



AFRICAN MEDIA BAROMETER

**The first home grown analysis of the
media landscape in Africa**



LESOTHO 2010

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Freedom of expression, including freedom of the media, are effectively protected and promoted.

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The media landscape, including new media, is characterised by diversity, independence and sustainability.

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The media practise high levels of professional standards.






The African Media Barometer (AMB)

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on homegrown criteria derived from African Protocols and Declarations like the “*Declaration of Principles on Freedom of Expression in Africa*” (2002) by the “African Commission for Human and Peoples’ Rights”. The instrument was jointly developed by *fesmedia Africa*, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Foundation (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organizations like the Media Institute of Southern Africa.

Methodology and Scoring System

Every two to three years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1 1/2 days they discuss the national media environment according to 45 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB- report. After the discussion of one indicator panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

Outcome

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the biennial or tri-annual reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Foundation (FES) and - in SADC countries the Media Institute of Southern Africa (MISA) - only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

At the end of 2008 the indicators were reviewed, amended and some new ones were added to address the rapid developments in Information Communication Technology.

By the end of 2010 the African Media Barometer had been held in 27 African countries, in some of them already for the third time.

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See above 27 AMB Countries (2005-2010)

AFRICAN MEDIA BAROMETER LESOTHO 2011

Executive Summary

The size of the media industry and specifically the high number of print publications, belies the size of Lesotho which has a population of only 2 million people. Even with the declining economy and high printing and production costs, the country manages to produce 65 newspapers, periodicals and magazines. There is no local daily paper. A large number of the publications are printed in neighbouring South Africa because it is easier and cheaper to have media products published in Bloemfontein and transported back to Maseru.

On the whole, print runs are fairly low, with privately-owned free newspapers printing the highest number of copies. The state-owned weekly Lesotho Today has a print run of around 5000 copies, 72 distribution depots around the country, and sells for M2 which is the equivalent of half a loaf of bread.

The determined efforts by all publishers to increase circulation, is hampered by the inaccessibility to the rural population, as well as a poor reading culture. Most publications have chosen to widen their readership base by either publishing fully in Sesotho or having a few pages carrying news in Sesotho.

As is common in most African countries - radio is the most popular media platform in Lesotho. The country has two state-run radio stations - Radio Lesotho and Ultimate FM - both of which have a fairly comprehensive reach throughout the country. In addition to this, there are eight privately owned radio stations, three of which belong to church organisations. South Africa's Radio Lesedi, which broadcasts in Sesotho, appears to be more accessible than many local channels.

State television is only accessible via satellite television (which must be paid for) and contains a variety of locally produced programmes.

While the Constitution of Lesotho does not explicitly mention media freedom, it does allow citizens the right to express themselves, and to obtain and impart information. The clawback clause, however, guarantees these rights only as long as they do not interfere with defence, public safety, public order, public morality or public health. These Constitutional rights are further negated by other pieces of legislation, which restrict access to public information and even go as far as to inhibit government personnel from imparting information.

This has resulted in the infusion of a culture within the civil service that restricts the release of information on the premise that "it is government information

rather than public information". In the mid-1990s, the Law Reform Commission drafted the Access and Receipt of Information Bill, but successive governments have refused to table this in parliament, as they believe it to be "a waste of time". In the absence of legislation specifically regulating print and broadcast media, the Government falls back on archaic or restrictive laws to keep media in check - specifically the Internal Security (General) Act of 1984, under which numerous journalists have been arrested for sedition. Other acts that impact negatively on the media include the Printing and Publications Act, the Official Secrets Act (1967), the Public Service Act (2005), the Emergency Powers Order of 1988, the Obscene Publications Proclamation of 1912, the High Court Act of 1978 and the Lesotho Telecommunications Authority Act of 2000.

There have been a number of attempts to formulate media policy since the mid-1990s. During a consultative conference in 1997, media stakeholders adopted a policy that MISA had drafted beforehand. The Prime Minister and Information Minister who had backed the policy were later replaced, and their successors did not take the policy forward.

Instead, government drafted a new policy some years later which was subsequently merged with the MISA draft policy. It is believed that the policy is somewhere between the Ministry and the Cabinet. In the meantime, government adopted a Communications Policy in 2008, which deals with the regulation of the broadcasting, telecommunications and postal sectors. Again, government held consultations, and civil society participated, but few of their views were incorporated into the policy. The policy paves the way for a Communications Act, which will have major implications for the broadcasting sector. The Act is yet to be passed.

There is a glaring absence of substantive and adequate broadcasting legislation meant to regulate the broadcasting industry. The Lesotho Communications Act of 2000 provided for the establishment of the Lesotho Communications Authority (LCA), which is supposed to be an independent and transparent body responsible for crafting rules and regulations for licensing of broadcasters. However, no such regulations have been set in place. Moreover, the board of the LCA works on a patronage system with appointees chosen for their close connection to government officials. The licensing of broadcasters is an ad hoc process, in which the Minister has the final say.

The new Public Meetings and Processions Act, which is about to be signed into law, requires members of the public to notify the police of a meeting or public gathering two weeks in advance. The meeting may only go ahead if police approval is given in the form of a license.

Prior to the 2007 general elections, citizens and the media discussed issues fairly openly, but now the majority of people have become subdued and are not as vocal as they used to be. When citizens choose to speak out on issues, it is via phone-in

programmes broadcast on private radio stations, as callers can choose to remain anonymous and thus protect themselves.

Self-censorship is a way of life for journalists working for the state media. They quickly learn how to report in a way that excludes any content that might be deemed taboo, before their articles even reach the Editor's desk. There is no hesitation on the part of the Government officials to phone a newsroom and relay instructions that directly impact on content. The private print media is constantly aware of the threat of the withdrawal of advertising by Government and tends to report on issues with kid gloves.

The awareness of and belief in an individual's right to free expression tends to be more pronounced among people living in Maseru and other urban areas. Culturally, there is "a Sesotho way of speaking" which makes certain sensitive topics taboo, and which prohibits people from calling an elderly and/or highly respected person names, irrespective of how bad that person might be.

In spite of the challenges faced by the media, the print industry has grown and there is greater competition between media houses which has resulted in improved standards. Although politics dominates the headlines, the media is attempting to cover more diversity of issues.

SECTOR 1:

**Freedom of expression, including
freedom of the media, is effectively
protected and promoted.**

Freedom of expression, including freedom of the media, is effectively protected and promoted.

1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and protected by other pieces of legislation.

Sections 14.1 and 14.2 of Lesotho's Constitution state that everyone has a right to express themselves, and to obtain and impart information.

Section 14 of the Constitution of Lesotho states that:

“(1) Every person shall be entitled to, and (except with his own consent) shall not be hindered in his enjoyment of freedom of expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence.”

The Constitution also ensures the right of people to respond through the same media if they feel aggrieved “by statements or ideas disseminated to the public in general by a medium of communication.” These rights are guaranteed as long as they do not interfere with defence, public safety, public order, public morality or public health.

The Constitution does not mention media freedom explicitly, and panellists felt that freedom of media is seen as separate from freedom of expression in Lesotho, which makes it difficult for the media to use Section 14 in its defence.

The country's draft media policy notes the need to review a number of laws, including the Constitution of the country. However, ratification of this policy has stalled (see discussion on indicator 1.12), as the Minister of Science, Technology and Communication felt the policy will take away a lot of power from government. “Government is so afraid to let go of the power that it has always had over the media. Therefore the media policy is likely to remain a draft policy for many years to come.”

- Government plans to soon enact the Public Meetings and Processions Act, which restricts the holding of public gatherings and will therefore further limit free expression.
- Owing to their lack of training and professional ethics, “journalists tend to go with the flow.” As a result, many journalists are less outspoken in light of the government’s hardened attitude towards free expression.

Panellists felt that sections of the media had resisted the hardening of government’s stance against them, but noted that there was still a lot of self-restraint and fear among citizens. “People will not get a job if their views are known,” one panellist argued. An example was given of students who were supposed to be attached to a government ministry, but the ministry only accepted those who were believed to be sympathetic to the ruling party. “You don’t have to be affiliated to a particular political party for this sort of thing to happen. It happens even if you openly take offence to something, such as poor service delivery,” it was stated.

“People will not get a job if their views are known”

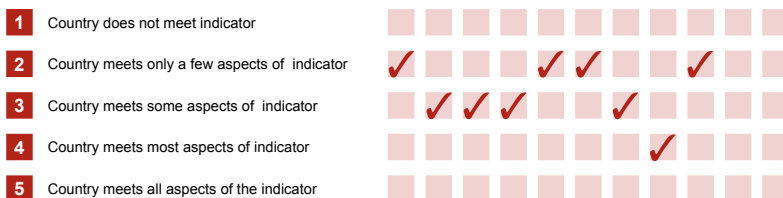
Between 2007 and 2010, the private radio station, People’s Choice (PC) FM, became more assertive, and listeners aired their views more freely through phone in programmes. This stand, however, has resulted in PC FM losing government advertising. One of the panellists lamented that “The people who call the radio are regulars who can do nothing but fight because they have lost everything already.”

Members of the public tend to express themselves more openly through radio, as opposed to using print media. One of the reasons offered for this trend is that the print media is too scared of losing advertising. Meanwhile, the state media does not dare report on the opposition parties. It was said that the Minister of Principle Secretary (PS) will call the news desk if he/she hears that a journalist is attending an opposition party press conference. “Ethically you loose everything. Everybody is so scared.”

Furthermore, there is “a Sesotho way of speaking.” “You don’t call an elderly person names - it doesn’t matter how bad that person is. And you have to respect the person who is listening to you,” one panellist noted, highlighting the cultural aspects of freedom of expression. Added to this, talking openly to young people on issues of sex and sexuality is required in addressing topics such as HIV and AIDS, but this open way of talking is seen as a taboo in the cultural context. As such, freedom of expression is also hampered in this way.

Scores:

Individual scores:



Average score:

2.7 (2008 = 1.1 ; 2006 = 1.2)

1.3 There are no laws restricting freedom of expression such as excessive official secrets or libel acts, or laws that unreasonably interfere with the responsibilities of the media.

There are a number of outdated laws that remain on the statute books and are often hauled out and used to restrict free expression and media freedom as the State sees fit¹.

In terms of the Internal Security Act, any meeting of more than five people requires permission from the police or local chief. “We should have informed the chief, told him that there are foreigners among us, and he would have told us what to discuss and what not to discuss,” one panellist pointed out.

The new Public Meetings and Processions Act, which is about to be signed into law, has similar provisions – the police must be notified of a meeting or public gathering two weeks in advance, and can only go ahead if the police approve a license.

Recently formulated legislation restricts access to public information and criminalises disclosure of this information by civil servants to the media or the general public.

Panellists highlighted the following laws as cases in point:

Sedition Proclamation of 1938

In 2008, Thabo Thakalekoala, a journalist working for private radio station *Harvest FM*,

¹ Nine laws that “unduly restrict media freedom” in Lesotho are listed in *Undue Restriction - Laws Impacting on Media Freedom in the SADC*, published by MISA, UNESCO and the EU in 2004.

was convicted of sedition for reading an anonymous letter on air, that he said he received from members of the Lesotho Defence Force, and which claimed the Prime Minister was a foreigner. Thakalekoala was first charged with high treason, but the charge was later changed.

Thakalekoala pleaded not guilty to charges of criminal defamation, sedition, injuring the prime Minister's reputation and subversion. He was convicted on the charge of sedition and found not guilty of the other charges. The journalist was given the maximum sentence - two years imprisonment or a fine of M200 (ZAR200, USD29) on account of the fact that the law's penalties had not been revised for many years. The journalist opted to pay the fine.

Panellists felt the courts are heavy-handed against the media in their application of the law. With regard to the sedition conviction of the *Harvest FM* journalist, one panellist said: "If the maximum penalty had been death, the judge would have sentenced the journalist to death." Panellists felt that judges make very conservative judgments that do not advance case law, and therefore the laws passed by Parliament remain conservative.

Internal Security Act 1984

Thakalekoala - the *Harvest FM* journalist - was also charged under this Act, but was not convicted on this charge. Nonetheless, panellists felt the law's presence acts as a constant threat over journalists who may practise self-censorship.

The Official Secrets Act 1967

This Act prohibits the unauthorized obtaining, retention, disclosure or publication of official information which may prejudicially affect the interests of the country. This law makes civil servants reluctant to release information to the media or to the public at large.

The Public Service Act 2005

The Public Service Act of 2005 prohibits civil servants from divulging information.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

1.3 (2008 = 1.0 ; 2006 = 1.1)

1.4 Government makes every effort to honour regional and international instruments on freedom of expression and the media.

Panellists argued that “to honour” means implementing international instruments, and not just ratifying them. “The government signs agreements and then does not implement them, saying that they are not binding,” panellists noted.

In Lesotho, the incorporation of international instruments into national law remains a prerogative of Cabinet. Parliament cannot call Cabinet to order on this. Further, when an international agreement favours government's public profile, government will inform people about it through the media. Otherwise, little is said about what government officials get up to beyond the country's borders.

*“The media
are more
lapdogs than
watchdogs”*

However, the lack of communication or coverage about the international instruments that government enters into, is also partly due to journalists' lack of professionalism. Reporters know, for example, when the Prime Minister has attended an event overseas. Despite this, it is rare that they follow up on what happened on such trip and what the implications of any agreements signed may have for the country - let alone the media. "Journalists just announce things, but never get to the nitty-gritty of what they are about." As a result, government does not feel obliged to say anything. "The media are more lapdogs than watchdogs," a panellist declared.

Scores:

Individual scores:

[illegible]

Average score:

1.0 (2008 =n/a ; 2006 = n/a)

1.5 Print publications are not required to obtain permission to publish from state authorities.

“The law is used to intimidate the media.”

The registration of publications is very straightforward. The process takes no more than a day and costs M150. In fact, the process is so straightforward that panellists felt registration was a “free for all”. (At the time of this report - September 2010 - 1 Lesotho Loti (plural Maloti) was worth 1 South African Rand and 0.14 to the US dollar.)

However, there is a sting in the tail. In terms of the Post Office Act - which regulates the registration of publications, every edition of every publication produced has to be vetted by the director of postal services before going to print. This does not happen in practice, “But when it comes to a fight in court, they will bring in the law and you will always lose. The law is used to intimidate the media.”

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

3.4 (2008 = n/a ; 2006 = n/a)

1.6 Entry into and practice of the journalistic profession is legally unrestricted.

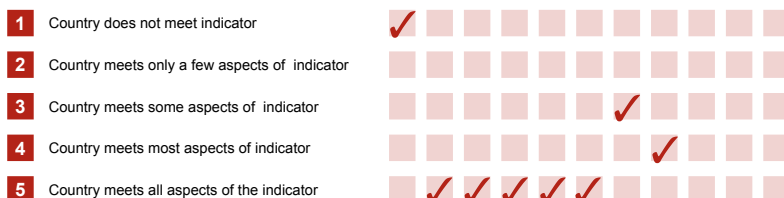
“In Lesotho you can be whoever you want to be”, and there are no restrictions on becoming a journalist. Press cards exist, but journalists can operate without them. To apply for a press card, a journalist fills in a form at the communications ministry, and then pays a registration fee of M70 (+/-USD10) at the police station. Anyone can apply.

The police used to vet applications, but this no longer happens. However, in terms of the law, the police can refuse accreditation. Out of principle, a number of private

media houses refuse to apply for press cards, as they feel that the police should not be responsible for the accreditation of journalists. Accreditation for special events, such as the recent state visit of South African president Jacob Zuma, is handled by the Ministry of Communications, Science and Technology.

Scores:

Individual scores:



Average score:

4.2 (2008 = 2.9 ; 2006 = 4.2)

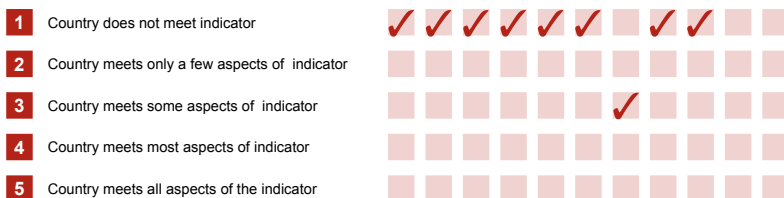
1.7 Protection of confidential sources of information is guaranteed by law.

Journalists can be imprisoned for not revealing a source, but may maintain their right not to name their sources. In terms of the Criminal Procedures Act, a journalist can be imprisoned for up to 21 days for doing this. The Official Secrets Act carries a similar penalty. The law is used to “whip you” if you don’t reveal your sources, but it does not compel you to disclose the source.

Defamation laws (including criminal defamation) also put pressure on journalists to reveal their sources, as these require the respondent to prove that they did not defame the plaintiff. Often, the only person who can verify a story is the confidential source, as was the case in 2005 when *The Mirror* was sued for defamation for a story accusing the Prime Minister of theft. In this case, the source refused to testify, and the paper was found guilty of defamation, and fined M50 000.

Scores:

Individual scores:



Average score:

1.2 (2008 = 2.0 ; 2006 = 1.6)

1.8 Public information is easily accessible, guaranteed by law, to all citizens.

In the mid-1990s, the Law Reform Commission drafted the Access and Receipt of Information Bill. However, governments that have been in power since then have refused to table the Bill in parliament, as they believe it to be “a waste of time”. As a result, “one has to apply illegal means to obtain information.”

*“it is
government
information
rather
than public
information”*

The current draft of the media policy seeks to promote access to information through the appointment of a government information officer responsible for providing journalists and the public with information. In recent years, government has become more proactive in releasing information to the public through the media, and most ministries have an information officer, albeit these officers holding relatively junior positions.

Panellists felt that there is a lack of understanding on what constitutes “public information”. The culture within the civil service is to restrict the release of information based on the belief that “it is government information rather than public information.”

Even when information is already in the public domain, civil servants are reluctant to release further details (e.g. the full version of a report cited in a newspaper article), arguing that they do not have the authority to provide such information. “There’s a whole culture of people not being able to define public information.”

Panellists noted that there are no clear procedures for accessing information, and this allows government to continue to control the release of information.

Government files tend to be labelled either “secret” or “confidential”. Recently, MISA-Lesotho submitted information requests to four ministries and four parastatals. After 31 days, none of the eight institutions had released the information requested, let alone replied to MISA.

One panellist said he/she had tried to get ministry performance audits from the office of the Auditor General, but was told the information was in a safe and that the responsible Minister had ordered that the reports should not be released for 10 years. “Even the public accounts committee of parliament does not get to see these reports. The public accounts committee only gets what they are given,” another panellist stated.

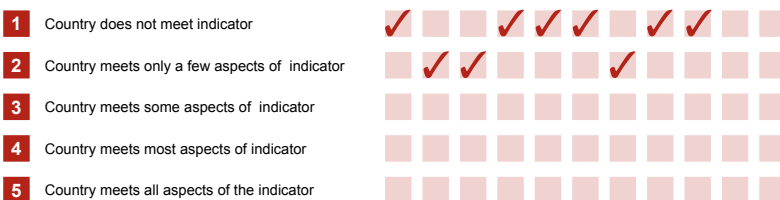
Students, too, struggle to access information for their research theses, and panellists felt it would be very difficult for ordinary citizens to access information.

A national communications strategy that focussed on improving information flow through the use of communication technology was developed in 2009. However, panellists believed the strategy is simply “window dressing” by government to give the impression that it is making changes. “But nothing ever happens,” panellists said.

“There’s a whole culture of people not being able to define public information.”

Scores:

Individual scores:



Average score:

1.3 (2008 = 1.4 ; 2006 = 1.2)

1.9 Websites and blogs are not required to register with or obtain permission from state authorities.

“Once a blog causes a stir, the LCA will try to restrict it.”

No one needs permission to set up a web site or a blog. In fact, a panellist pointed out that “New Media is a new phenomenon, and therefore the Lesotho Communications Authority (LCA - which regulates broadcasting and telecommunications) does not even know that people have blogs. Once a blog causes a stir, the LCA will try to restrict it.”

Online forum, *topix.com*, is popular among Lesotho’s internet users, and hosted heated political debates during the 2007 election campaign. However, panellists felt that discussions on the forum have since become “very vulgar”.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

4.7 (2008 = n/a ; 2006 = n/a)

1.10 The state does not seek to block or filter Internet content unless laws provide for restrictions that serve a legitimate interest and are necessary in a democratic society.

“There was an attempt by government to shut *topix.com* down, but they didn’t know how to,” a panellist noted.

Civil servants’ internet access is restricted, and this restriction also applies to those working for state media. Government-employed journalists have to ask permission to access particular web sites from their workstations. The Ministry of Communication, Science and Technology hired a consultant to monitor civil

servants' internet use, and this consultant handles requests for providing or denying access to requested web sites.






“If you are lucky you can have the web site opened the same day, but if the consultant is busy then it might take a week. The newsroom wanted to set up a *Facebook* page and had to battle it out with the consultant for two weeks to get the decision approved.” The only way for state journalists to bypass the system is to use their own private internet accounts, for which they have to pay at their own expense.

In the past, government tried to charge Internet Service Providers (ISPs) high licensing fees if they thought the ISP was serving “a particular constituency”. “The state attempts to monitor what general citizens are accessing via the Internet, but doesn’t have the capacity to do it...yet.”

“There was an attempt by government to shut topix.com down, but they didn’t know how to”

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score:

3.2 (2008 = n/a ; 2006 = n/a)

1.11 Civil society in general and media lobby groups actively advance the cause of media freedom.

In Lesotho, the main lobby groups for free expression and media freedom issues are MISA-Lesotho, the Transformation Resource Centre, Gender and Media Southern Africa (GEMSA), and the Lesotho Council of NGOs.

The general pattern that exists in the country is that one organisation tends to take overall responsibility for particular issues. In the case of free expression and media freedom, this organisation is MISA. Other civil society groups then become involved in advocacy activities on an ad hoc basis when their target group is affected, and if resources are available to fund their involvement. As a result,

some panellists felt that civil society's advocacy around free expression and media freedom tended to be reactive, rather than being "programmatic" and proactive.

When *PCFM* was taken off air, for example, civil society's response was not united. "One side said it was not right, while others felt it was justified." Panellists felt this was an illustration of how civil society is divided culturally and politically.

When civil society advances the cause of free expression and media freedom, the impact is dubious. "Our advocacy and lobbying strategies do not attract the required response. If we demonstrate while government is already addressing the issue, you put them off. They want us to be patient. But when you are patient, they take too long."

Government perceives civil society to be oppositional, panellists explained, particularly because opposition parties are often hostile towards the state media. For example, the opposition ACP party barred a state television camera crew from covering their press conference, because the journalists were thought to be spying for the government. Civil society did not react to this incident. Furthermore, state media tends to cover opposition parties only when such coverage will reflect badly on the opposition, for example when an opposition party splits.

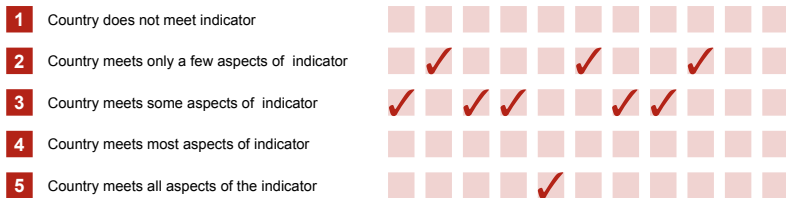
Active public participation in radio talk shows suggests that Basotho consider freedom of expression to be a "god-given right". However, panellists doubted whether the public was aware of the legal provisions for, and standards guaranteeing this freedom.

Moreover, this awareness of and belief in an individual's right to free expression tends to be greatest among people living in the capital city - Maseru - and other urban areas. "Out in the village, people will feel that you can only express something with permission of the chief." Given this state of affairs, it appears that media lobby groups have not really had an impact beyond urban areas, where only a minority of the population lives.

Having said this though, when the private radio station *MoAfrika* was disconnected from the national transmitter network in 2004, it was people in very rural areas who called for the station to be put back on air. *MoAfrika* was, however, reconnected to the national transmitter network only when it pledged - on air - its support for the government. The station has recently withdrawn this support, and panellists expect that the station will be disconnected from the network once more - ostensibly on the grounds that, like most private radio stations, it is in arrears with its payments to Radio Lesotho for using the state network.

Scores:

Individual scores:



Average score: 2.9 (2008 = 2.0 ; 2006 = 3.6)

1.12 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

Stakeholders are invited by government to consultative meetings, but there is little opportunity to debate issues on such occasions. “We can make submissions, but it takes a long time to find out if these have been taken into account. We get no feedback from government once we’ve made our submission.” MISA made many suggestions, comments and inputs during the drafting of various media and communications policies, but few of the organisation’s views were taken on board.

There have been a number of attempts to formulate a media policy since the mid-1990s. Delegates explained that in 1997, a consultative conference convened by government adopted a policy that MISA had drafted. It seemed that government would approve the policy, not least because it was backed by the then-Prime Minister. As such, a UN agency funded the printing and distribution of copies of this policy in the belief that government was about to adopt it.

“We can make submissions, but it takes a long time to find out if these have been taken into account. We get no feedback from government once we’ve made our submission.”

However, the Prime Minister and Information Minister who had backed the policy were later replaced, and their successors did not take the policy forward. Instead, government drafted a new policy some years later, which meant there were

now two “draft” policies on the table. These have since been merged, and in 2009 there was further consultation on this renewed policy, but panellists were not sure whether civil society’s views had been incorporated into the latest draft. Panellists believed the policy to be somewhere between the ministry and the Cabinet.

In 2008, government adopted a Communications Policy² that deals with the regulation of the broadcasting, telecommunications and postal sectors. Again, government held consultations in which civil society participated, but few of their views were incorporated into the policy, panellists said. The policy paves the way for a Communications Act that is bound to have major implications for the broadcasting sector. The act has yet to be passed.

The policy states that it aims to establish “the framework for regulation of the telecommunications, broadcasting, and postal sectors.” In so doing, “the Policy will provide the foundation for the adoption of new legislation, the Communications Act of 2008, which will replace the Lesotho Telecommunications Authority Act No. 5 of 2000, as amended (LTA Act), and the Post Office Act of 1979.” In this regard, “the Policy builds on the foundation established by the Lesotho Telecommunications Policy of 1999 and the ICT Policy for Lesotho, adopted in 2005.” The policy envisages that the Communications Act will restructure the Lesotho Communications Authority (LCA) in order to “integrate the regulation of the telecommunications, broadcasting, and postal sectors.”

The Communications Policy also outlines measures “to balance independence and accountability” of the LCA, whose board will be appointed by the Minister and approved by the National Assembly. The Minister will appoint the LCA’s chief executive officer based on the recommendation of the Board. The policy states that the Minister will be able to fire the LCA CEO, who will be hired for no more than three years at a time.

Although the policy focuses on technological regulation, it also makes provision for the LCA to regulate broadcasting content. In this regard, the envisaged Communications Act will: “Seek to promote freedom of expression, diversity, and the free flow of information and ideas.” However, the law will recognize that – in certain, narrow, clearly defined circumstances – the Government will have authority to impose content restrictions.

According to the policy, “The law will make clear the specific circumstances in which content restrictions are justified, and will establish a transparent non-discriminatory procedure that will be followed before any sanction is imposed on an offending broadcaster.” The policy also states that the new Act will establish a broadcasting complaints panel.

“I was shocked when I heard there was a media policy (the 1997 version)”

2 www.lesotho.gov.ls/documents/Final_Communications_Policy_Document.pdf

Furthermore, the policy paves the way for the transformation of the Lesotho National Broadcasting Service (LNBS) “into a public service broadcaster” through the “corporatizing” of the LNBS. The new, “corporatized” broadcaster will be “accountable to an independent board with the goal of serving the public interest.”

A Broadcasting Corporation Bill, which provided for the “liberalisation” of state-run broadcasters, was tabled in Parliament in 2004, but was not passed. At the time, MISA-Lesotho was critical of the bill as it did not take into account the views of the media³. In the meantime, broadcasters continue to be licensed in terms of regulations drawn up by the LCA, in terms of the LCA Act of 2000.

The Communications Policy also provides for the set-up of a Universal Access Fund to help ensure that “all Basotho have access to basic domestic and international telephony services and Internet access.” The policy states that telecommunications operators will contribute up to 2 percent of their revenue to the fund. It goes on to say that government “will also explore the feasibility” of having broadcasters and postal service providers contribute to the Fund “in return for qualifying to receive funds to help to promote access.”

Consequently, panellists expressed the view that no new media legislation has been passed since Lesotho’s return to constitutional democracy in 1993.

Throughout discussions, panellists often returned to the saga of the “media policy”, with some suggesting that the 1997 version should, in fact, be taken as the country’s de facto media policy, as it was adopted by all stakeholders at the time.

“I was shocked when I heard there was a media policy (the 1997 version),” said one panellist. What have we been doing for the last 10 years when we already have a media policy?” Said another: “If we keep saying that we don’t have a media policy, we are helping government in its stalling. The media policy needs legitimacy and needs to be acknowledged by all media.”

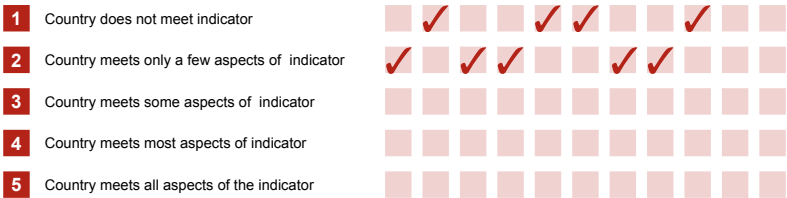
“The media policy needs legitimacy and needs to be acknowledged by all media.”

Another panellist added: “Some of us didn’t know about the 1997 version adopted by stakeholders, so when we started with the (latest) media policy we thought we were starting something new. We need to recognise that we have a media policy.”

³ <http://afrol.com/articles/14532>

Scores:

Individual scores:



Average score: 1.6 (2008 = n/a ; 2006 = n/a)

Overall score for sector 1: 2.5 (2008 = 1.6; 2006 = 2.1)

SECTOR 2:

The media landscape is characterised by diversity, independence and sustainability.

The media landscape, including new media, is characterised by diversity, independence and sustainability.

2.1 A wide range of sources of information (print, broadcasting, internet) is available and affordable to citizens.

Lesotho has two state-run radio stations - *Radio Lesotho* and *Ultimate FM* - which broadcast countrywide. In addition to this, there are eight privately owned radio stations. Three of these belong to church organisations, one (Khotso FM) is run by the National University of Lesotho, and four (Harvest FM, Joy FM, MoAfrica and PCFM) are commercial broadcasters.

PCFM, *MoAfrica* and the Catholic Church's radio station broadcast countrywide via *Radio Lesotho's* transmitter network, while *Joy FM*, *Harvest FM* and *Karabo* broadcast in and around Maseru. *Joy FM* was ordered off the air by the LCA in September 2010, for interfering with the frequencies of other broadcasters. According to the LCA, it first alerted *Joy FM* to the problem in May 2009, but the station's interference with *PCFM* and South Africa's OFM continued. The ban is set for three months, after which time *Joy FM* will be expected to stick to its own frequency. At the time of the *AMB*, *Joy FM* was still off air.

In terms of reception, South African radio stations - most notably the South African Broadcasting Corporation's Radio Lesedi, which broadcasts in Sesotho - appear to be more accessible than local stations.

With respect to print media, panellists said a total of 65 newspapers, periodicals and magazines are published in Lesotho. There are no daily newspapers. Private newspaper print runs range between 9000 (e.g. *Molodi*, which is published by the ruling party - the Lesotho Congress for Democracy) and 2000 copies, and are sold for anything between M6.50 (e.g. in the case of a privately-owned commercial venture) and M2.50. (e.g. the paper published by a political party). A loaf of bread costs about M5 - 7. Free newspapers, which survive on advertising income alone, have relatively high print runs. For example, the privately owned free newspaper, *Informative*, was said to have a print run of about 9000 copies. The state-owned weekly *Lesotho Today* has a print run of around 5000 copies, 72 distribution depots around the country, and sells for M2. It is estimated that one newspaper is read by an average of 6.5 people.

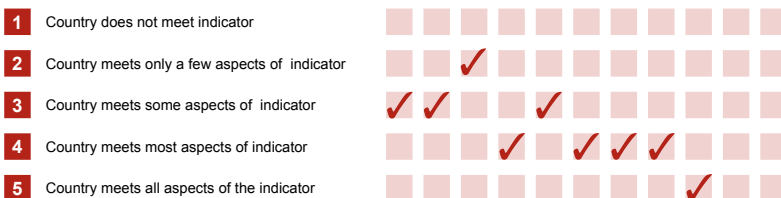
The main newspapers either publish in Sesotho, or have sections written in Sesotho. *Lesotho Times* and *Public Eye* both have on line editions, while *Afronews* publishes only via the Internet.

Very soon, Lesotho's state-run, national television channel, Lesotho Television, will be available only via DSTV's subscription-based, satellite network. The cheapest *DSTV* package, which includes *Lesotho TV* costs M220 / year, with installation - which includes a satellite dish - costing about M600.

Internet was said to be widely accessible via mobile phones, although many people may not to be aware of this. Increasingly, cell phone packages offered by the country's two mobile telephone operators, Vodacom and Econet, include handsets that can be used to access the Internet. Mobile Internet appears to be relatively inexpensive: "For M5 you can be on Facebook all night." 3G modems for laptops cost in the region of M1000. Internet cafés charge in the region of M5 / 15mins for Internet access.

Scores:

Individual scores:



Average score:

3.6 (2008 = 1.8 ; 2006 = 2.5)

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score: 2.4 (2008 = 1.0 ; 2006 = 1.0)

2.4 The editorial independence of print media published by a public authority is protected adequately against undue political interference.

The editorial independence of media produced by the government is not protected, and there is a great deal of interference in political coverage across the state-run media. The Principle Secretary (PS) in the Ministry of Communications, Science and Technology often phones state media editors, telling them what should and should not be covered.

On one occasion, a junior reporter at the state news agency was sent to cover a press conference by an opposition party, in response to a statement made by the Prime Minister. The PS phoned the agency's news desk, instructing it not to cover the opposition party's press conference. However, the journalist had already left the office, and filed a story on his/her return. Somehow the story was distributed and broadcast on Radio Lesotho. The PS insisted that disciplinary action be taken against the reporter, who had just joined the agency.

Scores:

Individual scores:

[illegible]

Average score: 1.4 (2008 = 1.9 ; 2006 = 1.0)

2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

There is no legislation that restricts monopolies and cross media ownership. Both the government and, to some extent, the churches have media monopolies.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓										
2	Country meets only a few aspects of indicator																			
3	Country meets some aspects of indicator																			
4	Country meets most aspects of indicator																			
5	Country meets all aspects of the indicator																			

Average score:

1.0 (2008 = 1.5 ; 2006 = 1.1)

2.6 Government promotes a diverse media landscape with economically viable and independent media outlets.

The government has introduced a Universal Access Fund (UAF) and, although this is intended primarily for telecommunications, some of the panellists felt that the 2008 Communications Policy implies that it may apply to broadcasters in the future.

In the meantime, private broadcasters have to grapple with the high cost of using the government's transmitter network, with transmitter rental and license fees costing a private radio station around M46 000 per year. Publishers are offered tax concessions on newsprint, ink and equipment. The ruling party was donated a printing press, but could not afford to pay the import duties. As far as panellists were aware, the press is still impounded at the border.

Scores:

Individual scores:

1	Country does not meet indicator	✓		✓		✓		✓		✓				
2	Country meets only a few aspects of indicator		✓		✓		✓		✓					
3	Country meets some aspects of indicator													
4	Country meets most aspects of indicator													
5	Country meets all aspects of the indicator													

Average score:

1.4 (2008 =n/a; 2006 = n/a)

2.7 All media fairly reflect the voices of both women and men.

The voices of women are not reflected sufficiently. Women tend to feature in news coverage in a negative context - for example, as victims of violence. "Women are not considered newsmakers. Predominantly, it is men who are considered by the media to be newsmakers in terms of interviews, profiles, and (being quoted as news) sources." During elections, female candidates attract some media coverage, but overall, coverage is not balanced, and reflects the country's patriarchal culture.

"Even when women are involved in something, only male voices are reflected."

Two studies were cited to illustrate this imbalance in the media's coverage: The Gender and Media Progress Study, and the Global Media Monitoring Project (GMPP). The latter found that only 17% of the media's coverage included "women's voices" - the lowest ratio in southern Africa. "Even when women are sources of information, the story still talks about men," one panellist pointed out. "Even when women are involved in something, only male voices are reflected."

Panellists felt this bias reflects a serious lack of professionalism within the media, which appears determined to ignore 51 percent of the population. This is in spite of the fact that more women work for the media in Lesotho - decision-making positions included - than anywhere else in southern Africa (see discussion on indicator 4.4).

One panellist contended that the gender bias in the media's coverage is all the more serious given that 58 percent of local government representatives are women.

“you see testosterone in our media, parading as gods but not doing half the things that women do.”

Another female panellist countered: “But the women in these positions were taken there in a wheelbarrow (for the sake of filling quotas), and don’t know what they are saying. So how can the media report what they say?”

There are exceptions, and *Informative* was commended for profiling positive female role models. But, by and large, “you see testosterone in our media, parading as gods but not doing half the things that women do.”

There is little to no coverage of the lesbian, gay, bisexual and transgender and inter-sex (LGBTI) community.

Scores:

Individual scores:

1	Country does not meet indicator						✓							
2	Country meets only a few aspects of indicator	✓												
3	Country meets some aspects of indicator		✓	✓	✓	✓	✓	✓		✓				
4	Country meets most aspects of indicator									✓				
5	Country meets all aspects of the indicator													

Average score:

2.8 (2008 =n/a; 2006 = n/a)

2.8 All media fairly reflect the voices of society in its ethnic, linguistic, religious, political and social diversity.

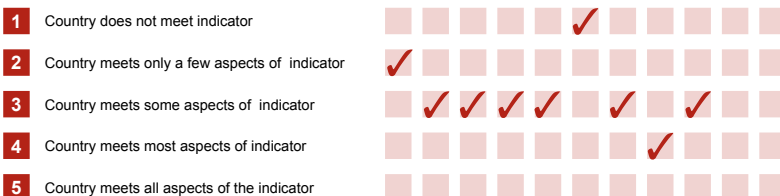
Socially, the media covers only certain ethnic groups and religions. When it comes to politics, the state media tends to promote the ruling party while the private media tends to favour the opposition.

Panelists felt that *PCFM* was the only broadcaster that gave space to sections of society that have been sidelined, such as young or gay or HIV-positive people. On the print media’s side, *Informative* has tried to do the same, although it became “disheartened” in its coverage of the LGBTI community because few LGBTI people wanted to speak openly, making reporting difficult.

Generally, media houses do not have editorial policies to promote more balanced coverage. The national policy on ethnicity requires that all ethnic groups should enjoy representation and a voice, but this is not reflected in the media.

Scores:

Individual scores:



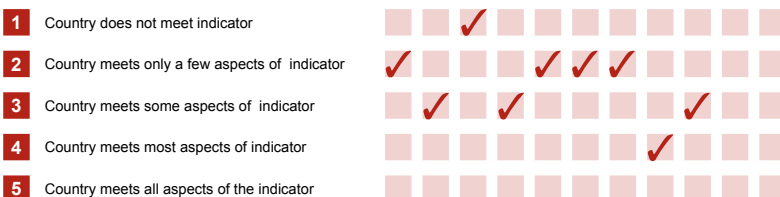
Average score: 2.2 (2008 =n/a ; 2006 = n/a)

2.9 The country has a coherent ICT policy, which aims to meet the information needs of all citizens, including marginalised communities.

There is an information and communication technology (ICT) policy that was approved in 2005, but panellists felt that this is not being applied equally to meet the needs of all citizens. Training in ICTs tends to focus on young people and does not reach all districts of the country. The policy was drafted by a group of experts. Stakeholders were consulted, and the public was invited through the media to comment on the draft. The government's Vision 2020 also covers ICTs.

Scores:

Individual scores:



Average score: 2.4 (2008 =n/a; 2006 = n/a)

2.10 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

Government rarely states openly that it is withholding advertising to exert pressure on certain media. However, panellists felt that government uses its considerable influence in terms of advertising spending to influence editorial content in a more discreet way. After the 2007 elections, for example, a government memo prohibited ministries from advertising with *Public Eye* newspaper and *Harvest FM* radio.

According to the panellists, about 60 percent of advertising revenue generated by the media comes from government.

Scores:

Individual scores:

[illegible]

Average score:

1.1 (2008 =1.9; 2006 = 1.1)

2.11 The advertising market is large enough to support a diversity of media outlets.

Opinions of the panellists on this indicator were divided. Some felt that “the advertising cake is small and it has to be shared very widely”, while others felt that there was enough advertising, but the media’s approach to generating advertising was flawed. “The market is there but we haven’t cracked it,” said a panellist.

A few big advertisers – such as government, cell phone operators and banks – dominate the advertising market. But even these major players cannot afford to advertise in all the media. Advertising budgets for the retail sector are controlled from head offices in South Africa, which tend to focus their advertising on South African media that distribute in Lesotho. Local branches

*“the
advertising
cake is small
and it has to
be shared very
widely”*

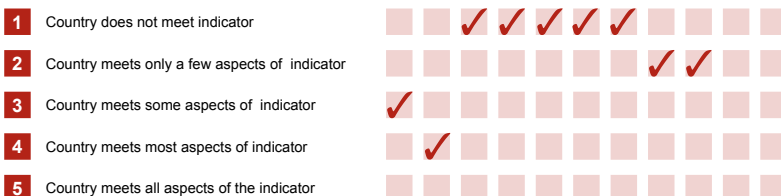
of South African companies do not have their own advertising budgets. “Media needs to change the thinking of these companies, to recognise that Lesotho is a separate market.”

The few institutions that do use marketing seem to have no real strategy for placing their advertisements. The way it works “makes you feel like a beggar”, as one panellist from the media put it.

The panel was divided in its assessment regarding this indicator, with widely differing views on whether the advertising market in the country is large enough to support a diversity of media outlets.

Scores:

Individual scores:



Average score: 1.8 (2008 = 1.1; 2006 = 1.5)

Average score for sector 2: 2.4 (2008 = 1.9; 2006 = 1.6)

SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

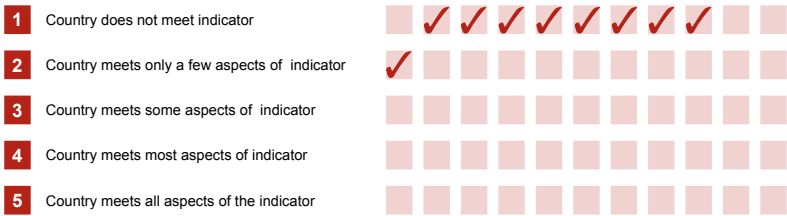
Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

The Lesotho Communications Authority (LCA) was established by the LCA Act of 2000. In terms of the act, the LCA is empowered to come up with rules and regulations for licensing broadcasters, and recommends licensees to the Communications Minister, who approves or vetoes a license. Therefore, the licensing of broadcasters is quite an ad hoc process, in which the Minister has the final say.

Scores:

Individual scores:



Average score: 1.1 (2008 = 2.0; 2006 = 2.1)

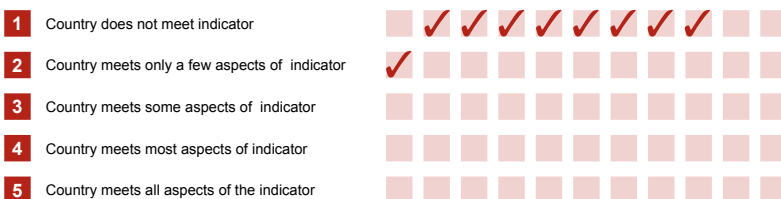
3.2 Broadcasting is regulated by an independent body adequately protected by law against interference whose board is appointed - in an open way - involving civil society and not dominated by any particular political party.

The LCA Act states that the LCA is an “independent and transparent” body with a board made up of seven people. The public is invited to nominate members of the LCA board, although nominations are only open to individuals. Based on the nominations from the public, the PS advises the Minister who should be appointed to the LCA board, and the Minister takes the final decision. At present, the PS’s wife, the deputy Prime Minister’s sister, and the ruling party’s lawyer and its former secretary general all serve on the LCA board, panellists explained.

With a view to balancing the “independence and accountability” of the LCA, the 2008 Communications Policy states that the board of the LCA should be appointed by the Minister, and that the Minister’s appointments should be approved by the National Assembly. In terms of the policy, these and other measures for the regulation of the communications sector will be provided for in the new Communications Act, which still has to be tabled in parliament. The Communications Policy also states that the Minister will appoint the LCA’s chief executive officer (CEO) based on the recommendation of the Board. The policy notes that the Minister will be able to fire the LCA CEO, who will be hired for no more than three years at a time.

Scores:

Individual scores:



Average score:

1.4 (2008 = n/a; 2006 = n/a)

3.3 The body regulates broadcasting services and licences in the public interest and ensures fairness and a diversity of views broadly representing society at large.

The eight existing private radio stations appear, on the surface at least, to represent a broad cross section of Lesotho's society. However, government controls the country's broadcasting infrastructure (transmitters etc), upon which private broadcasters depend. Government uses this control of the transmitter network to keep private broadcasters in check, as has been seen with the suspensions of *Harvest FM* and *MoAfrika* radio stations. These suspensions were done under the auspices of the stations being behind with the payment of their transmitter rental fees. According to the panellists, most radio stations are in arrears with their transmitter rentals and, on these grounds, the plug can easily be pulled on broadcasters who do not toe the government line.

To apply for a license, prospective broadcasters must submit an application form and business plan to the LCA. The draft media policy envisages the establishment of a broadcasting complaints panel to regulate complaints about programming. At present the LCA plays this role. The 2008 Communications Policy also provides for the establishment of a broadcasting complaints panel under the yet to be tabled Communications Act.

Scores:

Individual scores:

1	Country does not meet indicator	✓		✓	✓														
2	Country meets only a few aspects of indicator		✓				✓		✓										
3	Country meets some aspects of indicator					✓		✓		✓									
4	Country meets most aspects of indicator																		
5	Country meets all aspects of the indicator																		

Average score:

2.0 (2008 = 1.1; 2006 = 1.0)

3.4 The state/public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.

The state broadcaster has no board. Instead, it is a department within the Ministry of Communications, Science and Technology. The state broadcaster's Director-General reports directly to the Ministry's PS, and is on par with other directors within the ministry. The draft media policy does not address the issue of government's direct control of the state broadcaster.

The 2008 Communications Policy, however, envisages the transformation of the Lesotho National Broadcasting Service (LNBS) "into a public service broadcaster" through the "corporatizing" of the LNBS. The new "corporatized" broadcaster will be "accountable to an independent board with the goal of serving the public interest". However, details of this "corporatization" process are not spelled out further in the policy. The 2008 Communications Policy does not go into detail with regards to how the LNBS's "independent" board will be appointed, nor does it bear any indication of how its independence will be guaranteed.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓		
2	Country meets only a few aspects of indicator											
3	Country meets some aspects of indicator											
4	Country meets most aspects of indicator											
5	Country meets all aspects of the indicator											

Average score:

1.0 (2008 = 1.0; 2006 = 1.0)

3.5 Office bearers with the state and political parties, as well as those with a financial interest in the broadcasting industry, are excluded from possible membership on the board of the state/public broadcaster.

The state broadcaster has no board, and neither the draft media policy nor the 2008 Communications Policy address this issue. The policy does not go into detail on how the LNBS's "independent" board will be appointed, nor does it dwell on how its independence will be guaranteed. Panellists argued that there has been a deliberate attempt by government to pack the board of the LCA with members of the ruling party and their families. Indeed, the former Minister responsible for broadcasting stated on air that "this is the radio for the government", and that "anyone who wants a public broadcaster can start it on their own - this is the government's broadcaster and we will run it as our own." The fact that neighbouring South Africa is eroding the independence of its public broadcaster has been used to justify continued state control of Lesotho's state broadcaster.

Civil society groups have tried to raise awareness on this lack of independence of the state broadcaster, but their campaign has had little impact beyond Maseru. It seems that the argument for public service broadcasting has been abandoned, now that the public can listen to private radio stations. Panellists said that private radio stations attracted fanatical followings.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓		✓	✓	✓	✓	✓	✓										
2	Country meets only a few aspects of indicator																			
3	Country meets some aspects of indicator																			
4	Country meets most aspects of indicator																			
5	Country meets all aspects of the indicator			✓																

Average score:

1.4 (2008 = 1.0; 2006 = 1.0)

3.6 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised.

There is no law guaranteeing the editorial independence of the state broadcaster. Nor does the broadcaster have a charter or editorial policy that says it is editorially independent. “You just know that you are government and you don’t bite the hand that feeds you,” one panellist explained. All broadcasters tend to be factional in their reporting of politics, and the state broadcaster is no exception. For example, during a recent strike, journalists working for the state broadcaster were given a directive to report that it was “business as usual”, and that few workers were observing the stay-away.

“You just know that you are government and you don’t bite the hand that feeds you”

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓		
2	Country meets only a few aspects of indicator										
3	Country meets some aspects of indicator										
4	Country meets most aspects of indicator										
5	Country meets all aspects of the indicator										

Average score:

1.0 (2008 = n/a; 2006 = n/a)

3.7 The state/public broadcaster is adequately funded in a manner that protects it from arbitrary interference through its budget and from commercial pressure.

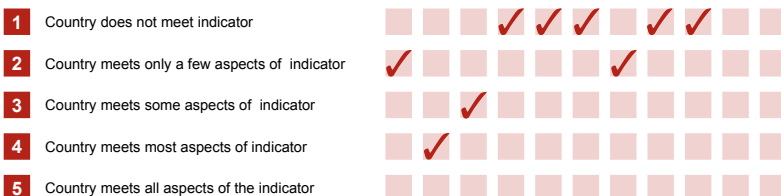
The state broadcaster’s budget is presented to Parliament during the government’s annual budgeting process, as part of the Communication Ministry’s budget. As such, it is Parliament that “rubber stamps” the budget. The state broadcaster raises income from advertising revenue on both radio and television, as well as from private broadcasters’ rental of the transmitter network that it runs on behalf of government. Members of the public are not charged license fees for owning television and radio sets.

Besides advertising, slots on state radio and television can be purchased for “public service” announcements. However, material for both advertising and public service announcements is vetted before being broadcast, and it is unlikely that opposition parties can buy airtime in this way.

Seeing that the government is one of the country’s main advertisers, panellists felt that there was not much commercial interference in the state broadcaster’s editorial line. Having said this, some panellists said that producers or presenters sometimes took bribes in return for including information about private companies in their programmes.

Scores:

Individual scores:



Average score:

1.8 (2008 = n/a; 2006 = n/a)

3.8 The state/public broadcaster is technically accessible in the entire country.

Although state television can, in theory, still be received via a conventional analogue aerial and television set, in practice it is accessible only to those who subscribe to *DSTV*’s digital satellite service, panellists said. Analogue broadcasting is supposed to continue until 2013, according to Lesotho’s ‘Digital Broadcasting Migration Strategy’. The cheapest *DSTV* subscription, which includes *Lesotho TV*, cost M220 a year, while installation costs M600 (this includes the satellite dish) at the time of the AMB dialogue.

It was envisaged that from November 2010, state radio should “technically” be accessible all over the country, although there are pockets countrywide where broadcast signals still do not reach on account of the mountainous terrain. Having said this, South African broadcasters were more widely accessible than Lesotho’s own radio stations.

There are plans to make the state-run *Radio Lesotho* available via the Internet. In the meantime, *Radio Lesotho* and the Panos Institute are piloting radio listener clubs in rural Mafeteng district. *Radio Lesotho* has assigned a reporter to the project, while Panos trains farmers to make their own radio programmes. The programmes are sent to *Radio Lesotho* in the capital Maseru for editing, and are broadcast during a weekly programme on *Radio Lesotho*. Panellists said the Agricultural Information Services had started a similar initiative whereby farmers write in with questions for experts, whose answers are then broadcast on air.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

4.0 (2008 = 1.4; 2006 = 1.0)

3.9 The state/public broadcaster offers diverse programming formats for all interests.

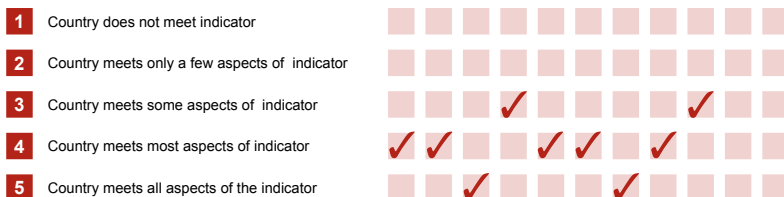
Panellists felt that the state broadcaster is making an effort to provide audiences with a diverse array of programming.

Radio Lesotho has phone-in programmes that focus on current affairs, chat shows, magazine programmes, and some locally produced dramas. It also has educational programmes, some of which are used by teachers in schools. “*Radio Lesotho* is one of the best equipped broadcasters in the region, and has a good reputation for balance – except when it comes to political issues.”

Meanwhile, *Lesotho TV* broadcasts soap operas, cartoons, sport, as well as locally produced chat shows. *Lesotho TV* also has a programme that investigates social issues such as witchcraft and ritual murders. However, this investigative journalism steers clear of politics. Some panellists questioned the station’s ethical standards as people are often accused or labelled as witches, etc.

Scores:

Individual scores:



Average score:

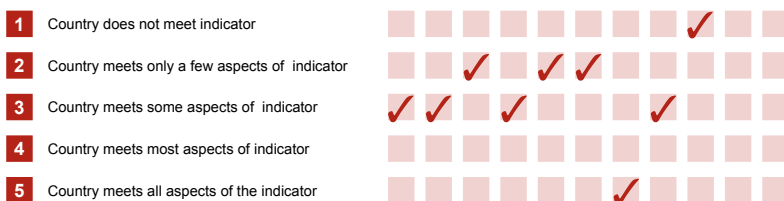
3.3 (2008 = 1.1; 2006 = 1.0)

3.10 The state/public broadcaster offers balanced and fair information in news and current affairs, reflecting the full spectrum of diverse views and opinions.

The state broadcaster's coverage is balanced, except when it comes to burning political issues. "The state media goes out of its way to bring in the voice of the person on the street," one panellist noted.

Scores:

Individual scores:



Average score:

2.7 (2008 = 1.1; 2006 = 1.0)

3.11 The state/public broadcaster offers as much diverse and creative local content as economically achievable.

More than 70 percent of programmes on state-run radio are produced locally. However, panellists felt the broadcaster shows little creativity when it comes to scheduling and introducing new programmes or formats. Creativity and diversity at the broadcaster is hampered by a lack of training, as well as political interference. As a result of poor human resource (HR) practice, skilled people end up in jobs that are not suited to their skills.

The state media has a civil service culture. “So how creative can you get with the mentality of a civil servant? Content is compromised because of the conflict between journalism ethics and civil service mentality. They are not reaching their potential - they could do a lot more.” On the other hand, some panellists felt that *Radio Lesotho* is trying, and producing programmes that private broadcasters are unable to create owing to the lack of resources.

“So how creative can you get with the mentality of a civil servant?”

State television, on the other hand, buys old, cheap, foreign programmes instead of producing its own local content. It argues that local productions are too expensive.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

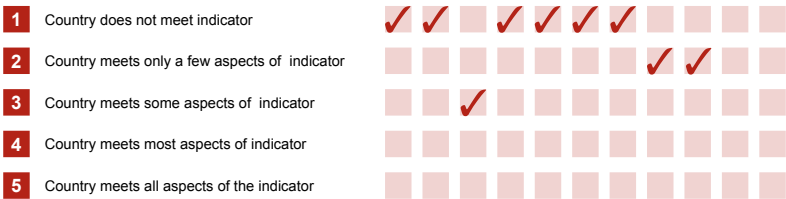
2.4 (2008 = 1.0; 2006 = 1.0)

3.12 Community broadcasting enjoys special promotion given its potential to broaden access by communities to the airwaves.

Lesotho has no legislation promoting community broadcasting, and there is little precedent for community media in the country. MISA is applying for a license for a community radio station in Mafeteng, at the request of UNESCO. This is because the community currently has no structures to apply for a license or run a station. Once the community is organised, MISA will hand over the station to the community.

Scores:

Individual scores:



Average score: 1.4 (2008 = 1.3; 2006 = 1.1)

Average score for sector 3: 2.0 (2008 = 1.1; 2006 = 1.0)

SECTOR 4:

The media practise high levels of professional standards.

The media practice high levels of professional standards.

4.1 The media follow voluntary codes of professional standards, which are enforced by self-regulatory bodies that deal with complaints from the public.

“We don’t have professional standards in black and white”

“We don’t have professional standards in black and white,” a panellist noted. The draft media policy provides for a self-regulatory media council and/or media ombudsman for the print media, and a semi-statutory “disputes resolution commission” for broadcasting. The 2008 Communications Policy also provides for the establishment of “a broadcasting complaints panel” under the yet-to-be-tabled Communications Act. The 1997 draft of the media policy, which was initially accepted by all stakeholders, including government, included a code of conduct that was signed by all media. In the absence of an industry-wide code, some media houses including *Public Eye* and *Harvest FM* use their own in-house editorial policies.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

1.6 (2008 = 1.1; 2006 = 1.0)

4.2 The standard of reporting follows the basic principles of accuracy and fairness.

“Certain media houses will say that their deliberate policy is to bend the rules,” one panellist argued, explaining that some media were aware of their professional principles, but broke them deliberately in order to see how the authorities would respond. However, other media houses try to follow the principles of the profession. “Even the state media tries,” it was pointed out. Nonetheless, the political and economic realities of producing media in Lesotho make it difficult to put these good intentions into practice.

“Certain media houses will say that their deliberate policy is to bend the rules”

This has varying effects on the trust citizens have in the media. “City dwellers believe so much in the media as a communication channel, people will use it even to spread lies. In the rural areas, people question what they see in the newspapers or hear on the radio.” Panellists felt that the listeners of private radio stations, in particular, are “very assertive”. “When *MoAfrika* radio became pro-government, listeners called in to say: ‘That is our radio station, you are not going to run away with it.’ That is what has given radio a lot of credibility, as the public asserts ethical standards.”

It remains difficult to gauge the level of professional standards and how they are applied, as “different people believe in different media.”

Scores:

Individual scores:

Indicator	Country does not meet indicator	Country meets only a few aspects of indicator	Country meets some aspects of indicator	Country meets most aspects of indicator	Country meets all aspects of the indicator
1	Country does not meet indicator				
2	Country meets only a few aspects of indicator		✓		
3	Country meets some aspects of indicator	✓	✓	✓	✓
4	Country meets most aspects of indicator			✓	✓
5	Country meets all aspects of the indicator				✓

Average score:

3.2 (2008 = 2.1; 2006 = 1.2)

4.3 The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local and investigative stories.

Business and economics reporting remains very poor, partly because businesses are unwilling to provide the media with information, for fear of the media trying to expose their negative elements. Government structures such as the Central Bank take a similar approach. “Commercial banks only started having public relations officers in the last few years. But we are getting there in terms of business and economics reporting.”

Meanwhile, investigative journalism is poor “across the spectrum”, as is the coverage of ethnic minorities. “The Basotho is a homogenous nation. We share many cultural and social values. But we do have minorities who are not represented in the media.”

“...politics is on the front page and the third page. Other issues come later on.”

News content is dominated by politics. “Politics makes news in Lesotho more than in many countries,” a panellist posited. Other sectors suffer as a result of this preoccupation with politics. One panellist felt that this was simply an impression created by the fact that political coverage tends to be prioritized. “There is a variety of issues covered in the media, it’s just that politics takes the spotlight - politics is on the front page and the third page. Other issues come later on.”

Panellists spoke of “an urban/rural divide”, with media coverage focused mostly on urban areas. Meanwhile, religious stations try to focus on more than just religion. “If we only focused on religion we would lose our listeners,” a panellist explained.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

3.7 (2008 = 2.0; 2006 = 4.0)

4.4. Equal opportunities regardless of race, social group, gender/sex, religion, disabilities and age are promoted in media houses.

Some media houses have adopted the International Labour Organisation's (ILO) policy on non-discrimination. In fact, women hold 73 percent of jobs in media - "the highest in the region." As such, panellists felt that women are being advanced in terms of careers in the media.

However, there is a lack of children's participation in the country's media. MISA is piloting a project to look at promoting children's rights through their involvement in the media. This will entail holding focus group discussions with primary school children, as well as training journalists on writing articles about children. The idea is to involve children in the production of media in the future.

People with disabilities are also under represented in the media.

"There is a trend towards equal opportunities"

Five years ago, 13 media houses developed equal opportunity policies in order to "change the HR atmosphere." Panellists said that policies have had a positive impact. "There is a trend towards equal opportunities," a panellist stated, adding that at *PCFM*, for example, both male and female managers exist.

"Media that serve a particular community tend to employ people from that community. For example, church media tend only to employ people from their particular church, while political media tend only to employ people from that particular political party."

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

4.2 (2008 = n/a; 2006 = n/a)

4.5 Journalists and editors do not practise self-censorship.

“Self-censorship is rife”, and panellists felt that the competition for advertising was a major reason for this, particularly as government is the country’s biggest advertiser. “The scramble is for advertising. Government is dangling the carrot. You have to sell your soul to get the advert by withdrawing content that may hurt government or the private sector.”

“Journalists are aware of what they should and should not cover.”

Panellists added that journalists quickly become aware of the culture of self-censorship in news rooms. “Your first day in the newsroom, you won’t be told: ‘You only cover this and that’. But when you see the stories produced, you realise what is the hidden fruit. Journalists are aware of what they should and should not cover.”

Self-censorship is most overt in media platforms that are totally dependent on advertising: “We don’t even dream about politics. We are told not to cover politics for the sake of getting advertising. Journalists don’t chase stories because they know it will be killed when it gets to the top.”

Furthermore, journalists do not ask critical questions at government press conferences “for fear of being labelled as ‘troublesome.’”

Scores:

Individual scores:

1	Country does not meet indicator			✓															
2	Country meets only a few aspects of indicator	✓	✓		✓														
3	Country meets some aspects of indicator					✓	✓			✓									
4	Country meets most aspects of indicator															✓			
5	Country meets all aspects of the indicator											✓							

Average score:

2.8 (2008 = 1.3; 2006 = 1.2)

4.6 Owners of established mainstream private media do not interfere with editorial independence.

Panellists felt that there is interference from media owners, and cited the example of *PCFM*, which was taken to court by one of its own directors for covering a story critical of itself. “Owners have their own vision and objectives to reach, and if you are going to stand in their way, they are going to kick you out.”

In Lesotho, the distinction between owner and editor is often blurred by the fact that most owners double up as editors of the products they own, and naturally have an influence over editorial content. Sometimes, they interfere in “a positive way” - for example, by insisting that their journalists are professional.

Lesotho’s harsh economic climate makes owners particularly sensitive to what their media cover. Lesotho’s static economy and a business sector dominated by large South African chains that have their ad budgets set in their own country results in a constricted advertising base. Since there are very few local companies who are able to advertise on a large scale, publishers are wary of offending these advertisers.

Scores:

Individual scores:

1	Country does not meet indicator	✓		✓	✓														
2	Country meets only a few aspects of indicator		✓			✓				✓		✓	✓						
3	Country meets some aspects of indicator																		
4	Country meets most aspects of indicator							✓	✓										
5	Country meets all aspects of the indicator																		

Average score:

2.1 (2008 = 1.1; 2006 = 1.0)

4.7 Journalists and media houses have integrity and are not corrupt.

There is a lot of corruption in the media industry - “particularly in the private media”. This comes in the form of money and gifts in return for favourable coverage. The low salaries paid to journalists contributes to this state of affairs. “There is a lot of corruption, but we don’t like reporting on ourselves,” a panellist stated.

This corruption goes to the highest level, with large companies paying media to kill controversial stories. Some media houses require their staff to declare gifts, but panellists felt that this is a difficult policy to enforce. “Where do you draw the line on the issue of gifts?” one panellist asked. “Journalists attend events because there are gifts.”

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

2.6 (2008 = n/a; 2006 = n/a)

4.8 Salary levels and general working conditions for journalists and other media practitioners are adequate.

On the whole, media houses pay poorly because they are struggling to break even. Private media rely heavily on volunteers or freelancers, and only a few established private media houses pay regular salaries to their staff. Volunteers are paid incentives.

Decision makers tend to be paid well, but those who do not take decisions are paid poorly. The entry-level salary for a journalist in the private media is around M800 - 1500 per month, while in the state media, someone with a degree can expect to earn a gross salary of M4500 in their first job.

Having said this, state media struggle to attract journalists from the private media because working for private media offers journalists more opportunities to make extra money from freelancing. “The only way to keep journalists in the private media is to allow them to freelance or moonlight.” With this additional income, a journalist working for private media can expect to earn in the region of M12 000/month.

"The only way to keep journalists in the private media is to allow them to freelance or moonlight."

However, working conditions in the private media tend to be more difficult than those in the state media, in the sense that state media is usually better equipped than its private sector counterparts.

As a result of the relatively poor pay, media have a high turnover of staff, who tend to move on to NGOs and government when opportunities arise. Poor pay is also a cause of corruption. “Journalists don’t feel loyal to their media house or to the profession. This is a very small country, where you often find that you have to do stories about people you know.”

Nonetheless, competition is gradually forcing private media to pay better salaries in order to attract and keep the best journalists.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score:

2.4 (2008 = n/a; 2006 = n/a)

4.9 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills

Media-related courses are offered at two of Lesotho's tertiary education institutions:

- Institute of Extra Mural Studies (IEMS) of the National University of Lesotho - Mass Communications
- Limkokwing University of Creative Technology (the local campus of an international university founded in Malaysia) - Advertising and Journalism.

Some panellists felt that these courses do not meet the needs of the local media industry. "Students don't have passion for media. They are attracted by the glamour of being radio or TV presenters. Therefore students don't focus on the practical side of the profession," a panellist pointed out.

"The industry has proposed a review of the programme and for an up-grade."

The IEMS course was designed with working journalists in mind, but some panellists felt it was too theoretical. The fact that the IEMS course is taught after working hours also limits the opportunities students have for practical experience.

One panellist noted that: "There is a disconnect between the programme and the industry. The industry has proposed a review of the programme and for an up-grade. However, there is an economic crisis at the university, and therefore there has been no review." Another added that: "Not enough time is spent on preparing students for practical journalism. When they come to the newsroom we don't have time to mentor them."

However, other panellists argued that training should not just be seen in the context of the print media. "IEMS is perceived as not being relevant by the press because it does not just focus on producing journalists who can write for the press. We have to be careful about labelling. Limkokwing also focuses on a whole range of media sectors - broadcasting, film production, and not just news and politics." On the other hand, IEMS feels that the industry does not contribute to the programme or help it to improve by providing input.






In addition to the tertiary institutions, organizations such as MISA and Newshare offer ad hoc, once-off training workshops. Increasingly, media houses are trying to provide staff with in-house training. *Radio Lesotho*, together with the cell-phone

company Econet, are looking to establish a training institute within the Ministry of Communications to provide degree programmes that prepare people to work in the communications industry.

Fewer and fewer government bursaries are available to students, as journalism is not seen as a priority subject. “Therefore we don’t have many qualified journalists in Lesotho,” explained one panellist. Another added that “Many media owners don’t have an understanding of media.”

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score:

2.8 (2008 = 1.8; 2006 = 3.4)

4.10 Journalists and other media practitioners are organised in trade unions and/or professional associations.

Over the years, there have been numerous professional associations for journalists and other media practitioners. However, these have tended to “belong to individuals”, and have had limited membership as a result. “They were more cliques,” said one panellist. Most associations are dysfunctional.

In 1993, journalists tried to register a formal trade union, but government turned down their application. For a trade union to register, it needs to represent 51 percent of an industry's workforce. "Most of the country's journalists work for the government, and civil servants are not allowed to join - or form - a trade union." Anti-

“Most of the country’s journalists work for the government, and civil servants are not allowed to join – or form – a trade union.”

union legislation dating back to 1938 remains in force, “and could be activated if necessary.”

Scores:

Individual scores:

[illegible]

Average score: 2.0 (2008 = 1.5; 2006 = 1.9)

Overall score for sector 4: 2.7 (2008 = 1.6; 2006 = 2.0)

OVERALL COUNTRY SCORE: 2.4 (2008 = 1.6; 2006 = 1.6)

Developments since 2008

Positive developments in the media environment:

- There is greater competition in the media industry. Evidence of this is the increased number of new newspapers and magazines that have come into publication in recent years, along with the improved quality of the media. This has positively resulted in raising the standards of the industry as a whole.
- The media covers a greater variety of issues. Media coverage is less sensational, and the media is more willing to apologise and to publish corrections if mistakes are made.
- Radio stations have taken the initiative to train popular presenters, resulting in an improvement in their programmes.
- MISA has kept the state broadcaster on its toes, as a result of MISA's monitoring of the media. More of civil society is buying into MISA's advocacy agenda, and government is taking media freedom issues more seriously.
- Government is being more proactive about communicating to its citizens through the media. "Every time the Prime Minister goes out, he will hold a press conference on his return." This renewed attitude is the result of media pressure as well as, perhaps, the influence of the government's new media strategists.
- More training is available to media personnel through both the media houses and local universities. "Media houses are beginning to take responsibility for the output of the training institutions, as a way to improve the industry."
- There are a small but increasing number of films being produced locally. "There is a growing realisation that there is no local content on television, and the country needs to produce its own programmes."

Negative developments in the media environment:

- Parliament has come up with standing orders barring media from reporting on some of its committees.
- The economic situation is leading to increased media production costs. Along with recent political developments, this is compromising editorial content.
- The continued failure of government to endorse and enforce a media policy.
- Government continues to flex its muscle as a major advertiser and wields this tool to keep the media in line.
- There are no real and ongoing public debates in the media.

ACTION PLAN 2010 TO 2012

ACTIVITY	RESPONSIBILITY	TIME
Media Policy		
1. Raise awareness of the policy and code of conduct.	Media stakeholders, churches NGOs, media academics etc.	Oct 2010 onwards
2. Merge the various draft media policies.	As above	As above
3. Relaunch the media policy	MISA and government	January 2011
Training		
1. Address the “disconnect” between training institutions and the industry - media get involved in the discussion/ review.	IEMS (Head of Dept) Limkokwing University of Creative Technology MISA Ministry of Communication Trainers.	October 2010
2. Develop training programmes with the following priorities: • Investigative journalism • Business reporting • Community/rural reporting • Ethics • Citizen journalism	MISA	Oct 2010 - July 2011.
Public Service Broadcasting		
1. Strengthen advocacy around the transformation of the state broadcaster into a public broadcaster, as provided for in the communications policy.	MISA	September 2010
Technology		
1. Create awareness of using ICT tools for media and development.	MISA, GEMSA, Tertiary institutions, LCN, cell phone providers, CTA. (CTA and GEMSA best practice).	

The Panel:

Sophia Tlali - Gender Activist; Lawrence Keketso - Newspaper editor; Kholu M. Qhobela - Radio Journalist; Tholoana Makoro - Newspaper Journalist; Tsali Marou - Academic; Mothepane Kotele - News Agency; Nthakeng Selinyane - Newspaper Editor; Mokoanya Chele - Radio Journalist; Mzimkhulu Sithetho - Civil Society

Rapporteur:

David Lush

Facilitator:

Reyhana Masters

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Note:

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