

4.0 CONCLUSIONS AND RECOMMENDATIONS

HIV/AIDS has negatively impacted on livelihoods of the affected and infected communities in several ways.

- It has lowered agricultural productivity (both livestock and crop production) and affected income sourced from agricultural activities since the infected households cannot fully participate in agricultural activities because of the impending labour shortages resulting from prolonged illness. The problem of labour shortage is also aggravated by the length of the mourning period during which affected households cannot work on their fields.
- The ability to generate income has also been hampered by the epidemic. Again because of illness most of the infected individuals have been retrenched while medical bills are exhausting their savings and investments. They are also selling some of their assets such as livestock to meet the high medical expenses, particularly during the pre-diagnosis stage and during the time when victims are seriously ill. The loss of income has in turn impacted on the living standards of the affected household resulting in food insecurity, lack of agricultural inputs, poor education levels and lack of basic necessities.
- Reduced labour input, lack of agricultural inputs, loss of income and sale of livestock have all combined to increase the incidence of land left fallow. According to the land tenure provisions this land is liable to revocation. This has far reaching implications for food security and livelihoods of the affected households. However, some households have found it relatively easier to manage home gardens despite their illness because of the size of the gardens and their proximity to the homesteads.
- HIV/AIDS pandemic has also reduced the effectiveness of institutions such as the Departments of Agriculture and Health, and Lesotho Highlands Water Project, which have experienced loss of trained personnel resulting in a decline in services offered by them and their ability to generate income.
- The magnitude of HIV/AIDS prevalence combined with poverty and stigmatisation of AIDS victims has overwhelmed community support structures and weakened the kinship system consisting of the extended family that used to function as a safety net in disaster situations.
- HIV/AIDS has altered land administration practices at grass roots level. For compassionate reasons local level land managers such as chiefs have not applied the provision for reallocating land left fallow for more than two years. This leads to the conclusion that this provision, though economically viable and likely to result in increased returns to agricultural production cannot be viewed as an opportunity but rather as an impediment to households and individuals affected by the virus. Its implementation is likely to result in increasing inequality with land concentrated in the hands of the healthy individuals. Hence land administrators have ignored the law and postponed revocation.
- In the context of the widespread prevalence of HIV/AIDS households have not seen the lease provisions that allow for sale of land as an opportunity for securing income. This is because the affected households see land as a form of security and the only valuable asset that infected individuals can leave for their children. They hold this view despite the fact that in practice orphans' land rights are not secure. This evidence nullifies the hypothesis that linked HIV/AIDS to increasing land sales.

- The stigma associated with AIDS has contributed to the insecurity of widows' land rights. This despite numerous reviews of land laws and legislation giving women the legal right to inherit land. Although this is partly due to ignorance of legislation resulting in non-implementation, community perceptions of the causes of AIDS and stigmatisation, particularly of women infected by the virus, have resulted in reluctance to protect women's land rights.
- Reasons for the insecurity of orphans' land rights include lack of knowledge and non-implementation of land laws, relatives (uncles) who take advantage of the situation to usurp land, and stigmatisation fed by the perceptions relatives have of the factors contributing to AIDS and the death of orphans' parents (especially their mothers). Therefore, HIV/AIDS has detracted from the rights afforded to orphans by the inheritance and succession provisions of land tenure legislation.
- In response to the epidemic, households have adopted strategies such as sharecropping and *mafisa* that increase livelihood security through co-operation between households. These strategies have improved food security to some extent and presented households with an opportunity to use land that might have been reallocated if it had been left fallow. In a few cases where fallow land has been reallocated this has aggravated food insecurity and had a negative impact on the livelihoods of households involved.
- Selling livestock is another coping strategy used by infected individuals and affected households to pay for medical costs and other expenses such as education. When households sell off all or most of their livestock to meet recurrent expenses this has a negative impact on livelihoods. Other coping strategies include withdrawing children from school to avoid school fees and so children can do household chores that the parents can no longer cope with. Begging from relatives also seems to have increased with the magnitude of the epidemic. Children who drop out of school are likely to experience future livelihood problems because without education they are unlikely to secure better jobs and incomes. Their prospects of becoming successful farmers are also poor as their parents cannot pass on their knowledge and they must deal with the loss of agricultural resources such as livestock experienced by affected household.
- The land tenure system has been effective in attempting to accelerate development through commercialisation. The continuous review of the Land Act in an effort to secure women's and orphans' rights is also commendable. However, commercialisation may not be feasible given the economic and health impacts of HIV/AIDS and the loss of labour capacity in affected households. The situation calls for research into less labour intensive agricultural methods that would also improve the livelihoods of the chronically ill people.
- The compassion displayed by the chiefs has brought short-term relief but has not concealed the inefficiencies of land administrators in administering the Land Acts. By the same token, revocation and reallocation of fallow land cannot be postponed indefinitely, making it imperative to review present land tenure provisions and ensure that land administrators implement the land acts in the future.

Recommendations:

- There is a need to develop and support income-generating initiatives for people affected with HIV/AIDS that take into account the limited labour capacity of infected individuals and affected households. Opportunities to earn income will ensure that HIV/AIDS affected households do not always depend on hand outs that hurt their pride and depress them. Such activities will give the victims a sense of purpose and keep them active.
- Policies to address the felt needs of people infected by HIV/AIDS should be developed. These policies should be developed in a participatory manner and should recognise the affected households as stakeholders. They should be formulated with all the stakeholders and designed in a way that will maintain dialogue between affected people and policy makers. This should include research into social policies that are sensitive to the impacts of HIV/AIDS on the coping mechanisms that households employ.
- Home care support programmes and community support structures such as the extended family, are the key to strategies that will ensure care for HIV/AIDS victims without overburdening government and other institutions. However, at present these support structures are overwhelmed and need support themselves. The range of support structures needs to be clearly identified and researched to establish how they can be assisted to ensure that they can continue to provide support. Community burial societies need support to ensure that those who default on their payments do not lose all accumulated benefits.
- Relevant institutions should be given a clear mandate and all the necessary support to implement their activities. This requires full time personnel otherwise AIDS issues will continue to be perceived as secondary issues. Efforts should also be made to monitor AIDS programmes to ensure that all communities are adequately covered and that problem areas are given special attention.
- The government should acknowledge the impacts that HIV/AIDS is having on its service delivery capacities, especially at the grass roots level, and put in place appropriate safety nets. This will help to avoid the problem of developing sound policies that cannot be implemented due to shortages in personnel.
- The various ministries that are directly involved in community development and welfare need to develop robust HIV/AIDS sensitive policies that are informed by the felt needs of the affected households and infected individuals.
- The rights of widows and orphans need to be protected by policy, legislation and administrative action. Integration of existing HIV/AIDS policy with other government and organisational policies to cater for the affected households and infected individuals would be the best framework for supporting the struggle against HIV/AIDS at policy level.
- Measures should be taken to ensure that children in affected households and aids orphans are able to complete their schooling so that they are equipped to become self sufficient and productive members of society.
- Hospitals should be equipped to make rapid and positive diagnosis of HIV infection to minimise the time and expense that individuals and households incur in establishing whether someone is infected. Hospital staff and other medical personnel need to be trained and monitored to ensure that they understand and respect professional practice relating to patient confidentiality and the treatment of people with HIV/AIDS.

- Public awareness and information campaigns and counselling sessions should not be limited to infected households but should be extended to other members of the community to avoid stigmatisation.
- Land administrators should be fully informed about the epidemic and various legislations that govern the rights of the affected households. This will help to ensure uniform implementation of measures to support affected households.
- The importance of land to communities calls for concerted efforts to make the public aware of current Land Acts and proposed changes to land policy. Particular attention should be paid to provisions likely to affect households affected by HIV/AIDS. Provisions likely to have negative impacts should be removed or reformulated and those likely to have positive impacts should be strengthened. This should include a review of the likely impacts of the present trend towards concentration and commercialisation of land holding and agriculture on HIV/AIDS affected households and suitable action to secure their livelihoods.
- Mechanisms already being used by communities to make land policies suit their present circumstances should be examined and where possible adopted in current or proposed land policy and legislation. This should include mechanisms to ensure that sharecropping can continue to support the food security of affected households.
- Research is needed on high yielding, nutritive, fast maturing, water efficient and pest and disease resistant varieties of various crops especially vegetables. By minimising labour and irrigation requirements and decreasing the duration of farm operations these crops would improve the affected households' food security and their ability to generate income. Once identified measures should be taken to make these techniques available to HIV/AIDS affected households.