

## Guiding Questions: Equality and non-discrimination

- 1) Does your country's constitution and/or legislation (a) guarantee equality explicitly for older persons or people of all ages and (b) forbid discrimination explicitly on the basis of age? If so, how is the right to equality and non-discrimination defined?

### Response

- (a) Yes it does  
(b) The constitution is clear that no one should be discriminated against age.  
(c) Section 18 (3) of the Lesotho Constitution 1993, defines discrimination as affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description.  
Right to equality is provided for in section 19 but is not defined.

- 2) Does your country produce information about discrimination against older persons in the following or other areas? If so, what are the main findings?

- Employment No
- Access to goods and services No
- Social protection No
- Health care No
- Social care No
- Justice, Inheritance No
- Decision-making and autonomy, Living environment No
- Other areas (please specify)

### Response

There is information on income security. The findings show that income security does not serve the purpose of reduction of poverty amongst older persons. It has become the source of income for the household because of the impact of HIV and AIDS that subjected older persons to the responsibility of caring for orphaned children.

- 3) Is there information available about inequality of opportunities or outcomes experienced by older persons in the following areas?

### Response

- Availability of, access to and quality of health care services No
- Financial services No

- 4) Are there any areas where differential treatment based on old age is explicitly justified?

### Response

*Examples:*

- Access to goods No
- Mandatory age of retirement Yes
- Age limits in financial services and products yes in regard to Insurance policies the justification is that an elderly persons is likely to die after being insured.
- Age-based benefits Yes Universal pension.