

Lesotho

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Freedom of the Press

The government generally respects freedoms of speech and the press. While the constitution does not directly mention press freedom, it 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 have depoliticized government-owned media outlets, eliminated "national security" statutes that allow government censorship, and moved many slander and libel cases from the courts to an arbitration system. Though the ministry produced three new drafts, the reforms had not been sent to Parliament by the end of 2013. 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 2013, 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. In July 2013, the Broadcasting Disputes Resolution Panel was established, in accordance with the Communications Act of 2012. The panel will resolve disputes regarding broadcast content and develop a broadcasting code.

Despite the existence of active independent media, journalists often self-censor because of a history of government officials and private citizens responding to media criticism with punitive lawsuits. In recent years, the courts have handed down extremely large fines in libel cases against publications and radio stations known for criticizing the government, forcing some to the verge of closure. In 2011, High Court judge 'Maseforo Mahase initiated an 8 million maloti (\$835,500) 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 2013. There were no reports of lawsuits brought against news outlets by government officials in 2013.

Media coverage of the 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 then 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 the opposition All Basotho Congress (ABC) party formed a governing coalition. After Mosisili insisted that his party had won the vote, the new government banned the state media from covering DC rallies. This ban continued throughout 2013.

In past years, journalists were threatened with assault and occasionally attacked as a result of their work. However, there were no reports in 2013 of government authorities using arrest, imprisonment, or physical

attacks to stifle press freedom.

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. There are no community radio stations in Lesotho. The country's only television station is state-run. Media development is constrained by inadequate funding and resources. 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 encourage favorable coverage.

The government did not restrict access to the internet in 2013, but due to a lack of infrastructure and high costs, the medium was used by just 5 percent of the population.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

47

(0 = best, 30 = worst)

13

(0 = best, 40 = worst)

18

(0 = best, 30 = worst)

16