



# Terms of Reference: Study for Analyzing the Status of Women in Lesotho



## 1.0. Background

The enactment of the Legal Capacity of Married Persons Act of 2006 was very important to the social, economic and political relations between men and women in Lesotho. The aim of the Act was to uplift the status of women in marriages, to that of equals and give them more say over acquisition and disposal of family assets. Women in Lesotho have a long history of being de facto heads of households and carrying the primary responsibility for most economic decisions in the home. However, they are also the majority of victims of property grabbing and other forms of economic crimes that threaten their ownership of property and other assets. In the political sphere, reservation of seats in some electoral divisions for women candidates only, was the first positive intervention by the government of Lesotho that favoured women's political advancement. However, while the result of the intervention was to increase the number of elected women at local government level, it has not transformed the level of participation of women in governance, even though they are in the majority in terms of political parties' membership. It has also not resulted in transformation of the status of women in rural areas even though women form a significant part of leadership in community councils.

One of the factors which contribute to such is the cultural beliefs, perceptions and attitudes of the rural society. Even though it can be argued that, the Local Government Act 1997 as Amended, has extended democratic governance to the local level, through local government, the trappings of traditional rule, which is not known for promotion of the rights of women, inclusive and democratic governance, have limited the participation of women in decision making.

Against this background, LCN is implementing a project titled Deepening Decentralisation and Non State Actors with support from European Union. The overall objective of the project is to enhance participation of Non State Actors (NSAs) in contributing to poverty reduction at community level. The Project is aimed at promoting constructive engagement in local government as a way of improving accountability and transparency. The Project seeks to increase the participation of women in local governance processes.

Activities towards meeting the set objectives involve the engagement of the services of a Consultant identified to analyze the status of women in Lesotho. The consultant will be expected to:

- Conduct comprehensive reviews of the current gender frameworks and legislation on relations between men and women in the rural areas.
- Propose potential programmes or interventions that can be implemented to bring about equity between men and women in rural areas;
- Propose areas where government and civil society can work together to strengthen either the provisions; the implementation; or the outcomes of interventions arising from the current policy framework; and
- Develop a set of recommendations that can be used specifically at local government level to promote meaningful political, social and economic participation of women, in spheres of development.

Detailed terms of reference and expected outputs are provided below.

## 2.0. Scope of the Assignment

Lesotho Council of NGOs seeks to engage the services of local consultancy firms to conduct a study to analyse the status of women in Lesotho based on the following guidelines:

- (a) What is known on existing legislation, policies and intuitional arrangements that affect the status of women in Lesotho?
- (b) What is the impact of gender based legislation on women in rural areas.
- (c) What is the current status-quo of women participation in governance at a local and national level?
- (d) What are the factors that inhibit women in rural areas from actively participating in local governance?
- (e) The impact of having a high representation of women in local government structures on redressing gender inequalities in rural areas.
- (d) What are the gaps that exist in legislation, policies and intuitional arrangements that affect the status of women in Lesotho?
- (e) What are opportunities can the process of decentralization have on women in rural areas?

The specific assignment will include the following activities:

- (a) Conducting a desktop study to include a review of legeslation and policies that affect women and gender equality.
- (b) Assess the impact of each policy on women in rural areas.
- (c) Assess the impact of high representation of women in local government and redressing gender inequalities in rural areas.
- (d) Conducting interviews with a minimum of 30 relevant stakeholders. These should include women leaders, women organizations and government ministries.
- (e) Convene focus group discussions with women from 15 community councils in six districts.
- (f) Provide a Synthesis of:
  - existing literature on the status of women in Lesotho with regard to participation in local governance
  - Key research gaps - what knowledge is lacking from the literature in Lesotho with regards to participation of women at local and national level.
  - Key policy gaps – what is missing with regard to national policy frameworks and legislation?
- (g) Review of key barriers to:
  - Participation of women in local governance structures
- (h) Sharing the draft report with LCN, as well as with relevant stakeholders for input;
- (i) Incorporating inputs from stakeholders and LCN;
- (j) Identifying key themes for discussion during the national dialogue where the report will be validated;
- (k) Participating in planning meetings for the national dialogue;
- (l) Sharing list of stakeholders to invite to the national dialogue
- (m) Drafting proceedings report for the national dialogue; and
- (n) Producing on policy brief based on the report findings and national policy dialogue recommendations.

### **3.0. Expected Outputs**

- (a) Comprehensive report indicating the status of women in Lesotho.
- (b) Proceedings of the validation workshop; and
- (c) Five policy briefs based on the recommendations from the study.

### **4.0. Qualifications and Experience**

Consultants should possess the following attributes:

- Relevant post-graduate degree (PhD will be an advantage),
- Demonstrate massive experience in conducting similar research
- At least five years practical experience in development with particular emphasis on the NGO sector and local governance.

### **5.0. Duration of the contract**

This contract will be valid for a period of one month.

### **6.0. Reporting**

The Consultant will report to the Programmes Director but will work directly with Women and Children's Commission Coordinator.

### **7.0. Fees and Payment Schedule**

The contract will be a lump sum price contract. Payment will be trenched according to the following schedule and upon receipt of deliverables to a satisfactory standard by Lesotho Council of Non-Governmental Organizations.

The Council wishes to negotiate a fixed price contract with a bidder not exceeding the total of M 80 000.00 total based on a clearly defined scope of work.

LCN will provide payment as follows;

- 30 % of the contract amount shall be paid upon submission of inception report.
- Another 30% shall be paid upon submission of the draft report
- And the 40% of the contract amount shall be paid upon submission and approval of the final report.

### **8.0. Clarifications**

Any queries relating to the terms of reference must be addressed in writing to Mr. Kanono Thabane and at email: [thabane.kanono@lcn.org.ls](mailto:thabane.kanono@lcn.org.ls) or telephonically to 22317205 or +26659431377