

FREEDOM OF THE PRESS

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Lesotho

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The government generally respects freedoms of speech and the press. Although press freedom is not directly mentioned, the constitution guarantees the freedom of expression and informational exchange. 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. The government has recently improved its disclosure practices, but access to information remains impeded, and the process for requesting it is unclear. After 13 years of discussions between the government and media professionals, a package of media reforms came close to passing in 2010, but the cabinet decided to refer the proposed policies back to the Ministry of Communications rather than send them to Parliament for approval. 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.

In recent years, extremely high fines have been handed down by the courts in libel cases against publications and radio stations known for criticizing the government, forcing some to the verge of closure and encouraging a high level of self-censorship among journalists. In March 2011, the private radio station Harvest FM was served with a M1 million (\$145,000, with an interest rate of 18.5 percent from date of judgment) defamation suit by Assistant Police Commissioner Thakane Theko over a 2010 story alleging that she had accepted bribes and engaged in other corrupt activities in renovating police headquarters. In September, High Court Judge 'Maseforo Mahase also initiated a M8 million (\$1.1 million) defamation lawsuit against Harvest FM over comments on a talk show that accused her of taking a bribe to hand a prison sentence to a sibling of two Harvest FM radio presenters.

Journalists are occasionally assaulted, and more often threatened with assault, as a result of their work. In November 2011, two state television journalists were attacked by a mob while covering a protest in Maseru. The protesters accused the journalists of bias in their coverage of the antigovernment demonstration.

On August 17, 2011, the broadcasts of four private radio stations were interrupted for most of the day; the stations had been providing live coverage of days of economic protests that had begun two days earlier in the capital. The blackout occurred one day after representatives from Harvest FM and at least one other station were called to a meeting with a communications ministry official and the head of the Lesotho Communication Authority, where they were allegedly warned to broadcast "respectfully."

Several independent newspapers, none of them dailies, operate freely and routinely criticize the government, while state-owned print and broadcast media mostly reflect the views of the ruling party. Although Lesotho has a printing

2012 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

49

LEGAL ENVIRONMENT

14

POLITICAL ENVIRONMENT

19

ECONOMIC ENVIRONMENT

16

press, many local newspapers are printed in South Africa and transported into the country to avoid the high cost of printing domestically. Because of high distribution costs and low literacy rates, especially in rural areas, radio is the most popular news medium. There are eight private and two state-run radio stations, and many South African and other foreign broadcasts reach Lesotho. The country's only television station is state run. Media development is constrained by inadequate funding and resources. The private media are increasingly turning to private advertising to generate income, but many outlets, both print and broadcast, continue to rely heavily on government advertising, which allows the government to tacitly reward those that provide more favorable coverage.

The government did not restrict access to the internet in 2011, but due to a lack of infrastructure and high costs, the internet was used by just 4.2 percent of the population during the year.

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