



Shadow Report: LBTIQ+ Women in Lesotho

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

and

The Master of Healing Foundation

for the 92nd Session of the Committee on the Elimination of Discrimination against Women
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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States, including LBTIQ+ individuals who have experienced discrimination and violence based on sexual orientation, gender identity and expression, and sex characteristics.

The Master of Healing Foundation is a humanitarian institution that promotes equality and human rights by protecting and empowering the rights of the LGBTQ+ community in Lesotho. Our key objective is to create a conducive environment for LGBTQ+ community in Lesotho through a well-coordinated system that has been mapped. The said environment includes but not limited to Human rights, Access to Health and Education Services, Freedom of Expression and acceptance of individual's SOGIESC within communities. The key element is to change the landscape in family and community set-ups to curb discrimination, rape and assaults against being LGBTQ+ through advocacy.

EXECUTIVE SUMMARY

1. This shadow report addresses human rights violations against the lesbian, bisexual, transgender, and queer women (LBTQ+) in Lesotho.
2. In this report, we use the acronym LBTQ+ to refer to women who self-identify as lesbian, bisexual, transgender, and/or queer. These terms necessarily do not include all women who may experience violations of their human rights based on their real or perceived sexual orientation, gender identity, and/or gender expression status, which is why we included a “+” with the acronym. Variations of the acronym—including LGBTIQ+ which includes gay, bisexual, transgender, intersex, and queer men and gender-diverse individuals—are intentional.
3. Lesotho fails to adequately prevent violence, harassment, and discrimination by State and non-State actors against women based on their perceived and actual sexual orientation, gender identity, and gender expression (SOGIE). Despite some promising developments, such as Lesotho’s efforts to make healthcare more accessible to LBTQ+ women and public statements by Chief Justice S. P. Sakoane calling for the “cultivation of an LGBTIQ sensitive culture,”¹ LBTQ+ women do not enjoy the same rights and freedoms as non-LBTQ+ women in Lesotho.
4. LBTQ+ women in Lesotho are subjected to discrimination by both State and non-State actors, including with regard to their right to health, access to justice, and legal gender recognition.
5. The Constitution of Lesotho does not explicitly include “sexual orientation”, “gender identity,” or “gender expression” as protected grounds of discrimination.
6. Lesotho has not enacted any laws to protect LBTQ+ individuals from discrimination, harassment, or violence based on SOGIE.
7. Information in this report includes published information and first-hand material collected by non-governmental organizations (NGOs) and human rights defenders in Lesotho that work on LBTQ+ issues.

I. Legal Status and Visibility of the Convention and its Optional Protocol (List of Issues, para. 2)

8. Since the last Concluding Observations of the Committee on the Elimination of Discrimination Against Women (“CEDAW”), the Government of Lesotho has implemented its Gender and Development Policy 2018-30, which includes policies related to LBTQ+ issues. Additionally, the Government has been working with LGBTIQ+ civil society organizations to host trainings on sexual minorities for officials of the Ministry of

¹ International Commission of Jurists (ICJ), “Lesotho: Chief Justice Sakoane Sakoane calls for the ‘cultivation of an LGBTIQ sensitive culture’ in Lesotho,” accessed December 8, 2025, <https://www.icj.org/lesotho-chief-justice-sakoane-sakoane-calls-for-the-cultivation-of-an-lgbtiq-sensitive-culture-in-lesotho/>.

Gender.² Some prominent individuals, such as Lesotho’s Chief Justice S.P. Sakoane have also publicly called for the “cultivation of an LGBTIQ sensitive culture.”³

9. Additionally, Lesotho’s current legal framework allows for legal gender recognition.⁴ The laws that permit legal gender recognition, however, include outdated terminology, lack guidelines, and contain inconsistencies, which make it difficult for transgender women in Lesotho to successfully apply for legal gender recognition.⁵
10. Without easy access to legal gender recognition, transgender women in Lesotho experience difficulties that cisgender individuals do not face, including, difficulty accessing healthcare; stigma associated with certain types of healthcare; and difficulty with travel, opening bank accounts, and the full enjoyment of other civil and political rights.⁶

II. Definition of Equality and Non-Discrimination (List of Issues, para. 4)

11. In Lesotho, however, “discrimination against LBTQ+ women manifests in various forms including: violence and abuse against the LBTQ+ women, such as killings, forced initiations to purportedly ‘convert’ a person from their real or imputed same-sex sexual orientation to a heterosexual one or ‘restore’ transgender persons to a cisgender identity; rape and other forms of sexual assault, intimidation and harassment; bullying; denial of access to healthcare services, such as gender affirming care; and other forms of social exclusion, such as rejection of LBTQ+ children by family members.”⁷

² The Government of Lesotho, Mid-term progress Report by the Kingdom of Lesotho on its implementation of recommendations made on 22 January 2020 (2023), accessed December 8, 2025, <https://www.ohchr.org/en/hr-bodies/upr/upr-implementation>.

³ Press Release, International Commission of Jurists, “Lesotho: Chief Justice Sakoane Sakoane calls for the ‘cultivation of an LGBTIQ sensitive culture’ in Lesotho”, (Oct. 18, 2022). Also available online at <https://www.icj.org/lesotho-chief-justice-sakoane-sakoane-calls-for-the-cultivation-of-an-lgbtiq-sensitive-culture-in-lesotho/>.

⁴ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, Legal Gender Recognition in Lesotho. An analysis of law and policy in the context of international best practice, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, 2024, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>.

⁵ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, Legal Gender Recognition in Lesotho. An analysis of law and policy in the context of international best practice, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>.

⁶ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, Legal Gender Recognition in Lesotho. An analysis of law and policy in the context of international best practice, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>.

⁷ Press Release, International Commission of Jurists, “Lesotho: activists call for increased sensitization of key stakeholders on human rights of LGBTQ+ people”, (Apr. 21, 2023). Also available online at <https://www.icj.org/lesotho-activists-call-for-increased-sensitization-of-key-stakeholders-on-human-rights-of-lgbtiq-people/>.

12. Historically, many people in Lesotho have denied the existence of LBTQ+ women in the country.⁸ Due to the historical lack of understanding of sexual and gender diversity, many people do not understand or accept LBTQ+ women and believe that being LBTQ+ is not “natural”.⁹
13. There have been reports of physical or verbal abuse by non-State actors towards LBTQ+ individuals in Lesotho and there is currently no law criminalizing discrimination against or violence towards LBTQ+ individuals.¹⁰

III. Access to Justice (List of Issues, para. 6)

14. LBTQ+ women in Lesotho do not share the same access to justice as women who are not part of the LBTQ+ community. There have been reports of physical or verbal abuse by non-State actors towards LBTQ+ women in Lesotho and there is currently no law criminalizing discrimination against or violence towards LBTQ+ women.¹¹
15. Rainbow Alliance of Lesotho reports that there was a 2024 case of a transgender woman who was shot to death and was dumped near her home. While the alleged killer was arrested and is being held until his hearing on 10 October 2024, it is likely that there were at least two other men involved in the killing who have not been arrested and do not currently face prosecution.¹²
16. Rainbow Alliance of Lesotho further reports that there is a pending case of a police officer who verbally assaulted a lesbian on public transport. This incident is not isolated, however, as Rainbow Alliance has collected several credible reports of law enforcement officers harassing and assaulting LBTQ+ women, often with impunity. Many of the LBTQ+

⁸ Dipane Hlalele & Keneuoe Matsumunyane, “Sexual Diversity: Peer and Family Rejection or Acceptance in Lesotho,” *Journal of Asian and African Studies*, 57(4) 635-649 (2022), <https://journals.sagepub.com/doi/10.1177/00219096211024674>.

⁹ Dipane Hlalele & Keneuoe Matsumunyane, “Sexual Diversity: Peer and Family Rejection or Acceptance in Lesotho,” *Journal of Asian and African Studies*, 57(4) 635-649 (2022), <https://journals.sagepub.com/doi/10.1177/00219096211024674>. (“A vast majority of participants in this study did not perceive being LGBTQI+ as natural, hence recommendations for therapies, counseling, prayers, and many more intervention strategies, with a hope that their supposedly positive suggestions would curb LGBTQI identities.”).

¹⁰ ILGA World Database, “Jurisdictions – Lesotho – Legal frameworks”, accessed December 8, 2025, <https://database.ilga.org/lesotho-lgbti> (“To the best of ILGA World’s knowledge, laws in force in Lesotho do not offer protection against discrimination based on ‘sexual orientation’, ‘gender identity’, ‘gender expression’ or ‘sex characteristics’ in housing”); (“To the best of ILGA World’s knowledge, laws in force in Lesotho do not prohibit incitement to hatred, violence or discrimination on the basis of ‘sexual orientation’, ‘gender identity’, ‘gender expression’ or ‘sex characteristics.’”).

¹¹ ILGA World Database, “Jurisdictions – Lesotho – Legal frameworks”, accessed December 8, 2025, <https://database.ilga.org/lesotho-lgbti> (“To the best of ILGA World’s knowledge, laws in force in Lesotho do not offer protection against discrimination based on ‘sexual orientation’, ‘gender identity’, ‘gender expression’ or ‘sex characteristics’ in housing”); (“To the best of ILGA World’s knowledge, laws in force in Lesotho do not prohibit incitement to hatred, violence or discrimination on the basis of ‘sexual orientation’, ‘gender identity’, ‘gender expression’ or ‘sex characteristics.’”).

¹² Email from Rainbow Alliance of Lesotho to The Advocates for Human Rights (Oct. 6, 2024) (on file with authors).

women who reported these assaults have later found that the police station has misplaced or lost their dockets and case files.¹³

IV. National Human Rights Institution (List of Issues, para. 8)

17. According to the report submitted by the Government of Lesotho on November 13, 2023, Lesotho does not currently have a National Human Rights Institution in accordance with the Paris Principles.¹⁴

V. Health (List of Issues, para. 18)

18. LBTQ+ individuals disproportionately face adverse mental health conditions compared to heterosexual, cisgender individuals.¹⁵ The stigma experienced by members of the LBTQ+ community in Lesotho impacts the ability of LBTQ+ Basotho (people from Lesotho) to obtain adequate healthcare, including, both mental and physical healthcare.¹⁶
19. Violence against and stigmatization of LGBTQ+ Basotho has shown to lead to depression and substance abuse by LBTQ+ Basotho.¹⁷

¹³ Email from Rainbow Alliance of Lesotho to The Advocates for Human Rights (Oct. 6, 2024) (on file with authors).

¹⁴ Committee on the Elimination of Discrimination Against Women, *Combined fifth to seventh periodic reports submitted by Lesotho under article 18 of the Convention, due in 2015*, (Jan. 8, 2024) U.N. Doc. CEDAW/C/LSO/5-7, ¶ 40.

¹⁵ Carmen H. Logie, Amaya Perez-Brumer, Tampose Mothopeng, Maya Latif, Amelia Ranotsi & Stefan D. Baral, *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho*, *AIDS and Behavior*, 24 3462–3472 (2020), *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho* - PMC (nih.gov) (Pages 36422-3464) (“Emergent literature highlights co-morbidity between HIV and adverse mental health conditions among lesbian, gay, bisexual and transgender (LGBT) Basotho adults.”).

¹⁶ Carmen H. Logie, Amaya Perez-Brumer, Tampose Mothopeng, Maya Latif, Amelia Ranotsi & Stefan D. Baral, *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho*, *AIDS and Behavior*, 24 3462–3472 (2020), *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho* - PMC (nih.gov) (“LGBT persons’ mistreatment and exclusion in healthcare, including HIV prevention, were significant barriers to accessing healthcare, in turn exacerbating HIV vulnerabilities.”).

¹⁷ Carmen H. Logie, Amaya Perez-Brumer, Tampose Mothopeng, Maya Latif, Amelia Ranotsi & Stefan D. Baral, *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho*, *AIDS and Behavior*, 24 3470 (2020), *Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho* - PMC (nih.gov)

20. Transgender women in Lesotho have reported experiencing signs and symptoms of depression and moderate to severe anxiety.¹⁸ According to studies, one in three transgender women in Lesotho have attempted suicide.¹⁹
21. Research completed both in Lesotho and internationally, “suggests that not being able to change one’s gender marker has an impact on access to healthcare and mental health and wellbeing.”²⁰
22. One study found that approximately 27% of transgender individuals in Lesotho have hidden health concerns from healthcare providers out of fear of disclosing their gender identity.²¹
23. While the proposed Children’s Protection and Welfare Bill would “ensure that all transgender and intersex children are allowed gender affirmation medical procedures and

¹⁸ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, *Legal Gender Recognition in Lesotho. An Analysis of Law and Policy in the Context of International Best Practice*, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>. (“[M]ental health concerns were high among transgender and gender non-conforming people in Lesotho. Between half and two-thirds showed signs of depression (67% among transgender women, 48% among transgender men, and 60% among gender non-conforming people). Between 20% and 60% showed signs of moderate or severe anxiety (20% among transgender women, 27% among transgender men and 60% among gender non-conforming people).”)

¹⁹ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, *Legal Gender Recognition in Lesotho. An Analysis of Law and Policy in the Context of International Best Practice*, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>. (“[M]ental health concerns were high among transgender and gender non-conforming people in Lesotho. Between half and two-thirds showed signs of depression (67% among transgender women, 48% among transgender men, and 60% among gender non-conforming people). Between 20% and 60% showed signs of moderate or severe anxiety (20% among transgender women, 27% among transgender men and 60% among gender non-conforming people).”)

²⁰ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, *Legal Gender Recognition in Lesotho. An analysis of law and policy in the context of international best practice*, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>.

²¹ The Southern Africa Litigation Centre, The People’s Matrix Association, & Women and Law Southern Africa – Lesotho, *Legal Gender Recognition in Lesotho. An Analysis of Law and Policy in the Context of International Best Practice*, by Alex Müller (Johannesburg: The Southern Africa Litigation Centre, October 2020), accessed December 8, 2025, <https://www.southernafricalitigationcentre.org/wp-content/uploads/2020/11/Lesotho-Gender-Marker-report.pdf>. (“[M]ental health concerns were high among transgender and gender non-conforming people in Lesotho. Between half and two-thirds showed signs of depression (67% among transgender women, 48% among transgender men, and 60% among gender non-conforming people). Between 20% and 60% showed signs of moderate or severe anxiety (20% among transgender women, 27% among transgender men and 60% among gender non-conforming people).”)

healthcare”, the Bill has yet to be passed into law.²² Currently, gender-affirming care is not easily accessible to transgender Basotho, including, children.²³

VI. HIV/AIDS (List of Issues, para. 19)

24. Lesotho has undertaken steps to curb the HIV and AIDS epidemic, including expanding HIV self-testing, index testing, and partner notification services.²⁴ The Government of Lesotho also reports that, with the help of the United Nations Children’s Fund (UNICEF), “providing health care, HIV prevention, and treatment services to the population by expanding access to quality PMTCT [prevention from mother to child transmission] and pediatric care and treatment as well as strengthening partnerships to improve coordination and coverage of HIV prevention intervention for young people, prioritizing hard to reach locations.”²⁵
25. Despite efforts taken by the Government of Lesotho, Lesotho has one of the highest percentages of HIV infections in the world.²⁶ It is estimated that 23.6% of Basotho adults are estimated to be living with HIV.²⁷ The HIV pandemic in Lesotho disproportionately affects transgender women, as HIV prevalence in that population is estimated to be 59.2%.²⁸
26. Chief Justice S. P. Sakoane has noted that the HIV pandemic in Lesotho is exacerbated by the stigmatization of LGBTIQ individuals because individuals with HIV or AIDS are reluctant to disclose because they are afraid that it will result in stigmatization for being part of, or being perceived as being part of, the LGBTIQ community.²⁹

²² New 24, Lesotho Moves Towards Gender Affirmation Treatment, Transgender Recognition for Children, accessed December 8, 2025, <https://www.news24.com/world/africa/lesotho-moves-towards-gender-affirmation-treatment-transgender-recognition-for-children-20241119> (Quoting Mantu Phooko).

²³ Press Release, International Commission of Jurists, “Lesotho: activists call for increased sensitization of key stakeholders on human rights of LGBTQ+ people”, (Apr. 21, 2023). Also available online at <https://www.icj.org/lesotho-activists-call-for-increased-sensitization-of-key-stakeholders-on-human-rights-of-lgbtqi-people/>.

²⁴ Be in the Know, “At a glance: HIV in Lesotho—The first African country to introduce ‘test and treat’,” accessed December 8, 2025, <https://www.beintheknow.org/understanding-hiv-epidemic/data/glance-hiv-lesotho>.

²⁵ The Government of Lesotho, Mid-term progress Report by the Kingdom of Lesotho on its implementation of recommendations made on 22 January 2020 (2023), accessed December 8, 2025, <https://www.ohchr.org/en/hr-bodies/upr/upr-implementation>.

²⁶ Carmen H. Logie, Amaya Perez-Brumer, Tampose Mothopeng, Maya Latif, Amelia Ranotsi & Stefan D. Baral, Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho, AIDS and Behavior, 24 3462–3472 (2020), Conceptualizing LGBT Stigma and Associated HIV Vulnerabilities Among LGBT Persons in Lesotho - PMC (nih.gov) (Pages 36422-3464).

²⁷ Be in the Know, “At a glance: HIV in Lesotho - The first African country to introduce ‘test and treat’,” accessed December 8, 2025, <https://www.beintheknow.org/understanding-hiv-epidemic/data/glance-hiv-lesotho>.

²⁸ Be in the Know, “At a glance: HIV in Lesotho - The first African country to introduce ‘test and treat’,” accessed December 8, 2025, <https://www.beintheknow.org/understanding-hiv-epidemic/data/glance-hiv-lesotho>.

²⁹ International Commission of Jurists, “Remarks by the honourable Chief Justice S.P. Sakoane at the ICJ Judicial Workshops: Access to Justice for Persons with Disabilities in Lesotho & LGBTI Rights. 11th – 12th October 2022,” accessed December 8, 2025, <https://www.icj.org/wp-content/uploads/2022/10/International-Commission-of-Jurists-Workshop-10-October-2022.pdf>.

VII. Marriage and Family Relations (List of Issues, para. 23)

27. Currently, same-sex marriage is not recognized in Lesotho. The common law definition of marriage is “a union of one man with one woman, to the exclusion, while it lasts, of all others.”³⁰

VIII. Recommendations

28. The coauthors of this shadow report suggest the following recommendations for the Government of Lesotho:

- Expand access to HIV education, treatment, and prevention, especially to women in the LGBTQ+ community.
- Criminalize discrimination of and violence against LGBTQ+ women and prosecute individuals perpetrating any such offenses.
- In collaboration with LGBTQ+ civil society organizations, undertake and fully fund public education campaigns about LGBTQ+ issues and LGBTQ+ women’s full enjoyment of human rights so as to better combat anti-LGBTQ+ stigma.
- Provide training to healthcare individuals, police officers, and other public officials to help understand unique experiences faced by LGBTQ+ women in Lesotho to help ensure access to healthcare and justice for LGBTQ+ women without stigmatization associated with a woman being part of the LGBTQ+ community.
- Incorporate questions on sexual orientation, gender identity, gender expression, and sex characteristics into the National Census so that the national database has the correct numbers for purposes of planning and allocating resources to the LGBTQ+ community.
- Fund the creation of mental health centers for psychosocial support services for LGBTQ+ women.
- Create a specialized government department to address the issues of the LGBTQ+ community.
- Create and implement standard guidelines and procedures within the Ministry of Justice, the Ministry of Health, and all other governmental ministries and departments to allow individuals to select their gender identity (including, non-binary), and recognize the same under the law.

³⁰ Equaldex, “Regions – Africa – LGBT Rights in Lesotho,” accessed December 8, 2025, <https://www.equaldex.com/region/lesotho>.