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REVIEW OF AGRICULTURAL POLICIES AND LEGAL FRAMEWORKS

May 2022

SDGs:



Country: Kingdom of Lesotho

Project Code: TCP/LES/3704

FAO Contribution: USD 312 000

Duration: 1 October 2019 – 30 September 2021

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Implementing Partners

Ministry of Agriculture and Food Security.

Beneficiaries

Ministry of Agriculture and Food Security; farming communities.

Country Programming Framework (CPF) Outputs

Contribution to Government priorities: Strengthening Policy Frameworks and developing Institutional Capacities.

Strategic Objective (SO) 1: Contribute to the eradication of hunger, food insecurity and malnutrition.

Outcome 1.3: Countries made decisions based on evidence for the eradication of hunger, food insecurity and all forms of malnutrition by 2030.

SO 4: Enable more inclusive and efficient agricultural and food systems.

Outcome 4.3: Countries enhanced public and private sector capacities and increased investments to promote inclusive agro-enterprises and value chain development.

Regional Priorities/Regional Initiative(s): Sustainable production intensification and value chain development.

UNDAF Outcome(s): By 2023, government and private sector increase opportunities for inclusive and sustainable economic growth, improved food security and decent work especially for women, youth and people with disabilities.

CPF Output(s): Lesotho CPF 2019-2023;

Priority 2: Enhancing agricultural productivity and strengthening agri-food value chains.

Priority 4: Strengthen Policy Frameworks and develop Institutional Capacities.



BACKGROUND

Agriculture plays an important role as the mainstay of the rural economy, and is the key livelihood activity for the vast majority of poor and vulnerable households in Lesotho. Rates of poverty and food insecurity in the country are very high, and addressing these crucial issues requires new policies and strategies to be developed. Evidence-based decision-making relies on proper analysis and identification of deficiencies in the sector as a crucial starting point. Over the past 15 years, major policies and strategies have been designed and implemented, but they have not been reviewed or evaluated periodically, and therefore their real effectiveness in achieving their stated objectives and goals cannot be established.

Important diagnostic studies, such as the Zero Hunger Strategic Review and the Public Expenditure Review, have been made, from which it emerged that existing or previous policies could not be effective without the adequate tools or budget for implementation. Thus, there is an important and urgent need for the country to undertake a deep and comprehensive review of major policies, strategies and legal frameworks, and a more effective assessment needs to be carried out for national planning processes. The project design and implementation not only provided policy frameworks that would aid the public and private sector to play a stronger role in improving agriculture and enhancing economic growth for better jobs and food security, it also established consultative processes related to policy design that were critical in facilitating a policy-enabling environment for all key stakeholders. As a result, the public sector is better placed to support and enable the private sector to provide goods and services to generate decent work, achieve greater food self-sufficiency and attain zero hunger.

IMPACT

The project contributed to providing effective policy frameworks for public and private sectors to improve their progress towards the goals. The success of this project has laid the foundation for Lesotho to be able to achieve SDGs 1 and 2, as well as other closely related goals, by supporting the development of policies and strategies to address the identified deficiencies in the agriculture sector. The project helps strengthen these efforts by providing a rich problem diagnosis, international best practices, lessons from past failures, and inspiration from new innovations.

ACHIEVEMENT OF RESULTS

The realization of an improved policy-enabling environment for the agriculture and food security sector was successfully achieved. The key policies and strategies guiding the work of the Ministry of Agriculture and Food Security and other key players over the last twenty years have been reviewed, and new, more action-oriented policies have been developed. A diagnostic report on the national strategic development plan, Lesotho national vision, agriculture sector strategy, national irrigation master plan, Water Act, Environment Act, Land Act and integrated catchment management strategy was prepared, including a synopsis of the provisions for these key policies and legal framework. At the time of reporting, these were pending final endorsement and progressive implementation, and are expected to commence in the new financial year, April 2022. The investment planning process in the agriculture sector (National Agriculture Investment Plan) was prepared for peer review, as guided by the African Union Development Agency (AUDA-NEPAD). Through the extensive stakeholder engagement carried out, clear roles were defined for state and non-state actors, with stakeholders ready to take further action, and the necessary building blocks for policy implementation and to unlock investment in the agriculture sector were firmly established.

Most outputs were satisfactorily delivered, including the participatory review of existing policy and legal frameworks, drawing inputs and contributions from a wide stakeholder community, and legislation that was drafted during this reporting period is on plant protection. The draft policies produced as part of this review were well-received and validated, articulating what needs to be done to transform the sector from a low-performing to a more dynamic and employment-generating sector. The national agriculture investment plan identifies critical areas for investment and provides guidance to the Government on what is needed to stimulate participation of other players in the economy; similarly, the draft irrigation policy and the broader agricultural policy review process provide direction on the needs going forward. However, limited progress was achieved regarding the revision of legal frameworks, which were reviewed as part of the policy development process, but were not revised during the project.



IMPLEMENTATION OF WORK PLAN AND BUDGET

All activities were implemented within the overall budget. However, the failure to recruit and deploy international consultants necessitated adjustments to the project budget line. A significant portion of this budget was moved to the contract budget to allow policy think tanks to participate through the Letter of Agreement (LOA).

Significant challenges were encountered during the implementation of the project, delaying its execution and requiring a no-cost extension. The project needed significant contributions from international experts, and travel restrictions related to COVID-19 presented challenges to recruitment and prevented missions from being carried out.

As a result, the project revised its strategy and refocused the activities, so that they were led by national consultants, with virtual support provided by international consultants or regional policy think tanks, which were brought in through a memorandum of understanding. Due to this delay, some key deliverables were not completed within the project time frame, owing to the lack of availability of some authorities. Additionally, some key documents were prepared in draft form, which were not officially approved before the end of the project.

FOLLOW-UP FOR GOVERNMENT ATTENTION

The road map for the completion of the policy development process should be followed. The final drafts of the irrigation policy and national agricultural policy should be formally endorsed by the Government (planned for the first quarter and first half of 2022, respectively). The peer review and subsequent validation of the national agriculture investment plan, as per AUDA-NEPAD processes, was planned at the time of reporting, and it was expected to be formally delivered to the Government for endorsement in early 2022. Once these policies are endorsed, it is advised that the Government and its implementing partners continue to support the facilitation and implementation of such policies, and that additional technical and financial resources be mobilized to support the review and alignment of current legal frameworks to new policy directives.

SUSTAINABILITY

1. Capacity development

The strategies and plans created during this project will help guide future programmes in playing an instrumental role in future agricultural developments.

The engagement of private-sector actors, Non-governmental Organizations (NGOs) and farmer organizations, among others, in the policy review and development process will have long-lasting, sustainable effects, because the project successfully identified capacity-development gaps across the sector and suggested appropriate policy instruments for addressing those gaps. Furthermore, the policy development process was fully embedded within the Ministry of Agriculture and Food Security, which has taken full ownership over the processes and outputs produced.

2. Gender equality

This project recognized the importance and potential of women in agriculture and made concerted efforts to engage women in policy development processes and consultations. The agriculture investment plan and related policies developed through this project expressly considered gender issues by identifying and addressing challenges that have in the past impeded women's participation. Earlier drafts of these outputs were also thoroughly reviewed by gender experts, which helped in the proper mainstreaming of gender.

3. Environmental sustainability

Environmental sustainability was considered in the development of the proposed policies and investments plans. These policies included a number of environmental safeguards, for instance in the irrigation policy, which proposed the establishment of a structure to protect the environment and help ensure equitable access to water resources.

4. Human Rights-based Approach (HRBA) – in particular Right to Food and Decent Work

The policies developed by the project also aimed to contribute to the improvement of labour conditions in rural areas. By improving the performance of the agriculture sector, it is expected that these policies will contribute to ensuring the Right to Food and Decent Work throughout the agrifood system, by contributing to the provision of decent employment and thereby supporting poverty reduction.



5. Technological sustainability

While no new technologies were introduced by the project, with the implementation of the proposed plan and policies, a blend of existing and new innovations can be expected.

6. Economic sustainability

This project established the necessary processes to facilitate an enabling environment for agricultural growth and development. Development partners involved in the policy development and investment planning processes have already expressed an interest in continuing their support and/or investment in areas, such as irrigated horticulture.



DOCUMENTS AND OUTREACH PRODUCTS

- ❑ **Bhatti Muhammad & Motanyane Motake.** 2021. *Review report of irrigation related policies and strategies.* Maseru. 22 pp.
- ❑ **Mampiti Matete & Motlatsi Morojele.** 2021. *National Agricultural Policy for Lesotho diagnostic report-situation, gaps and responses.* Maseru. 62 pp.
- ❑ **Bhatti Muhammad & Motanyane Motake.** 2022. *National Irrigation Policy.* Maseru. 65 pp.
- ❑ **Mampiti Matete & Motlatsi Morojele.** 2022. *Comprehensive National Agricultural Policy for Lesotho.* Maseru. 127 pp.
- ❑ **Mamello Nchak & Brian Muroyiwa.** 2022. *Lesotho instrument based National Agriculture Investment Plan.* Maseru. 103 pp.

ACHIEVEMENT OF RESULTS - LOGICAL FRAMEWORK

Expected Impact	Improved food and nutrition security for the farming communities in Lesotho		
Outcome	Improved policy enabling environment for agriculture and food security sector		
	Indicator	Number of policies and legal frameworks reviewed and revised	
	Baseline	Seed policy recently approved, while Phytosanitary and livestock policies are still in draft form	
	End Target	4	
	Comments and follow-up action to be taken	The political engagement process, including the private sector, which has historically had little influence in the sector, was successfully facilitated with the strong participation of stakeholders from both government and non-government agencies. Through this process, key policy and strategy documents were reviewed and diagnostic reports were generated. The main outcomes of this process include the draft national irrigation policy, the draft national agricultural policy, and the draft national agricultural investment plan. Official government approval of these strategic documents is expected to be completed in the first half of 2022. The process and the products described will help create an enabling environment for agricultural growth and lead to improved livelihoods and employment opportunities for those who depend on the sector for their livelihoods.	
Output 1	Agricultural sector strategy, food security policy and subsidy policy revised		
	Indicators	Target	Achieved
	Number of policies revised	Revised policies and strategies	Yes
Baseline	Old policies and strategies		
Comments	Major policies and legal frameworks were successfully reviewed, revealing what has worked and what has not worked well for the implementation of such policies. Diagnostics reports were compiled, which articulated the nature and complexity of challenges facing the sector and made recommendations for addressing such challenges, including identification of priority areas for investment and innovation. Drawing from the rich stakeholder engagements and recommendations of the analytical process, the draft national agriculture policy and national agriculture investment plan were developed. The latter is ready for peer review and subsequent validation, as per AUDA-NEPAD processes. It is expected to be formally delivered to the Government for endorsement during the first half of 2022.		
Activity 1.1	Recruitment of the lead consultant		
	Achieved	Yes	
	Comments	The initial plan was to recruit an international expert that would lead the policy development process with the support of a team of local consultants. Unfortunately, COVID-19 movement/travel restrictions made it difficult to engage international experts for this policy development process. After some delays, a decision was made to allow the process to be led by local experts, with technical support from the subregional office and a regional policy think tank. The teams for both national agriculture investment planning and national agriculture policy fully delivered their respective assignments.	
Activity 1.2	Launch of the policy review process		
	Achieved	Yes	
	Comments	The policy review process was successfully launched. National consultants delivered their inception report, which articulated how they would go about the process, and shared the road map for completion of the policy development process.	

Activity 1.3	Document review and stakeholder consultation		
	Achieved	Yes	
	Comments	The nature of the assignment demanded extensive document review. Key documents reviewed included old policy documents that have guided programmes and plans within the agricultural sector. The principal documents included the 2003 Agriculture Sector Strategy, the 2005 Food Security Policy (2005) and its diagnostic report and the 2003 Agriculture Subsidy Policy (2003). Recent diagnostic reports, such as the Zero Hunger Strategic Review, the Cost of Hunger Study and Fill the Nutrient Gap were also reviewed. Extensive stakeholder consultations were undertaken at both national (central) and subnational levels (districts) and the outcome of those consultations documented with clear recommendations what needs to be done to improve the performance of the sector.	
Activity 1.4	Review findings		
	Achieved	Yes	
	Comments	Findings of the stakeholder consultations and the related diagnostic reports were presented to a wide range of stakeholders for comments and inputs, including a strengthening of the recommendations for new policy directions.	
Activity 1.5	Presentation and validation of draft Policy		
	Achieved	Partially	
	Comments	Presentation and validation of both the draft national agriculture policy and national agriculture investment plan was not possible in December 2021, as initially planned, because of a lack of availability of government officials. Therefore, this exercise was postponed to the first quarter of 2022.	
Activity 1.6	High level policy dialogue		
	Achieved	No	
	Comments	This is planned for after the strategic documents have been validated and endorsed. The aim of this exercise was to enlist the political will and generate the required momentum for the implementation of the developed policies and investment plans.	
Output 2	Irrigation policy developed		
	Indicators	Target	Achieved
	New irrigation policy.	Draft policy delivered to government for endorsement within 12 months of project implementation.	Yes
Baseline	No policy.		
Comments	The draft policy document was developed and presented to stakeholders. Inputs and comments from stakeholders were incorporated in the final draft document, and government endorsement through the normal cabinet processes is expected to be completed during the first quarter of 2022.		
Activity 2.1	Recruitment of consultants		
	Achieved	Yes	
	Comments	The initial plan was to recruit an international expert, who would be paired with a national counterpart. While an international expert was identified in a timely manner, the recruitment process was put on hold due to COVID-19 restrictions. Therefore, and following significant delays, the Government agreed to have the process led by a national consultant, with virtual support from the international experts.	
Activity 2.2	Document review and stakeholder consultations		
	Achieved	Yes	
	Comments	A wide stakeholder consultation process was undertaken and led by the national consultant. Constituencies engaged in this process included relevant technical departments within the Government, different farmer groups, development partners with a stake or interest in irrigation development, and NGOs. To ensure a proper fit with national policies and legal frameworks, the team of experts produced a diagnostic report that gave a synopsis of the provisions of the following key policies and legal frameworks: national strategic development plan, Lesotho national vision, agriculture sector strategy, national irrigation master plan, water act, the environment act, land act and integrated catchment management strategy.	

Activity 2.3	Presentation of first draft		
	Achieved	Yes	
	Comments	The first draft was developed and presented to stakeholders for comments and inputs, which generated high interest from different constituencies. Issues of alignment with the existing National Irrigation Master Plan were raised, with the emphasis that where there was misalignment, the policy should prevail. Strong comments and inputs were also made with regard to gender. These and other comments were duly incorporated into the revised draft.	
Activity 2.4	Validation of the final draft		
	Achieved	Partially	
	Comments	The final draft of the policy, including a summarized version, was duly completed and delivered to the Government in December 2021. However, the validation could not be done before the end of the year as the custodians (Ministry of Agriculture and Food Security management) had other competing priorities. The validation was therefore scheduled for the first quarter of 2021.	
Output 3	Review and revision of legal frameworks		
	Indicators	Target	Achieved
	Number of revised legal frameworks	4	No
Baseline	No policy		
Comments	Not much work was done with regard to the revision of the legal frameworks. Such frameworks were only reviewed as part of the policy development process and no attempt was made to revise them. Earlier work had been done to revise draft phytosanitary legislation and the expectation was for this project to facilitate the conclusion of that exercise. This was not possible because the legislative processes proved to be complex to follow beyond the drafting of such legislation. The revision of livestock legislation was also planned, in particular because of protracted disputes within the wool and mohair trading arrangements, for which legislation and recent amendments were a subject of fierce debate. Legal reviews were logically designed to follow the policy review and revision; however, the latter process experienced major delays. The only legislation that was drafted and submitted to the Government was the pesticide legislation. However, as the policies and investment plans were completed, the mobilization of technical and financial resources to support the review and alignment of current legal frameworks to new policy directives should be supported.		

Partnerships and Outreach

For more information, please contact: Reporting@fao.org

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