

Guidelines for the Coverage of Elections on Radio and TV in Lesotho

These were drawn up at a Workshop organised by Lesotho Communications Authority, funded by UNESCO and supported by the Lesotho Chapter of the Media Institute of Southern Africa, in Maseru from 18 to 22 July 2011.

The 25 Workshop participants included leading figures from the Ministry of Communications, Science and Technology, the LCA, the Independent Electoral Commission, the state broadcaster, private radio stations freelance/independent producers, the National University of Lesotho and MISA.

They based these Guidelines on the Lesotho Broadcasting Code of Practice Part 111 (Government Gazette Extraordinary Volume XL1X No 38 14.4.2004) which is within the LCA Rules of 2004, the “Guidelines and Principles for Broadcast Coverage of Elections in the SADC Region”, and the “CBA Guidelines for Covering Elections in Small States”.

This was done with the intention of providing election guidelines appropriate for the broadcasters of Lesotho, to cover elections fairly and objectively.

Principles for Broadcast Coverage of Elections in Lesotho

Editorial Guidelines

Article 1

The aim of election coverage is to ensure that the electorate is empowered to make an informed choice.

In the light of this, the public is entitled to accurate, fair, impartial and balanced information about the election procedures, and the positions of political parties and independent candidates on election issues. Therefore, broadcasters should make every effort to present all available and relevant information to the public.

Broadcasters should ensure that coverage of the elections is designed to emphasise the relevance of elections and encourage participation by all citizens in the election process.

How can this be achieved?

Broadcasters should:

- 1. In reporting on controversial issues of political, industrial or public importance, ensure that an appropriate range of views are reported either within a single programme or in a series of programmes which are as adjacent as reasonably possible.*
- 2. When covering controversial issues of political, industrial or public importance during phone-in programmes, ensure that a wide range of opinions is represented over a reasonable period of time*

3. *Ensure that a person or organization whose views have been criticised during a programme on a controversial issue of public importance shall be offered a reasonable opportunity by the broadcaster to reply to such criticism and the reply shall:*
 - (a) *be given a similar degree of prominence*
 - (b) *be broadcast during a similar timeslot as soon as reasonably possible after the original criticism.*
4. *For the purposes of this section, 'programme' includes news bulletins, current affairs and information programmes, interviews, and panel and phone-in discussions.*
5. *Ensure that offensive language to other people is avoided during phone-in or live programmes.*

Broadcasters should work with IEC and relevant stakeholders on voter education and information programmes. These should be ahead of, during, and after the elections.

Article 2

Broadcasters should focus on issues of relevance and interest to citizens and not purely cover events of political parties and independent candidates.

How can this be achieved?

Broadcasters should run current affairs programmes on election issues and not only on issues raised by the parties.

Article 3

Broadcasters should provide opportunities for the public to take part in political debates on election issues. Participants of such broadcasts should be as representative as possible of different views and sectors of society.

How can this be achieved?

Broadcasters should invite representatives of different sectors of society to take part in Vox Pops, discussions, phone-ins, interviews, and in the use of new media as feasible.

Article 4

Non-Government-owned broadcasters have the responsibility to treat all political parties and independent candidates equitably. They shall, to this end, facilitate fair play.

Equitable treatment does not mean equal treatment nor does it mean that broadcasters will abandon their news values and/or processes. Equitable treatment means fair treatment in news, current affairs and discussion programmes. Fairness is achieved over time. It is unlikely to be achieved in a single programme. Broadcasters will be consistent in their treatment of political parties/contestants.

Government-owned broadcasters should follow the provisions of the National Assembly Election (Amendment) Act, 1997.

Broadcasters will not only rely on political parties or candidates for information but will proactively seek information and participate in discussions.

How can this be achieved?

Broadcasters should deploy senior staff who should be able to demonstrate that the main parties or candidates contesting the election were given approximate equivalent opportunities to take part in programmes (i.e. to be heard and questioned) and that other parties or candidates have not been treated unreasonably or unfairly in the allocation of airtime, given their size or the support they command.

- *Equitable treatment is unlikely to be achieved in a single programme but can be achieved in a series of programmes. Audiences should be told opposing viewpoint(s) will be aired in the next programme in the series and they should be told when it will be transmitted.*
- *Single programmes should avoid individual editions getting badly out of balance. There may be days when inevitably one party dominates the news agenda (e.g. when it launches its manifesto) but in that case care must be taken to ensure that coverage of similar prominence is given to the other manifesto launches on the relevant days.*
- *Daily programmes should maintain fair balance over the course of each week of the campaign. Each programme should be careful to ensure it does not get out of balance.*
- *Each strand (e.g. a late afternoon show on radio as people are going home after work) is responsible for reaching its own targets within the week and cannot rely on any other outlets at different times of day (e.g. a breakfast show) to do so for it.*
- *Weekly programmes, or running series within daily sequence programmes, which focus on one party or another, should trail both forwards and backwards so that it is clear to the audience that balance is built-in over time.*

Article 5

Broadcasters should establish whether public appearances of government officials are strictly on government business or part of their election campaign, in order to report appropriately.

How can this be achieved?

Broadcasters should distinguish between Government announcements and electioneering statements and report them accordingly.

Article 6

Broadcasters should make sure that any impression of one-sidedness is avoided in all programming. They should act and be seen to be acting in a fair and independent manner and not be influenced by political or other interest groups.

How can this be achieved?

Broadcasters and their staff members should not accept gifts, favours or special treatment by political parties or other interests that compromise their professional integrity.

Staff members who hold political office, and/or are office bearers with a political party, and/or active in political campaigning and/or standing for election, should not be allowed to broadcast and/or participate in editorial decision making during the election period.

Staff members, in the execution of their duties, should not wear or exhibit symbols or colours or appear with clothes or insignia associated with any political party or contestant during the election period.

Article 7

Broadcasters should afford political parties and independent candidates the right of reply where a report aired under the editorial responsibility of the broadcaster contains controversial information or criticism.

How can this be achieved?

Broadcasters should afford an opportunity to reply as quickly as possible in a programme of similar weight and audience.

Article 8

Broadcasters should not broadcast views that could incite violence or advocate hatred that is based on race, ethnicity, gender, religion or political conviction, and that constitute incitement to cause harm.

How can this be achieved?

Broadcasters should deal firmly and professionally with any offenders, in particular when live, and promote tolerance.

Article 9

Public opinion polls should be treated with caution and, in reporting the findings of such polls, broadcasters should inform the public on the source of the poll and how it was conducted, the commissioning agency, the period it was conducted, the sample size, the likely margin of error, and where and when it was carried out.

How can this be achieved?

Broadcasters should only use public opinion polls when they are convinced that they have been well conducted, and they should give details of the poll so that the public understand the background.

Article 10

Broadcasters should inform the public of the election results, as they become available. Special care should be taken to ensure the accuracy of all results broadcast.

How can this be achieved?

Broadcasters should use the results coming from the IEC. Where broadcasters announce provisional results issued by the IEC, they should state that they are provisional.

Article 11

Broadcasters should exercise great care in handling their broadcasts on polling day. They should avoid anything which could influence the result.

How can this be achieved?

On polling day, broadcasters should avoid covering opinion polls and controversial issues.

Guidelines on party election broadcasts and political advertisements

1. Definitions

1.1 Party election broadcasts are free time slots allocated to political parties and independent candidates to inform the electorate of their policies.

1.2. Political advertisements are paid-for advertisements intended to advance the interests of political parties and independent candidates.

2. Guidelines

2. 1. The Lesotho Broadcasting Code of Practice requires that:

“(1) A licensee shall not be required to broadcast a party-political advertisement but if it elects to do so, it shall afford all other parties a similar opportunity.

(2) In making Party-political advertising time available to political parties, a licensee shall not discriminate against any political party or give preference to any political party or subject any political party to any prejudice.

(3) A licensee shall not broadcast a party political advertisement unless it is submitted on behalf of a political party by a duly authorized representative.

(4) A party-political advertisement shall be wholly under the editorial control of the political party which places the advertisement.”

2.2 Broadcasters should, in good time before the elections, develop guidelines on submission of party election broadcasts and political advertisements including details of the required formats and technical standards. Broadcasters should publish them widely.

2.3 Broadcasters should develop transparent mechanisms and procedures to ensure that political advertisements and party election broadcasts are not unilaterally edited or amended without consent of political parties and contestants. Such alterations are only possible if such advertisements or broadcasts do not comply with reasonable technical standards, laws of Lesotho or its Broadcasting Code of Practice.

2.4 Should a political party or independent candidate refuse to edit or amend such advertisements or broadcasts, the broadcaster has the right to refuse to air them. Broadcasters should be indemnified by political parties against any cost, damage or loss incurred or sustained as a result of any claim arising from such broadcasts or advertisements.

3. Implementation

In order to implement these guidelines and principles, broadcasters should:

3.1. Develop editorial codes and policies or review existing codes using these guidelines as minimum standards, and ensure awareness of such codes.

3.2. Publicise these guidelines and any other internal codes to enable the public to monitor the performance of the broadcaster and hold it accountable.

3.3. Establish internal complaints procedures to channel and resolve complaints from the public, and encourage aggrieved parties to use arbitration mechanisms.

3.4. Ensure proper planning and resource allocation for election coverage.

3.5. Ensure that staff members are adequately trained in order to fulfil obligations as required by these guidelines and principles.

How can Item 3.4 be achieved?

Broadcasters should plan and budget for all election coverage. There are a number of steps:

- *Well before an election is due, set up a special elections unit, staffed by the station's skilled journalists to draw up plans for the campaign. It should meet regularly, weekly to begin with, but more frequently as the campaign period approaches. It may be a one-person unit on a very small station, but whatever the size, it will ensure that appropriate planning takes place.*
- *Establish an overall election programme plan which covers what programmes will be produced;*
- *Introduce a comprehensive system for monitoring the election output.*
- *Have a register of speakers.*

Responsibilities of Government

- Broadcasters need to be able to operate in an environment free of violence and intimidation. They should be free from internal and external censorship. Parties and candidates and others involved in an election should respect the rights of the broadcasters to cover an election freely and fairly.
- The authorities must ensure broadcasters the right to editorial independence.
- They should guarantee the freedom of broadcasters from political, economic, religious and other pressures so they can work in an environment that promotes integrity and credibility.
- They should recognise that the media has a watchdog responsibility to point out any shortcomings in the conduct of the poll.