



THE POSITION OF CIVIL SOCIETY ORGANISATIONS ON THE MANDATORY VACCINATING OF BASOTHO

The Lesotho Council of Non-Governmental Organisations (LCN) as an umbrella body for non-governmental organisations in Lesotho jointly with its member organisations, whose mandate amidst others is to monitor the promotion and protection of human rights in Lesotho – enjoined by other civic movements like labour, transport and health denounces activities that threatens peace and stability in the country and plays the pivotal role of the voice of the voiceless, moderator and Human Rights Defender.

These organizations have learned with great disbelief of mandatory vaccination imposed by the Government of Lesotho on its citizens without adequate education on vaccines let alone COVID-19. LCN notes that Lesotho as a country has been affected by COVID-19 along with the rest of the world. Nonetheless the incidence rate and the mortality date are significantly lower than most countries globally even amidst Lesotho's vicinity to South Africa and its epidemic instances.

Noting the unfolding of robust public debate regarding Covid-19 vaccines, as well as statements made on radio as well as social media, most of which are an outcry of violations of human rights for both vaccinated and unvaccinated alike. These organizations urge the government of Lesotho to open space for civic education regarding COVID-19 and the vaccines which can bring clarity to the situation for all citizens including persons with disability. Government of Lesotho is reminded of their global commitment to Human rights. Commitment by a state party to international human rights instruments bestows on it an automatic guarantee and obligation to respect, protect and promote human rights. Implementation thereof is tailored upon the principles of universality and inalienability, indivisibility, interdependent and interrelatedness amidst other principles. Thus, the process of implementation requires a holistic approach in the application of human rights; all rights affect one another, realization of one right often depends, wholly or in part, on the realization of others. Notwithstanding, legitimate derogations can be made on the absolute application of these rights but be aligned to the human rights principles of legality, necessity, proportionality and non-discrimination, in the interest of public order, health and security. Lesotho is no exception; the Constitution enshrines fundamental human rights with similar provisos ascribed on them.

Mandatory vaccines should be a last resort given that all other optional protective measures have been exhausted such i.e. community outreach through education to gain public confidence and trust, social distancing, masks, and sanitizing and washing of hands regularly. Mandatory vaccines should also be informed by the felt threat not assumed one, especially where any negative repercussion is borne by individual without a state taking up full responsibility.

Overall, children and adolescents experienced proportional less symptomatic infections, severe cases, and deaths from COVID-19 compared with older age groups. Extensive evidence on the risk of severe COVID-19 and death in children and adolescents is rare. The ethical principle is that vaccination should not be used to achieve herd immunity to compensate for the refusal of some adults to get vaccinated due to insufficient knowledge. Government of Lesotho should enhance the prevention of transmission in school settings by maintaining barrier measures, regularly ventilating school premises and conducting regular screening tests.

The government should adopt constructive engagement interventions before taking extreme measures of mandatory vaccines but exhaust other options of intrusive measures of wearing of masks, social distancing and community outreach; with such as community-led education for communities to gain public confidence and trust so that communities can make an informed decision and consent. . The current regulations and initiative by government on mandatory vaccine fail dismally to meet the human rights principles as stated above, therefore is considered a violation thereof. LCN further calls for government, especially Minister of Health to engage CSOs with the aim of enforcing respect of Human Rights, Civic Education, and protection of the lives of Basotho, in the light that CSOs advocate for voluntary vaccine and availability and not mandatory enforcement. This constructive engagement with CSOs will avert unnecessary chaos from society and litigation against government.