

## The African Media Barometer (AMB)

The Friedrich-Ebert-Stiftung's Southern African Media Project took the initiative together with the Media Institute for Southern Africa (MISA) to start the African Media Barometer in April 2005, a self assessment exercise done by Africans themselves according to home-grown criteria. The project is the first in-depth and comprehensive description and measurement system for national media environments on the African continent.

The benchmarks are to a large extent taken from the African Commission for Human and Peoples' Rights (ACHPR) <sup>1</sup> "Declaration of Principles on Freedom of Expression in Africa", adopted in 2002. This declaration was largely inspired by the groundbreaking "Windhoek Declaration on Promoting an Independent and Pluralistic African Press" (1991) and the "African Charter on Broadcasting" (2001).

By the end of 2008, 23 sub-Saharan countries will have been covered by the AMB. In 2007 those countries which started the exercise in 2005 were revisited providing for the first time comparable data to measure developments in a country over a two-year period.

**Methodology:** A panel of experts is formed in each country, including representatives of media and civil society at large in equal numbers. They are serving as panel members in their personal capacities, not as representatives of their respective organisations. The panel should consist of not more than ten members. In a process of self-assessment they will meet bi-annually for a two-day-retreat to go through the indicators in a qualitative discussion and determine (quantitative) scores for each indicator. The meetings will be chaired by an FES consultant to ensure comparable results. The resulting reports are made public.

<sup>1</sup> The ACHPR is the authoritative organ of the African Union (AU) mandated to interpret the African Charter on Human and Peoples' Rights

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Scoring system: Panel members are asked to allocate their individual scores to the respective indicators after the qualitative discussion in an anonymous vote according to the following scale:

- 1 Country does not meet indicator.
- 2 Country minimally meets aspects of the indicator.
- 3 Country meets many aspects of indicator but progress may be too recent to judge.
- 4 Country meets most aspects of indicator.
- 5 Country meets all aspects of the indicator and has been doing so over time.

Scores for each sector are determined as follows: Members of the panel will, after a qualitative group discussion, attach their individual point-score (1 - 5) to each sub-indicator of a sector. The sum of all individual scores will be divided by the number of panel members. The result will then be considered the final score for the sub-indicator.

This qualitative report, including the scores, serves the purpose of measuring over time (based on bi-annual repetitions of the panel meetings) the progress or otherwise of developments in the media landscape.

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**AFRICAN MEDIA BAROMETER LESOTHO 2008 REPORT**

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**Sector 1: Freedom of expression, including freedom of the media, is effectively protected and promoted.**

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

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**ANALYSIS:**

Article 14 (1) of the Constitution of Lesotho guarantees freedom of expression, and provides for the right of response where one is aggrieved in the same medium. Freedom of the media is not expressly mentioned, but assumed to be encompassed by these provisions of the constitution.

However, this freedom of expression is greatly limited by derogations in subsequent clauses of Section 14. Clause 2 in particular states that freedom of expression is guaranteed as long as it does not interfere with provisions made in the interests of defence, public safety, public order, public morality or public health. Legislation can also limit this freedom

“for the purpose of protecting the reputations, rights, and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in confidence...”.

In addition, Lesotho’s Broadcasting Bill is yet to be approved and numerous laws that are an impediment to media are still in place. Among these are defamation laws.

The nature of existing litigation suits shows that defamation laws limit freedom of expression. Defamation and free expression laws should not exist side by side. A different legal framework including compatible libel and privacy laws should be put in place.

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There is reluctance on the part of government to develop media policy. Currently there are two draft media laws on the table, i.e. draft Broadcasting Bill and Media Law, both emanating from processes that started as far back as 2005. In the absence of guidelines, the media tends to self-censor.

Issues of media freedom ought to be media driven. MISA is a custodian of media freedom, but government wants to take the lead even though it has other interests, and they are not necessarily related to advancing media freedom.

Generally speaking, the constitution guarantees freedom of expression. There is need however for civil society to become a more active player, for example in the resolution of disputes as the courts are not the best-placed mechanism for resolving disputes. If a person claims they have been defamed, they should take it up with MISA.

Score: 1,2,2,2,2,2,2 = 1.9

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### 1.2 *The right to freedom of expression is practiced and citizens, including journalists, are asserting their rights without fear.*

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The extent to which citizens claim their rights to free expression appears to be tied strongly to their social and economic status, i.e. those who have the means and/or those in urban areas. Radio phone-in talk shows are patronised by the few, who can afford the telephone call.

State control of resources prevents many citizens from expressing their opinions openly, as they fear that it may lead to restriction of access to benefits. In Qacha's Nek, the Prime Minister's constituency, families are receiving free maize. This creates the implicit fear that they may lose that benefit if they express anti-government opinions. Economic measures, such as the awarding of government contracts (tenders) have often had the effect of silencing critical voices. By the same token, government advertising in the media is

also directed to media houses that appear “friendly” to government policies.

National security has been repeatedly used as a justification for restrictions, such as the 2007 state of emergency, when the Commissioner of Police and Commander of the army instructed the public not to discuss security issues in the media.

Reporters are attacked while covering political rallies on both sides.

On the other hand, the media also polarises issues. Whilst numerous debates in private media may create an impression that journalists are free, such freedom depends on the journalist’s angle and opinion he/she (re)presents. This is largely determined by who he/she works for: If they work for government media, they will be pro-government and if they work for private media organisations they are likely to be pro-opposition.

The Principal Secretary of Communications was recently quoted as saying, “The media shouldn’t discuss the succession of the Prime Minister.” Such statements make people fear expressing their opinions. Government demands call records from telecommunications companies for radio talk shows, and taps phones, often using security as the reason for these demands.

While South Africa’s legislative framework provides for specific laws about government access to private communications and the Zimbabwe government has all access, Lesotho’s legislation is not clear on the subject. Security agents are now working on a by-law to grant them access to phone records on demand.

Consultants or businesses are labelled as opposition, depending on which media houses they use to air their views. For instance, publicity for a recent government/civil society campaign (16 Days of Activism against Violence Against Women) was restricted because a government official was not amenable to advertising the campaign

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in a newspaper that had earlier carried a critical story about him.

Score: 1,2,1,1,1,1,1,1 = 1.1

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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.*

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### ANALYSIS

During the government and taxi operators' standoff, the Minister of Communications claimed that operators were planning to assassinate ministers. The Lesotho Council of NGO's (LCN) launched an investigation into the matter but the minister refused to disclose his sources, claiming it to be a matter of national security. Such blanket statements, made under the guise of 'safety and security', are commonplace in Lesotho.

Score: 1,1,1,1,1,1,1,1, = 1.0

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1.4 *Entry into and practise of journalistic profession is legally unrestricted.*

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### ANALYSIS:

Press cards are issued by government. It was felt that the MISA Lesotho office should be entrusted with this activity. Alternatively, an industry-created, professional regulatory body should be playing that role.

Whilst there are no direct barriers with the current arrangement where government issues press cards i.e. not through a statutory regulator like Zimbabwe's Media and Information Commission, there are laws in place to restrict entry into and practice of journalistic profession, like the Aliens Control Act, which is often applied to foreign journalists.

Score: 4,3,4,2,2,2,3,3 = 2.9

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1.5 *Protection of confidential sources of information is guaranteed by law.*

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ANALYSIS:

There is no legal protection of confidential sources.

Score: 1,1,1,1,1,1,1,1 = 1.0

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1.6 *Public information is easily accessible, guaranteed by law, to all citizens including journalists.*

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ANALYSIS

Officials will not release ‘government information’ without permission.

Score 2,1,1,1,1,1,3,1,1 = 1.4

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

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ANALYSIS:

There is a very low level of awareness of media freedom. The general public is not sensitised about the importance of the media, so the media is not getting support. Even journalists do not support their own cause.

Journalists must be sensitised to play a more active role. The African Peer Review Mechanism (APRM) process, especially the role of the media in good governance - is not promoted.

Until the population feels, they are getting a better service from the media, there will not be much support from civil society for the

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media. In the absence of community media, the national media has to earn support from all sectors of the public.

MISA and UNESCO have entered into a partnership to support a local community radio station, which will hopefully go on air in 2009. The project has received mixed feedback from media players: some claimed the move was spurred by a political agenda (giving the opposition a voice), while others complained that community stations offer lower advertising rates, and would take business away from private commercial broadcasters.

Political alignment of the media remains a challenge.

Score 2,1,2,2,2,3,2,2 = 2.0

**Overall score for sector 1: 1.6 (2006= 2.1)**

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## Sector 2: The media landscape is characterised by diversity, independence and sustainability

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

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### ANALYSIS:

Newspapers: circulation is not reaching the rural areas. There are 65 registered publications, but the Post Office does not have a mechanism to keep track of which one is currently operational.

Broadcasting: only radio Lesotho reaches the whole country; other broadcasters' coverage is still limited. Private stations are beginning to increase coverage. There are 12 radio stations and 2 television stations (including the state TV).

Internet: broadband is available in Maseru only. Internet café usage costs an average M10 per hour (approximately US\$1,25). Mobile internet is inhibited by the high price of internet compatible mobile phones and by connection and usage fees.

There are six (6) registered Internet Service Providers

Score: 1,2,2,2,2,1,2,2, = 1.8

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2.2 *State authorities do not restrict citizen's access to domestic and international media sources.*

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### ANALYSIS:

Media sources are not restricted in Lesotho. Citizens have access. However, getting smaller players in Lesotho to connect to the government infrastructure that accesses the whole country poses a challenge.

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Newspaper publishers have attempted to improve distribution services by contacting the Post Office to do so at a fee. However, when the deal was about to be signed, the Head of Postal Services said their services can not “help to distribute lies”.

Nonetheless, panelists felt that if publishers and/or government were not actively doing something to provide a conducive environment - it amounted to a restriction. The restriction is not on the radar, it is below the surface.

Score: 3,3,5,3,3,3,3,5 = 3.5

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### 2.3 *Efforts are undertaken to increase the scope of circulation of the media, particularly to rural communities.*

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#### ANALYSIS:

Newspapers have high returns. Printers in Bloemfontein can confirm sizable print runs, but owners do not have effective means of distribution.

In the past, newspapers have offered to distribute examination results, and to ensure that a percentage of their circulation goes to the rural areas but they will recall those copies to the rural areas to save costs if the demand in urban areas increases.

MISA had launched a project to increase distribution of old newspapers to rural areas. The project did not succeed because there was no support from the private sector.

In the past primary schools were given publications about children’s stories titled Mahlaseli, to encourage a culture of reading among young people. The project has since ended.

The fact that newspaper content is largely urban based also affects distribution and circulation to the rural areas. In addition, the de-

closure of Lesotho Airways means there are no more domestic flights, and all distribution depends on road transport. As a result newspapers don't reach the whole country. Areas like Ha Seshote have no road access, and this has a negative impact on literacy.

Score: 2,3,5,2,2,2,1,2 = 2.4

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

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#### ANALYSIS:

The Lesotho Telecommunications Act has been passed but it does not provide a conducive environment.

Radio Lesotho is a state broadcaster. The telecommunications authority board is still appointed by the Minister of Communications.

The new act has introduced higher fees. Application for community radio licence, for example, has increased from M300 to M8 800, and renewal from M1 000 (approximately US\$125 to M2 000 (approximately US\$250).

Application fees for commercial radio licence have increased from M3 000 (approximately US\$377) to M8 800 (approximately US\$1 105), and renewal costs M10 000 (approximately 1 255).

The current board is flawed. Several of the current board members should be requested to step down merely because of potential conflict of interest.

Score: 2,3,2,2,1,2,2,2 = 2.0

2.5 *Community broadcasting enjoys special promotion given its potential to broaden access by poor and rural communities.*

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ANALYSIS:

Initially, the Lesotho Communications Authority (LCA) omitted provision for the licensing of community broadcasting. Provisions have since been made.

Score: 1,3,1,1,1,1,1,1 = 1.3

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

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ANALYSIS:

“Lesotho Today”, a weekly government-owned newspaper published by the Department of Information, has no editorial independence.

Score: 1,1,1,1,1,1,1,1 = 1.0

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2.7 *Independent news agencies gather and distribute information for all media.*

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ANALYSIS:

News agencies gather news and distribute it unrestricted.

The Lesotho News Agency (LENA) offers services at very affordable prices:

- a. LENA - M2000 per annum
- b. Reuters - M8000 per month.

Score: 1,5,5,3,4,2,3,3 = 3.3

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## 2.8 *Media diversity is promoted through adequate competition regulation/legislation.*

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### ANALYSIS:

There is no Competition Regulation

Government is the largest local advertiser and thus the greatest source of advertising for local media. It is therefore unfair competition for government to withhold advertising from private players. The Lesotho government distributes its own newspaper.

Score:  $2,1,1,2,1,1,2,2 = 1.5$

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## 2.9 *Government promotes a political and economic environment which allows a diverse media landscape.*

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### ANALYSIS:

The registration of a newspaper is a half-day process that does not even require a lawyer. Broadcasting legislation is clear on allocation of frequencies.

There was a project for a mobile radio station that was discouraged by procedures and never took off. Regulations were developed for three years and the equipment is now a white elephant. High fees in the broadcasting sector - radio and television - mean government is not providing a conducive environment

Community radio station licences are allowed a 20km radius.

Private owners lack capacity to become active in the media sector: two private TV stations are currently being developed but are finding it difficult to secure a licence. They complain that fees are very prohibitive. Even in telecoms, licences are approved, but applicants cannot meet the implementation standards.

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It is felt that Government is not doing enough to support private media.

Score: 2,2,1,1,1,1,1,3 = 1.5

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### 2.10 *Private media outlets operate as efficient and professional businesses.*

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#### ANALYSIS:

Lesotho has the longest history of private media in Africa, since 1863. Even after independence it was in the hands of the private sector. While the sector is sufficiently skilled, there are concerns about capacity.

The industry has not organised itself, i.e. setting standards and developing codes. There is no culture of investigative journalism. There is no follow up of stories such as on parliamentary business or on the the impact of ratifying conventions.

Most media houses do not implement professional business management principles from the perspective that sound business practice might positively impact on content/programming. Most media businesses are run as proprietorships, not companies.

Score: 3,2,1,3,2,1,2,2 = 2.0

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### 2.11 *State media are not subsidised with taxpayers' money.*

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#### ANALYSIS:

State media is subsidised 100%.

Score: 1,1,1,1,1,1,1,1 = 1.0

2.12 *Government does not use its power over the placement of advertisements as a means to interfere with media content.*

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ANALYSIS:

Public Eye has had to retrench six (6) people as a result of revenue loss after government pulled its advertising. This support is now being given to MoAfrika following its public declaration that it supports the government.

Government also advertises in the party newspaper.

Score: 3,1,1,3,2,1,3,1 = 1.9

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2.13 *The advertising market is large enough to maintain a diversity of media outlets.*

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ANALYSIS:

Government holds the bulk of the advertising.

The economy certainly is not big enough to support the 1.8 million citizens. Lesotho is dependent on SACU remittances which it will lose in 2009.

Media outlets are too many for a reading population of less than 800 000. Most businesses are South African, and use their own newspapers and television, which are distributed in Lesotho.

Lesotho has a number of weekly newspapers, no dailies, which limits the scope for advertisers.

Score: 2,1,1,1,1,1,1,1 = 1.1

**Overall score for sector 2: 1.9 (2006= 1.6)**

**Sector 3: Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.**

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3.1 *Broadcasting is regulated by an independent body adequately protected against interference, particularly of a political and economic nature.*

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ANALYSIS:

The composition of the Lesotho Communications Authority (LCA) board is a cause for concern; some members are relatives of government officials resulting in conflict of interest. The LCA is not adequately protected against interference.

The Chief Executive has to consult the Minister on key decisions according to a recent amendment. This move caused an outcry.

Score: 1,1,1,1,1,1,1,1 = 1.0

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3.2 *The appointments procedure for members of the regulatory body is open and transparent and involves civil society.*

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ANALYSIS:

Calls for applications are made in the media. Initially, according to the Lesotho Telecommunications Act 2000, the procedure was that:

Candidates for appointment shall be selected and forwarded to the appointing authority by an Appointments Recommendation Committee which shall consist of-

- (a) a nominee of the Ministry of Communications;
- (b) a nominee of the Ministry of Finance;
- (c) a nominee of the Attorney-General's Chambers; and
- (d) a nominee of the Ministry of Trade.

However in 2006 the law was amended by deleting the words “appointing authority” substituting it with the word “Minister”, thereby giving the Minister full authority of appointment of the Board.

Score: 1,1,1,1,1,1,1,1 = 1.0

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

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#### ANALYSIS:

Harvest FM was suspended for three months ending October 2008. Whilst the station might have been guilty of a level of recklessness, many stakeholders disapproved of the ban, saying it was too drastic. It was felt that the LCA could have used less harsh means.

‘Public interest’ in Lesotho is not defined. Government uses the fact of having been elected to justify actions, saying people have given them the mandate, and that everything done is sanctioned come election day; hence and equating public interest to political interest. In this way the public will chastise any anti-government sentiment.

In the absence of policy there is confusion. Maintenance of peace and stability is conveniently used as an excuse to restrict freedom of expression in the (alleged) public interest.

Score: 1,1,1,2,1,1,1,1 = 1.1

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3.4 *The body’s decisions on licensing in particular are informed by a broadcasting policy developed in a transparent and inclusive manner.*

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#### ANALYSIS:

There is no broadcasting policy.

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The current licences were not fairly contended. Khotso FM, a station that is run by the National University of Lesotho, is allocated a national frequency.

Score: 1,1,1,1,1,1,1,1 = 1.0

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

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### ANALYSIS:

Radio and Television of Lesotho are government departments under and controlled by the Ministry of Communications.

Score: 1,1,1,1,1,1,1,1 = 1.0

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3.6 *Persons who have vested interest of a political or commercial nature are excluded form possible membership in the board, i.e. office bearers with the state or political parties as well as those with a financial interest in the broadcasting industry.*

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### ANALYSIS:

There is no public broadcaster.

Score: 1,1,1,1,1,1,1,1 = 1.0

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3.7 *The editorial independence of the public broadcaster from commercial pressure and political influence is guaranteed by law and practiced.*

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### ANALYSIS:

There is no public broadcaster in Lesotho.

Score: 1,1,1,1,1,1,1,1 = 1.0

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3.8 *The public broadcaster is adequately funded in a manner that protects it from arbitrary interference with its budget.*

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ANALYSIS:

There is no public broadcaster in Lesotho.

Score: 1,1,1,1,1,1,1,1 = 1.0

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3.9 *The public broadcaster is technically accessible in the entire country.*

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ANALYSIS:

There is no public broadcaster in Lesotho. Radio Lesotho, however, is technically and technologically accessible in the whole country.

Score: 1,1,1,1,4,1,1,1 = 1.4

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3.10 *The public broadcaster offers diverse programming for all interests.*

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ANALYSIS:

There is no public broadcaster in Lesotho. Radio Lesotho does cover diverse issues, and even works as a source of news in agriculture and other areas that are not considered mainstream.

Score: 1,1,2,1,1,1,1,1 = 1.1

3.11 *The public broadcaster offers balanced and fair information reflecting the full spectrum of diverse vies and opinions.*

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ANALYSIS:

There is no public broadcaster in Lesotho.

Score: 1,1,1,2,1,1,1,1 = 1.1

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3.12 *The public broadcaster offers as much diverse and creative local content as economically achievable.*

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ANALYSIS:

There is no public broadcaster in Lesotho.

Score: 1,1,1,1,1,1,1,1 = 1.0

**Overall score for sector 3: 1.1 (2006= 1.0)**

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## Section 4: The media practice high levels of professional standards.

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### 4.1 *The media follow voluntary codes of professional standards which are enforced by self-regulatory bodies.*

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#### ANALYSIS:

Efforts to form a strong media sector are frustrated by lack of political will and opportunism. At a gentlemen's level, agreements never work. When MoAfrika was faced with a long list of court cases and was advised by other practitioners to be professional, they declared that they are following their own code. When Mohahlaula was confronted about the same, they responded that they were prepared to go to court.

Media houses have their own codes. Newsrooms have their own standards and generally strive for accuracy and fairness. Recklessness is rare, and would not go unnoticed. Regulation exists in an informal sense.

There is no national code. The concern is whether it will be accepted if MISA would draft one.

The LCN has a code of conduct for members, but it is not effective since more than 60% of its members do not comply.

Score: 1,1,1,1,1,1,2,1 = 1.1

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

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#### ANALYSIS:

The media is still very partisan, most still go by traditional lines where church papers were aligned to parties. Moeletsi - Catholic Church - BNP, Leselinyana - Evangelical Church - BCP. Now that the

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LCD is in power, Moeletsi will be negative towards the government, and will have a lack of objectivity. From 1966 to 1986 the ruling party was aligned with the Roman Catholic Church and Leselinyana was critical.

Since 1998 there has been improvement in accuracy, but in the run up to and following the 2007 elections positions have shifted. Media workers, polarised along political lines, shifted editorial positions of media houses. This had implications for fairness and accuracy in reporting.

Score: 2,2,2,3,2,3,1,2 = 2.1

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

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### ANALYSIS:

Rural areas are still left out. They only feature when high-ranking government officials visit them. Much needs to be done but it is advised that communities take action to establish their own media.

Investigative stories are still lacking, especially when compared to South African newspapers like “The Mail and Guardian”, “The Sunday Times” and “The City Press”.

The world believes that Lesotho has the best printing facilities, but newspapers are still printed in South Africa including Public Eye, which owns a printing press. The printing quality is poor and the machines are inefficient, making advertisers very unhappy. It is advised that laws are enacted to encourage investment in media infrastructure. An assessment of the economic viability of a printing press should be done for Lesotho.

Coverage of business and economy news is still very poor.

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Score: 2,1,3,2,2,2,2,2 = 2.0

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4.4 *Gender mainstreaming is promoted in terms of equal participation of both sexes in the production process.*

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ANALYSIS:

Gender mainstreaming has two dimensions, quantitative and qualitative - which is sensitivity to women and other vulnerable groups, and equality of opportunity, for women to have the same opportunities as men.

The practice of gender mainstreaming in (and through) the media in Lesotho is poor. Where it is promoted, people do not know how to go about it.

Although gender imbalance is a reality, some owners still don't see the importance of giving women more opportunities than men just by virtue of being women. They insist opportunities should be given where they are due regardless of sex. Where gender mainstreaming is practiced it is to gain access to donor funding.

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Score: 3,1,2,3,2,2,1,2 = 2.0

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4.5 *Gender mainstreaming is reflected in the editorial content.*

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ANALYSIS:

Society is largely male dominated. Women are marginalized in the newsroom and the imbalance still reflects in editorial content.

Score: 1,2,2,2,2,1,2,2 = 1.8

4.6 *Journalists and editors do not practice self-censorship.*

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ANALYSIS:

Reporters and editors are still afraid of antagonizing authorities and business. Self-censorship is a reality in newsrooms.

Score: 2,1,1,1,1,1,2,1 = 1.3

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4.7 *Owners of private media do not interfere with editorial independence.*

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ANALYSIS:

Owners still interfere with editorial independence.

Score: 1,1,1,1,1,1,2,1 = 1.1

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4.8 *Salary levels and general working conditions for journalists and other media practitioners are adequate to discourage corruption.*

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ANALYSIS:

Since the arrival of the “Lesotho Times” media salaries have changed as owners needed to try to retain their staff that was being offered more competitive salaries by the new competitor. The “Lesotho Times” salaries meet regional standards. Before, it was not unheard of for reporters to work for three years without payment. Journalists would attend events just to get a meal.

On the other hand, media houses say they are not making enough money to offer higher remuneration. It was suggested that MISA conducts a salary survey for journalists and other media workers.

Score: 1,2,2,1,1,1,1,2 = 1.4

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#### 4.9 *Training facilities offer formal qualification programmes for journalists as well as opportunities to upgrade their skills.*

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##### ANALYSIS:

Formal qualifications are offered, but practitioners still come out with no knowledge:

The Institute of Extra Mural Studies (IEMS) at the National University of Lesotho (NUL) offers a media qualification but there is a concern that the programme is part of an English department, which focuses attention on linguistics rather than media. In addition, media professionals are not involved in either training or development of the programme. Most students with an interest in the media still have to go to South Africa to further their studies. Unfortunately, many do not return to Lesotho.

Limkokwing University of Creative Technology has just started their first programmes (<http://www.limkokwing.net/lesotho/>) and will be evaluated in time.

Score:  $1,1,2,2,3,2,2,1 = 1.8$

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#### 4.10 *Journalists and other media practitioners are organized in trade unions and/or professional associations.*

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##### ANALYSIS:

There is a move in the southern African region to resuscitate journalist unions. Similar attempts in Lesotho resulted in the Labour Commissioner refusing to register the formation of a union, arguing that government employs the majority of journalists, and those in the private sector are employers.

## LESOTHO

Score: 1,2,2,1,2,1,2,1 = 1.5

**Average Sector Score: 1.6**

**Overall score for sector 4: 1.6 (2006= 2.0)**

**Overall Country Score: 1.6**

## DISCUSSION AND THE WAY FORWARD

1. **Have there been any changes in the media environment over the last two years.**
  - a. Media landscape
    - i. 12 radio stations
    - ii. 2 TV stations,
    - iii. 65 registered publications - newspapers and magazines.
  - b. Legislation
    - i. Broadcasting fees have increased. See Sector 2.4 for details.
    - ii. Telecommunication Bill was amended to give the Minister of Communications the final approval on the issuing and revoking of licences.
    - iii. The Broadcasting Classification Regulations 2007 now specify and differentiate Public, Private, Commercial and Community broadcasting.
    - iv. New Advertising Agency Bill was passed.
    - v. Litigation against media houses has increased.
  - c. Women Media ownership
    - i. Informative newspaper
    - ii. Public eye
  - d. Media Education
    - i. Limkokwing University of Creative Technology opened.
  - e. Lesotho Communications Authority suspended a radio station (Harvest FM)
  - f. Increase in hate speech - Independent media houses recommending that perceived anti-government newspapers should not receive government advertising.
  - g. Global Economic Crisis-printing costs have gone up about 27%
  - h. More media recognition awards - Sports, Health, MISA Award.
  - i. Process for the first community radio station started
  - j. Two community councils have introduced newsletters.
  - k. New Magazines: Leisure - tourism, Visions - business information, Mohloli - business
  - l. New News Agency: Afrol

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- m. Publishing achievements
  - i. Leselinyana newspaper celebrated its 175th anniversary;
  - ii. Moeletsi turned 75 years
- n. MISA's regional chairperson, Thabo Thakalekoala, resigned to join politics
- o. Lesotho film Industry produced 2 films: Kau la poho (HIV AIDS awareness funded by Global Fund) and 'Untitled' (part of the Sitengi initiative)
- p. Prime Minister talks to the media, and is more vocal about regional/global issues such as putting pressure on Zimbabwe's President Mugabe.

### **2. If positive changes, who or what has been the main cause?**

- a. Lesotho media offer new investment opportunities, specifically in online media
- b. The 2010 Soccer World Cup is being actively promoted as an investment and development opportunity for the media
- c. Lesotho leading a number of global initiatives, EPAs, WTO, International Court of Justice
- d. Media and government relations have improved - MISA and Ministry of communications interacting more often. The resignation of the former MISA Regional Chairperson, Thabo Thakalekoala, prompted renewed commitment from government.
- e. Music industry is growing, more artists are recording.
- f. MISA Lesotho's strategic plan is now being developed.

### **3. What are the main obstacles for further positive change?**

- a. Lack of government involvement and commitment in the development of an enabling environment for the media.
- b. Laws: old proclamations are still in place, despite the country being a democratic constitutional rule, e.g. the Company Registration Act, the Society's Act etc. New laws that are conducive to business have to be developed. The World Bank funded Private Sector Competitiveness and Economic Diversification project is working the Companies Registration and the Business Licensing Acts. It is also

addressing the Passport issuing backlog and the design of the National ID card.

- c. The global economic crisis
  - d. Lack of skills of journalists resulting in low capacity
  - e. Absence of standards and a Code for journalists and associations.
  - f. Increased political animosity post 2007 elections
  - g. No public service broadcasting
  - h. Lack of access-to-information legislation
  - i. Absence of a national media policy
  - j. Owners meddling in editorial policy
  - k. Journalists themselves, not getting involved in driving media advocacy and ending internal fighting
- 4. If negative changes, who or what has been the main cause.**
- a. The increasing involvement of Zimbabwean journalists in Lesotho.
    - i. In June 08 a forum held by the LCN debated the xenophobic attacks in SA. The general feeling was that anti-foreign sentiment in Lesotho is largely a result of the Chinese trading in small business, and Zimbabweans who seem to be given more opportunities than the Basotho.
  - b. Access to information - The lack of public service broadcasting. A regulator board appointed by the minister, defeats the whole purpose of appointing that board.
- 5. Who could be the drivers or actors for change in the future and what kind of activities are needed over the next two years?**
- a. Journalists have to be an effective lobby group.
  - b. Professional bodies like MISA have to run campaigns and advocate for change.
  - c. Diverse institutions need to be involved, and other stake holders - ISAS - (NUL) studies on media, APRM, IEMS, Editors' forum,
  - d. Ideals enshrined in the APRM should be taken advantage of .

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- e. MISA should lead the process, but should first devise programmes relevant to NGOs for lobbying.
- f. Constitutional Reform - Media must become more organised and more vocal in advocating for constitutional reform.
- g. Put a MISA Lesotho three-year strategic plan in place and into action.

### **6. Five top Activities**

- a. Development of a Code of Ethics
- b. Media Advocacy and Lobby Strategy
- c. Formation of an Editors' Forum
- d. National Media Dialogue - Private sector, government, other stakeholders
- e. Public conscientisation of the role of the media

## **MISA involvement in the Lesotho APRM**

### **Overview**

1. Once it is adopted, the APRM cannot be changed. The media must therefore act now before the report is presented. As a matter of urgency, former MISA Regional Chairperson Thabo Thakalekoala should submit a report about his involvement in the process. He was leading discussions between MISA Lesotho and the government on the APRM process and media involvement in Lesotho. It is proposed that MISA Lesotho submits the AMB report as a situation analysis and self-assessment for the APRM.

## **OTHER COMMENTS AND RECOMMENDATIONS**

1. There is need for a public broadcaster, answerable to parliament in terms of its budgetary performance and implementation of its public service mandate. It should have a Board independent of government involving the public and other stakeholders. Presently the board of the LCA is reporting to the minister. Initiatives should be undertaken to ensure the independence of the broadcaster.
2. MISA should issue a statement to launch the AMB.

3. The media is not strategic. Whilst other lobby sectors are able to take to the streets and campaign for change, the media in Lesotho shy away from their own issues. There is need to strategise a concerted approach.
4. The AMB should influence MISA Lesotho's programming, and be used as a tool to cultivate more interaction between media and other civil society organisations. MISA Lesotho should be more focussed on access to information and regulation through innovative strategies.

The 2008 AMB Lesotho took place on December 5 - 7, 2008, at the Mohale Lodge, Mohale, Lesotho

#### Delegates

- Reverend John Khutlang - National University of Lesotho - Church Leader
- Ms Mpine Tente - Private Sector and Lecturer Mass Communications - NUL, Media management and production.
- Mr. Setsabi Setsabi - Lecturer - Geography NUL
- Mr. Thulo Hoeane - Public Eye
- Mr. Lawrence Keketso - Publisher Editor, Mopheme, AFrol SADC news
- Mr. Peshoane Tsikoane - Commissioner of Human Rights, LChaleN
- Ms Sophia Tlali - GEMSA
- Mr. Tsebo Matsasa - National Director MISA Lesotho

#### Facilitator

Ms Zoe Titus, Media Consultant