



YEARN FOR ECONOMIC SUSTAINABILITY

YES

P.O.Box 382, Lekhalong, Ha-Thetsane, Maseru 100

Contacts Numbers: +266 5655 9555 / 6404 8081

Email Address: yessecretarygeneral@gmail.com

Website: www.yearn4economicsustainability.wordpress.com



**YES PRESS STATEMENT**

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**FOR IMMEDIATE RELEASE**

**YES CONDEMNS UNCONSTITUTIONAL SPENDING OF M3.4 BILLION AND  
WARNS OF COURT ACTION, INCLUDING ACCOUNTABILITY BY GOVERNMENT**

012\*The **Yearn for Economic Sustainability (YES)** political party expresses its **grave concern and constitutional alarm** following revelations that the Government of Lesotho spent **over M3.4 billion without prior parliamentary approval**, in direct violation of the **Constitution of Lesotho**, and is now seeking retrospective approval through a Supplementary Appropriation Bill.

This admission, as reported in the media, is not a mere administrative oversight — it is a **serious constitutional breach** that strikes at the very foundation of democratic governance, public accountability, and the rule of law.

YES wishes to place it on record that the following provisions of the **Constitution of Lesotho** appear to have been **violated**:

**1. Section 112 – Control of Public Funds**

This section vests **exclusive authority in Parliament** over the withdrawal and use of public funds.

Spending billions of maloti **without prior parliamentary approval** is a direct affront to this provision.

*Lerato..... La Naha.....*

## 2. Section 113 – Consolidated Fund

No monies shall be withdrawn from the Consolidated Fund **except as authorised by an Appropriation Act or supplementary law.**

Spending first and seeking approval later **reverses constitutional order** and renders Parliament ceremonial.

## 3. Section 114 – Contingencies Fund

The Contingencies Fund may only be used where:

- The need is **urgent**
- The need is **unforeseen**
- No other lawful provision exists

The reported expenditures include **planned projects, arrears, buildings, transfers to parastatals, and recurring obligations**, none of which meet the constitutional threshold of *urgency and un-foreseeability*.

Further, the Constitution demands that a **supplementary appropriation bill be presented “as soon as possible.”**

A delay of **more than six months after the end of the financial year is constitutionally indefensible.**

YES warns that the continued practice of:

- Spending first,
- Ignoring Parliament,
- Seeking rubber-stamp approval later, amounts to the **systematic erosion of constitutional governance** and reduces Parliament to a **bystander in public finance.**

This conduct undermines:

- Parliamentary oversight
- Fiscal discipline
- Public trust
- Constitutional supremacy

This unconstitutional expenditure occurs while:

- Youth are facing serious unemployment;
- Basotho face a **passport crisis**;
- Local authorities like **Maseru City Council are drowning in debt**;
- Clinics lack medication;
- Public services are collapsing;
- The country faces **financial uncertainty following the termination of the Millennium Challenge Corporation.**

At a time when prudence, restraint, and prioritisation were required, the Government chose **constitutional recklessness.**

YES asks the Government, openly and without fear:

**At what cost does the Executive believe it can continue to violate the Constitution and still expect citizens and political parties to remain silent?**

Let it be known that **the same Constitution that establishes a government also provides grounds for its removal constitutionally.**

*Lerato..... La Naha.....*

YES therefore puts the Government on **formal public notice** that:

- We reserve the **right to approach the High Court or Constitutional Court**;
- We will seek **declaratory relief** on constitutional violations;
- We will request **structural and corrective orders**;
- And **where necessary**, we will pursue **legal remedies that include an application for the dissolution of government**, should the Court find that constitutional governance has been fundamentally breached.

YES demands:

1. Full constitutional accountability;
2. Immediate cessation of unlawful expenditure practices;
3. Restoration of Parliament's authority over public finance;
4. Respect for the rule of law above political convenience.

The Constitution of Lesotho is **not optional**.

It is not suspended by political urgency, fiscal pressure, or executive convenience.

**No government is above the Constitution.**

And **no amount of money is worth the collapse of constitutional order.**

YES will act — **lawfully, fearlessly, and decisively** — in defense of the Constitution and the people of Lesotho.

**Issued by:**

**Yearn for Economic Sustainability (YES)**

**Molefi Ntsonyana**



*Lerato..... La Naha.....*