Lesotho" at p 6.

468 Established by section 3 of the Communications Act, 2012.

469 Rule 7 and of the Lesotho Communications Authority Quality of Service Rules, 2023.

470 Part II Principle 10 (n1).

471 Part II Principle 11 to 16 (n1).

472 Section 14(2) of the Constitution of Lesotho 1993. https://www.constituteproject.org/constitution/Lesotho_2018 [accessed 14/11/2024].

other subsequent statutes in effect, enacted pre-independence and during military rule, that have limited and/or threatened the freedom of expression of individuals and free press alike. The Sedition Proclamation No.44, 1938 has not been repealed to date and makes seditious intent and being in possession of a seditious publication an offence under section 4. The essence of the Proclamation is to criminalise all conduct that has an effect of inciting hatred or discontent about government leadership and the administration of justice. This has the effect of censoring both the public and media in holding the government accountable for its policies and decisions or requesting transparency on the same. Section 10(1) of the Printing and Publications Act, 1967 makes it an offence to produce and disseminate information that has the potential to disturb public order or safety. The Internal Security Act, 1984 makes subversion an offence regardless of whether such statements were communicated within or outside of Lesotho's borders.⁴⁷³ Section 8 of the same Act makes abetting subversion through monetary and/or property contribution an offence. Similarly, section 34 also makes it an offence to utter or publish statements that could incite public violence.

These laws have a chilling effect on freedom of expression and fail to pursue legitimate purposes in some instances. Relying on the provisions of the Internal Security Act, 1984, on the 10th May 2024 the Minister of Local Government, Chieftainship, Home Affairs and Police passed a gazette criminalising 12 *famo* (Sesotho music genre) groups, their music and apparel.⁴⁷⁴ The gazette was met with much criticism from civil society and the media alike as it grossly affected freedom of expression of the artists and listeners. This decision came as a result of staggering numbers of homicides in Lesotho, which have spilt into the neighbouring country of South Africa, allegedly linked to the gun war and gang violence between the music groups.⁴⁷⁵ Interestingly, on the 21st of May 2024 the Lesotho Mounted Police Service (LMPS) held a media briefing where the Acting Commissioner of Police announced that the media is prohibited from broadcasting or publishing articles about the groups, the artists and/or music, and as a consequence, would be criminally charged.⁴⁷⁶ Not only did the passing of this gazette fail to meet human rights standards in limiting the artists' freedom of expression, both offline and online, but extended to media freedom by imposing generalised punitive legal measures.

The Cybersecurity and Computer Crimes Bill, 2023, although still in the pipeline, is another framework being criticised for its potential threats to the right to freedom of expression should it be passed into law.⁴⁷⁷ This issue was raised in the Londa Lesotho 2023 Report, particularly regarding some offences in Part IV of the Bill as broad and vague. For instance, section 24 (2) (a) and (c) makes it an offence to access, receive and disseminate digital information without "authority". Offences such as data espionage, unsolicited messages and disinformation carry harsh penalties such as a minimum of 1 million LSL as a fine and/or conviction.⁴⁷⁸ Since 2021, the Bill has not been amended to address these concerns. The passing of this Bill in its current form will be one step forward two steps back for Lesotho's democracy. However, it has positive aspects such as penalising other online misconduct promoting xenophobia, racism, image-based abuse, online fraud, and hacking. Other prescribed offences pose a danger to the democratic dispensation unduly limiting free media and access to vital information.

473 Section 7 of the Internal Security Act, 1984. https://www.vertic.org/media/National%20Legislation/Lesotho/LS_Internal_Security_General_Act.pdf [accessed 10/10/2024].

474 Legal Notice No. 40 of 2024 of the Internal Security (Declaration of Unlawful Organisations).

475 News24, "The Accordion Wars: Famo music and gang violence in Lesotho" (21st March 2023) WATCH | The Accordion Wars: Famo music and gang violence in Lesotho | News24 [accessed 24/10/2024].

476 AllAfrica, "Lesotho: Media Barred From Reporting On Famo Issues" (21st May 2024) <https://allafrica.com/stories/202406180367.html#:~:text=MEDIA%20practitioners%20will%20now%20be%20charged%20criminally%20should,Police%20Services%20%28LMPS%29%27s%20weekly%20press%20briefing%20on%20Tuesday.> [accessed 01/11/2024]

477 MNN Center of Investigative Journalism, 2023. "Unpacking Potential Threats to Investigative Journalism in the era of Cybersecurity Laws: Lesotho Journalists demand the deletion of six specific clauses in the Computer

Crime and Cybersecurity Bill, 2023" https://drive.google.com/file/d/1gR_zL6vhyBYriKtqVcBkN8T_OME9jHSj/view [accessed 14/11/2024].

478 Part IV of the Cybersecurity and Computer Crimes Bill, 2023.

Data Protection and Privacy

The African Union Convention on Cybersecurity and Personal Data Protection, 2014 (Malabo Convention) is the primary treaty regionally that sets guidelines on data protection and Lesotho only deposited its signature to this Convention in November of 2023. Locally, the Data Protection Act, 2011 regulates and governs processing of personal information. The Act is compliant with the prescribed principles such as consent of the data subjects, transparency of information held by processors, and the right to update and have personal information erased.⁴⁷⁹ The Act establishes a data protection authority, the Data Protection Commission, mandated to regulate the processing of personal data in Lesotho, and to develop guiding principles on collecting, processing, storage and discarding of such data⁴⁸⁰ The Act also makes provision for data breaches and steps to be taken by data controllers in such instances.⁴⁸¹ To date, this is the only legislation on data protection and privacy.

However, 14 years after the Act was passed, the authority is still not operational and the lack of an oversight authority has rendered the Act ineffective in protecting the privacy of individuals. In previous years, civil cases have been lodged with the High court Lesotho regarding the use of personal images of individuals for advertisement by companies. The case of *Bokang Mohajane v FNB – Lesotho & Another* is one of the recent cases where a court had to make a ruling, amongst others, on the use of personal images for advertisement, and had reiterated that consent is an integral element.⁴⁸² However, the court did not discuss other specifics such as the duration of use or reuse of such images after compensation has been made and the contract concluded. Therefore, questions regarding copyrights over personal images in the context of privacy and protection is one to be reconsidered, especially when the Data Protection Act exempts the use of such images in journalistic or literary use to fall beyond its scope.⁴⁸³ Additionally, certain provisions of the Act need to be updated to meet international standards on data protection and privacy. This includes section 23 which provides that a breach should be reported within a reasonable time and not within a precise timeline between 24 -72 hours.⁴⁸⁴

There are no existing laws on cybercrimes in Lesotho. The Cybersecurity and Computer Crimes Bill, 2023 initially drafted in 2021, categorises and penalises specific conduct as computer crimes under Part IV of the Bill. These include illegal access, interception and data interference, cyber extortion and terrorism, image-based sexual abuse of children, hate speech, cyberbullying and harassment. With the bill still not being law, there is a high risk of online violations perpetrated and victims having little to no recourse of redress.

Censorship and content moderation

Principle 38 of the Declaration of Principles on Freedom of Expression and Access to Information prescribes that states should refrain from blocking, removing or filtering online content as it hampers accessing information as a fundamental right. Lesotho has no existing laws on content moderation and censorship online. As of December 2023, there have only been two requests for legal processes for user accounts from Meta and no requests from Tiktok or Google.⁴⁸⁵ However, these requests were not legitimate as they were not sanctioned by any existing local law and no data was submitted by Meta. Further, there are no reports of websites taken down or content removed from social media platforms.

Access to information

The Declaration of Principles on Freedom of Expression and Access to Information, 2019 under Part III affirms that access to information is a right to seek information from both public and parastatal

479 Principle 42 (1), (2), (3),(4) and (5) of the Data Protection Act, 2011.

480 Preamble of the Data Protection Act, 2011. https://www.centralbank.org.ls/images/Legislation/Principal/Data_Protection_Act_2011.pdf [04/11/2024].

481 Section 23 of the Data Protection Act, 2011. (n19).

482 *Bokang Mohajane v FNB – Lesotho & Another* [2022] LSHC 137 CIV(18 August2022) <https://lesotholii.org/akn/ls/judgment/lshc/2022/61/eng@2022-08-18> [accessed 25/10/2024].

483 Section 4 (d) of the Data Protection Act,2011.

484 GDPR Advisor, (2023) <https://www.gdpr-advisor.com/gdpr-data-breach-reporting-obligations-and-timelines/> [accessed 10/11/2024]

485 Meta, 2023. <https://transparency.meta.com/reports/government-data-requests/country/LS/>, <https://www.tiktok.com/transparency/en-us/government-removal-requests-2023-2>, and <https://transparencyreport.google.com/government-removals/government-requests?hl=en> [accessed 05/11/2024].

entities in a timeous and affordable manner, especially where such information is vital in protecting other rights.⁴⁸⁶ The Declaration prescribes that any enacted laws on access to information should take preference over other Acts that seek to prohibit such access, and any attempt to limit the right should be based on exhaustive exemptions.⁴⁸⁷ Additionally, state entities should create, manage, and avail comprehensive information that is of public interest.⁴⁸⁸ In practice, there are no existing laws to facilitate access to public information in Lesotho. There are, however, laws that are restrictive in that regard. These include the Official Secrets Act, 1967 and the Public Service Act, 2005. These provisions restrict and make it an offence for public servants to grant access to “confidential” state information without authorisation.⁴⁸⁹ As a result, requests for information from government entities have been a challenge to individuals and professionals as there are no set guidelines for requests for information and justification for denying such a request.⁴⁹⁰

In 2000, Lesotho’s legislature developed the Receipt and Access to Information Bill which had been shelved until 2021 when the National Reforms Authority revived it.⁴⁹¹ The enactment of this Bill will be a progressive step to accessing information from the government, its agencies and departments which are of public interest. The Bill is applauded for its intention to install information officers for government departments and for contact details for such officers to be made public to expedite information requests within departments.⁴⁹² Section 20 of the Bill prescribes 30 days for an Information Officer to make a decision on a request and to notify the requester. Failure to make such notification is deemed to be a denial of a request and entitles the requester to an appeal.⁴⁹³ Interestingly, the legal officer has the power of discretion to deny a request if they view such information as frivolous or vexatious. These wide discretionary powers pose a threat to timeous access and subjects the requester to stringent processes of appealing the denial. Other grounds for denial include for privacy of individuals, if the requestor is a minor, to protect third-party trade secrets, confidential state information, public safety and/or national security.⁴⁹⁴ The lack of existing frameworks or systems to access information from government bodies is still a pervasive challenge that requires immediate intervention.

AI and Emerging Technologies

The declaration prescribes that states should ensure the development, innovation and use of emerging technologies such as Artificial Intelligence (AI) are compliant with set human rights standards and do not violate other rights, in particular freedom of expression and access to information. There are no existing laws that regulate emerging technologies and their use in Lesotho. The government only recently developed a National Digital Policy, 2024 Draft which will be imperative and foundational for setting priorities for digital transformation. The policy’s priorities include improving the legal and institutional frameworks of digital transformation necessary to regulate the use of AI, and to invest in research and development projects that hone on AI, Blockchain, Biotechnology and Internet of Things (IoT).⁴⁹⁵ The policy sets its implementation to 2035 and sets aspirations for institutional frameworks and a collaborative approach for various stakeholders.

Its aspiration to establish regulatory bodies such as the Chief Digital Office, the National Digital Council and the National Digital Agency is commended as these institutions will ensure the implementation of the digital policy and strategies. The policy also mentions other entities to be established by the Cybersecurity and Computer Crimes Bill, 2023 such as the National Cybersecurity Advisory Council and the National Cybersecurity Incident Response Team (CSIRT) which will be responsible for coordinating cybersecurity measures and safeguarding any digital infrastructure and improve their resilience.

486 Principle 26 (1) (a) and (b) of the Declaration of Principles on Freedom of Expression and Access to Information, 2019.

487 Principles 27 and 28 of the Declaration of Principles on Freedom of Expression and Access to Information, 2019

488 Principle 29 and 30 of the Declaration

489 Section 3 (a)(i) of the Public Service Act, 2005 and the Official Secrets Act, 1967.

490 MISA, “Access to Information” (2024) <https://lesotho.misa.org/issues-we-address/access-to-information/> [accessed 11/11/2024].

491 MISA, “Media Statement on Commemoration of the International Day for Universal Access to Information (IDUAI) in Lesotho”

492 Section 4 and 7 of the Receipt and Access to Information Bill, 2021 <https://www.osall.org.za/docs/2011/03/Lesotho-Access-and-Receipt-of-Information-Bill-2000.pdf> [accessed 11/11/2024].

493 Section 23 of the Receipt and Access of Information Bill, 2000 (n32).

494 Section 34,35(a), 36,37 and 38 of the Receipt and Access to Information Bill, 2021 (n32).

495 Priority 8 and 11 of the national Digital Policy, 2024 Draft [unpublished].

Children's Online Safety and Privacy

Trust and safety are key pillars for meaningful engagement online. Children's online safety and privacy are equally imperative, and States have an obligation to develop policy and legal measures that consider children in the digital space, in particular internet access and digital skills for their education, and protection from harms online.⁴⁹⁶ Cyberbullying and harassment, exposure to inappropriate content, as well as unauthorised use of their personal data are some of the major concerns regarding children's online activities.⁴⁹⁷

The Children's Protection and Welfare Act, 2011 is the main legislation on children's rights in Lesotho and the Sexual Offences Act, 2003 have specific provisions that speak to sexual harms against children. However, both legislations do not have express provisions that speak on children's safety online. The Cybersecurity and Computer Crime Bill, 2023 under Part IV does criminalise child sexual abuse content in image or video format. Section 29 of the Data Protection Act, 2011 makes provision to the effect that a child's personal information shall only be subject to process with parental consent

Digital Inclusion

With 3G and 4G networks coverage being between 90% and 96% respectively, the average broadband connection speed is 13.08 thousand kilobits per second (Mbps).⁴⁹⁸ Fixed broadband packages are offered on a contract basis by ISPs and are more affordable compared to prepaid data packages. Vodacom Lesotho offers 200GB of data at 15Mbps for 999 LSL (approximately 50 USD), with an option of uncapped data at a faster speed of 45Mbps for the same price. In comparison, Econet Telecom Lesotho provides 200GB at 15Mbps for 999 LSL as well, but charges only 649 LSL (approximately 35 USD) for unlimited data at the same 15 Megabits per second (Mbps) speed.⁴⁹⁹ Vodacom offers higher speed for unlimited data at a premium price point, while Econet Telecom Lesotho provides a more affordable unlimited option at a lower speed. Interestingly, in terms of prepaid mobile data to be utilised within the same 30-day period, Econet Telecom Lesotho offers 18GB for 600 LSL (approximately USD 33), while Vodacom Lesotho offers 20GB for 660 LSL (approximately USD 37).⁵⁰⁰ Despite this, fixed mobile broadband only consists of 0.58% of all subscriptions. The previous report highlighted the issue of broadband affordability as one of the challenges to getting Basotho meaningfully connected.⁵⁰¹

The Universal Service Fund partners with local corporations on connectivity initiatives. With a financial contribution from Vodacom Telecom Lesotho, the State Library in Lesotho has a newly opened Insight Centre for visually impaired persons.⁵⁰² The centre has a braille translator and printer, and assistive reading devices. United Nations Children's Fund (UNICEF) also partnered with Vodacom Lesotho on the #Codelikeagirl initiative intended to inspire adolescent girls to pursue careers in STEM and ICT, as well as develop coding skills. However, the LCA has not been willing to disclose the USF funding or project activities, and does not have any public reports of the same. The 2024 USF funding is therefore unknown.

496 Principle 37 (5) of the Declaration of Principle on Freedom of Expression and Access to Information, 2019. (n1).

497 United Nations Lesotho. (2021). Protecting Children from exploitation on the Internet. <https://lesotho.un.org/en/114094-protecting-children-exploitation-internet> [accessed 03/01/2025].

498 Statistica, 2024. (n3).

499 <https://www.vodacom.co.ls/business/fixed-solutions/>, <https://www.etl.co.ls/personal-data-packages/?package=ADSL&plan=Unlimited>, [accessed 10/10/2024].

500 <https://www.etl.co.ls/mobile-data/>, <https://www.vodacom.co.ls/personal/offers/prepaid/data-bundles/>. [10/10/2024].

501 Paradigm Initiative, 2023. "Londa 2023: Lesotho" pp 6-7 <https://paradigmhq.org/wp-content/uploads/2024/06/Lesotho-Country-Report.pdf>.

502 Vodacom Lesotho Impact Booklet. (October 2024) https://www.vodacom.co.ls/assets/uploads/docs/Vodacom_Lesotho_Impact_Booklet_Oct_2024.pdf [accessed 14/11/2024].

TheScore Index

Londa 2025 Key Indicators	A C H P R Declaration (P stands for Principle)	Score	Justification
Internet Shutdowns	P38(2)	4	Although there have been no reported internet shutdowns in Lesotho, the lack of existing legal frameworks that align with human rights standards to limit the right to freedom of expression online makes it a concern for future potential shutdowns.
Inexistent laws, policies and other measures to promote universal, equitable, affordable and meaningful access to the internet	P37	4	There are existent policies that intend to promote internet access. However, broadband affordability is one of the current hurdles to meaningful connectivity in Lesotho.
False News Criminalisation	P22(2)	3	Although there is no specific legislation criminalising false news. The proposed penalty for disinformation by the Cybersecurity and Computer crimes Bill, 2023 may not be proportional to the threat or harm caused by such misconduct.
Sedition Legislation	P22(2)	1	There is a Sedition law in existence which has not been repealed. Although it has not been applied for some time, its existence it still a threat and limits the right to freedom of expression.
Arbitrary Arrests and Harassments of the Media, HRDs and Citizens	P20(1) & (2)	1	The May incident where the media was threatened with criminal prosecution by the Acting Commissioner of Police to not publish stories or statements on Music groups which were declared as terrorist organisation was in violation of media freedom and the right to information of the citizenry on the matter.
Data Protection Legislation.	P42	4	There has been a law in place since 2011 but no Data Protection Authority to enforce it. There is also a need to revise a few provisions to align with current international standards on data Protection and Privacy.
States interfere and require the removal of online content by internet intermediaries	P38 and P39(4)	3	As of June 2024 only two requests had been made to Meta by the government for legal purposes but there is no further information available.
Invasion of Privacy of Communications	P41	3	There is no law on surveillance regulation, particularly for private communication. MNOs have adopted internal policies to only issue out information requested if ordered by a court of law.

Failure by the government to proactively disclose and disseminate information digital technologies.	P29(3)	2	There are several websites and social media accounts for some government departments. However, the greatest challenge is the lack of updated information and relevant information of public interest on these platforms.
AI and Emerging Technologies national strategies	P39(6)	2	The National Digital Policy Draft, 2024 is the only existing primary framework on ICT development, in particular emerging technologies such as AI.
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(5)	1	No policies or legal frameworks on Children's safety and privacy online.
Digital Inclusion	P37(3)	3	The USF within the LCA has played a vital role in improving network coverage in Lesotho and supports and fosters collaborations with private sector initiatives on digital inclusion.
TOTAL (up to 60)		31	

Conclusion

The digital rights landscape in Lesotho has the potential to guarantee meaningful and safe participation online. Accessibility to the Internet is one of the categories that the country has made significant strides with about 65% coverage across the country. With the USF, digital inclusion is another low-hanging fruit both the public and private sectors could leverage to ensure no one is left behind both in ICT development and discourse as stakeholders. The government has taken strides to prepare for emerging technologies by developing a National Digital Policy draft which will set a foundation for primary frameworks for governance of such innovations.

However, the lack and insufficiency of existing legal and institutional frameworks to ensure digital rights is of great concern, in particular on protecting personal data and privacy and a data protection authority to regulate. The respect of freedom of expression of citizens and free media is of great concern, as they are undermined by the police. The right is not only unjustifiably limited by existing laws but is facing a potential threat and stifling by the bill of laws to be passed. The shelving of draft bills such as the Receipt and Access of Information bill is also another issue that seeks urgent address, as it is fundamental in exercising the right to information in the public interest. The lack of appropriate policy and legislative frameworks that address children's online safety and privacy is equally an issue that needs to be addressed with urgency. Lesotho's overall score is 31 as its compliance is mild and has critical gaps to be addressed in terms of its systems, institutions and legal measures.

Recommendations

A holistic and multi-sectoral approach is necessary to ensure both the protection and promotion of the right to freedom of expression and access to information to safeguard digital rights and inclusion. These are the recommendations for respective stakeholders.

The government should:

- Pass the Receipt and Access of Information Bill 2021;
- Amend the wording of the offences in Part IV and their penalties of the Cybersecurity and Computer Crimes Bill, 2023.
- Ensure the operationalisation of the Data Protection Commission by allocating a budget to fund the Data Protection Secretariat.

- Repeal the Sedition Proclamation No. 44, 1938 entirely; section 10(1) of the Printing and Publications Act, 1967.
- Adopt the National Digital Policy.
- Develop laws and policies on content moderation, children's online safety and meaningful connectivity for education.

Development Partners should:

- Provide financial and technical support to initiatives and projects that seek to advance digital rights and inclusion in Lesotho.

Regulators should: (Lesotho Communications Authority and Data Protection Commission)

- Develop regulatory principles and guidelines on equitable approach to broadband affordability, and ensure intermediaries, MNOs and data processors' policies and standards align with international human rights standards.

Private Sector should:

- Partner with other relevant stakeholders and contribute technical skills, fiscal contribution and/or platform for discourse on emerging tech development.
- Develop internal policies/codes of conduct that align with international human rights standards and report on content moderation and user data requests.

Academia should:

- Conduct relevant research to inform government policies and strategies on AI and emerging technologies, their governance and their potential social impact.

Civil Society and the Media should:

- Create awareness of emerging issues on technological developments and governance, and facilitate public platforms for discourse.

