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## FREEDOM OF THE PRESS

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# Lesotho

[Lesotho](#)[Freedom of the Press 2013](#)

The government generally respects freedoms of speech and the press. Although press freedom is not directly mentioned, the constitution guarantees 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 procedure 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

ensorship, and move many slander and libel cases from the courts to an arbitration system. Despite three drafts by the ministry, the reforms had not been sent back to Parliament by the end of 2012. There were no reports that the government used the restrictive laws to control the media during the year.

Despite the existence of an active independent media, journalists often self-censor because of a history of punitive lawsuits lodged against critical media outlets by government officials and private citizens. In recent years, the courts have handed down extremely high fines in libel cases against publications and radio stations known for criticizing the government, forcing some to the verge of closure. In September 2011, High Court judge 'Maseforo Mahase initiated an 8 million maloti (\$980,000) defamation lawsuit against the radio station Harvest FM over comments on a talk show that accused her of taking a bribe to impose a prison sentence on a sibling of two Harvest FM presenters; the case remained pending at the end of 2012. There were no reported lawsuits brought against press outlets by government officials in 2012. However, Harvest FM was sued in August by a school rector for damages of 900,000 maloti (\$110,000) in response to a radio program featuring a staff member who was critical of the school's leadership.

Media coverage of the May 2012 parliamentary elections was more professional and expansive than reporting on previous elections. Nonetheless, the state-run Lesotho Broadcasting Service allocated more radio and television airtime to the incumbent Democratic Congress (DC) party of Prime Minister Pakalitha Mosisili, while private broadcast coverage generally favored opposition parties. Although the DC won the most seats in the elections, it was unable to form a government, and in June the former opposition All Basotho Congress (ABC) party formed a governing coalition. In July, after Mosisili claimed that his party had won the May vote, the new government barred the state media from covering DC rallies.

In past years, journalists were occasionally assaulted, and more often threatened with assault, as a result of their work. There were no reports in 2012 of government authorities using arrest, imprisonment, or physical attacks to stifle press freedom.

There was no repeat in 2012 of a 2011 incident in which the broadcasts of four private radio stations were interrupted after they provided live coverage of economic protests. The day before the outage, Harvest FM and at least one other station had allegedly been warned by a Ministry of Communications official and the head of the Lesotho Communication Authority 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 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 state advertising, which allows the government to tacitly reward those that provide more favorable coverage.

The government did not restrict access to the internet in 2012, but due to a lack of infrastructure and high costs, the medium was used by just 5 percent of the population.

## 2013 SCORES

PRESS STATUS

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