

Chapter 4

Election Campaign and Media

The Commonwealth Observer Group observed a few campaign rallies towards the end of the campaign period⁴.

The Group noticed that there were few billboards and posters and few signs of banners, bunting, streamers. In visual terms, the Lesotho elections appeared to be low key in Maseru, the capital. However various stakeholders told the Group that, particularly in the rural areas, political parties used traditional house-to-house methods of campaigning.

The final Sunday before the vote, the group witnessed large and peaceful rallies, which were characterised by songs, dances and, lively performances, and with the parties emphasising their striking and distinctive campaign colours.

We were also pleased to see supporters of opposing parties passing each other on the streets peacefully and without incident and in some cases displaying a positive and good-natured spirit.

Political parties competed for the attention of the media, in terms of traditional coverage and reporting, time allocated for party political broadcasts, and airtime bought by the parties to use in the way they deemed most effective in getting their messages out.

The opposition parties said that their capability to transport their party supporters to rallies was significantly hampered, as the incumbent party had hired all the available buses and denied the applications of opposition parties to hire buses from South Africa, as had been allowed in previous elections. However the governing party denied this accusation, saying that they followed normal commercial practice.

The election campaign was generally peaceful. Only a small number of isolated incidents were brought to our attention. It should be noted that these incidents were not organised and persistent. However, the incident in the industrial area Ha Thetsane in the capital, Maseru, on 19 April 2012, in which the Prime Minister's convoy was pelted with stones was an unfortunate occurrence.

The Lesotho Defence Force told us that this incident was sufficiently alarming to them to cause them to increase their visibility, and issue a statement calling upon voters for a peaceful election. The unfortunate tenor of that statement was of concern to political parties, civil society groups and the people of Lesotho, and increased discussions about the role of the military in the election.

⁴ The official campaign period commenced the day when parliament dissolved (15 March 2012) and was due to end 24 hours prior to Election Day.

The Group received the assurances of the military that they would remain independent and play their role in ensuring a peaceful election.

The role of the military in the election was raised with us by several stakeholders. Their concern was their presence around the Prime Minister gave the impression that their influence was greater than providing protection. We note that this is provided for in the Constitution with respect to providing security. This impression becomes material during an election campaign as it influences voter perception.

We believe this matter needs addressing by the next parliament. In many other jurisdictions protection for the Prime Minister and other VIPs is provided by an independent Very Very Important Protection Unit (VVIP) or a similar body. We believe that this option should be considered by the next parliament. The Police and Defence Force could always provide backup for the VVIP Unit when extraordinary needs arise.

Electoral code of conduct

Chapter Five of the Electoral Act provides guidelines for the conduct of the campaigns. It includes elements providing for the right to campaign, equal treatment of political parties and candidates, freedom of information and expression, freedom of assembly and prohibitions during the campaign period.

The Electoral Act also clearly lays out the electoral offences, and lays down a detailed process by which an aggrieved party may lodge a complaint.

The Group lauds the spirit in which all 18 political parties which contested the election signed an electoral pledge a month before the election, committing them to honouring the Constitution and laws of Lesotho and to observing the Electoral Code of Conduct.

In our meetings with the political parties, they informed us of complaints they had lodged regarding unbalanced coverage of the parties by state radio and television. They also formally raised as a complaint, the accusation that the governing party had hired all the buses and denied their supporters an opportunity to attend their rallies.

On 16 April 2012, the IEC received a written complaint from the LCD accusing the DC of seizing some of its property when they broke away in February 2012. In its decision, the IEC Tribunal said that the 'DC has in effect hampered the rights and freedoms of LCD enshrined in Schedule 2 paragraph 4(f) of the Electoral Code of Conduct'.

It accordingly barred DC from campaigning in 19 Constituencies, between 16 and 22 May 2012, where DC had been accused of removing LCD property.

The Group commends the efforts of the IEC to enforce adherence to the Code.

The opposition parties approved of the IEC's response to the complaint about airtime, but were critical of the electoral body for not ruling against the DC on the question of whether the governing party had unfairly denied them access to transportation on the final Sunday of political rallies.

However, we find that while the Electoral Act empowers the IEC to take actions against violations of the Electoral Code of Conduct, it does not specify clearly the sanctions for breach of the Code.

Media coverage

There are a variety of media outlets operating in Lesotho, both public and private. Since 1998 when the government opened up the media sector to independent media houses, there has been growth in the private media, particularly radio, although the state electronic media continue to dominate coverage in all areas of the country.

By virtue of being geographically surrounded by South Africa, citizens also enjoy wider media access. South Africa's daily newspapers and radio and television channels are freely available in Lesotho. A few citizens also have access to satellite television and internet based media.

Radio Lesotho and Lesotho Television (LTV) are both owned and controlled by the state.

Radio Lesotho gives national coverage, unlike all the other private radio stations whose coverage is limited to the urban areas.

Lesotho has 18 newspapers and periodicals, none of which are dailies. The print media consist of various newspapers in the Sesotho language and four English-language weekly newspapers – Lesotho Times, The Survivor, The Public Eye and Friday Flyer – which are mostly free from editorial control by the government.

Section 67 of the Electoral Act provides guidelines for state media to ensure equitable coverage to all registered political parties participating in the elections.

In our view, it is not uncommon for media in any election to be accused of bias. Nor is it uncommon for state media, particularly broadcasters, to be accused of favouring government rallies, utterances and activities during an election campaign. A major complaint from most of the stakeholders we met was that the state media – the Lesotho Broadcasting Services (both radio and television) did not offer equal airtime to all the political parties that participated in these elections, but instead devoted a disproportionate level of coverage to the incumbent ruling party. If true, this is contrary to the requirements of the Electoral Code of Conduct. However the opposition parties and civil society said there was an improvement in media coverage in this campaign compared to previous elections.

State media provided wider coverage of the country than private ones did. Radio was the most accessible medium, with about 90 per cent of the country able to receive LBS signals. TV ownership was less widespread outside the capital Maseru and the other major towns, and programming was dominated by offerings from South Africa, and other foreign sources. The media association representatives we met told us that newspaper circulation did not extend much beyond the capital.

The IEC secured on behalf of all 18 parties, one hour of airtime to fully articulate their positions and policies. In addition, the parties could buy advertising time.

With its near nationwide coverage, LBS state radio occupied a special position of responsibility at election time. However despite giving it credit for being less partisan than in the past, the majority of stakeholders felt that it did not meet its responsibilities to provide the impartial and politically wide ranging national service it ought to have done.

LBS did not clearly identify the airtime bought by the political parties, for example using labels such as 'The following is a paid political advertisement by the X political party'. Some people concluded from this that the station was favouring the governing party.

For a satisfactorily equitable allocation of air time for future elections, the state media need to plan more meticulously, using a well thought-out and easy to explain rationing/quota system to measure the weight of the coverage of political rallies. They should make clear to the political parties and the public, that they are operating a system of fair and equitable allocation of airtime to all the parties.

In any election campaign it is expected that the media will be fair to all parties. It is also expected that the media will be equally robust in covering the government and the opposition. LBS may have generated greater confidence in its objectivity through more considered forward planning of the election events it would cover, and more careful execution of its election coverage.

The IEC managed to shift perceptions of bias towards the governing party, in part by arranging for equal airtime for all the parties. The Group hopes that for future elections the LBS would take steps towards creating a broadcast schedule that clearly promotes more equitable coverage of the parties.

There is great need for more training of journalists on how to effectively report and cover elections. The Commonwealth and other partners could be of help in this area.

Generally, the media gave substantial space and airtime to issues raised by candidates and their parties. Private media devoted much of their attention to opposition parties. The print media were particularly robust in reporting the issues.

We commend the role played by the Media Institute for Southern Africa, Lesotho Chapter, for organising training workshops for journalists on how to responsibly cover the elections,

as well as carrying out media monitoring. However they need to do more work to encourage more professional, balanced and non-partisan reporting.

The IEC commended the work of the media, in voter education, and as we note elsewhere in this report, the voters seemed to have a significant knowledge of voting processes and procedures on Election Day.