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The African Media Barometer (AMB)

The Friedrich-Ebert-Stiftung's African Media Project (fesmedia Africa) took the initiative together with the Media Institute of Southern Africa (MISA) to start the African Media Barometer (AMB) in April 2005, a self assessment exercise done by Africans themselves according to homegrown 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)¹ "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 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.

For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added.²

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 consists of not more than ten members. They will meet bi-annually for two days retreats to go in a self-assessment process through the indicators in a qualitative discussion and determine (quantitative) scores for each indicator. The meetings will be chaired by an independent consultant to ensure comparable results. The resulting reports are made public.

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 The ACHPR is the authoritative organ of the African Union (AU) mandated to interpret the African Charter on Human and Peoples' Rights
 - 2 Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.

- 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 developments in the media landscape.

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AFRICAN MEDIA BAROMETER BOTSWANA 2009

EXECUTIVE SUMMARY

Freedom of expression that is clearly guaranteed in the Constitution of Botswana is negated by the enactment of several other pieces of legislation that severely impact on public information rights.

The clampdown on information has increased and Botswana are speaking out less while information is severely restricted in both practise and by policy. The Public Services Act, National Security Act and the Corruption and Economic Crime Act (CECA) contain provisions restricting access to public information.

The legislative and political landscape has visibly altered in Botswana over the last two years and a culture of fear and intimidation has permeated the atmosphere. Stories abound of the military abducting youths and warning them against being “troublesome” resulting in curtailed freedom of movement. By nightfall there are very few people out and about on the streets while entertainment dies down by 11pm.

This can be directly linked to the change in the country’s leadership. Since President Lieutenant General, Seretse Khama Ian Khama, as he insists on being called took over power, there has been a dramatic transformation in the style of governance. He is highly rigid and dictatorial and this stems from his strong military background. Those nearest and dearest to him have a military background too: his deputy is a retired army general, while his press liaison officer is a former soldier.

Decisions are often taken solely by the Executive with no consultation and anyone in government, who opposes the President is sidelined. This abuse of power is perpetuated by the traditional belief amongst the Botswana that, once the chief has spoken everyone must fall in line. This tradition of according respect to elders extends to the media with journalists ignoring the transgression of senior officials while younger reporters will not ask the tough questions.

The recent appointment of public relations officers to government ministries creates the impression they will facilitate the flow of information into the public domain but this is far removed from the reality. Under the Public Services Act which governs them, civil servants and the PROs working for the various ministries can be instantly dismissed for speaking to the media or providing information without permission from the Minister or the Permanent Secretary of a particular ministry.

These restrictions are further impeded by the passing of the Media Practitioners Act (MPA) at the end of last year. The MPA was passed with only the semblance

of consultation: there was a hastily constructed consultative process, which was neither inclusive nor credible.

The MPA turns the right to practice journalism into a privilege by setting down statutory regulations requiring journalists to be accredited to practice their profession. Media publishers are also required to obtain a licence from the Statutory Media Council and failure to do so will result in a fine or three years imprisonment or both.

The creation of the statutory body goes directly against the self regulatory Press Council of Botswana (PCB), which was not consulted during the enactment of the MPA. At some point there was a lukewarm attempt to engage with the PCB, who clearly expressed their reservations and instead were told by the Ministry of Communications to try and approach the Attorney General's office as "everything is with the technical people".

Under the same legislation all websites and blogs will have to be registered with the Media Council, which had not been appointed at the time of the AMB workshop in May 2009.

The Botswana Telecommunications Authority recently demanded the registration of all sim cards by the end of the year and those who fail to do so will have their services terminated. Citizens see this requirement and the newly established Directorate of Intelligence and Security Services (DISS), a spy unit, which has a larger budget than the police force, as a direct threat to their civil liberties.

While Botswana have a general understanding of the role of the media, there has been a general lack of advocacy around media issues. In the past, civil society groups were reluctant to speak out in support of media freedom. The passing of the MPA consolidated civil society into forming an umbrella organisation aptly named the Coalition for the Freedom of Expression (COFEX) early this year. COFEX, which is a forum established under the Botswana chapter of the Media Institute of Southern Africa (MISA), still needs to do more lobbying with the general public on the impact the MPA will have on media freedom but their predicament is lack of funding.

The majority of donor organisations pulled out of Botswana in 1994 soon after the international community declared it a middle income country. This has left many civil society organisations under - resourced and struggling to find alternative sources of income.

It should also be noted, government controls 80 percent of the economy and most of the contracts and tenders that are on offer are directly and indirectly linked to government so that the obligation to stay in favour with the establishment is strong.

Government is also the largest stakeholder in the media industry with near total control of television and radio. Surviving as a privately owned media organisation

requires resourcefulness and resilience as it is hard to compete against the government supported media, which does not have to rely on advertising revenue as they are guaranteed an income from the government. This impacts negatively on the privately owned media, more so because the cost of advertising in government media is considerably lower and this is aggravated by the fact that the revenue is often not collected by the government media publications. Due to high printing cost and reduced revenue, most privately owned publications have reduced their print run. The Botswana Gazette is the only publication to have increased its print run from 16 000 to 20 000 over the last eighteen months.

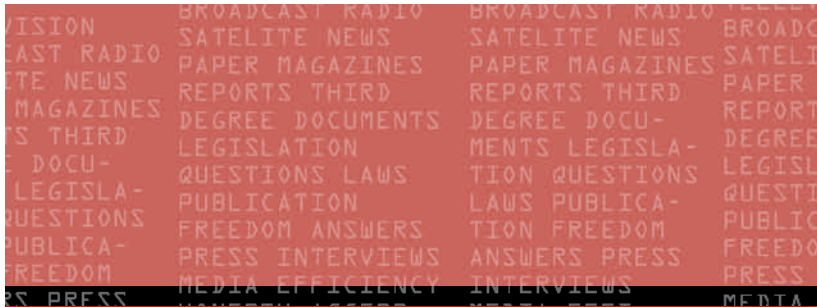
The majority of Government adspend is allocated to their media and specifically to their flagship paper The *Daily News*. The *Daily News* is government's most widely circulated publication and is distributed for free. Over the years *Daily News* has evolved from a four page black and white to a full colour 32 page.

As the biggest employer and business entity, government is also the largest advertiser and uses this as leverage. Papers deemed to be critical of government may have their advertising pulled out and companies in the private sector, who want to keep in favour with the authorities, are also encouraged not to advertise. At the time of the AMB discussion there were allegations that the government was going to place an advertising ban on the *Mmegi* and the *Sunday Standard* for their reporting of the death of John Kalafatis, who was allegedly gunned down by state security agents suspecting him of being a criminal.

With one of the strongest currencies in the region, Botswana is perceived to be one of the rich middle income countries, yet print publications are inaccessible to the majority of the citizenry for various reasons:

- Print publications are centred around Gaborone and a few other urban locations whereas private media organizations have inadequate distribution networks.
- At Pula 4 a newspaper the cost of newspapers is considered prohibitive for the majority of the population.
- A large number of print publications are in English, while the majority of the population is Setswana speaking.

Broadcasting around the country is dominated by state-owned television and radio stations and so, many Batswana are restricted to a certain viewpoint. "The content of government media is very selectively chosen and carefully choreographed to meet the needs of the powers that be ... Radio Botswana does not tell you all that is happening in the country; but mostly what is happening in the [ruling party, Botswana Democratic Party] BDP. They are timid in reporting on anything critical of the government."



SECTOR 1:

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



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

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

Analysis:

Freedom of expression is guaranteed in section 12 (1) of the Botswana Constitution, which states under “Protection of freedom of expression” that: “Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, 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.”

While freedom of the media is not expressly guaranteed in the Constitution, it is assumed that the above clause on freedom of expression includes freedom of the media. This is in line with a High Court judgement made in September 2001, in which a government ban on advertising in two newspapers, the *Botswana Guardian* and the *MidWeek Sun*, was declared unconstitutional as it violated the newspapers’ rights to freedom of expression. Justice IBK Lesetedi described freedom of the media as one aspect of freedom of expression. The ban had been imposed on the newspapers because the government felt they were too critical of the country’s leaders.³

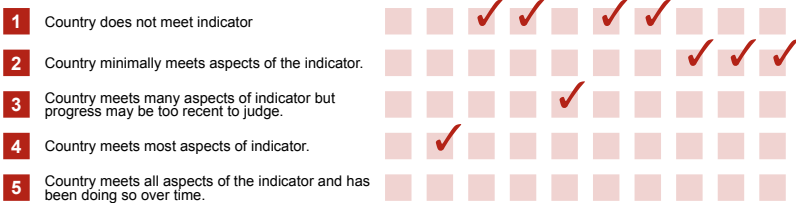
The Constitution contains a number of very broad provisions that can be used to limit freedom of expression in the name of defence, public safety, public order, public morality, public health, other people’s rights, as well as protecting the freedom of civil servants to perform their duties, among others.

“The Constitution is contradictory as it grants certain rights and freedoms, which the powers that be can limit through vague, ‘claw-back’ clauses.”

³ http://www.ifex.org/botswana/2001/09/28/high_court_declares_advertising/

Scores:

Individual scores:



Average score:

1.9 (2005 = 2.6; 2007 = 2.3)

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

Analysis:

Within the last year, a cloud of fear has descended on civilian life in Botswana, impacting on freedom of expression and on other freedoms as well, such as freedom of movement.

“There is a definite sense of fear and uncertainty in Botswana at the moment. People don’t know what to say or how to say it.”

“Freedom of expression is not a living right in this country. And the Constitutional provisions for it are to some intents and purposes, not respected by government.”

Much of this can be attributed to Ian Khama becoming president in 2008. Khama, whose full title is President Lieutenant General Seretse Khama Ian Khama, is the son of Botswana’s first president at independence in 1966, Seretse Khama, who brought the Botswana Democratic Party (BDP) to power. Ian Khama’s military roots are very deep: he became the country’s youngest brigadier at 24 and previously served as commander of the Botswana Defence Force. Since 1979 he has also been paramount chief of the influential and largest tribe in the country, the Bangwato tribe.

Ian Khama was vice-president for 10 years during the entire term of former president Festus Mogae, who resigned in

“There is a definite sense of fear and uncertainty in Botswana at the moment. People don’t know what to say or how to say it.”

March 2008 at the end of his second term. Ian Khama was his chosen successor. A call for the president to be elected directly by the people was rejected by Parliament in 2008.⁴ Khama's deputy is a retired army general, while his press liaison officer is also a former soldier. Since he came to power, without being democratically elected, there appears to be a growing militarisation of government and an increase in dictatorial tendencies on Khama's part. Since Khama took power, he has established the spy unit, the Directorate of Intelligence and Security Services (DISS).

"There is an unnamed but very real fear in Botswana. Fearful things are happening: youths are being abducted by security forces and warned to cease being 'troublesome'. This fear restricts reporting as journalists are afraid to do investigative stories and are censoring themselves."

Of note is the recent murder of John Kalafatis, who was gunned down in Gaborone in May 13, 2009 allegedly by state security agents who suspected him of being a criminal.

Between April 1, 2008 and May 2009, there have been 14 shootings and 9 confirmed killings including that of Kalafatis, allegedly by security agents, raising suspicion that this approach has been condoned or even sanctioned by the president.⁵ The outcome of investigations into previous killings, have not been made public. Five days after Kalafatis' death, private media organisations were barred from a press conference held by the government and intended to answer media allegations linking security agents to his death.⁶ On May 27, 2009 President Khama sued the private Sunday Standard newspaper for alleging that the president may have been involved in Kalafatis' murder. There have been unconfirmed reports that government is planning an advertising ban on the Sunday Standard and *Mmegi*.

"... This fear restricts reporting as journalists are afraid to do investigative stories and are censoring themselves."

Mention was also made of staff of non-governmental organisations being warned by senior government officials that they should refrain from utterances perceived to be critical of the government if they would like "to remain in the country and prosper". Even lawyers have been attacked for releasing press statements before investigations into suspected cases of human rights violations have been concluded. Another warning sign is that other groups in society, including churches, are becoming fearful to speak out; labour activists suspect they are being followed by intelligence agents; and Members of Parliament have been warned not to

4 http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1068674.stm#facts

5 http://www.sundaystandard.info/news/news_item.php?NewsID=5003&GroupID=1

6 Media Institute of Southern Africa (MISA), Botswana alert: 'Private media barred from government press conference on controversial death of Botswana man', May 22, 2009

speak out against the president. Journalists and activists know their phone calls are being intercepted, and mistrust among the media is growing.

“This sense of fear and suspicion in society is becoming normal, as the intrusion of government intelligence into civil society intensifies. The current intelligence budget of P200 million even exceeds that of the police, which received P187 million.”

Recently, the government has made numerous negative public statements about the media, with the president even informing journalists that he felt threatened by the media and viewed it as an enemy. He has also accused newspapers of not being factual and professed to not reading them at all.

There appears to be an apparent erosion of freedom of expression in Botswana, with fewer alternative views being heard. The government, through its own media, such as Botswana Television (BTV) and Radio Botswana 1 and 2, is cultivating an aura of not being challenged. A BTV programme, *The Eye*, which used to be a forum for public debate, is now presented solely by Minister of Communications, Science and Technology, Ponomi Venson-Moitoi.

“The current intelligence budget of P200 million even exceeds that of the police, which received P187 million.”

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country minimally meets 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 checked="" type="checkbox"/>	<input type="checkbox"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
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 and has been doing so over time.	<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 (2005 = 1.9; 2007 = 1.9)

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

Analysis:

Laws that can restrict freedom of expression in Botswana could be viewed as an attempt by the state to control the media and limit criticism of those in power. These include the controversial Media Practitioners Act (MPA), passed in December 2008; the Public Service Act (PSA) of 1998; the National Security Act (NSA) of 1986; the Corruption and Economic Crime Act (CECA) of 1994; the Cinematography Act of 1975; the Intelligence and Security Services Act of 2007 and the Police Act of 1987.

The MPA requires all journalists and publications to register with the government, through the statutory Media Council, to gain accreditation and an operating licence. If this is not done, the journalist or publisher could be fined up to P5,000 (about US\$720 at June 2009 rates) or three years in prison, or both. In the case of a publication, the government can close it down if it is operating without being registered. The license lasts only for one year.

In May 2009, a group of Botswana publishers served the office of the Attorney General with a notice to take the Minister of Communications, Science and Technology to court over the controversial Media Practitioners Act. The publishers are attempting to repeal the law, which they say is unconstitutional and contrary to the country's international obligations.⁷ The publishers object to the act criminalising the wrongs of media practitioners, saying that this constitutes censorship. The publishers also object to the very broad definition of a 'media practitioner'; the requirement of journalists and publications to register with and receive accreditation from government; and compulsory membership of the statutory Media Council.⁸

“...People believe that once the chief has spoken, everyone must fall in line. The rights may be there but they may also be abused by people in power.”

The PSA and the NSA legitimises the restrictions placed on accessing information by journalists problematic, as ordinary civil servants can be summarily dismissed for speaking to the media or divulging information, even 'public information', without permission from the minister or permanent secretary responsible. As there

7 http://www.ifex.org/botswana/2009/05/11/publishers_challenge_media_practitioners/

8 <http://allafrica.com/stories/200905110663.html>

is no legislation in Botswana guaranteeing access to information, government officials may refuse any requests for information.

The NSA also empowers government to clamp down on anything that might threaten the security of the country or any act that is contrary to the interests of the country.

Under the Cinematography Act, the minister responsible for the media needs to approve all film scripts, and any changes made to such scripts during production.

The Corruption and Economic Crime Act bars the Directorate of Corruption and Economic Crime from releasing information on any person who is being investigated by the directorate.

The Police Act allows the police to monitor communication made via land line and cellular telephones.

“There is a general understanding among Botswana about the role of the media and the rights of individuals, but there is also a lack of advocacy in the country. People believe that once the chief has spoken, everyone must fall in line. The rights may be there but they may also be abused by people in power.”

What is more, the Botswana Penal Code contains provisions for criminal libel, sedition and the publishing of “false news” or news that might “alarm the public”.

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country minimally meets 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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:

1.0 (2005 = 1.3; 2007 = 1.3)

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

Analysis:

The Botswana government does not appear to honour regional and international instruments on freedom of expression and the media.

“Once the government has ratified such international conventions, it is not legally bound by them in the Constitution. Even government officials are not aware of these international treaties.”

An indication of the lack of commitment on the part of the Botswana government to such agreements is that it is very lax in submitting reports in terms of the United Nations Conventions to which it is party, often failing to do so at all.

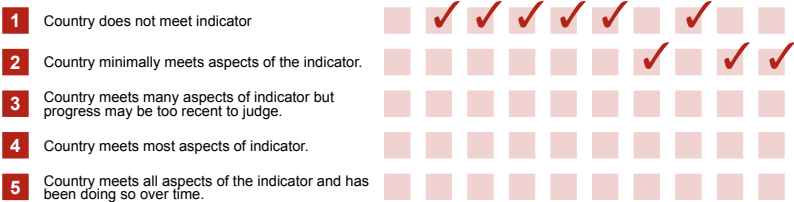
“Even government officials are not aware of these international treaties.”

“If such instruments are mentioned in court, lawyers are shot down and told: ‘That is not law in Botswana.’ We cannot rely on these documents, so what is the point of the government signing them? Is it just so Botswana looks good ‘out there?’”

It was noted that the executive in Botswana is very powerful and operates in a distant manner, often signing such agreements without informing MPs. As such, the executive operates as if it is not accountable.

Scores:

Individual scores:



Average score:

1.3 (2005 = n/a; 2007 = n/a)

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

Analysis:

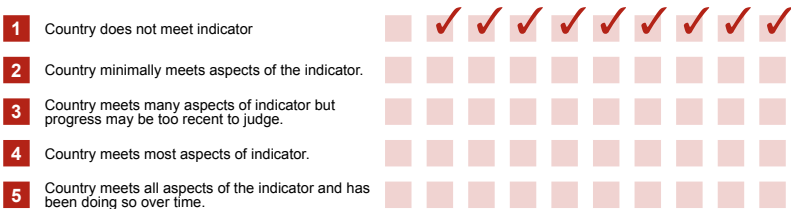
Prior to the passing of the Media Practitioners Act (MPA) in December 2008, newspapers had to register at the General Post Office, under the Printed Publications Act. The perceived intention of this act seemed to be to give legitimacy to the publisher as a company.

The MPA, however, goes beyond this by demanding that publications are registered and accredited each year with the government, through the statutory Media Council. Failing to do so will result in the publisher being sentenced to a fine of P5,000 or three years' in prison, or both. The Ministry is also empowered to shut down print publications.

“This new act is about government controlling the entry into and practice within the media industry.” (See indicator 1.1)

Scores:

Individual scores:



Average score:

1.0 (2005 = n/a; 2007 = n/a)

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

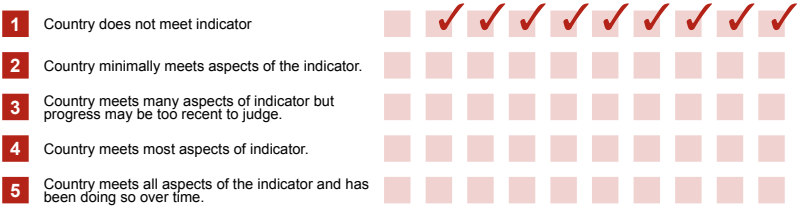
Analysis:

For the first time in Botswana’s history as an independent nation, the practice of journalists can be restricted by government. Since the Media Practitioners Act was passed in December 2008, it has been law that all media practitioners must register and receive accreditation from the Ministry of Communications, Science and Technology before working as media practitioners.

As the law is very new, an executive committee of the Media Council is still being set up to register media practitioners and, as yet (June 2009), no journalists have been denied permission to practise their profession.

Scores:

Individual scores:



Average score: 1.0 (2005 = 5.0; 2007 = 4.9)

1.7 Confidential sources of information are protected by law and/or the courts.

Analysis:

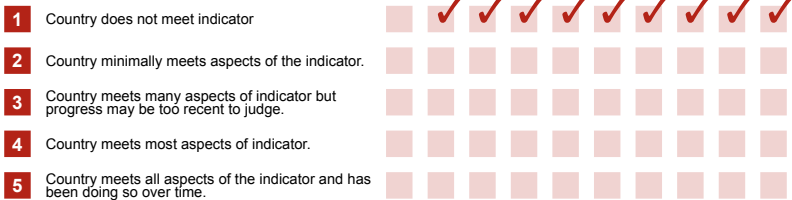
Confidential sources of information are not protected by law or by the courts in Botswana. There has also not been a test case in the courts in this regard and the recently passed Media Practitioners Act makes no mention of the protection of sources.

In 1992, a journalist called Professor Malema (Professor is his first name) and editor Titus Mbuya were detained under the National Security Act in connection

with wrongfully receiving and publishing a ‘secret’ government document.⁹ They were later released when the charges were withdrawn and the case was never tested in court.

Scores:

Individual scores:



Average score:

1.0 (2005 = 1.1; 2007 = 1.1)

1.8 Public information is easily accessible, guaranteed by law and/or the courts.

Analysis:

Although freedom to receive information is constitutionally guaranteed, the Botswana Constitution does not guarantee citizens the freedom to seek information from government. There is currently no access to information legislation in Botswana that could force government officials to make public information accessible. The Public Services Act, National Security Act and the Corruption and Economic Crime Act also contain provisions restricting access to public information.

While public relations officers (PROs) have recently been appointed to government ministries, ostensibly to facilitate the flow of information, this has not been the case in reality. These PROs, normally filling junior positions, are still not empowered to speak and be the ‘face’ of the ministries, as this remains the domain of ministers and permanent secretaries. All the PROs

“She (Minister of Communications) even told the media that access to information legislation will not be passed because government has secrets to keep!”

⁹ archive.lib.msu.edu/DMC/African%20Journals/pdfs/africa%20media%20review/vol18no3/jamr008003002.pdf

“MPs and ministers, even, cannot access government information...”

are not allowed to speak to the media directly and their only function seems to be the dissemination of approved press releases. .

“With the Kalafatis story, even the president’s spokesperson was not empowered to speak about the issue.” (See indicator 1.2)

The Botswana chapter of the Media Institute of Southern Africa (MISA) continues to push for an Access to Information Act, despite the Minister of Communications, Science and Technology telling Parliament that such legislation was not a priority. This is in the face of Vision 2016, a document outlining the long-term goals for the country, stating that the country should have a Freedom of Information Act in place by 2016.

“She (Minister of Communications, Science and Technology) even told the media that access to information legislation will not be passed because government has secrets to keep!”

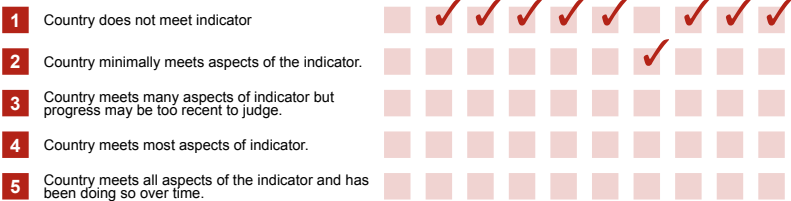
There is a sense that the appointment of PROs at ministries is a means to stall or even block such legislation, as government could argue that these appointments make an access to information law redundant.

Members of the public, especially those from rural areas with little money who travel all the way to Gaborone, also battle to access government-held information and are “exposed to the caprice of government officials”.

“MPs and ministers, even, cannot access government information as the executive ‘up there’ does not inform or brief them.”

Scores:

Individual scores:



Average score: 1.1 (2005 = 1.0; 2007 = 1.1)

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

Analysis:

Under the Media Practitioners Act, all publications in Botswana are required to register with the statutory Media Council. Under the act, publications are defined very broadly as “all print, broadcast and electronic information that is published”. Thus, in theory, websites and blogs originating within Botswana will be required to register with, and obtain permission from, state authorities.¹⁰

Mention was also made of the Botswana Telecommunications Authority (BTA) setting a deadline of December 21, 2009 for the registration of all prepaid mobile phone SIM-cards. SIM-cards that are not registered by this date will be cut off. This registration has raised fears among journalists, and ordinary members of civil society, of increased surveillance by intelligence agents.

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country minimally meets 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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:

1.0 (2005 = n/a; 2007 = 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 necessary in a democratic society.

Analysis:

As electronic publications, such as websites and blogs, will have to be registered with the Media Council, as per clauses in the Media Practitioners Act, there is

¹⁰ Media Practitioners Act, 2008

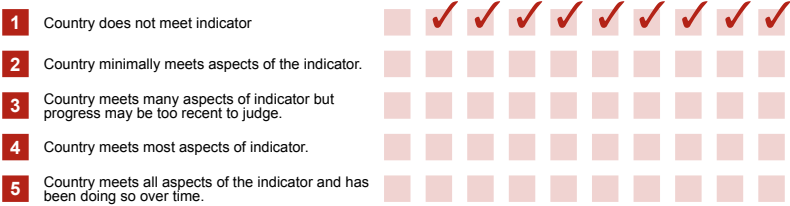
the chance that government may use this registration process to block or filter internet content.

Currently, government has not blocked or filtered internet content within Botswana. However, it is well known that the state monitors the debates on the online editions of mainstream publications.

A weekly newspaper, the *Botswana Gazette*, has removed its interactive aspect “because we had had no control over it. It was the safest thing to do to protect ourselves. Of course it is self-censorship, but the reality of the law is there”.

Scores:

Individual scores:



Average score: 1.0 (2005 = n/a; 2007 = n/a)

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

Analysis:

“...because of our current political situation, very few people are prepared to stand up and speak out.”

Civil society groups have in the past been reluctant to speak out on certain issues, including media freedom. Even under the umbrella organisation, the Botswana Council of Non-Governmental Organisations (BOCONGO), Botswana have been fearful of raising certain issues.

“There are many reasons for this, but it is partly because Botswana are not activists. We did not gain our independence from our own frontal expression. It was negotiated with Britain ... But also, because of our current political situation, very few people are prepared to stand up and speak out.” (See indicator 1.2.)

Generally, organisations in Botswana do not work together: media organisations, such as the Botswana chapter of the Media Institute of Southern Africa (MISA), tackle media issues; issues of human rights are taken up by Ditsbwanelo, the Botswana human rights organisation; while unions, such as the umbrella body, the Botswana Federation of Trade Unions (BFTU), deal with workers' issues.

In early 2009, the Coalition for Freedom of Expression (COFEX) was formed, under a MISA forum, to draw the attention of civil society to the importance of protecting freedom of expression, especially with the threats to civil liberties posed by the Media Practitioners Act. As COFEX is still in its infancy, funding is being sought for it to play an active role.

During the 2009 World Press Freedom Day commemorations organised by MISA, civil society organisations gave solidarity statements.

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 minimally meets aspects of the indicator.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>	<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"/>	<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 and has been doing so over time.	<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:

2.2 (2005 = 2.4; 2007 = 2.8)

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

Analysis:

An apparent and rather hollow consultative process was launched in early discussions on the Media Practitioners Bill. However, this process was not meaningful and most of the issues raised by stakeholders were ignored by government. In addition, no draft bill was made available for scrutiny to any stakeholders, not even to the Media Advisory Council, which comprises representatives from the private and public sectors.¹¹

¹¹ <http://www.botswanamedia.bw/mac.htm>

“...In a dominant one-party state, there is not much you can do.”

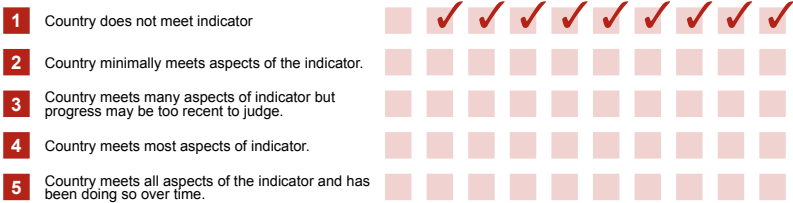
The final Media Practitioners Act, passed in December 2008, excluded stakeholder recommendations. The stakeholders invited to these early meetings, however, were selectively chosen and not all media stakeholders were invited, with many of them seeing the Act only once it was in the *Government Gazette*. The self-regulatory Press Council of Botswana, for example, which comprises mostly publishers of print media, was never approached in this process.

Members of the Press Council voiced their objections to the Minister of Communications, Science and Technology, and were told to try and approach the Attorney General’s office as “everything is with the technical people”.

“Of course we refused, because we knew the government would just say they had consulted stakeholders on the new law. In a dominant one-party state, there is not much you can do.”

Scores:

Individual scores:



Average score: 1.0 (2005 = n/a; 2007 = n/a)

Overall score for sector 1: 1.2 (2005 = 2.2; 2007 = 2.2)*

* For 2009 the indicators were reviewed, amended and same new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.

SECTOR 2:

The media landscape, including new media, 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 accessible and affordable to citizens.

Analysis:

Print

There are two daily newspapers in Botswana – the state-owned, free *Daily News* (with a national circulation of 65,000), published by the Department of Information Services at the Ministry of Communications, Science and Technology, and *Mmegi* (with a circulation of between 11,000 and 22,400).

There are 11 private weekly newspapers in Botswana – *the Botswana Gazette*, *Botswana Guardian*, *Echo*, *Midweek Sun*, *The Mirror*, *Monitor*, *Ngami Times*, *Sunday Standard*, *Sunday Tribune*, *The Voice* and *Blue Jacket News*. Most of these newspapers are national, while others, such as Francistown's *Blue Jacket News*, are limited to specific locations. The newspapers have circulations ranging between 8,000 (*Sunday Tribune*) and 30,000 (*The Voice*).¹²

The *Tswana Times* is a fortnightly private newspaper with a print run of 5,000. Other private newspapers include the monthly *Economic Express* and *The Independent Informer* which are published erratically.

There are a number of local magazines, including the environmentally focussed *Wena*, *Hotel and Tourism*, the youth publication *Lapologa*, a farmers' magazine and the contemporary magazine, *Kutlwano*, which is published by the Ministry of Communications, Science and Technology. Many Botswana magazines are published infrequently.

At an average of P4 per newspaper, it was felt that newspapers were not affordable to ordinary citizens in a country where a loaf of bread costs about P6.

Access to print media in rural areas is a huge challenge as the country is relatively large at 600,370 square kilometres¹³ (about the size of France or Kenya) but the

¹² Circulation figures obtained from So This is Democracy: State of media freedom in southern Africa 2008, Media Institute of Southern Africa (MISA), Windhoek, 2009 and panelists' input

¹³ http://www.unbotswana.org/bw/about_b.html#land

population is very small and is estimated to be 1.8 million people in 2009. The print and some of the broadcast media is mostly centralised around Gaborone as the costs of distribution and transmission across the entire country are very high.

Another fact that reduces Botswana's accessibility to the print media is that it is published in English. A Setswana newspaper called *Mokgosi* folded after three years in 2005 as it failed to generate sufficient advertising revenue. The government radio and television stations, however, broadcast in English and Setswana. English is the official language of Botswana, although the national language is Setswana and an estimated 78 per cent of Botswana speak Setswana as a home language. English is spoken by two per cent of the population as a home language, Kalanga eight per cent, Sekgalagadi three per cent, and the remainder made up of other languages.¹⁴

“Botswana who speak English have a greater advantage [than the rest of the population] when it comes to accessing the media.”

Broadcasting

There are six radio stations broadcasting in Botswana: the government-owned Radio Botswana 1 and 2 (the latter has more of a commercial focus), and the private and commercial stations Duma FM, Gabz FM, Ya Rona FM and Voice of America. Duma FM started broadcasting last year and although it was granted a national broadcasting license, its transmission network does not yet cover the whole country, as is the case with other private radio and television broadcasters.

Botswana television audiences can access two local TV stations, the state-owned Botswana Television (BTV) and the private Gaborone Broadcasting Company (GBC), which is transmitted within a 25km radius of the capital city. Viewers can also subscribe to the South African satellite subscription service, DSTV, through Multi-Choice Botswana.

There is still no community media – print or broadcasting – in Botswana.

Media ownership

Government owns the biggest media companies in Botswana and has the widest distribution in the country, and thus is most accessible to Botswana.

The *Daily News*, is a free publication, is widely distributed to most areas in the country and has the largest circulation of any print publications in Botswana. In rural areas, this is often the only print media available, although it is sometimes up to a week late.

¹⁴ 2001 Population and Housing Census, Botswana (Central Statistics Office, Republic of Botswana)

Broadcasting around the country is dominated by state-owned television and radio stations. BTV reaches an estimated 60 per cent of the population, while government radio has a reach of over 80 per cent. Some areas of the country are unable to receive local radio stations and access information from radio stations broadcasting from Zimbabwe, South Africa and Mozambique.

The government also owns the Botswana Press Agency (BOPA).

“...Radio Botswana does not tell you all that is happening in the country; but mostly, what is happening in the BDP.”

“The content of government media is very selectively chosen and carefully choreographed to meet the needs of the powers that be ... Radio Botswana does not tell you all that is happening in the country; but mostly, what is happening in the [ruling party] BDP. It is timid in reporting on anything critical of the government.”

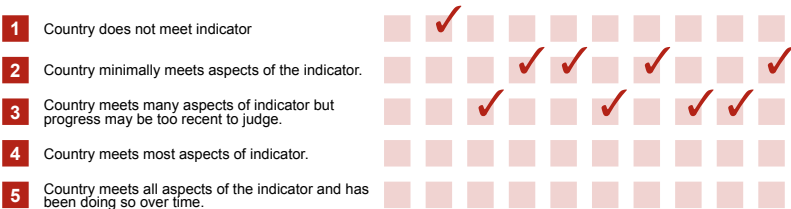
Internet

While most towns in Botswana have electricity, it is rare to find computers, especially those with an internet connection, in rural areas. Government secondary schools in urban areas usually have an internet connection, but this is often restricted to certain students or staff at each school, as schools do not have the capacity to cater for all students.

Among ordinary Botswana, an estimated seven per cent of people in urban areas use the internet regularly. Internet costs are prohibitively expensive, at about P500 per month for broadband services.

Scores:

Individual scores:



Average score:

2.3 (2005 = 2.2; 2007 = 2.8)

2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.

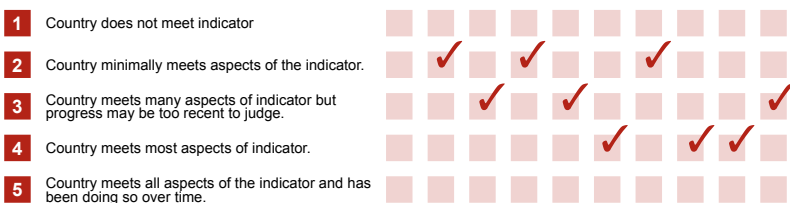
Analysis:

Currently, citizens' access to local and foreign media is unrestricted by the state. However, as the Media Practitioners Act is still in its infancy, there is uncertainty about what could happen in future.

"Potentially the government could use the law to ban access to certain media – print, broadcasting or internet – that they feel are anti-government." (See indicator 1.1.)

Scores:

Individual scores:



Average score:

3.0 (2005 = 4.5; 2007 = 4.8)

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

Analysis:

In general there seems very little inclination in Botswana to increase the scope of circulation of the print media, especially to rural areas where populations can be so small that it is not economic. Distribution costs are high in such a large country with a sparse population.

The *Daily News* is the only paper in the country that reaches a high proportion of remote areas, with other publications centred on Gaborone alone or on urban areas and large villages.

Most other newspapers are reducing their print run as printing and distribution costs increase. *The Voice*, for example, was printing 38,000 copies a week last year. During 2009, its print run was cut to 30,000.

Only one private newspaper, the Botswana Gazette, is known to have increased its print run in the last two years to diversify the newspaper's revenue source and be less reliant on advertising revenue. This was in the light of the uncertainties related to the passing of the Media Practitioners Bill, while staff at the newspaper had heard that government departments had been instructed to advertise in the state-owned media rather than in the private press in accordance with 'cost recovery' policies. The print run of the *Botswana Gazette* was 16,205 between October and December 2007. This increased to 19,855 between April and June 2008 and rose further to 20,436 between October and December 2008.

“While many outsiders see Botswana as a rich, middle-income country, it must be noted that the country's economic power is held by the government.”

Five years ago, the *Daily News* began to sell advertising space at cheaper rates than those offered in the private press. As a result, private publishers lost out on advertising income, much of which went instead to the government-funded newspaper, which has the widest circulation and distribution

of any newspaper in the country. In addition, while government does place advertisements in the private media, the majority of their 'adspend' goes to the *Daily News*. These factors have impacted on private newspapers' ability to increase their circulation.

A panellist queried what donor organisations, such as Southern African Media Development Fund (SAMDEF), were doing to support private media in Botswana. After Botswana was declared a middle-income country in 1994 by the international community, there was an exodus of foreign organisations providing donor funding.

“While many outsiders see Botswana as a rich, middle-income country, it must be noted that the country's economic power is held by the government.”

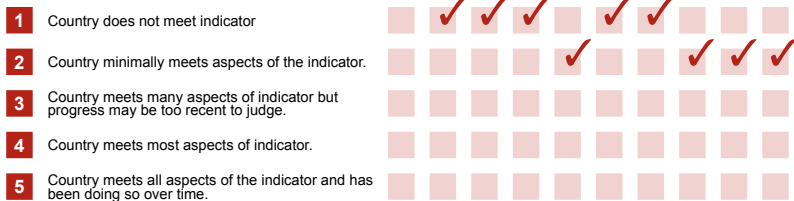
There are no government incentives to support the private media. A private newspaper's attempt to be part of the government newspaper's distribution network was rejected by the *Daily News*.

The Botswana media environment is hampered by the lack of current marketing information, related to readership, viewership, demographics and so on. As a result, the impact of 'adspend', for example, is not known, and using such research to gain new advertisers and expand circulation has not been possible.

Most private publications in Botswana are, however, available online for free for those who have internet access.

Scores:

Individual scores:



Average score:

1.4 (2005 = 2.9; 2007 = 3.4)

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

Analysis:

As the government funded print media is controlled directly by the Minister of Communications, Science and Technology there is undue editorial interference and limited independence at these organisations. At the Daily News, for example, the staff has been warned not to express issues critical of government “unless they wanted to get into trouble”.

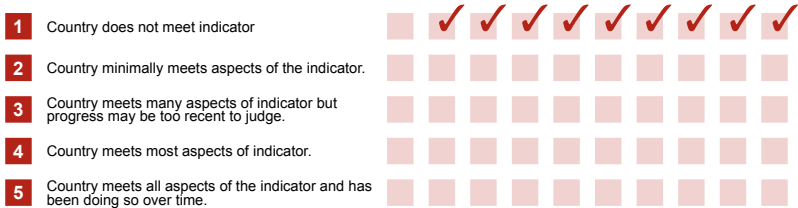
“Government media employees are civil servants, performing the job of ‘information officers’ for the state.”

Government media employees are employed under the Public Service Act, which states that they cannot publish public information without authority from the Permanent Secretary or the Ministry of a particular ministry and as such they cannot be independent.

“Government media employees are civil servants, performing the job of ‘information officers’ for the state.”

Scores:

Individual scores:



Average score:

1.0 (2005 = 1.2; 2007 = 1.6)

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

Analysis:

There is currently no legislation regulating competition in Botswana, for the economy as a whole or specifically for the media sector. Anti-competition legislation for private companies was shelved by the Ministry of Trade in 2007.

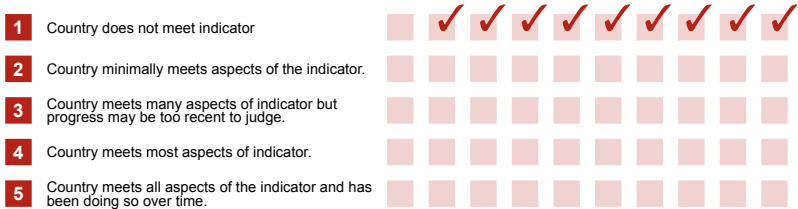
The government has a number of media outlets in the print and broadcasting sector, which might be considered monopolistic, while within the private media arena there is also a concentration of ownership. Since March 2009 Dikgang Publishing Company has had sole ownership of the *Botswana Guardian* and *Midweek Sun*, two newspapers in which it previously had shares. Dikgang already owns *Mmegi* and the *Monitor*, and has minority shares in the private radio station, Gabz FM.

In Botswana, cross-ownership (i.e. between print and broadcasting) is allowed as long as one company does not have majority shareholding in each interest.

This scenario could change with the advent of the Media Practitioners Act, which makes provision for dealing with competition-related issues, stating under Section 29 that the Media Council must determine if there are anti-competitive acts within the media sector. If there are, the council shall “refer all issues relating to competition ... to the appropriate authority established to deal with competition issues”. Such an authority, it appears, has not yet been established.

Scores:

Individual scores:



Average score:

1.0 (2005 = 1.2; 2007 = 1.1)

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

Analysis:

The government does not support a diverse, sustainable and independent media environment as no incentives are given to private media enterprises, which are also taxed. In addition, the government competes directly with private print and broadcasting media in terms of advertising by undercutting the rates offered by private media companies. The state media also has the advantage of having a wider reach than the private media. Before the *Daily News* went 'commercial' and began to compete with the private media for advertising in 2003, it was a four-page, black-and-white daily newspaper. Today it is regularly 32 pages, full colour with a 60:40 ratio of advertising to editorial.

Since state-funded media do not have to rely on advertising revenue and have a guaranteed income from the government through taxpayers' contributions, the operational and commercial challenges affecting the private media are not a concern. The *Daily News* is well known for its inefficiency in collecting its advertising revenue, which makes advertisers more likely to use the sometimes-free services of the state-funded newspaper.

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country minimally meets 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 type="checkbox"/>	<input type="checkbox"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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:

1.1 (2005 = n/a; 2007 = n/a)

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

Analysis:

Research conducted in 2002 by Gender Links, a southern African non-governmental organisation, showed that women comprised just 16 per cent of the news sources in Botswana.¹⁵ Panellists felt that little has changed in the past seven years and that men still dominate in terms of media content.

Generally, there is a lack of representation on women's issues in the Botswana media. This could be a result of a number of factors.

Firstly, there is less content about women, possibly because there are few women journalists in the country. Women are often not interested in working as journalists as the landscape is considered 'tough'. Many women choose to go into the 'softer' option of public relations instead. Culturally, in Botswana children are brought up not to be assertive or to question their elders: traditionally women continue to be more diffident than men about confronting authority.

"...having female journalists does not necessarily mean the media is more 'gender focussed', unless women become editors..."

"While having female journalists does not necessarily mean the media is more 'gender focussed', unless women become editors, they will not be able to decide on the content of the media."

Secondly, women are less forthcoming than men about information and very rarely approach the media with ideas for

¹⁵ Gender and Media Baseline Study, Gender Links

stories. As a result, there are fewer women sources in the country's media.

“The content in the media is partly a reflection of what society is going through, and currently there is a drop in prominence of women in society.”

“The content in the media is partly a reflection of what society is going through... a drop in prominence of women in society.”

A 2009 Gender Links publication entitled *At the Coal Face: Gender and Local Government in Botswana* states that women who pursue careers in politics are “often labelled and called names”. The publication also notes that prior to the 2004 elections, the media was “partly responsible for women’s apathy towards aspiring to political office” as the media did not highlight the achievements of women politicians as much as those of their male counterparts and tended to treat women politicians as objects rather than political protagonists.

The number of women in senior management and decision-making positions (ie possible sources for stories) in Botswana is also very low, and has apparently dropped in recent years. Five women in senior government positions, who were considered extremely competent have resigned, been sidelined or demoted in recent years. Many of them (see below) were connected to the Botswana Media Women’s Association (BOMWA).

- Banyana Segwe, deputy chair of BOMWA, was General Manager of BTV (which oversees Radio Botswana 1 and 2, and BTV) before she retired from civil service in December 2008. There is speculation that she was not on good terms with the Minister of Communications, Science and Technology, Pelonomi Venson-Moitoi.
- Sholo Phethu was appointed acting manager of BTV, and in 2007 was moved to the Department of Sports and Culture. It is not clear what her role is at the Department. Shortly before her move, she resigned as head of BOMWA.
- In April 2009, another BOMWA executive member, an active member of the Botswana Editor’s Forum, and a vocal activist for press freedom, Felicitus Mashungwa, was moved from head of Radio Botswana to an obscure position at the Ministry of Education.
- In the same month, another BOMWA member, Montlennyane Baaitse, was transferred from her position as BTV News Editor to a position in the Ministry of Trade and Industry.
- In 2008, Monica Mphusu, Deputy Director of Broadcasting, was transferred to a new department - Government Information and Communication Service.

Scores:

Individual scores:

1	Country does not meet 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 checked="" type="checkbox"/>
2	Country minimally meets 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 type="checkbox"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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:

1.9 (2005 = n/a; 2007 = n/a)

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

Analysis:

“The media is ‘personality driven’: if you want coverage at your event, you get an important speaker...”

The media in Botswana does not reflect all the voices within the society and is thus not balanced.

The government media, for example, covers only one political party, the ruling BDP, while there is a perception that the private media focus more on the opposition parties.

The voices heard in the media are of leadership – be they state or private. Thus, the media is perpetuating social divisions in the country by not including the voices of people across all social strata. This is most probably because the media in Botswana covers events, driven by those in powerful positions, rather than issues.

“The media is ‘personality driven’: if you want coverage at your event, you get an important speaker. Because of the limited resources available to the media, high profile personalities or events will get the coverage.”

Linguistically, the main national language of Setswana is sidelined in favour of the official language, English. The only religion that gets any media coverage is Christianity.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>
2	Country minimally meets aspects of the indicator.	<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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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 (2005 = n/a; 2007 = n/a)

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

Analysis:

Maitlamo is a draft information and communication technology policy, which was approved by Cabinet in 2005 but remains a draft and has not been implemented.

The draft outlines the government's aim of meeting the information needs of all citizens and talks about the computerisation of libraries and universal access. The use of multiple languages is not mentioned, nor is the sharing of infrastructure (i.e. transmitter towers) between state and private broadcasters.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2	Country minimally meets aspects of the indicator.	<input 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 checked="" type="checkbox"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<input type="checkbox"/>	<input checked="" 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"/>
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 and has been doing so over time.	<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:

2.1 (2005 = n/a; 2007 = n/a)

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

Analysis:

“... as long as the government is the player, the referee and the linesman in our economy, no one can do anything.”

The government’s attempt to ban advertising in 2001 in two private newspapers deemed to be critical of the government indicates that the state uses its power over the placement of advertisements as a means to interfere with editorial content (see indicator 1.1).

At the time of this panel discussion there were rumours that government was threatening to place a similar ban on *Mmegi* and the *Sunday Standard*, as a result of their reporting on the Kalafatis case (see indicator 1.2).

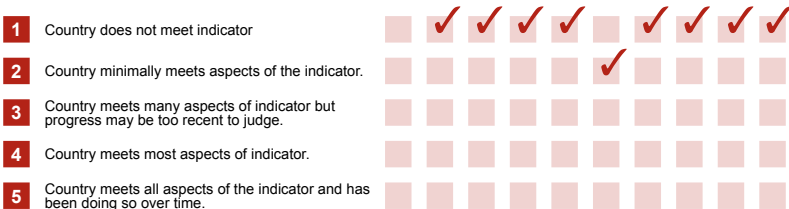
There is a sense that the government does this more subtly and the private media knows that if it criticises government it will lose out on advertising. This is not always advertising directly from the government: In 2001, the government sent letters to private companies, telling them that if they continued to advertise in the *Botswana Guardian* or the *Midweek Sun* they will be excluded from doing business with the state.

“The government controls about 80 per cent of the economy. Many businesses depend solely on government for survival. All businesses, not just those in the media, have to toe the line if they want to survive ... as long as the government is the player, the referee and the linesman in our economy, no one can do anything.”

There is a definite bias in terms of government ‘ad spends’: most of the government’s print advertising budget goes to its own newspaper, the *Daily Mail*. Government argues that this is one way to make the publication sustainable.

Scores:

Individual scores:



Average score: 1.1 (2005 = 1.3; 2007 = 2.4)

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

Analysis:

The advertising market appears large enough to sustain the mainstream media that is currently operational – i.e. mostly urban-based and English. However, the collapse of the Setswana newspaper, Mokgosi, in 2005 is a clear indication that the advertising market in Botswana is not large enough to maintain a real diversity of media outlets (see indicator 2.1).

As mentioned in indicator 2.10, any media deemed to be anti-government will struggle to survive. Also, since 2003 when the Daily Mail began to source advertising and undercut market rates, private publishers have been struggling to stay afloat.

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country minimally meets aspects of the indicator.	<input type="checkbox"/>	<input 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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 (2005 = 3.0; 2007 = 3.8)

Overall score for sector 2: 1.6 (2005 = 2.0; 2007 = 2.4)

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.

Analysis:

The Broadcasting Act of 1998 makes provision for the three tiers of broadcasting: public, commercial and community. However, a draft Broadcasting Policy has never been passed and, thus, the mechanism of implementation has not yet been put in place.

The Act establishes the broadcasting regulator, the National Broadcasting Board (NBB), which became operational only in 2001. The regulator by then was compelled to continue allowing 'public' and private broadcasters to exist, but has never licensed a community broadcaster.

The draft Broadcasting Policy was in fact withdrawn in 2007, around the time of the high-profile eviction of the Basarwa (San) from the Central Kgalagadi Game Reserve.

“There had been much talk of community radio stations in Botswana up until that point, but the government was clearly uncomfortable with the idea of people speaking freely, and so the policy was withdrawn.”

Government officials have commented in the past on the danger of community radio stations, citing the example of how radio was used to incite genocide in Rwanda.

The Minister of Communications, Science and Technology has apparently stated that the Broadcasting Policy will be coming to Parliament in its next session in June 2009.

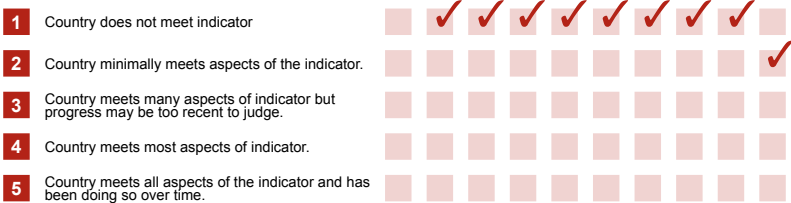
The definition of ‘public broadcasting service’ in the Broadcasting Act falls far short of internationally accepted standards, as it is defined as “a broadcasting service provided by any statutory body which is funded either wholly or partly through State revenues”. Thus, a public broadcaster in this definition is a state entity, rather a service to the public.

The Declaration of Principles on Freedom of Expression in Africa, adopted by the African Commission on Human and People’s Rights, however defines public broadcasting as being accountable to the public through the legislature, rather than through the government, being governed by an independent board protected against political or economic interference, and being editorially independent, among others.

Vision 2016 also mentions the three-tiers of broadcasting and emphasises their importance in terms of democracy.

Scores:

Individual scores:



Average score:

1.1 (2005 = 1.8; 2007 = 1.7)

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.

Analysis:

The appointment of the National Broadcasting Board (NBB) is laid out in part two of the Broadcasting Act of 1998. It stipulates that the minister (currently the Minister of Communications, Science and Technology, although at the time that the act was passed no such ministry existed and the president was responsible

“There is a semblance of transparency in the appointment of the board, but in the final analysis, the government has a stranglehold over the NBB.”

for the media) shall appoint the NBB’s 11 members, comprising an officer from the Office of the President; an officer from the Ministry of Commerce and Industry; an officer from the Department of Cultural and Social Welfare in the Ministry of Labour and Home Affairs; a representative of the Botswana Telecommunications Authority (BTA), as well as “seven persons, one of whom shall be designated Chairman of the Board, appointed from a list of 10 candidates nominated by the Nominating Committee”. This committee consists of a member of the Law Society of Botswana; the Vice-Chancellor of the University of Botswana or his

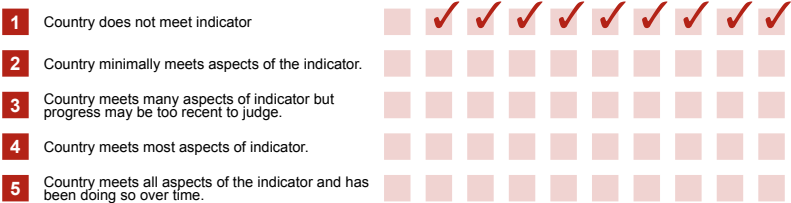
or her nominee; and a representative of the Office of the President. The committee could be seen to be biased towards government

The board’s chairperson is appointed by the Minister of Communications, Science and Technology and the BTA functions as the secretariat to the board.

“There is a semblance of transparency in the appointment of the board, but in the final analysis, the government has a stranglehold over the NBB.”

Scores:

Individual scores:



Average score:

1 (2005 = n/a; 2007 = 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.

Analysis:

The NBB is tasked with issuing broadcasting licences, but as yet has no Broadcasting Policy to guide its work. Since its existence in 2001, it has continued to grant public and private radio and television broadcasting licences, but has not granted any community broadcasting licences. Thus, the regulator does not appear to be granting licences in the public interest, but rather in the interests of the state.

A community radio station called Naledi FM, from one of the poorest communities in Gaborone, Old Naledi, was set up in 2007 in an attempt to give the citizens there a voice. However, because they were unable to get a community broadcasting licence from the NBB they have not been able to operate, even though they have all the necessary broadcasting equipment. The station's management has threatened to start broadcasting from South Africa or via the internet.

However, with the new Media Practitioners Act, all Botswana websites must be registered and receive permission to operate from the statutory Media Council. Thus, online radio stations could be forced to stop operating by the state. A religious radio station, *Soul FM*, which has also not been licensed by the NBB, is already broadcasting online while it awaits a community FM licence.

Scores:

Individual scores:

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.	

Average score:

1.8 (2005 = 1.3; 2007 = 2.1)

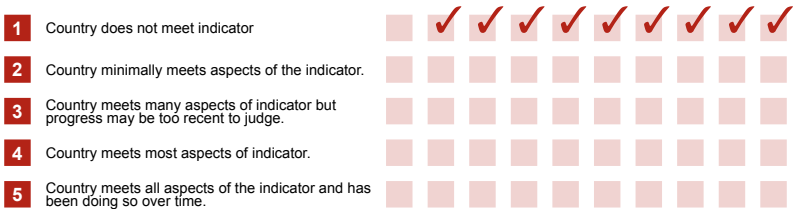
3.4 The state/public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.

Analysis:

There is no board for Botswana Television (BTV) or Radio Botswana 1 and 2, as they are run as government departments, where staff are employed as information officers hired by the Minister of Communications, Science and Technology.

Scores:

Individual scores:



Average score: 1.0 (2005 = 1.0; 2007 = 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.

Analysis:

Botswana Television and Radio Botswana 1 and 2 do not have boards.

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 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"/>
2	Country minimally meets 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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 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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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: 1.0 (2005 = 1.0; 2007 = 1.1)

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

Analysis:

Because Botswana Television and Radio Botswana 1 and 2 are run as government departments, headed by the Minister of Communications, Science and Technology, they are directly influenced by the state and editorial independence is not possible.

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 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"/>
2	Country minimally meets 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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 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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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: 1.0 (2005 = 1.0; 2007 = 1.0)

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.

Analysis:

“There is no transparency around the funding of the state broadcaster.”

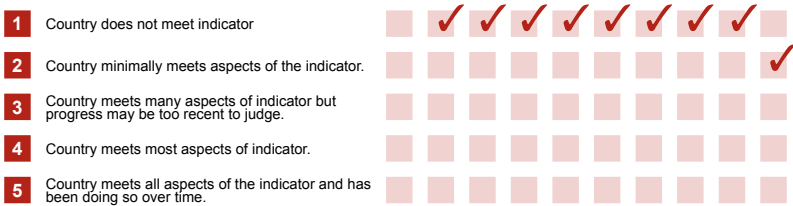
The majority of funding for the state broadcaster comes directly from government through taxpayers’ contributions. The remainder comes from advertising. The government, however, does not reveal figures related to the funding of its television and radio stations, and annual reports are not made public. Because the majority of the state broadcaster’s funds come from government, it can cut or increase funding at its discretion. There is no protection from arbitrary interference.

“There is no transparency around the funding of the state broadcaster. Whatever the funding may be, however, it does not serve the public interest but only that of the government.”

There are instances of interference from commercial pressure on BTV, for example, where programming is fully paid-for by advertisers or sponsors, but it is not presented to the public as advertorial.

Scores:

Individual scores:



Average score:

1.1 (2005 = n/a; 2007 = n/a)

There is little diversity in terms of local news and current affairs programming on BTV. The television news is dominated by stories concerning the country’s most powerful leaders: the President, the Vice-President and the Minister of Defence.

A directive from the Office of the President to BTV and RB 1 and 2 news departments around the time of the 2004 election was that President and the Vice-President must be covered at all events. It appears as though this order is still being followed.

As mentioned in indicator 1.2, the weekly BTV political programme *The Eye* has ceased to be a forum for debate as the only person on the show currently is the Minister of Communications, Science and Technology or senior government officials besides ministers.

Youth programming on BTV, however, does provide considerable local content.

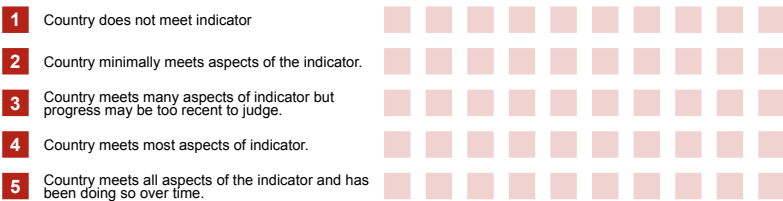
The local content in terms of films and entertainment is extremely limited, as it is cheaper for the state television station to purchase foreign content, such as the *Bold and the Beautiful* and *Dr. Phil*.

“The average Motswana can’t identify with these foreign programmes – they are foreign to our culture.”

There is no religious diversity offered by the state broadcaster, as only Christianity is given prominence. In terms of language diversity, both the state radio and television stations broadcast in English and Setswana.

Scores:

Individual scores:



Average score:

(2005 = 2.6; 2007 = 2.7)

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

Analysis:

As mentioned above, because government is in direct control of the state radio and television services, they cannot be independent and provide fair and balanced information. The news on state radio and television focuses on the government and is usually single-sourced.

A number of new local programmes have been developed by government departments for the state broadcaster, and are paid for by these departments. Both the radio and television services broadcast an agricultural programme aimed at providing useful information to farmers. This programme is put together by the Ministry of Agriculture. Other new local programmes on BTV include a crime show, developed by the Police, and the 'advertorial-style' lifestyle programme *Prime Time Live*, which people, companies or organisations pay to be on.

"...It is all one-sided and biased, pushing the government agenda."

"Despite these new shows, we are still not getting fair and balanced coverage. It is all one-sided and biased, pushing the government agenda."

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country minimally meets 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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"/>
5	Country meets all aspects of the indicator and has been doing so over time.	<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:

1.2 (2005 = 2.6; 2007 = 2.6)

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

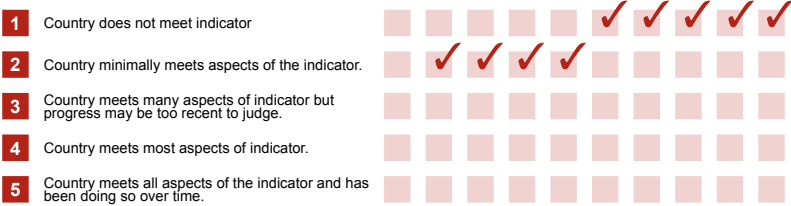
Analysis:

While local content on BTV has increased, there are still too few quality local productions, such as entertainment and talk shows. There is a sense that there is no initiative or funding to support increased local content. The state radio services do much better in this regard and the majority of the content is local.

The local programmes on BTV are produced in-house by government employees without experience in journalism. They are not outsourced to independent producers, and thus the local production sector is not given a chance to grow.

Scores:

Individual scores:



Average score: 1.4 (2005 = 2.7; 2007 = 3.1)

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

Analysis:

There is no community broadcasting in Botswana. (See indicators 3.1 and 3.3.)

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country minimally meets 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"/>
3	Country meets many aspects of indicator but progress may be too recent to judge.	<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 and has been doing so over time.	<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: 1.0 (2005 = 1.0; 2007 = 1.0)

Overall score for sector 3: 1.3 (2005 = 1.7; 2007 = 2.0)¹⁶

¹⁶ Panellists noted that the lower scores in Sector 3 in 2009 compared to previous years is largely a result of a more hostile media environment brought about by the new government.

The media practise 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.

Analysis:

A media code of ethics for all media, except the electronic media, was drafted by the self-regulatory, voluntary Press Council of Botswana in 2002 and adopted by media houses in 2004. The Press Council's members are state and private media houses: publishers or print media and directors of broadcasting companies.

“The Press Council exists to protect the public from abuse in the media.”

The Press Council has a complaints committee, comprising nine members – four from the media sector and five from the general public, and an appeals committee with a member each from the legal, public and media sectors. The complaints committee uses the code of ethics to adjudicate on complaints.

“The Press Council exists to protect the public from abuse in the media.”

After adjudication, if the media was found to be in the wrong, there is an agreement that the media will publish the full report of the complaints committee and an apology. This is not enforceable and the government media, for example, has never published any of these reports. Most of the media houses do follow the committee's rulings, however.

The Press Council's annual report shows the kind of complaints that have been made throughout the year. The complaints usually focus on issues of fairness and balance, and are mostly brought about by the process that exists.

Before the existence of the Press Council, there was a lot of litigation in the courts against the media. Since the establishment of the self-regulatory body, most of these types of complaints have been addressed by the Press Council. Those still feeling aggrieved after following the Press Council process, however, may still take the matter to court.

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

Analysis:

While a code of ethics exists for the media, there is a sense that journalists are not following these basic principles and, as mentioned in indicator 4.1, there is nothing in place to ensure that the media houses themselves follow it. There is a tendency for journalists, from the state and the private media, not to get both sides of a story, while misquotes are very common.

“Because Botswana has a small population, often if people are unhappy about the way they are represented in the media, they will not make a formal complaint but will speak to their friends in the media.”

Some panellists felt that the private media was trying to adhere to the principles of accuracy and fairness, but that their work was made difficult by people not coming forth with information and the lack of access to information legislation, thus leading to speculation.

“Considering the political and social context in Botswana, how accurate and fair can the media be? If journalists can’t get information from government on the burning issues of the day, this will impact on the quality of reporting.”

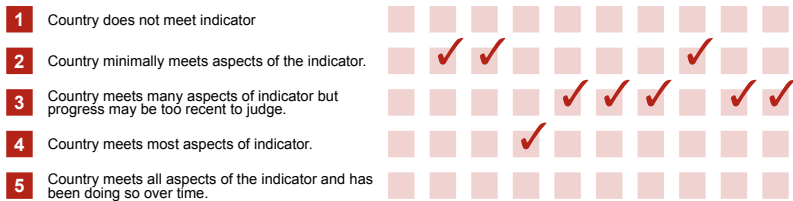
There was consensus that the errors in the media were not a result of malice and that newspapers in Botswana were generally “quite conservative” and professional mainstream publications and not sensation-filled tabloids.

“...If journalists can’t get information from government on the burning issues of the day, this will impact on the quality of reporting.”

Another reason for the numerous mistakes in the media is that media houses are under-resourced and struggle to retain veteran journalists who could play the role of mentor to the many young and inexperienced reporters in the print and broadcast media. Before the University of Botswana established a Media Department in 2003, there were no educational opportunities for would-be journalists. There is also a lack of specialisation in the media as a result of limited funds, and the high staff turnover, as the media is a developing industry chasing a few skilled people.

Scores:

Individual scores:



Average score:

2.8 (2005 = 2.9; 2007 = 2.1)

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

Analysis:

While the print media try to cover a large proportion of local events and issues, including economics, there is generally no depth in the reporting. This is a result of the industry being very small and under-resourced. No newspaper, for example, has the funds for a dedicated investigative desk. Another serious constraint to investigative reporting is the lack of access to information legislation.

“It is an uphill struggle, especially with laws like the Public Service Act: people are now even less inclined to talk, even off-the-record, for fear of dismissal. With the Intelligence and Security Services Act, people are always conscious of being spied upon. The National Security Act and the Media Practitioners Act also impact heavily on the way that journalists operate.”

When some newspapers, such as the *Sunday Standard*, publish investigative-type stories, they tend to get into trouble with the government (see indicator 1.2).

Media houses fail to retain experienced journalists and many of those employed in the sector are given jobs because they are “affordable” since they are not formally trained.

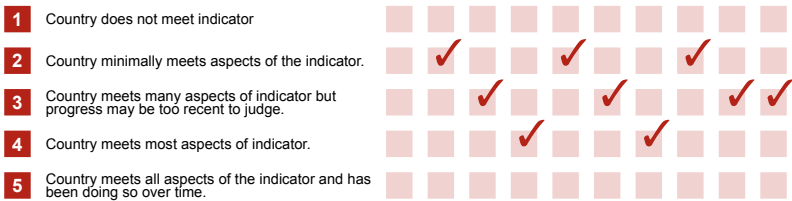
Most media content is urban-based as media houses, especially the private media, cannot afford to have staff or even freelancers throughout the country. Thus, rural areas tend to be sidelined by the media. The state media, through the Botswana Press Agency, has staff around the country, who are not necessarily qualified

journalists and they are not objective because they are employed by the state. However, the stories they send in contribute to the variety and diversity of content within the media.

There is more variety in terms of content on radio, especially Radio Botswana 1, which has no advertising, and which covers most issues and events in the country, albeit with a bias towards the ruling party. Radio Botswana 2 is more of a youth-driven, commercial station with a strong focus on music.

Scores:

Individual scores:



Average score:

2.9 (2005 = 3.0; 2007 = 3.1)

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

Analysis:

Media houses tend to strive for a balance in terms of equal employment opportunities. However, most newspaper journalists tend to be male for various reasons (see indicator 2.7); while women opt more for magazine work and also excel in the sales department. Some newspapers, such as the *Botswana Gazette*, have a high proportion of women employees, which the newspaper's managing director, Clara Olsen, admits is a result of her own bias, although she adds that: "when we recruit, we don't look at political affiliation or ethnic group".

Most radio and television presenters are young men and women, with television having a higher percentage of young women.

In the past 12 months there have been noticeably fewer women in state radio and television management positions, as women have been sidelined, particularly those considered "too vocal" (see indicator 2.7).

expression (see indicator 1.1) and the fear of overstepping these laws results in journalists censoring themselves.

These laws are not used frequently in practice, however, to clamp down on the media, and the biggest threat to the existence of the media is the economic power of the government (see indicator 2.10).

“Those working in the media cannot even entertain criticism of government, because the economic repercussions could be so severe.”

A cultural factor also comes into play in this regard: culturally, there is great respect for elders in Botswana. While in other countries, if a leader did something reprehensible, they would be exposed in the media, in Botswana most media houses

– private and state-owned, print and broadcasting – are too respectful to probe into the lives of leaders, unless a specific incident has come to court and is in the public arena.

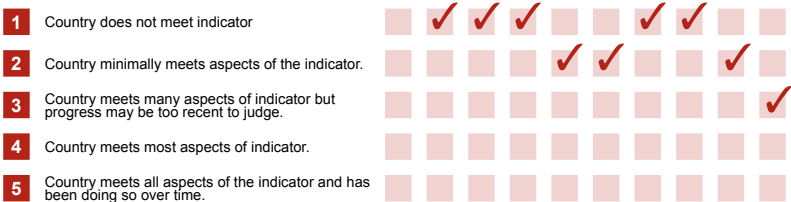
“There is a lot of information that we know about in Botswana but we don’t talk about it for fear of upsetting society ... and for fear of upsetting the government.”

The fact that Botswana has a small population also impacts on journalists reporting freely.

“There is a lot of information that we know about in Botswana but we don’t talk about it for fear of upsetting society ... and for fear of upsetting the government.”

Scores:

Individual scores:



Average score:

1.6 (2005 = 2.5; 2007 = 2.4)

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

Analysis:

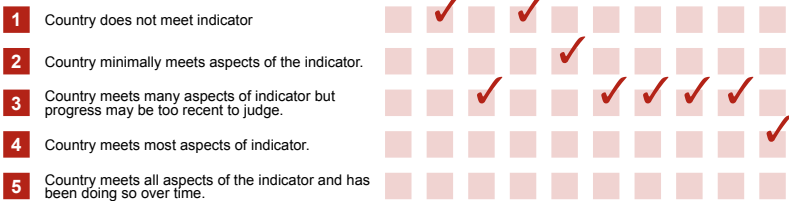
Media owners interfere editorially to some extent, as “they also have an interest there”. Within the print media, most of the owners are very involved. It is only with large media groups, such as Dikgang Publishing Company, that there is clearly no editorial interference by the owners.

In some instances, the editor of a publication is also the owner, such as the *Tswana Times*’ Sello Motseta, and therefore there is bound to be editorial influence. In cases where newspapers are run by boards, such as the *Botswana Gazette*, for example, the boards are not allowed to interfere in editorial decisions. The board member nominated to be the managing director or managing editor, however, “represents the board and takes all decision with regard to the newspaper”.

“Sometimes it is justified for a publisher or managing director to interfere, editorially, especially when journalists do not have enough experience or when editors are seen to bring their subjectivity to an article.”

Scores:

Individual scores:



Average score:

2.6 (2005 = 3.0; 2007 = 4.0)

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

Analysis:

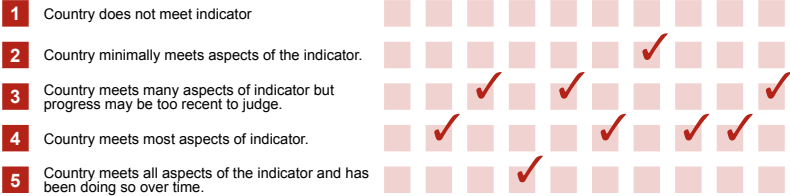
“...Botswana is generally not a corrupt country. Corruption happens, but it is not common practice.”

There have been no instances of print or broadcasting journalists being corrupt and taking bribes in Botswana. Therefore, journalists and media houses are seen to have integrity. Although not all publications, particularly the smaller, privately owned ones, can afford to pay competitive salaries, there have been no instances of corruption among media employees.

“This is also probably because Botswana is generally not a corrupt country. Corruption happens, but it is not common practice.”

Scores:

Individual scores:



Average score: 3.6 (2005 = n/a; 2007 = n/a)

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

Analysis:

Most salaries in the media sector are competitive.

“Because more journalists entering the workforce are graduates from the University of Botswana, or from universities in the United States or Australia, they demand salaries that are commensurate with their qualifications.”

Developments since 2007 and the Way Forward

Positive developments in the media environment in the last two years:

- o Government has erected new transmitters – an attempt to make information for accessible and to scale up radio coverage.
- o Private commercial radio stations being granted national broadcasting licences.
- o The appointment of a presidential media liaison officer, as well as public relations officers within government ministries.
- o Private journalists are now being invited to accompany the president on foreign trips.
- o There is an increase in the number of media training opportunities.
- o The emergence of private television and video production houses.
- o The filming of the Number One Ladies' Detective Agency and part-time employment of local actors and producers, thus boosting the Botswana film industry.
- o The establishment of Coalition for Freedom of Expression (COFEX) two months ago and the Publishers' Forum four months ago. The latter was not mentioned during the discussion on the four sectors and was only highlighted during this session.
- o Private radio station Gabz FM now has news in English and Setswana.
- o New local radio programmes on state radio services.
- o The introduction on BTV of a new local programme, the magazine show Morning Live, and English and Setswana news broadcasts in the morning, midday and in the evening.
- o The licensing of the new private radio station, Duma FM.
- o For the first time ever, a female journalist won the Sports Journalist of the Year Award, annual awards organised by the Botswana National Sports Council.

Negative developments in the media environment in the last two years:

- o The enactment of repressive laws, such as the Media Practitioners Act and the Public Service Act.
- o The new dispensation of power since President Seretse Khama Ian Khama's inauguration, and the resultant growing culture of fear.
- o The regression in local content on BTV.
- o The decrease in influence of the opposition parties. Because the opposition is weak, this contributes to the private media being targeted and seen as the opposition.
- o The economic stranglehold of government and its relationship to advertising in the media.
- o The looming government advertising bans on Mmegi and the Sunday Standard.
- o The mistrust within the media fraternity.
- o The registration of all SIM cards.

Activities needed over the next few years:

- o The Botswana Media Workers Union (BOMEWU) must be launched and funding must be accessed for the union to function. This process must be drive by the media and pressure must be put on Abraham Motsokono who is the chair of the Botswana Journalists Association.
- o Challenging the Media Practitioners Act (MPA) in the High Court during 2009. Publishers and MISA are already facilitating this process. Once all local remedies are exhausted, MISA, with assistance from the Southern African Litigation Centre, should start building a case to take to the African Union body, the African Commission on Human and People's Rights.
- o Information awareness and advocacy around the impact on civil liberties of the MPA and other restrictive legislation. The Coalition for Freedom of Expression (COFEX), uniting MISA, trade unions and other civil society players, should be responsible for this during 2009. The activities should be conducted in Setswana and English.

- o Grassroots mobilisation in the southern African region on the impact of the MPA. MISA Regional should co-ordinate a strategy to get support from outside Botswana but within the continent especially with regional bodies such as the AU and SADC, to sustain pressure on government to revoke repressive laws, such as the MPA. Teams of three (a media practitioner, publisher and lawyer, all from Botswana) should simultaneously conduct press conferences in countries in the region and ensure they have maximum print and broadcast coverage.
- o Ensure sustainability of the self-regulatory body - the Press Council of Botswana – PCB. PCB members planned to meet on June 20, 2009 to discuss strategies to keep the council alive. Members can assist by making the public more aware of what the council does by increasing its media coverage and building up a profile of the PCB. New funding strategies should be sought, based on alliances within the media sector. Building alliances could also help rebuild the trust within the media fraternity. The Press Council should be highlighted as a means of independently safeguarding the interests of all those working in the media sector.
- o Use the Botswana AMB Report 2009 for advocacy. MISA Botswana can assist in terms of finances and organising a national launch in Gaborone in August, officiated by panellist Mr. Modise Maphanyane, with the rest of the panel in attendance. The report should then be launched by the panellists in different regions and ‘workshopped’, targeting specific interest groups and specific interests, such as freedom of expression.

The panel meeting took place at Motse Lodge, Kanye, from May 30-31, 2009.

The Panel:

Ms. Pamela Dube, Editor; Mr. Justing Hunyepa, Educationist/Trade Unionist; Ms. Jacqueline Kabeta, Media Trainer; Mr. Modise Maphanyane, Media and Human Rights Consultant; Ms. Maungo Mooki, Gender Activist; Mr. Sello Motseta, Journalist; Mr. Uyapo Ndadi, Human Rights Lawyer; Ms. Clara Olsen, Publisher; Mr. Kgosi Seitshiro, Designer

The Rapporteur:

Ms Sarah Taylor

The Facilitator:

Ms Reyhana Masters

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