



LESOTHO

National Overview 2016
by MISA Lesotho



Lesotho

National Overview 2016
by MISA Lesotho

OVERVIEW

Contestation between the leadership and the security sector has dominated the political landscape of Lesotho to the extent that mainly South Africa, through the Southern African Development Community has had to play a critical interventionist role over the last few years.

At the beginning of 2016, the SADC Double Troika Summit handed over a Commission of Inquiry report to the Lesotho government and tasked it:

- to publish the Report within 14 days - by February 1, 2016.
- to provide feedback on the implementation of recommendations to the Chair of the Organ on Politics, Defence and Security Cooperation at the meeting to be held in August 2016.

At a further meeting held by the SADC Double Troika Summit in August 2016, the government was further tasked:

- to prepare a roadmap for the implementation of the constitutional, public sector and security sector reforms and submit a progress report to the SADC Summit in August 2016.

The reforms contained in the report were recommended against a backdrop of issues, namely, attempted coups, the banning of political parties, a constitutional crisis, attacks on opposition members forcing them to flee the country and discord between the police and army and the political leadership over appointments in the security sector.

To get an understanding of the friction between the army and the political leadership, it is important to go back to 2014.

Following political tensions and the suspension of the National Assembly over the controversial change of the head of the army from Lieutenant General Kennedy Tlali Kamoli to Lieutenant General Maaparankoe Mahao, an alleged attempted coup d'état forced Prime Minister Tom Thabane to flee to neighbouring South Africa.

He returned home under the 24 hour protection of the South African and Namibian security and the guarantee that under the auspices of the SADC, there would be a mediation led by South African Deputy President Cyril Ramaphosa. Based on the mediation, Prime Minister Thabane called elections in February 2015, a year ahead of schedule.

A few months after the 2015 General Elections, leaders of the opposition and some of their members fled to South Africa, claiming their lives were in danger. Tension in the country reached its peak when soldiers were abducted earlier that year. Midway through the year, the former commander of the Lesotho Army, Lieutenant General Maaparankoe Mahao was shot and killed.

It was Mahao's death that prompted an intervention in 2015 whereby President Jacob Zuma appointed a commission of Inquiry, in his capacity as the chair of the security organ of SADC. The 10 member Commission of Inquiry, headed by Botswana Judge Mphaphi Phumaphi was mandated to investigate the instability in Lesotho and in particular the circumstances of the murder of Lt. General Mahao.

The Commission of Inquiry requested the government of Lesotho to undertake a criminal investigation into the death of Lieutenant-General Mahao. Prime Minister Pakalitha Mosisili announced on 20 June 2016 in Parliament, that a criminal investigation into Mahao's killing is underway.

The Commission also suggested that Lieutenant-General Tlali Kamoli be relieved of his duties as commander of the LDF and all LDF officers implicated in cases of murder, attempted murder and treason be suspended while investigations into their cases proceed in line with international. According to a report in the *Business Day*, Lieutenant Kamoli was poised to retire on December 1.

“There is a lack of cohesion amongst media practitioners on matters of national interest.”

The media has had to operate in this politically unstable environment and has not fared well. Journalists have been physically attacked, namely the editor of *Lesotho Times*, Lloyd Mutungamiri was shot and injured while his colleague Keiso Mohloboli is in exile in South Africa. Blogger and University lecturer Mafa Sejanamane was also shot at, but was not injured.

MEDIA LANDSCAPE

Media houses in Lesotho are faced with similar challenges as those of surrounding countries. Newsrooms are understaffed and many of those working in them, lack capacity as they have not been formally trained. Only a few presenters and print media journalists have been to short courses while others have not been trained at all.

The fallout is felt by the public, who consume news that has been inadequately researched or tune in to current affairs programmes that are poorly moderated. While phone in programmes are extremely popular, the lack of moderation skills allows listeners to present unverified information as fact.

The disregard of media ethics and principles has often compromised the media with both the print and broadcasting media having to issue numerous apologies. MISA-Lesotho faces the challenge of, on one hand, having to congratulate the media for operating in a challenging environment and ensuring flow of information, allowing access to news and contributing to debates on diverse political, economic, social and developmental issues. On the other hand it has to berate the media for its continued inaccuracies

It is undeniable that traditional media is considered more trustworthy as opposed to news sourced through new media, to the extent that people ensure that whatever information they get on social media platforms is only considered true or accurate if it is verified in newspapers or broadcast on radio.

One of the major challenges facing the industry is that the media continues to remain politically polarised since 2012.

This ideological conflict along party lines was clearly evidenced during a programme run by the Media Institute of Southern Africa (MISA) Lesotho in 2015. In preparation for the National Assembly elections of 2015, MISA Lesotho invited politicians to the programmes that were run under the Capacity Building On Broadcasters Peace Building and Conflict Reporting programme. Some politicians refused to attend programmes on certain radio stations alleging that these media houses supported their political opponents.

Traditional media is considered a more trustworthy source of information.

Radio stations like *Ts'eno FM*, *MoAfrika FM* and *Thahakhube FM* mostly featured politicians from the Congress Party while *People's Choice FM*, *Harvest FM* and *Radio Spes Nostra* enjoyed the vibrant participation of national ideological political parties. This has not changed over the last few years.

With regard to the print media, the rivalry between two competing papers reached a peak when *Newsday* carried a story on the alleged closure of the *Lesotho Times*. On the other hand the *Lesotho Times'* Scrutator - in his satirical column suggested that the *Newsday* proprietor should consider opening a carwash as his newspaper has indications of political polarisation.

The lack of cohesion amongst media practitioners on matters of national interest has been detrimental and explains why advocacy campaigns on media policy and legal issues are not receiving the government's attention.

In September last year the Minister of Communication, Science and Technology issued an indefinite moratorium on the issuing of broadcasting licenses. The rationale put forward for the moratorium, is that allowances need to be made for legal reform but these reforms have not been discussion let alone taken place. There is a strong belief amongst analysts that the moratorium is a political ploy to stop the licensing of more radio stations as it is a vibrant media platform which is extremely popular.

Up until the moratorium, the Lesotho Communication Authority (LCA) issued twenty-four (24) broadcasting licences. There are currently 18 radio stations on air, of which:

- 2 are state owned; *Radio Lesotho* and *The Ultimate Radio*, there are
- 4 community stations: *Mafeteng Community Radio*, *Thaba-Tseka Community Radio*, *T Mafeteng Community Radio* and *Botha-Buthe Community Radio*,
- 4 church-owned: *Radio Spes Nostra*, *K.E.L Radio*, *Voice of God FM* and *Jesu ke Karabo FM* and
- 8 privately-owned: *Harvest FM*, *MoAfrika FM*, *People's Choice FM*, *Thahakube FM*, *MXXL Radio*, *357 FM*, *Molisa ea Molemo FM* and *Ts'eno FM*.

Radio Lesotho has nationwide coverage on FM and medium wave, followed by MoAfrika FM which covers almost 75 percent of Lesotho on FM and the rest of the radio stations cover the lowlands. Community Radio stations cover not more than a radius of 50KM.

Print media comprises of 9 weekly newspapers but there is still no daily newspaper. *Lesotho Today/Lentsoe La Basotho* is state-owned, Moeletsi oa Basotho is church-owned and the rest are privately owned; *Lesotho Times Newspaper*, *The Post*, *Newsday*, *Sunday Express*, *Public Eye*, *Informative* and *Mosotho*. The circulation of most of these newspapers is confined to Maseru and lowland towns in Lesotho.

Basotho have access to Facebook, WhatsApp and Twitter. Facebook is the most popular with most of the youth and working class community of Lesotho having either an account or a page, or both. Facebook also has vibrant groups who provide commentary and up-dates on varying political and developmental issues. WhatsApp is popular platform for mobile phone users either for one on one conversation as well as chat groups.

Media Freedom

The contestation between the government, army and police has often spilled over and has a detrimental effect on the media in the form of threats, criminal defamation and physical attacks. The editor of *Lesotho Times* Lloyd Mutungamiri was shot by unknown people at his home. His workmate Keiso Mohloboli is currently in exile in South Africa. Blogger and University lecturer Mafa Sejanamane was also shot at. To date there have been no arrests in any of the cases.

In March 2016, over 300 members of the public calling themselves the Concerned Citizens of Lesotho, took to the streets "to rescue media freedom" in a protest they headlined as #HAND-SOFFMEDIA.

Five members of the group then presented a petition to the Minister of Communications, Science and Technology Khotso Letsatsi and the Minister Kimetso Mathaba in the Prime Minister's Office.

Amongst a number of issues the petition requested the Government of Lesotho to observe Article 19 of the Universal Declaration of Human Rights and the provision of Africa Charter on Human and People's Rights and further stated that the Minister:

- Follow proper legal channels and procedures in cases of misconduct.
- Allow freedom of expression by refraining from acts of intimidation against media houses and journalists.
- Allow access to opposition parties to *Radio Lesotho* and *Lesotho Television* by opposition parties
- Ensure implementation of the communications policy.

LEGAL AND POLICY FRAMEWORK

Since the year 2000 MISA Lesotho has been advocating for the passage of the Access to Information Bill of 2000. There have also been discussions around the review and adoption of a media policy.

Complaint against the media

On the May 13, 2016, a local human rights organisation. Transformation Resource Centre (TRC), filed a complaint with the Broadcasting Dispute Resolution Panel (BDRP) against *Ts'eno FM* radio and requested an intervention regarding the radio station's programme called Lititimi which was aired on April 30, 2016. According to the TRC, Mr. Author Majara, a guest on the programme made statements that "were detrimental to the good image of the Centre". TRC wanted *Ts'eno FM* to provide them with a recording of the programme, -

which is permissible by law - to allow the organisation an opportunity to refute the statements made on the programme.

Although LCA ordered *Ts'enolo FM* to release a recording of the programme, the order was only processed after 3 months - the period within which complaints could be handled. As a result TRC was unable to continue with the complaint.

Harvest FM is still awaiting a final decision by the LCA Board regarding BDRP's ruling that the radio station should pay a fine of M10 000.00 (1 loti=1 rand). The ruling was made during a hearing of a complaint by Lieutenant Kernel Tefo Hashatsi when he sought a BDRP resolution regarding a programme run by Puseletso Mphana, *Harvest FM's* 'Raise and Shine' host, during which it was alleged that the cost of Hashatsi's case were covered by the Government of Lesotho at the tune of M100 00.00.

Pressure from social media

In Lesotho, Facebook is seen as a vibrant media platform for up-to-date information that is accessible and appealing to a diverse audience especially youth and the working class, so it is no surprise that it is used by citizens as a news platform and by numerous policymakers to reach out to constituents.



Facebook is seen as a vibrant media platform that is accessible and appealing.

Through their Facebook pages, Lira Moeti and Mohato Seleke are considered important information sources as they are extremely active in providing news on political developments, corruption and general state operations. They have formed a closed Facebook group called Countdown to Elections 2015, 16 and 17. Both social media advocates were allegedly arrested for their alleged activism on Facebook.

Lesotho Mounted Police, Senior Assistant Commissioner of Police, Masebina Ramone was suspended for allegedly being active on social media as Paul Sithole - once again a closed Facebook group that has been operating since March 2016. Paul Sithole of Facebook fame has been critical of the government especially the Lesotho police. Despite the suspension of Ramone, the Paul Sithole Facebook account is still up and running.

The vibrancy and reach of social media has been picked up by politicians and over 80 percent of them have widened their reach and influence through their personal Facebook accounts. A recent study titled: Facebook and Political Participation in Lesotho indicated that there are 41 Facebook accounts and pages set up by political party leaders and political parties in Lesotho. Amongst these are the Minister of Trade and Industry Joshua Setipa, the Minister of Natural Resources Lebohlang Thotanyana, Minister of Social Development Molahlehi Letlotlo and opposition political party politicians Sekhulumi Ntsoaole all of whom communicate their views and achievements through their Facebook pages.

The Lesotho government responded by expressing its concern over the use of social media and threatened to close Facebook. The Minister of Home Affairs

Lekhetho Rakuane is on record for the calling of a social media 'ceasefire'.

In August 2016, Rakuaoane was reported by *Lesotho Times* of urging the people to stop posting negative comments about the country on social media. Rakuane's call came after the Deputy Prime Minister Mothejoa Metsing announced the government was working on bringing people to book for using social media to post harmful threats. He stated that: "they were going to see to it that these people who are forever posting these lies are nabbed."

Going Forward

The media has to continue exposing corruption, poor service delivery and incompetence in government, public institutions civil society and private sector. It also has to continue being platform for information exchange between the leaders and the public on national issues.

Along with media freedom monitoring and policy advocacy initiatives there must be intensive capacity building for the media. Despite ever shrinking donor funding on media projects, Lesotho media needs special consideration, for the sector to fully and positively contribute to greater democratic attainment and sustenance for the country to play a needed role in the Southern African Development Community (SADC) and the world at large.

Of urgency for implementation is the Media Legal Reforms as recommended by SADC recent report on the Commission of Enquiry led by Judge Mphaphi Phomaphe which seems to be last on the list of priorities by government regarding the implementations of the Commission's recommendations.

Lesotho 2016 violations & victories



May 6

Attacked/Death Threats

A blogger and the National of Lesotho University lecturer on Political Science and Public Administration Professor Mafa Sejanamane was shot at by unknown assailants. Neither the professor nor his family were injured. To date no one has been arrested. Sejanamane manages a blog, Lesotho Analysis, which has often criticised the implementation of recommendations of the Southern Africa Development Community's (SADC) report on Commission of Inquiries on circumstances that led to the killing of the late Lesotho Defence Force commander Lt. Gen. Maaparankoe Mahao.



June

Reporter and current affairs presenter Bongani Faki at *Harvest FM* radio reported that he had received death threats from an unknown man. According to Faki, the man arrived at his house and questioned his children about his whereabouts. The unknown man allegedly pulled out a gun from under the blanket he was wearing, pointed it at the children and instructed them to tell Faki that his life would end.

Faki suspected that the threat was as a result of him announcing that children could attend the Army Day commemoration that was celebrated locally on July 2, 2016, in Maseru.

July 9

The *Lesotho Times* newspaper editor Lloyd Mutangamiri was shot at the gate of his lower Thamae residence in Maseru, the capital of Lesotho, just before midnight. Lloyd was returning from his of-

fice after completing the *Sunday Express* edition, a sister newspaper of *Lesotho Times*.

Police confirmed that a single bullet was fired and that Mutangamiri suffered severe trauma, particularly to his mouth. He was hospitalised under 24-hour police security. On July Mutangamiri was relocated to Bloemfontein in South Africa, for medical attention.

June 23

Charged

Mutangamiri was shot just a week after his employer, *Lesotho Times* publisher Basildon Peta was charged with defamation and crimen injuria with regard to the contents of the June 23 edition of the newspaper's satirical column titled *Scrutator*. The column carried an article about the Lesotho Defence Force (LDF) commander and the Lesotho Cabinet, headlined 'Flicker of hope for my beloved Kingdom....'. The column was written in the wake of an announcement by Prime Minister Pakalitha Mosisili that the government had decided to "engage General Kamoli on a mutually agreeable solution" in light of international calls that he be relieved of his post.

August 25

Threats

Presenter, Moseketsi Nkuebe of *Thaha-Khube FM* radio received a visit from officers of the Lesotho Correctional Service (LCS) regarding a programme he had aired. When they were granted an audience, the officers said that they were denouncing all statements made by the guest on the show who was the Secretary General of the LCS staff Association, Lebonajoang Ramohalali. The guest was

on suspension from the LCS at the time...

Ramohalali was analysing a recently enacted Lesotho Correctional Service Act, 2016.

August 29

At a press conference held by Matefo Makhalemele, the LCS Acting Commissioner, he stated that Assistant Superintendent Neo Mopeli who was in company of a bodyguard and another officer had been sent by the LCS to Thaha-Khube FM to respond to Lebonajoang Ramohalali.

Following publication of the story by *Lesotho Times* Newspaper and the issuing of a media alert by MISA Lesotho - both the manager Thaha-Khube and the presenter together with the LCS commissioner issued a jointly signed statement dismissing the *Lesotho Times* report as lies. The official statement has the stamps of both LCS and Thaha-Khube FM.

The *Lesotho Times* boss was accused of being a terrorist following his paper's report on the exit package negotiations between the Lesotho Defence Force (LDF) Commander and Lesotho Government. Bokang Ramats'ella requested the right of reply to an article that had appeared in the paper. When he was told that the paper would only accept the material if they were allowed to edit material he then decided to deal with the matter in his own way.

Speaking on *Ts'enolo FM*, Ramatsella accused him of being American spy. The presenter Moruti Ts'ehla added that *Lesotho Times* reporter Billy Ntaote was sent to US for training Ntaote was said to have been sent to the US on a Nelson Mandela Fellowship.

Since the case against *Lesotho Times* boss was filed in court, there has been a report that the newspaper was facing closure.

The report by the *Newsday* [27th July-2nd August, 2016 volume 1 no] also alleged that *Scrutator* a column which Peta was charged with writing, was written by Keiso Mohloboli.

In response to the *Newsday* story on the closure, *Lesotho Times* retaliated through its *Scrutator* column of August 11-17, 2016, by criticising Rethabile Sello for publishing "a paper called *Newsday*". The columnist suggested Sello open a carwash outlet rather than producing a paper that is an embarrassment to journalism and media standards.

November 9

Arrested

Machesetsa Mofomobe - the spokesperson of the Basotho National Party handed himself in at the Mabote Police Station after learning that the Lesotho Mounted Police, Lesotho Defence Force, National Security Service and the Lesotho Correctional Service had launched a joint operation to search for him. Following his arrest, Mr Mofomobe was transferred to Police Headquarters. According to a report in the *Sunday Express* he was allegedly wanted in connection with the possession and dissemination of confidential government information. This was after he allegedly took and published pictures at Police Minister Monyane Moleleki's Qoatsaneng Hill home after the latter's arrival from a working visit to Russia and Iran last month.

