



Communications minister Chief Thesele Maseribane addressing mourners at Tokase Mphutlane's funeral yesterday. Mphutlane, who died in a car accident last month while on duty in Mpharane, Mohale's Hoek, was a reporter on the weekly Post Newspaper.

Majoro upbeat despite financial crisis



- Page 2

LTDC joins SA to clean border gate



- Page 7

Mahao takes ABC fight to Appeal Court



- Page 4

As more readers go digital **Public Eye Online** has space for you to Advertise

Follow us on:



News

NEO SENOKO

Water charges up

MASERU - Water bills are set to increase by three percent from August 1, 2019, with a M9 increase to the average annual cost of water for each household.

Lesotho Electricity and Water Authority (LEWA) on Friday confirmed the increase which means the average water bill will be M27.65 per month up from M26.90. The three percent increase is against the proposed 8.5 percent increase that was requested by the Water and Sewerage Company (WASCO).

LEWA approved M212.64 million for water production and distribution business as opposed to M246.25 million proposed by WASCO. WASCO had proposed that, in order for

it to finance its proposed budget of M246.25 million for water production and distribution, the volumetric tariffs and standing charges needed to increase by 18.24 percent and 7.21 percent respectively.

On the other hand, WASCO's proposed M34.61 million sewerage revenue requirement was approved as requested.

The board also agreed to a zero percent increase on sewerage services tariffs. The three percent adjustment on tariffs means a band A customer who currently pays a monthly bill of M26.90 will now have to pay M27.65 per month. Band A consumers are those who consume between 0 -

5,000 litres per month.

The standing charge has also been increased by 4.7 percent for all consumer categories except for band A, for which category WASCO had requested the re-introduction of a M10 standing charge. The reasons for the decisions by LEWA were partly driven by the understanding that the submissions by WASCO were deemed inadequate.

"The authority found the justification for WASCO's application as submitted inadequate. In its decision the board took into consideration several issues hence the decisions made," said LEWA Chairperson Relebohile Mosito on Friday.

The authority therefore recommended that WASCO needed to devote its efforts to reducing Non-Revenue Water (NRW) from the current level above 40.2 percent to a set target of 28 percent. This, the board believes will assist the utility in reducing its production costs while also increasing sales.

"WASCO should develop and implement an energy efficiency management programme, especially for the Metolong treatment plant so as to reduce its energy costs.

They should also take advantage of abundant water from the dam and expand their customer base and benefit from the already existing economies of scale," Mosito added.

Other charges such as connection fees remain unchanged.

KANANELO BOLOETSE

Majoro upbeat despite financial crisis

MASERU - Finance Minister Dr Moeketsi Majoro has insisted that Lesotho's economic future is bright despite the current financial crisis government is grappling with, but warned that it requires political stability.

"The noise about bringing down this government is therefore very unfortunate and cannot be in the interests of the Basotho people as a whole. The conflict in ABC (All Basotho Convention) is equally unfortunate and has put at risk the lives of Basotho," Majoro told Public Eye this week.

Political infighting in the governing ABC reached boiling point in June when the party's Member of Parliament (MP) for Koro-Koro constituency Motebang Koma filed a motion of no confidence in Prime Minister Thomas Thabane who is also the leader of the popular ABC party.

Koma's motion was seconded by MP for Qalabane, Motlalentoa Letsosa, who is also deputy leader of the main opposition Democratic Congress (DC).

Parliament was then adjourned sine die before the motion could be tabled in the house. Some observers believed the national assembly was closed indefinitely to stave off a vote of no confidence against Thabane.

According to the Constitution, if the National Assembly passes a resolution of no confidence in the government and the prime minister does not, within three days thereafter either resign or advise a dissolution, the King may, acting

in accordance with the advice of the Council of State, dissolve Parliament and call for a fresh election. DC has called for an early election instead of waiting for the 2022 national election. Its leader Mathibeli Mokhothu's stance is that the alleged rot afflicting Thabane's government can only be cured through an election that will produce a clear winner. But Lesotho Congress for Democracy (LCD) leader Mothetjoa Metsing, a former deputy prime minister, is cautious and has argued that until the playing field has been levelled by constitutional and parliamentary reforms, elections would produce a faulty outcome.

Metsing has been calling for a government of national unity since June 2017, and still insists on a government of national unity (GNU) to lead the country throughout the multi-sector reforms process. "To argue that there are formations outside the government that can coin a better future for Basotho is sheer folly. It is easy for those who have never had to deal with difficult questions nor have any experience in governing to imagine that they can do better now! "This is not the time for experimentation," Majoro said on Thursday this week.

"On the struggling economy I have been clear on the sources of the economic downturn and actions needed for reversal," he said. He went on to further explain that there will never be a simple solution because the source of the economic difficulties is a regional downturn emanating mainly from



Finance Minister Dr Moeketsi Majoro

the slowdown in South Africa and that a solution depends significantly on how quickly the economy of South Africa recovers.

A contagious regional slowdown that is also accompanied by deterioration in government financial balances, he said, is particularly difficult to combat as governments lack the resources necessary to provide stimulus to the economy. "This was the case for many countries during the 2008 global financial recession and it remains so for our partners in SACU (Southern African Customs Union). As a journalist, you should be able to confirm that other SACU member states are undergoing the same financial and economic difficulties.

"I have not wrung my hands and stood aside. I have offered solutions. The best solution is normally government and the private sector working in tandem to raise their respective capital injections," he said. He also indicated that in the absence of generous government investment and need for government to be selective, the private sector has

to take up the burden, "and this is what we have been promoting".

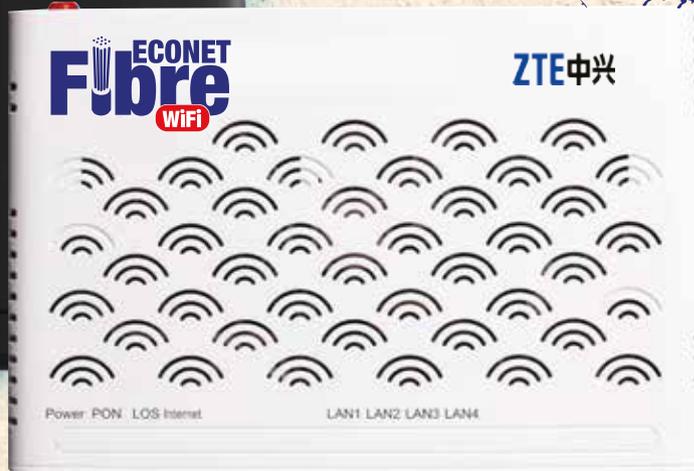
Last Sunday, expelled ABC deputy leader Professor Nqosa Mahao seemed to suggest that the country was grappling with the worst-ever financial crisis under Majoro's watch, yet when the latter addressed ABC members at a rally recently, he did not address the economy's most pressing concerns. Mahao is challenging his expulsion from the party in the High Court. He also suggested Majoro certainly believes defending the frontline in the ABC is his core mandate yet the person who appointed him Minister of Finance thought he would use his knowledge of economics for better financial management of government affairs and to develop sound economic policy.

Both Mahao and Majoro contested the prestigious ABC deputy leader's position in the elective conference that was held in February which Mahao won convincingly. The party emerged from the conference very divided.

Mahao and Majoro are now in opposing factions of the ABC.

WE HAVE **ENHANCED** OUR **DATA** CONTRACTS!

10GB
= M99



DATA CONTRACTS PRICES (4GLTE, FIBRE & ADSL)

Price (M)	99	170	270	430	600	Up to 1000GB
Anytime Data (GB)	5	10	18	30	45	
* Free Night Data (GB)	5	10	18	30	45	

FREE • MODEM • 20 ON-NET MINUTES (FIBRE & ADSL) • NIGHT DATA

* Promotion runs from 1 July - 30 Sep 2019 * Night Data applicable from 12am to 5am

VISIT YOUR NEAREST ECONET SHOP TO PURCHASE

Inspired to change *your* world

ECONET

Telecom Lesotho

T's & C's apply



www.etl.co.ls

News

Mahao takes ABC fight to Appeal Court



Acting Chief Justice 'Maseforo Mahase

RELEBOHILE TSOAMOTSE

MASERU - Disputed All Basotho Convention (ABC) Deputy Leader, Professor Nqosa Mahao, has taken the fight for ABC leadership to the Apex Court after the ABC camp aligned to him appealed Acting Chief Justice 'Maseforo Mahase's decision to preside over their case despite an application calling for her recusal.

The Mahao-led camp has accused Justice Mahase of bias in favour of the Thabane-led faction in all ABC cases.

This follows several rulings she made that are perceived to be in favour of the Thabane-led camp. Justice Mahase recently blocked the special conference called by the Mahao-led faction and interdicted the faction from holding themselves as members of the party's National Executive Committee (NEC).

The faction also accuses Justice Mahase of continuing to allocate ABC cases to herself.

On July 4, Justice Mahase refused to recuse herself from the ABC case in which the Thabane-led faction successfully blocked the special conference called by the Mahao-led faction.

She ruled the recusal application was not urgent and sat on the main case.

On the day, Justice Mahase also insisted that the matter be heard in her chambers after complaining it was too cold in the open court.

Lawyers representing the Mahao-led faction opposed this and as a result they did not argue the case.

They now want the Appeal Court to intervene arguing Justice Mahase was wrong to have granted an interim relief without hearing them.

"The learned judge erred and misdirected herself by granting a final interim court order without giving the appellants an opportunity to be heard."

They have appealed on at least six grounds. "The learned judge a quo erred and misdirected

herself by allocating the matter to herself and two other judges, contrary to peremptory provisions of the administration of Judiciary Act and decided cases by this court and the High Court."

They also argue that Judge Mahase erred and misdirected herself by declining and disregarding to deal with the application for her recusal thereby dismissing such an application despite their reasons of her impartiality.

In blocking the conference, Justice Mahase also restrained and interdicted the Mahao camp from passing themselves as members of the ABC National Executive Committee (NEC) but the camp argued Justice Mahase erred and misdirected herself by granting orders as she did while there was another case pending before the High Court.

Further, the Mahao camp said Justice Mahase, in giving her interim orders, endorsed the illegal acts of the party's leader.

"The learned judge a quo

erred and misdirected herself by confirming acts of the 1st respondents which were contrary to the constitution."

In the High Court case, the Thabane-led faction blocked the conference that was meant to deliberate on disciplinary measures to be taken against Thabane, Deputy Secretary general Nkaku Kabi and former secretary general Samonyane Ntsekele.

The conference also sought to tackle Dr Thabane's refusal to recognise Prof Mahao as his deputy.

However, Thabane had also announced the decision to expel members of the Mahao-led faction from the party and asked the court to bar them from holding the special conference under the ABC banner and further bar them from presenting themselves as members of the ABC's NEC.

The said application was deposited by Kabi and supported by Thabane.

They had asked that "the purported calling of the special conference of the ABC be declared unlawful, null and void and of no legal force and effect".

Kabi, in his founding affidavit, said Prof Mahao and his four colleagues were expelled from the ABC by Dr Thabane on 17 June and that the decision was "ratified" by the NEC which he said sat on 26 June 2019.

Kabi argued that on 24 June 2019 the respondents had unsuccessfully petitioned the High Court to nullify their "expulsion" by Dr Thabane.

Meanwhile, the Mahao-led camp launched an urgent High Court application on 26 June 2019 to have Dr Thabane held in contempt of court for purporting to expel them despite the court's 12 June 2019 judgment declaring that they had been properly elected at the party's February 2019 elective conference.

The group also sought to have the purported expulsions revoked and to have Dr Thabane barred from making unilateral decisions and interfering with the work of the new NEC.

However, the High Court did not grant their application but, instead, set 22 July 2019 as the date for hearing the case.

In refusing to grant all the reliefs sought, the judges argued the Mahao faction, whose election the court has legitimised, had not exhausted all internal processes before coming to court.

... All set for special sitting



Lebohang Hlaele and Professor Nqosa Mahao

RELEBOHILE TSOAMOTSE

MASERU - The Appeal Court will have a special sitting tomorrow (Monday July 22, 2019, before the normal session which will be held in October.

Public Relations Officer for the judiciary, Mabohlokoa Mapikitla, confirmed the development to Public Eye on Friday.

Mapikitla said the special sitting was necessitated by the pending high-profile cases involving members of the different security agencies which are currently pending in the High Court.

He further indicated that the session will deal with the constitutional challenge against the appointment of foreign judges hired to hear the criminal trials and that there may be additional cases.

Also enrolled for the special sitting is the appeal by five disputed members of the All Basotho Convection (ABC) National Executive Committee who have appealed against the Acting Chief Justice 'Maseforo Mahase's decision to preside over ABC cases despite an application for her recusal.

Professor Nqosa Mahao, Lebohang Hlaele, Samuel Rapapa, Matebatso Doti,

Motoeli Masoetsoa want the appeal court to intervene in their struggle for ABC leadership after Justice Mahase barred them from passing themselves as members of the ABC NEC.

In cancelling the special conference called by the disputed secretary general Hlaele, Justice Mahase also ordered the members not to pass themselves as members of the ABC and now they have appealed her decision.

The five argue that Justice Mahase erred and misdirected herself by declining and disregarding to deal with the application for her recusal thereby dismissing such application despite their reasons of her impartiality.

They also said Justice Mahase was wrong to have given an interim relief without hearing them.

"The learned judge erred and misdirected herself by granting final interim court order without giving the appellants an opportunity to be heard."

On July 4, Justice Mahase gave orders without hearing lawyers representing

Mahao and company.

This was after she insisted that the matter be heard in her chambers since the courtroom was cold.

Lawyers representing the Mahao-led function were opposed to it.

Meanwhile, the special sitting comes at a time when Prime Minister Thomas Thabane has given President of the Appeal Court, Dr Kananelo Mosito, a show cause letter asking him to explain why he should not be suspended from office pending investigations into his competency to hold office.

Thabane said he had decided to "come to the rescue and preserve the reputation of the judiciary" after circumstances which have potential to bring down the administration of justice prevailed under Dr Mosito's watch.

"It has come to my attention that following circumstances over your watch as the President of the Appeal Court which have the potential to bring the administration of justice into disrepute namely; that in her letter dated 27 May 2019, the Acting Chief Justice said you have on two court sessions entertained appeals without leave of High Court where such leave was necessary; you issued orders which interfere with the administrative powers of the Chief Justice; you made an order in the recent case of the ABC Vs Lehana and others that the matter be heard by a different judge despite the same matter being part heard in the High Court...."

"You are hereby directed to show cause why I may not recommend that you be suspended to from your office, in terms of section 125 (7) of the Constitution of Lesotho, on the basis of the above aforementioned pending investigations to be made on your competency as the President and Justice of the Appeal. Your response hereto should be delivered to my office within seven days of receipt hereof."

The lawyers' body, the Law Society of Lesotho, then approached the Constitutional Court to interdict Thabane from going ahead with Dr Mosito's suspension.

However, they were unsuccessful after Acting Chief Justice did not allocate the matter to a judge or judges saying she was yet to seek legal advice on it.

The Law Society then appealed the decision on Tuesday saying Justice Mahase frustrated their efforts to appear before other judges.

"The Honourable Acting Chief Justice erred and misdirected herself in sitting over and presiding over a matter and issuing the order as she did in which the Honourable Acting Chief Justice was the litigant, having been cited as the second respondent in the matter."

The Law Society also said when Justice Mahase stood the matter to July 18, she rendered the interim reliefs sought nugatory, illusory and with no practical significance.

The case might also feature in the special sitting next week.



Samuel Rapapa and Matebatso Doti

Advert



ENJOY GREATER CARD CONTROL LIKE NEVER BEFORE

Discover a new way to take control of your money with the quick, safe and easy-to-use new Nedbank Money App. Now you can bank anytime, anywhere and enjoy:

- > Temporarily freeze your misplaced card
- > Block or cancel your lost card
- > Enable your card for international usage

Visit your nearest Nedbank Lesotho branch or call +266 222 82 182. Alternatively call Nedbank GreenLine toll-free lines on 800 55 777 (Vodacom) / 800 22 072 (Econet).
Email: greenline@nedbank.co.ls for more information.
www.nedbank.co.ls

DOWNLOAD THE NEW **NEDBANK MONEY (AFRICA)™** APP TODAY



see money differently

NEDBANK

Terms & Conditions Apply

LTDC joins SA to clean Maseru border gate

... as World celebrates Mandela Day

NTHETHE MAPHAONG

MASERU - Lesotho Tourism Development Corporation (LTDC) on Thursday teamed up with South Africa's Mantsopa Local Municipality, to clean up the Maseru border gate to commemorate Nelson Mandela - the iconic first black president of South Africa.

Mantsopa municipality is a local municipality in the Thabo Mofutsanyana District of the Free State.

They were also joined by the officers from the South African Police Service (SAPS), South African Revenue Service (SARS) and the Department of Home Affairs who work at the border.

On July 18 the entire globe joined South Africa to mark the late Mandela's 101st birthday.

To commemorate this larger-than-life hero, scores of South Africans and activists all of the world took the opportunity to commit 67 minutes of their day to do good for the betterment of others, a collective action known globally as Mandela Day.

Mandela's legacy and his global impact are what prompted the United Nations (UN) to set activities around his birthday.

He became known as the father of democracy in South Africa after he advocated for peace, at a time when the international community expected him to initiate a civil war in apartheid South Africa.

He spent 27 years on Robben Island, separated from his family and supporters. His only crime was fighting for equal rights in a society that neglected the rights of black people.

This, and many of the wondrous and selfless acts he committed, was the reason why the UN, in 2009, passed a resolution to declare 18 July, International Nelson Mandela

Day.

Therefore, every year, on this day the world observes Mandela Day with acts of kindness.

"Mandela made a watermark on the world for 67 years, beginning in 1942 when he first started to campaign for the human rights of every South African, hence we have decided to join hands with South Africans to clean the Maseru Border Post to commemorate this global icon," LTDC's head of research, Sehlabaka Ramafikeng, said during the cleaning campaign.

Ramafikeng said the 67 minutes of Mandela Day was a global call to take action to celebrate the idea that each individual has the power to transform the world and the ability to make an impact in the social aspects of people's lives.

LTDC Public Relations Officer (PRO), Molapo Matela, said this was the first time they joined hands with South Africans to take part in the "67 minutes for Mandela Day".

Matela said they did this to build a relationship with South Africa and to provide a positive voice for Lesotho in a quest to position Lesotho as Southern Africa's must-visit mountain kingdom, with a unique cultural, adventure and ecotourism opportunities.

"South Africans are part of our main target market because Lesotho is entirely surrounded by their country," he told Public Eye. He concluded by indicating that a clean environment and tourism are natural allies.

Thabo Nkhomo, Maseru Border Post Manager, told Public Eye that the border gate was the largest port of entry into Lesotho, indicating that the first impression the border creates may prejudice Lesotho against people coming from South Africa.

"This is why the border must be kept clean at all times," Nkhomo said.



Likuena, Zebras in 2-all draw



NTHETHE MAPHAONG

MASERU – Likuena and the Zebras of Botswana played to a 2-2 draw in a friendly in Gaborone on Friday.

Lesotho travelled to Botswana on Thursday for the friendlies on July 19 and 21 (today) in Gaborone, as warm-up for their 2020 CHAN qualifier against South Africa.

Likuena play Bafana Bafana in a second round qualifier on July 28 at home in Maseru and away on August 4 in Johannesburg.

Lesotho Football Association (LeFA) Communication Officer Mikia Kalati said Likuena's 19 players who had been called up for the trip to Botswana were selected based on their current performance.

Kalati further said even though Botswana were using the same squad that played at Cosafa Cup tournament held in Durban from May to June, Likuena seemed to be the better team throughout the game.

The next edition of CHAN is scheduled to take place in Ethiopia between January and February next year.

As per CHAN's requirements, the tournament is only for locally-based players.

Meanwhile, Lesotho have been pooled against Nigeria, Sierra Leone and Benin Republic in Group L of the 2021 Africa Cup of Nations billed for Cameroon.

The draw ceremony took place on Thursday evening at the plush Marriott Hotels in Cairo, ahead of the tournament's

final match between Senegal and Algeria set for Friday.

African football icons, Nwankwo Kanu, Samuel Eto'o, Khalilou Fadiga, Geremi Njitap, El Hadji Diouf, LeFA General Secretary Mokhosi Mohapi and Jose Clayton were among those in attendance.

CAF deputy General Secretary of Football and Development, Anthony Baffoe was in charge of proceedings, assisted by Algerian football great, Rabah Madjer, Eto'o and Nigeria's Kanu.

The 48 teams were drawn into 12 groups of four teams, in addition to the four winners of the preliminary round.

The draw has brought together the continent's footballing giants, with Group C having Ghana and South Africa, joined by Sudan and the winner between Mauritius and Sao Tome & Principe.

In Group A, Mali will join Guinea, Namibia and the winner between Liberia and Chad for size, while Group B comprises of Burkina Faso, Uganda, Malawi and Djibouti/Gambia.

The top two teams will book their place for the 33rd edition of the championship.

Hosts Cameroon will participate in the qualifiers even though the team is guaranteed a spot in the finals regardless of its ranking in the group.

Their matches and results will count in determining the qualification of the other teams from their groups, namely; Cape Verde, Mozambique and Rwanda.