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Lesotho

Country:

Lesotho

Year:

2015

Press Freedom Status:

PF

PFS Score:

48

Legal Environment:

13

Political Environment:

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Although freedoms of speech and the press are generally respected in Lesotho, recent political turmoil has interfered with the journalists' ability to operate, and led to heightened polarization in the media. An attempted coup in August 2014 resulted in a brief television and radio blackout. Intervention by regional mediators resulted in a calming of the political environment and an agreement to hold early elections in February 2015.

Legal Environment

While the constitution does not directly mention press freedom, freedom of expression and informational exchange are guaranteed. However, multiple laws, including the Sedition Proclamation (No. 44 of 1938) and the Internal Security (General) Act of 1984, prohibit criticism of the government, provide penalties for seditious libel, and endanger reporters' ability to protect the confidentiality of their sources. The 1967 Official Secrets Act and the 2005 Public Service Act prohibit civil servants from disclosing information, limiting the transparency of government institutions and making it difficult for journalists to conduct investigations.

After more than a decade of negotiations with the media, the government still has not passed a range of reforms. The reforms would depoliticize government-owned media outlets, eliminate "national security" statutes that allow government censorship, and move

many slander and libel cases from the courts to an arbitration system. Though the Communications Ministry produced at least three drafts, the reforms had not been sent to Parliament by the end of 2014. However, there were no reports that the government used the restrictive laws against the media during the year.

There is no law guaranteeing the media or citizens access to state information in Lesotho. In 2014, media freedom advocates continued to campaign for the passage of the Receipt and Access to Information Bill, which had been drafted by the Lesotho Law Reform Commission in 2000 but had not progressed in Parliament. Research examining the disclosure practices of eight government departments was released by the Media Institute of Southern Africa–Lesotho in October 2014. The study confirmed that access to information remained impeded and that government employees were wary of sharing information with the media. In a boost to transparency, in November 2014 a judge ruled that for the first time ever, television cameras would be allowed to broadcast a portion of a High Court case, during a high-profile corruption trial involving a government minister.

In July 2013, the Broadcasting Disputes Resolution Panel (BDRP) was established, in accordance with the Communications Act of 2012. The panel was established to resolve disputes regarding broadcast content and to develop a broadcasting code, but it is facing difficulty as it lacks basic resources, such as an office, staff, and financial support. Despite its lack of resources, the BDRP held public consultations around the country and subsequently produced an updated draft of the Broadcasting Code in 2014. Largely due to the political turmoil, the code had not received the necessary ministerial approval by the end of the year.

Political Environment

Despite the existence of active independent media, journalists often self-censor because of a history of government officials and private citizens responding to criticism with punitive lawsuits. Some local media, in particular private radio stations, have developed a tendency to affiliate with one political party or another.

Journalists are threatened, harassed, and occasionally assaulted as a result of their work. In January 2014, Harvest Radio's owner and presenter received death threats after accusing a former minister of abuse of funds; separately, the radio station alleged that the Communications Ministry had diminished its broadcast signal after it reported on the political upheaval in August. In September 2014, a reporter and editor from the prominent weekly *Lesotho Times* were arrested, detained for more than six hours, and charged with defamation. Although later released, they were questioned about information that had been given to them concerning the identity of the plotters of the failed August 30 coup. In an earlier incident, four unnamed men destroyed the studios and assaulted the presenter of Tsenolo FM, a private radio station perceived to be loyal to an opposition party. The owner estimated the attack resulted in financial damages worth 100,000 maloti (\$8,700); however, the authorities did not make any arrests. In December, a foreign correspondent based in Lesotho was subjected to harassment and intimidation after he reported comments made by state officials.

Economic Environment

There are no domestically produced daily newspapers in Lesotho. Several independent newspapers operate freely and routinely criticize the government, while state-owned print and broadcast media mostly reflect the views of the ruling party. Many newspapers are printed in South Africa and transported into the country to avoid the high cost of printing domestically. Diversity in the print media received a boost in November 2014 when the Court of Appeal reversed a ban on the establishment of a new print newspaper, the *Post*. The newspaper had been banned because of an alleged breach of employment conditions of three journalists who had worked for a rival media company. The *Post* has been in circulation since November 2014, increasing the number of weekly newspapers operating in the country to seven.

Because of high distribution costs and low literacy rates, especially in rural areas, radio is the most popular news medium. There are two state-run radio stations in addition to about 10 private stations, and many South African and other foreign broadcasts reach Lesotho. Two community radio stations were recently established in Lesotho. Mafeteng Community Radio was established in 2012 and broadcasts to an estimated population of 70,000 people. Motjoli FM was set up in May 2014 and broadcasts within a 50-kilometer radius of the Thaba-Tseka area. The country's only television station is state-run. Media development is constrained by inadequate funding and resources. Because most media houses rely heavily on state-funded advertising, the government is able to tacitly encourage favorable coverage.

The government did not restrict access to the internet in 2014, but due to a lack of infrastructure and high costs, the medium is used by just 11 percent of the population.

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