

AFRICAN MEDIA BAROMETER

The first home grown analysis of the
media landscape in Africa

BOTSWANA 2014





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Friedrich-Ebert-Stiftung (FES)
fesmedia Africa
Windhoek, Namibia
Tel: +264 (0)61 417500
E-mail: info@fesmedia.org
www.fesmedia-africa.org

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The African Media Barometer (AMB)






The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations like the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Stiftung (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organisations like the Media Institute of Southern Africa.

Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB-report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

Outcome

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and – in SADC countries the Media Institute of Southern Africa (MISA) – only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

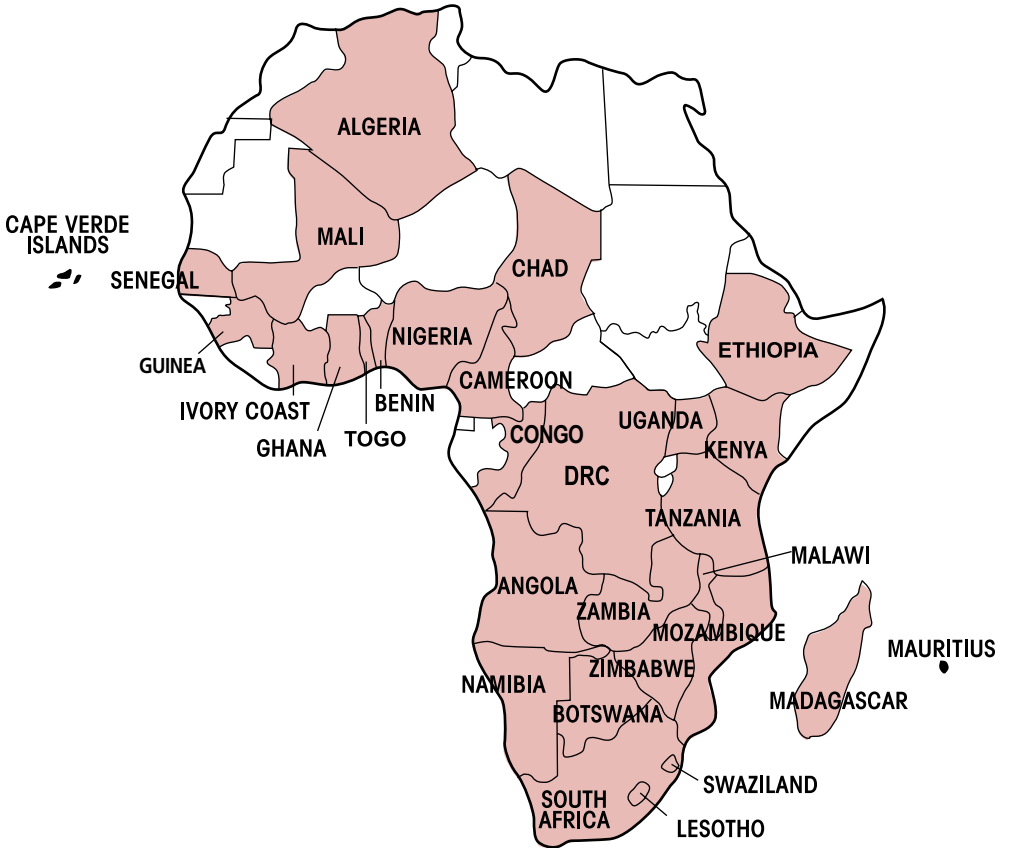
In 2009 and again in 2013 the indicators were reviewed, amended, some new indicators were added and some were replaced.¹

By the end of 2013 the African Media Barometer had been held in 30 African countries, in some of them already for the fifth time.

Zoe Titus
Regional Director
Media Institute of Southern
Africa (MISA)
Windhoek, Namibia

Sara Brombart
Head of *fesmedia Africa*
Friedrich-Ebert-Stiftung
Windhoek
Namibia

¹ Consequently, the comparison of some indicators of previous reports is not applicable (n/a) in some instances in which the indicator is new or has been amended considerably. Furthermore sector scores are not applicable (n/a) as indicators have been moved.



See above 30 AMB Countries (2005-2013)

African Media Barometer

Botswana 2014

Summary

Botswana has consistently ranked highly on global democracy indices. Stable and able to hold periodic free and fair elections that are widely endorsed, the country presents the model picture for the continent, of a democracy at work. However, if democracy depends on a free, diverse, plural and independent media, then Botswana is no model, and dark clouds hang over the industry and country.

Growing involvement and influence of government intelligence agencies, especially the Directorate of Intelligence and Security (DIS), in various aspects of media in Botswana – online and offline – is cause for concern. Alongside South Africa, Botswana is one of the countries known in recent times to have requested user data from global technology company, Facebook.

Journalists and other media practitioners have also reported suspected phone tapping and other communication surveillance, courtesy of the DIS. Newsrooms have been turned from being bastions of freedom of expression to closed and tension-filled spaces dominated by fear and suspicion of infiltration.

This comes as no surprise though. New communication technology tools, collectively branded new media, have been hailed as having a positive impact on the way journalists conduct their work, gathering and disseminating information in ways previously impossible. To paranoid governments, however, this has created an opportunity for digital (covert) surveillance of those deemed to be anti-establishment. This means journalists no longer have to be beaten to a pulp for the State to put its point across. On the contrary, it means the State now has the ability to retreat into an invisible space, illicitly penetrate a journalist's public and private being, and prevent them from doing their work.

The situation is even worse offline. A vast network of security operatives is making it virtually impossible for journalists, and citizens at large, to freely express themselves in the country. The government is said to have ears and eyes across the country and one never really knows whether or not the next person is a spy. This is because the consequences for publicly expressing dissenting views – or indeed what authorities interpret as dissenting views – can be harsh and severe, as one citizen found out in the aftermath of commentary made on President Ian Khama's accident involving a cheetah.

Weak media - civil society relations have meant that these issues are either not being articulated enough to warrant substantive action, or tactical and strategic alliances on particular advocacy points and such are difficult to identify,

strengthen and build. Thus, challenges continue to persist, affecting the level to which advocacy on media freedom, freedom of expression and welfare of journalists can be pitched.

Regardless, Botswana continues to enjoy media diversity across all media platforms – print, broadcast and digital. Naturally, this should mean that there is widespread access to information; however, near-prohibitive costs of generating, distributing and accessing information have proved to be major stumbling blocks. Given the fact that most media houses concentrate on prioritising to service only to major cities, many parts of the country are left out, with devastating consequences for the plurality of voices in the mainstream media.

This has also adversely affected the level to which such an urban-centric media can show diversity of news sources, including women and other marginalised voices. Women tend to make it as news sources only when issues that are deemed relevant to them are being covered. These include gender-based violence, inheritance disputes and lifestyle.

The situation is further exacerbated by the absence of community media, especially broadcast, whose existence is barred by legislation such as the Communication Regulatory Act. This means that in crucial years, such as 2014 when Botswana held elections, there was a strain imposed on all national media to sufficiently cover the entire country and satisfy access to information needs. Only the Botswana Communications Regulatory Authority (BOCRA) has the power to call for licence applications. However, given the new legislative framework, no calls for community media will be made in the near future.

Editorial independence in both State and private media is, based on this report, seen to be irregular at best and compromised at worst. Direct control by the Office of the President of State-run media outlets – especially broadcast media – means that this office oversees all production processes and that these media routinely fail to conduct one of their sacred duties – holding power to account. The arrangement explains, to a higher degree, the overwhelming focus in coverage by State-run media on the presidency.

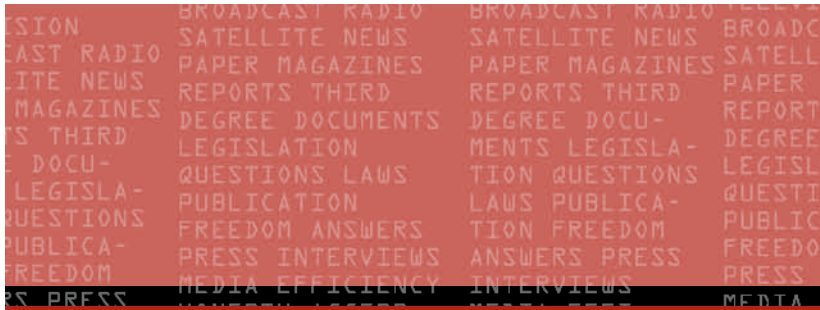
Private media appear to enjoy some form of independence from State authorities, except when the DIS and powerful State enterprises are involved. Threats to editorial independence emanate from corporate advertisers, whose advertising spend often means the difference between sustainability and ceasing operations. As a result, self-censorship seems to be the norm in most private media newsrooms. Where there is an exception, it often means that the editor or other higher management personnel spike a journalist's story that can prove damaging to an advertiser. Government, on the other hand has usually responded to critical private media by withholding advertising.

Weak media self-regulation has been used as a pretext for introducing statutory media regulation in Botswana. Envisioned through the Media Practitioners Act (MPA), proponents of statutory regulation insist that this will improve the quality of media and journalism in the country, including the institution of accountability mechanisms. Critics say the legislation will hinder media freedom and freedom of expression as the state will treat journalists, especially those from private media with a heavy hand.

It is apparent, however, that weaknesses in self-regulation have given way to ills such as corruption in the media. Journalists routinely accept freebies and bribes without giving much attention to the ethical demands of their profession. Given their comparatively low salaries and poor working conditions, temptations of money, paid domestic and international trips or latest gadgetry (mobile phones, tablets etc.) can be very difficult to resist for some journalists. Not only is the quality of news reports compromised as a result, but corrupt journalists and media managers also turn themselves into lame ducks, unable to hold powerful elites, whose bribes they accept, accountable.

Addressing this and other policy issues affecting media in Botswana requires collective action, steered by active and interested bodies. As mentioned above, however, weak media - civil society relations mean that the task at hand will require a lot more energy and commitment if it is to decisively deal with the afflictions in the Botswana media space while harnessing the positive strides that have been made. Poor organisation of media workers' interests, as evidenced by an almost non-existent Press Council and other journalist unions associations will not carry the day.

A free, diverse, plural and independent Media is a prerequisite for democracy if Botswana is to successfully consolidate its democratisation process.



SECTOR 1:

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



Freedom of expression, including freedom of the media, is 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.

Freedom of expression is explicitly 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/ her 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/her correspondence.”

While the constitution does not guarantee media freedom explicitly, there seems to be an understanding that it is implied by the inclusion of the phrase: “freedom to receive ideas and information”. By this inclusion, the Constitution acknowledges the role of the media and the freedom it should enjoy.

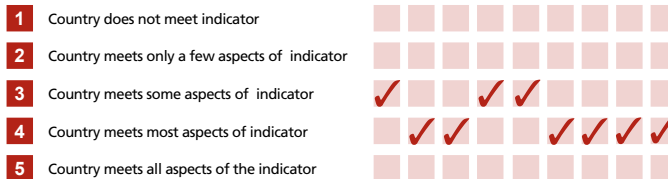
There are clawback clauses, however, that impact on freedom of expression - “on the one hand you are given and on the other hand they take. Those limitations are the ones people hide behind to take away freedom of expression.”

These limitations include the proviso that freedom of expression will be restricted in the public interest or morality or health but they have never been applied.

Additional pieces of legislation (statutory provisions), which seek to limit freedom, include, but are not limited to the law on sedition and the Media Practitioners Act (which is not in full force yet).

Scores:

Individual scores:



Average score:

**3.7 (2005 = 2.6; 2007 = 2.3;
2009 = 1.9; 2011 = 2.7)**

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

In the last two years there have been numerous confrontational incidents involving the members of the Directorate of Intelligence and Security (DIS) and the public.

“I don’t think people feel free to express themselves due to fear. Journalists have been followed and their phones have been bugged.”

“There were rumours that the Head of Directorate of Intelligence and Security was living in fear, due to splits within the organisation and that his house had been broken into. We were trying to confirm whether all this was true or not and so the head of DIS was discussing the story with our journalists at 10am one day. At 2pm there was a break-in at our offices and laptops were taken. I immediately relayed this information to our lawyer and at 7pm [the same day] all of his 7 laptops were taken. It looked as though there were people who knew what we were writing about, as they were able to get the laptops of the people from whom we were trying to confirm this,” related an editor.

A member of the public posted a comment on Facebook about a particular topic discussed on a radio show and within 30 minutes, security officers had got hold of him. In desperation he called a radio station that he was a regular listener of and they put him on air.

“It was quite dramatic as he called us and went on air complaining that he was being harassed. The police came into the studio when we were done. They made a big issue out of it and instead of trying to clarify it, they made it worse by involving the presenter of the show and myself. We were seen to be improper in our conduct and the fact that we allowed people to express themselves was considered the wrong platform by them.”

This atmosphere of fear is prompted by the lack of clarity on the part of the state regarding the mandate of the DIS. The Act that established the DIS was passed in 2008 but only became operational in 2010 and people believe that it was specifically set up not to defend the state against threats to its national security, as the case usually is in a democracy, but to spy on citizens, as ordinary people are continuously being harassed by DIS officers.

“There was one lady from the public who simply expressed her opinion on radio on my show. She is not allowed anywhere near the Molepolole police station because of that. She lives in fear and her phones are tapped. Almost every 2 weeks there is a break-in; it’s just dramatic for her.

“Another presenter has had his house broken into a couple of times. It was around 4am which is when he is already up as we get ready to go to work around this time. Documents were taken and later on they were brought back.”

A case that is well known in Botswana is that of the man who sued the DIS for his alleged arrest, detention, interrogation and harassment.¹ In April this year, Philip Tlhage was in a supermarket purchasing groceries. As he perused the headline of the newspaper about the President being scratched by a cheetah, he made a remark about how the cheetah should have finished him off. He was arrested by the DIS later that day.² Tlhage was awarded over P2.9 million in claims against the DIS for unlawful arrest, detention and torture. The final judgment was made after the DIS failed to defend the suit.

“The DIS does not know what they are supposed to be doing. The government is growing really uncomfortable and seems to be losing the trust of the citizens and is trying by all means to protect itself. In doing so, most of the time they use the DIS. The reason why journalists would be attacked in their homes is probably because they make government unpopular to the citizens.”

A number of reporters leave the media environment because they are being followed and threatened. Their families are being threatened and many of the female journalists, especially interns, are being told to “go and do make-up.”

“We are a small nation, so there is a relative or a cousin or friend who works for one institution or another. This DIS ghost haunts all of us. Even the ordinary person will not talk unless phones are switched off. It’s become a general thing where even big guys will only talk if you switch off your phone, put it away and go a certain distance away. Even judges will tell you they constantly change numbers.”

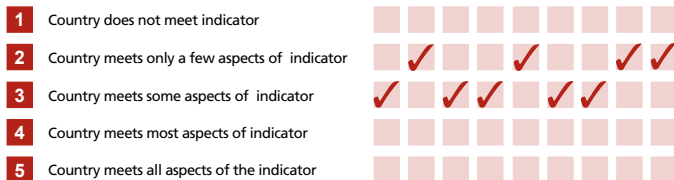
“At some point the trade union members were told to get Blackberry’s because they are not easy to track.”

1 <http://www.mmegi.bw/index.php?aid=45632#sthash.bWnlpVhb.dpuf>

2 <http://www.mmegi.bw/index.php?aid=45632#sthash.bWnlpVhb.dpuf>

Scores:

Individual scores:



Average score:

2.6 (2005 = 1.9; 2007 = 1.9;
2009 = 1.3; 2011 = 1.8)

1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secret, libel acts, legal requirements that restrict the entry into the journalistic profession or laws that unreasonably interfere with the functions of media.

MISA recently undertook an analysis of the legislation, and found that there are 15 laws that negatively impact on the media. Many of these laws have not been used, but the threat is always there.

In October, the *Sunday Standard* broke a story about President Khama being involved in a car accident. Soon after the story broke, the DIS started searching for the journalist who wrote the story. He fled to South Africa, seeking temporary asylum, while the editor Outsa Mokone was arrested and the *Sunday Standard* offices raided by the police.

Mokone was charged with sedition.

However, it is not certain that the arrest was a consequence of the story about the car accident, as many people in the media sector believe that the actions by the State could be related to other stories the *Sunday Standard* was writing, which focused on corruption in the DIS. These actions are being seen as a form of intimidation meant to deter potential sources "who will think twice before engaging with the media."

The Penal Code under which Mokone was charged dates back to 1964, and it is probably the first time that the sedition law has been used against a journalist in the last two decades.

“They [laws] have been there for a long time and much of the previous leadership did not care about these laws. Now that we have a different regime, they [laws] are being used and they are starting to cause fear. To work on them you have to repeal them or challenge them.”

Although the requirements contained in the Media Practitioners Act of 2008 have not been acted upon, the Act establishes a Media Council whose role, amongst many other things, is:

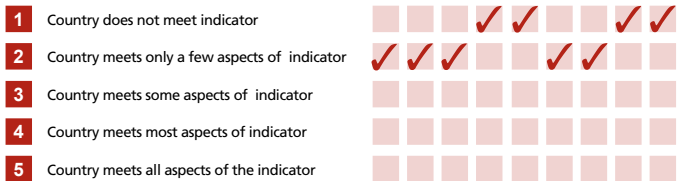
- (i) to register and accredit resident media practitioners;
- (j) to issue accredited resident media practitioners with identity cards;
- (k) to maintain a media register.

Section 6 provides that a resident media practitioner shall not report or cover any event or occurrence in Botswana unless he or she is registered and accredited by the Executive Committee of the Media Council established under the MPA. Failure to register as a media practitioner is an offence punishable by a fine, imprisonment or both, in terms of section 7(5) of the MPA.

The MPA was fiercely contested by the Media Institute of Southern Africa, and the the Law Society refuses to appoint a representative to sit on the Media Council, which is one of the reasons it has not been set up.

Scores:

Individual scores:



Average score:

1.6 (2005 = n/a; 2007 = n/a; 2009 = n/a; 2011 = n/a)

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

Botswana has signed or ratified several international and regional instruments such as the International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the African Charter on Human and People's Rights, Declaration of Principles of Freedom of Expression in Africa and the SADC Protocol on Culture, Information and Sport, but it is yet to sign others such as the African Charter on Democracy, Elections and Governance, the ACHPR Protocol on the Rights of Women and the SADC Declaration on Gender and Development.

"They will agree to these declarations but when it comes to implementation they are not serious".

"The key word here is honour and this includes domestication. This can be difficult as sometimes we don't know whether they have signed these declarations."

"Media freedom has not been a priority of the Botswana government, so I would be surprised if they have ratified any of these declarations/protocols".

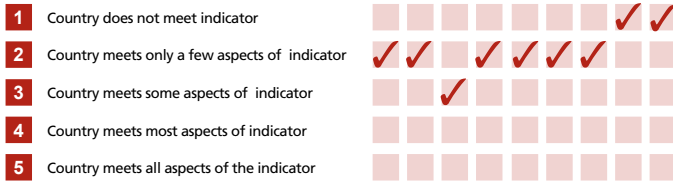
"I think we have to ascertain whether or not government believes in the free press".

"I remember there was an issue with coming up with regulations regarding coverage of elections in Botswana. The regulations were agreed upon and then just before the 2004 elections, government pulled out. However, there is something at a regional level which provides for coverage and to some extent I don't think we are really following that."

Botswana has signed and ratified several key regional and international instruments and protocols but "there is no discussion or awareness in the country about these things. So maybe the government is not honouring or domesticating these policies."

Scores:

Individual scores:



Average score:

**1.9 (2005 = n/a; 2007 = n/a;
2009 = 1.3; 2011 = 1.6)**

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

The registration process used to be a mere formality and media houses were expected to register with the Botswana Postal Service under the Printed Publications Act.

“In the past it was a simple procedure, but in recent months it has become quite interesting – the conversations you have when you get there. Now you have to give information on the type of publication, the content, the shareholders, and what it will focus on and the core team.”

Since the enactment of the Media Practitioners Act (MPA) in December 2008, media publishers are also required to obtain registration and accreditation through the statutory Media Council. Failure to do so will result in the publisher being sentenced to a fine of Pula 5000 (approximately US\$ 500,-) or three years in prison, or both.

The Ministry is also empowered to shut down print publications.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country meets only a few aspects of 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"/>
3	Country meets some aspects of indicator	<input checked="" 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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all 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"/>

Average score:

**1.9 (2005 = n/a; 2007 = n/a;
2009 = 1.0; 2011 = 1.4)**

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

There are no laws guaranteeing the protection of confidential sources of information.

Protecting sources is an ethical issue for journalists. Fortunately, in a few cases, the judiciary has acted protectively and judges have accepted that journalists cannot reveal their sources.

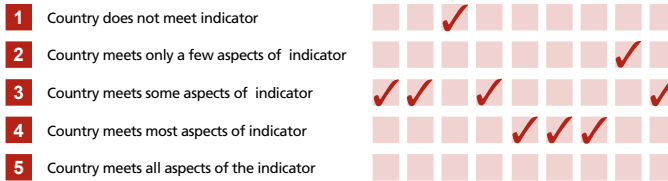
In cases where the prosecutor demands that a source be revealed, the journalist will be obliged to do so. In a situation where the journalist refuses, he or she will be declared a hostile witness. However the court cannot force anyone to reveal a source and a journalist cannot be put in jail for not revealing his or her source. "It is the state that has to make a case against you; it is not for you to make a case for the state. That's why the DIS and other officers detain, harass and persecute, to elicit information from people, as they know that you can't do this."

"The former head of the Botswana Development Corporation (BDC) is suing our paper for publishing a story. There was a forensic body that published a report which had implications for her department. So the issue was around where we got the report from. It went back and forth between her lawyer and myself, but they respected that I could not reveal where I got the report. It's ongoing. The court upheld the right to not reveal the source."

"It's important that we do have a law as we cannot depend on a judge to make that ruling. So there is no law in place but there are court procedures which protect confidentiality of the source, as no one can be forced to disclose the source."

Scores:

Individual scores:



Average score:

**3.1 (2005 = 1.1; 2007 = 1.1;
2009 = 1.0; 2011 = 1.2)**

1.7 Public information is easily accessible, guaranteed by law, to all citizens.

There are no laws that guarantee access to public information.

In 2011, the President of the minority Botswana Congress Party, Dumelang Saleshando tabled a Freedom of Information Bill in Parliament. It was rejected on the basis that the government was drafting its own Freedom of Information Bill that it would then present by the end of 2012 or early in 2013. To date, the government has not presented a FOI Bill.

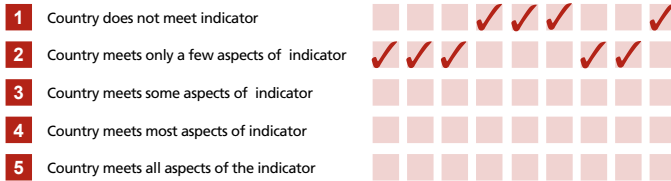
“Some newspapers buy stories or information. But there is a problem, because government officials tend to think that they own information. They give or use that information as and when they want to.”

“Sometimes you get worried when you ask a question; what will they demand to rummage through files? Sometimes it takes a month to get a small piece of information and at times they say no. Or you will ask a question about a certain story and you will see the answer to your question as a story on the state media.”

“For the last 3 months we have asked the same question – how prepared are we to deal with Ebola and it has not been answered. They just can’t provide that information. They say it’s on the website but it’s not there.”

Scores:

Individual scores:



Average score:

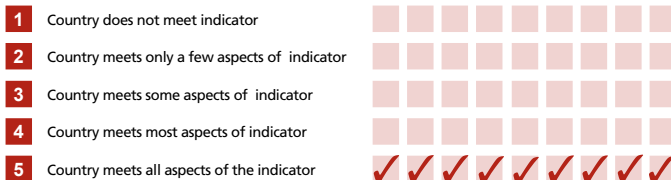
1.6 (2005 = 1.0; 2007 = 1.1;
2009 = 1.1; 2011 = 1.3)

1.8 Websites, blogs and other digital platforms are not required to register with, or obtain permission, from state authorities.

Permission is not required to set up websites, blogs and other digital platforms. The Botswana Communications Regulatory Authority (BOCRA) does not have any restrictions in place. Anyone setting up any new media platform is only required to inform BOCRA.

Scores:

Individual scores:



Average score:

5.0 (2005 = n/a; 2007 = n/a;
2009 = 1.0; 2011 = 2.7)

1.9 The state does not seek to block or filter Internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts.

There is no law that blocks or filters internet content.

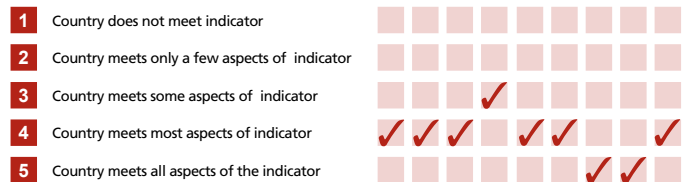
"I am not sure whether the government is responsible, but for the past year I have not been able to access the Investigative Reporters site www.ire.org, which is based in the US. But when I go to South Africa I can log onto the site. It means someone has the capacity to prevent access."

The new Cybercrime Act deals with issues of evidence, so now things that are posted on social media can be used as evidence in court.

The Act does not impact on accessing of information. The Act deals more specifically with cybercrime rather than regulation of the internet.

Scores:

Individual scores:



Average score:

4.1 (2005 = n/a; 2007 = n/a; 2009 = 1.0; 2011 = 3.1)

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

The government does not believe in engaging relevant stakeholders.

“They would rather go to kgotla³ meetings in the village, to consult, where no one has a clue about the subject matter, so they can choreograph the process.”

When the Broadcasting Act was amended, there were processes of consultation with stakeholders and issues were raised on community broadcasting and regulation of state media. “To my dismay, none of these things that were discussed were included in the Act. I wouldn’t say the consultations weren’t meaningful; it’s a matter of implementation.”

During discussions on the Media Practitioners Act (MPA), “MISA was very active and there were frantic efforts to mobilise the sector to lobby around contentious clauses in the MPA. But we realised it was going to pass anyway.”

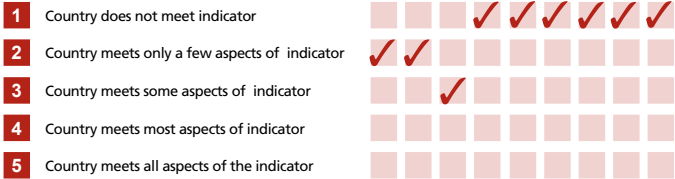
“I don’t know how much we are to blame. You have to be careful with government; they will involve you so that they can say that they engaged you. There is a high level of distrust now, between media and government, especially private media.”

Just before the recent elections (2014), a radio station agreed to hold national debates around the country with all the parties involved. The various parties agreed and a schedule was approved by all the parties. Two weeks prior to the scheduled national debates, the ruling party pulled out and admitted that they had no intention of being part of the programme.

³ A kgotla is a public meeting, community council or traditional law court, especially in villages of Botswana, usually referred to as a customary court. It is usually headed by the village chief or headman, and community decisions are always arrived at by consensus. Anyone at all is allowed to speak, and no one may interrupt while someone is “having their say”. In fact there is a Setswana saying that the highest form of war is dialogue (ntwa kgolo ke ya molomo). Because of this tradition, Botswana claims to be one of the world’s oldest democracies.

Scores:

Individual scores:



Average score:

1.4 (2005 = n/a; 2007 = n/a; 2009 = 1.2; 2011 = 2.0)

Average score for sector 1:

2.7

The quintessence of Section 6 is the creation of a mandatory licensing system for journalists. It inhibits a media practitioner from reporting unless he/ she is registered and accredited by the Executive Committee. The provision represents a substantial limitation on freedom of expression and media freedom - See more at: <http://www.mmegi.bw/index.php?sid=6&aid=8&dir=2009/March/Tuesday17#sthash.2jDk82Pt.dpuf>

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, mobile phones) is accessible and affordable to citizens.

Print

Other than the entry of 3 new print media publications - a Sunday paper called *The Patriot*, *The Monday Times* tabloid and *The Business Weekly and Review*, very little has changed on the media landscape since the last AMB report in 2011.

The only official figures available for print media date back to 2009 when the Audit Bureau of Circulations (ABC) released their last print circulation figures.

The state-owned *Daily News* and privately owned *Mmegi* continue as the only two daily newspapers.

There are 13 private weekly newspapers in Botswana – *The Botswana Gazette*, *Botswana Guardian*, *Echo*, *Midweek Sun*, *The Mirror*, (out of publication), *Monitor*, *Ngami Times*, *Sunday Standard*, *Sunday Tribune* (out of publication), *The Voice* and the three new entrants (in the past two years): the *Global Post* (in Chinese and English), the *Weekend Post* and the *Telegraph*. Most of these newspapers are national, while others are limited to specific locations. The newspapers have circulations ranging between 8,000 (*Sunday Tribune*) and 30,000 (*The Voice*).

Most of these newspapers are not widely distributed in the rural areas and 60-70% of sales of these papers are within 100km of Gaborone, so their readership is based mainly in the urban areas.

“There is this idea that people living in the villages are almost in a different country to people in urban areas, in the way that information is circulated. There could be a constitutional case and they would know nothing about it, even from the radio. That is the disparity between the two - the difference in media and type of information consumed in the different parts of the country. So there’s limited reach of these types of media.”

The Daily News is free and readily available because the government wants it to reach all citizens. “*The Daily News* is distributed in communities but I think sometimes it gets there too late; they are dropped in the major centres and then get distributed further. In terms of circulation, they are the most widely circulated paper; they have offices almost everywhere. However, they also claim to be

‘information officers’ not journalists, and don’t claim to write about important things.”

Other private newspapers include the monthly *Economic Express*, which is 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 state-published magazine, *Kutlwano*. New monthly magazine entrants in the last two years include *Wealth, Flair, Architect Design, Peolwane* (Air Botswana’s in-flight magazine) and the general-interest magazine *Mahube*.

Access to newspapers for citizens is hampered by the cost – they are considered pricey at the minimum price of 10 Pula (US\$1,-), when a loaf of bread costs 8 Pula (US\$ 0.80).

Another fact that reduces the people of Botswana’s accessibility to print media is that they are almost entirely published in English, although some newspapers, such as the *Daily News* and *Mmegi*, have Setswana pages in their editions. 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 percent of Botswana speak Setswana as a home language. English is spoken by only two percent of the population as a home language, Kalanga eight per cent, Sekgalagadi three percent, and the remainder is made up of other languages.

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, Yarona FM* and *Voice of America*. State radio is accessible throughout the country although reception may be unclear in border towns and villages.

Most of the private radio stations broadcast countrywide and some stations, such as *Gabz FM* and *Yarona FM*, as well as *Radio Botswana*, have begun streaming their content over the internet. Podcasting is not very common in Botswana.

There is a domination of the airwaves by the state-owned Botswana Television, which broadcasts nationwide and is also accessible in the Southern African region. The privately owned Gaborone Broadcasting Corporation TV (GBC TV) (now called e-Botswana) only broadcasts in a limited radius from Gaborone. South African media company Sabido - the holding company of locally based television station e.tv - acquired 49% of Gaborone Broadcasting Company (GBC).

Viewers can subscribe to the South African satellite subscription service, *DSTV*, through Multi-Choice Botswana. The Botswana used to access pirated *SABC TV* through the Chinese Philibao decoder, and this has been greatly reduced since

July 2013 after a South African court ruling instructing Sentech⁴ to encrypt SABC signals to Botswana.

Internet

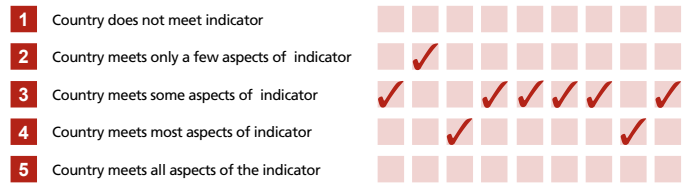
Internet is prohibitively expensive in Botswana. Both public and privately owned radio stations are beginning to stream their content over the internet as a way of broadening their audiences. This has been accommodated by the implementation of additional internet cafes in rural areas. However while the internet has become further accessible, associated costs are still reasonably high making it unaffordable to many.⁵

Mobile phones

There is 100 percent mobile phone penetration in Botswana, even though tariffs are high. A majority of citizens use basic mobile devices for texting and calling, while only the middle class have access to smartphones.

Scores:

Individual scores:



Average score: 3.1 (2005 = 2.2; 2007= 2.8; 2009= 2.3; 2011= 3.1)

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

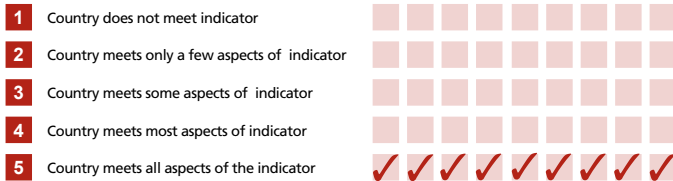
Panellists were unanimous in their view that citizens’ access to domestic and international publications is not restricted.

“We can now access international media without restrictions. We get publications from everywhere.”

4 Sentech is the signal distributor for the South African broadcasting sector
 5 Source: UNSW Wikispaces

Scores:

Individual scores:



Average score:

5.0 (2005 = 4.5; 2007 = 4.8;
2009 = 3.0; 2011 = 4.8)

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

“There is a perception of political interference.” For instance, Editors from government media houses are restricted from membership to the Botswana National Editors Forum.

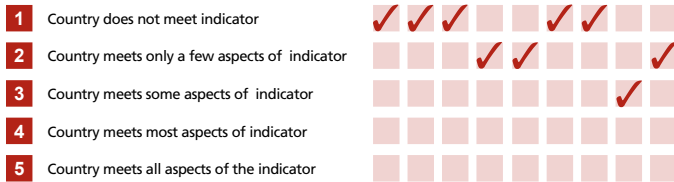
“We have heard not necessarily of interference, but of journalists being transferred from one (government) department to another when they may have displayed resistance to interference with their work”

“The last time I was quoted by the *Daily News* was a long time ago. Maybe what I have to say is not considered newsworthy. But it begs a lot of questions, that what we say, is always in the private media on a daily basis but does not find space in the state newspapers.”

“We can only go on with what our colleagues tell us but there was a time when the Minister of Communications was apparently editing the *Daily News*. He would go through the stories and edit them before they were published.”

Scores:

Individual scores:



Average score:

1.6 (2005 = 1.2; 2007= 1.6; 2009= 1.0; 2011= 1.0)

2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced.

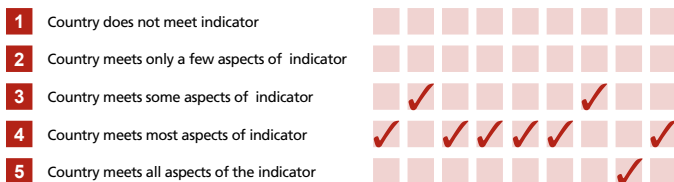
There is no law that provides for access to information on media ownership, but the information is easily accessible by the public from the Registrar of Companies.

“There are perceptions about who sits on media companies as shareholders but there is an issue of accuracy.”

People are not banned from going to the Registry but the information on media ownership is not out in the public domain. “It’s one thing to have rights but another thing to be aware of it.”

Scores:

Individual scores:



Average score:

3.9 (2005 = n/a; 2007 = n/a; 2009 = n/a; 2011 = n/a)

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

The Competition Act is not specific to media as it applies to all companies. While the previous Act prevented multiple ownership of radio stations, the new BOCRA Act is silent on this issue.

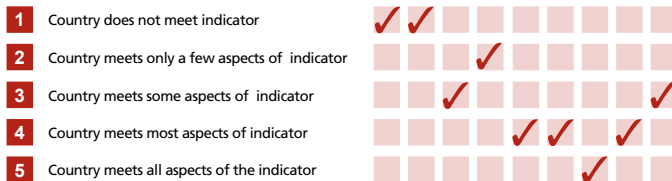
Several years ago *Mmegi* was reported to the Competition Authority for being a monopoly in the media sector. *Mmegi* was able to argue the aspect of the competition law that states ‘a monopoly can be maintained if it is for the public good.’

There is one aspect of the competition law that says you ‘could’ maintain a monopoly or dominant group as long as it’s for the public good. They maintained that if they were split into smaller organisations, they would not be able to sustain themselves and in turn counterbalance the state monopoly.

The application against the group was, therefore, scrapped.

Scores:

Individual scores:



Average score:

3.0 (2005 = 1.2; 2007 = 1.1;
2009 = 1.0; 2011 = 1.9)

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

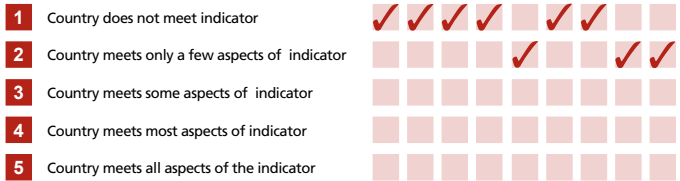
The Broadcasting Act of 1998 provided for the three tier system – public, commercial and community broadcasting services. However, it was replaced by the Communications Regulatory Act of 2012, which eliminated community broadcasting and has replaced public broadcasting with state broadcasting.

“So it’s the opposite in Botswana, where government does not make the effort to promote diversity.”

Small media houses that have limited resources are not given concessions and have to operate in the same manner as the larger and better resourced media houses.

Scores:

Individual scores:



Average score:

1.3 (2005 = n/a; 2007 = n/a; 2009 = 1.1; 2011 = 1.6)

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

“There was a time when efforts were being made to fairly represent men and women but this could be linked to the government policy that at least 30 percent of all government posts had to be filled by women.” Since this practice has slackened, the issues affecting women and about women have generally been sidelined.

Women only feature as news sources on certain topics. For example, domestic violence is a topic that gives prominence to women. On most other issues, the voices of women are missing.

Content – especially images – contained in the tabloids tend to push the stereotypes: “We are continuously promoting stereotypes that ladies are there to sell something.”

“When I first started out on radio, most people have always thought I was male only later to realise that I am female as it is believed that females are not good producers and cannot handle the industry. I was the first producer for GABZ FM who was female and managed to get awards over 3 consecutive years.”

Incidents involving women are reported in a certain way. If they are involved in battles within the corporate sector, they are made to look petty and undignified, whereas men are seen and regarded as fighting commercial interests.

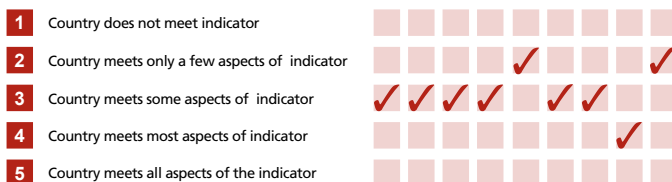
“This year was election year and for me, it was not about gender. It was about who offers me sound bytes. Women won’t come up and speak out. Many are not articulate enough to put on air, so I wouldn’t even bother because they would not give me what I would want on air. Men speak very well on issues.”

Some participants felt that media reflected the structure of society. CEOs and directors are men and reportage on business and economics tend to focus on them, as they are the primary sources of news.

Other panellists disagreed: “There are quotas which are in place and the numbers show that corporate Botswana has a better than fair representation of women. This doesn’t come out in the sources or the news, and it is an important dynamic to bring in. Editors are not making an effort. There is no attempt to redress the situation.”

Scores:

Individual scores:



Average score:

2.9 (2005 = n/a; 2007 = n/a;
2009 = 1.3; 2011 = 1.9)

2.8 All media fairly represent the voices of society and its minorities in its ethnic, linguistic, religious diversity.

Conditions for a broadcasting licence stipulate that only 2 languages can be used for broadcast – Setswana and English.

“The two languages are seen as ‘unifying’ the nation, but the moment we start using our mother languages this will cause division. Diversity of languages is regarded as a divisive issue.”

“This was based on paranoia as people wouldn’t know if you were speaking against government. Now people go through the education system and it’s embedded in them, that it’s normal that other voices are not there.”

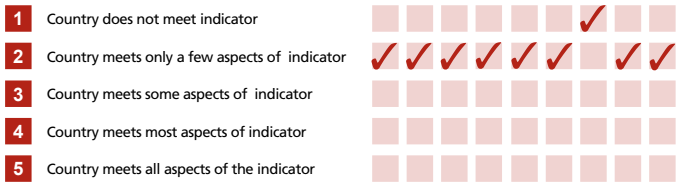
For a short interval, prior to the elections, the media landscape was altered temporarily and different languages were heard on national radio stations, as listeners and campaigners spoke on various issues.

Religious diversity is not promoted in Botswana which is “mainly a Christian nation and now is fundamentalist Christian. There is intolerance of other religious voices.”

A number of other religions are practiced in Botswana, but their followers are in a minority. There is hardly any programming geared towards these diverse religions.

Scores:

Individual scores:



Average score:

1.9 (2005 = n/a; 2007 = n/a; 2009 = 1.3; 2011= 1.9)

2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives and conduct investigative stories.

Investigative journalism has improved, but the stories that are being examined continue to focus on urban-centred issues. Limited resources results in stories with a narrow focus and confined to areas that are more easily accessible. In recent months, investigative stories have focussed on the DIS.

“As the private press, it’s rare for us to send journalists out to report on other matters; it’s expensive and we don’t have the resources to do so. For example, when investigating CKGR [the eviction of the Basarwa people from the Central Kalahari Game Reserve], we had to partner with a Dutch magazine to subsidise our trip there. It affects what we write. Our coverage is mainly of Gaborone and urban areas, looking at the topics of interest to those readerships. It leaves a

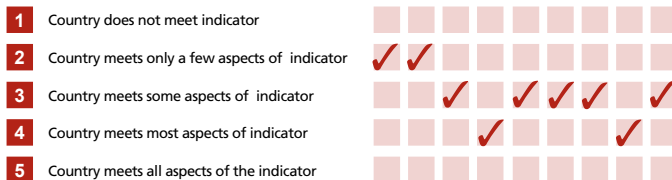
large part of our society not covered and there are issues which are not critically looked at.”

Private media houses have to be careful in carrying out investigative stories because they have to consider who is at the head of the media house, who is in power and how the operations of a media house may be affected by these relationships - e.g. a broadcasting licence could be rescinded.

The top stories in the state media focus on the President. Other issues are secondary. Investigative stories tend to concentrate on problems being faced by government, and other newsworthy issues “are relayed as information - policies and such issues, as dictated by government. Government media does not look at issues critically.”

Scores:

Individual scores:



Average score:

**3.0 (2005 = 3.0; 2007 = 3.1;
2009 = 2.9; 2011 = 3.7)**

2.10 Private broadcasters deliver a minimum of quality public interest programmes.

Government does not offer funding or incentives to produce quality content broadcasts. As such, while there might be creative ideas, there are no resources to implement these initiatives.

A number of stations rely on regional and international programmes. “Pending our [e-Botswana] licence, we had to minimise what we wanted to cover. The revenue is not sufficient, we don’t get government advertising and many companies are afraid to associate with us. So we have to rely on our mother company in South Africa.”

There are many presenters whose topic ideas are hijacked or compromised by their listenership or viewership. During phone-in programmes, people calling in change the topic and the presenters find it difficult to get them back to the original issue. So what may have started off as an interesting conversation is

compromised by the digression. In addition, there are listeners who politicise all the topics even when it is unnecessary.

“Some of the issues are being watered down by the ‘callers’, who claim to know everything. Then the professionals who can offer an informed view shy away as the space is crowded by these other people. They contribute on Facebook, rather than calling in to correct people.”

“I’ve been termed controversial by the general public as I do a lot of public interest programmes. I hold government to account, different people to account. We try our best. Most of the time, I have challenges with government representatives coming in.”

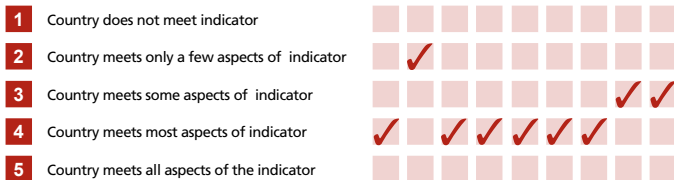
A veteran broadcaster who was well known for choosing controversial as well as topical issues of public interest was credited for “creating that space which would not otherwise have been there.”

As one panellist observed: “The private broadcasting industry in Botswana is still in its infancy. The oldest station is 15 years old. For 10 years it was only a musical radio station. So talk shows being a part of broadcasting is new still; it’s only 3 years old as a serious component of programmes.”

“One thing is that we don’t have a lot of journalists in the broadcasting sector. Instead we have presenters and this is completely different; they wouldn’t understand issues and they wouldn’t bring the message home. In the past, people that were on air were people who had good voices but they wouldn’t have the content. Now we’re getting people who understand issues but it’s a slow process.”

Scores:

Individual scores:



Average score:

3.5 (2005 = n/a; 2007 = n/a; 2009 = n/a; 2011 = n/a)

2.11 The country has a coherent ICT policy and/or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.

There seems to be very limited awareness of Botswana’s ICT Policy amongst citizens of Botswana. Known as Maitlamo, it has 3 objectives that are expected to assist with 3 specific outcomes:

- The creation of an enabling environment for the growth of an ICT industry in the country;
- The provision of universal service and access to information and communication facilities in the country; and
- Making Botswana a Regional ICT Hub so as to make the country’s ICT sector globally competitive.

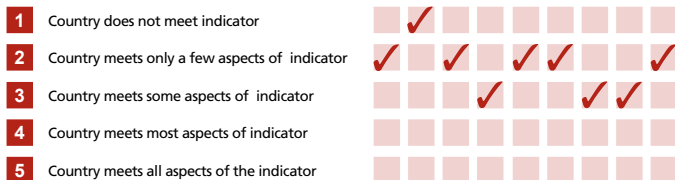
Strategies contained in the policy document have not yet been implemented.

It is not clear whether all communities have access to new media, but there has been a great deal of hype about the Positive Innovation for the New Generation (PING) initiative, which is funded by government. PING is a youth-led organization that implements health or youth related technology projects to help address health and development problems by using technology in an innovative way. It is being pushed by *B-Mobile* – the state mobile service phone provider, and Mascom and Orange, both of which are private commercial enterprises.

Botswana’s digital migration process has been tainted by issues of corruption and maladministration. According to the *Botswana Guardian* of August 2013, the Directorate on Corruption and Economic Crime (DCEC) was investigating the process through which Botswana adopted the Japanese digital migration standard over the European one that has been adopted by the rest of the Southern African Development Community.

Scores:

Individual scores:



Average score:

2.2 (2005 = n/a; 2007 = n/a; 2009 = 2.1; 2011 = 4.0)

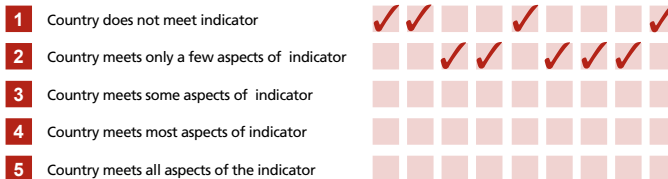
2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

In October 2014, parastatals were asked to pass their adverts through their responsible Ministry and provide the Office of the President with details of their advertising expenditure – where the advert was being placed and the cost thereof. This information was being requested, allegedly to curb excessive spending. “Apparently some CEOs were commissioning centrespreads about themselves. However it still seems strange that they have to send it to the Office of the President.”

Panellists felt that the government “cripples” certain media organisations by withdrawing their advertising from them. The *Sunday Standard* does not get advertising because it is at loggerheads with government and the Botswana Defence Force has stopped advertising in *The Guardian*. The issue was raised at a meeting with the former Minister of Defence and the “official excuse was that due to budgetary constraints they were unable to advertise in the paper. But it’s all about the stories in the paper; it’s a control measure but they won’t come out and say it.”

Scores:

Individual scores:



Average score:

**1.5 (2005 = 1.3; 2007 = 2.4;
2009 = 1.1; 2011 = 1.7)**

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

Botswana's thriving economy is able to sustain a diversity of media outlets and there is room for up and coming media houses to establish themselves if they are able to identify a niche market that will attract the right advertisers.

The major corporations in Botswana wield immense power in terms of their adspend. Both the larger media outlets and the small media houses rely heavily on advertising support from the mobile network operators, large commercial banks, mining companies and national supermarket chains.

A great deal of power is also concentrated within advertising agencies that handle advertising budgets on behalf of their corporate clients. Even if a media outlet contacts the head of the organisation for advertising, he/she will defer to the agency, which makes the ultimate decision.

"The private sector is robust and thriving but there is a great deal of inefficiency," which impacts on the smaller media outlets because adspend may be large, but payment is received after 90 days. On paper the media outlet may seem to be thriving because they may have received a huge amount of advertising. However, they may have current outstanding debts which they cannot service because the advertising agency has not paid them for the advertising.

The mobile phone network operators have monopolised the print media industry by taking 'ownership' of the front page shoulder strip of all the major print media products. There are a number of clients who actually advertise, but if you can't get the mobile networks, eventually there will be a problem. "For smaller papers, it could account for 30% of their revenue."

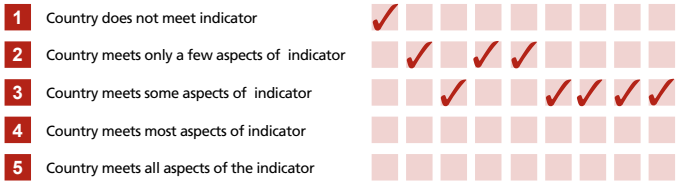
The advertising market is layered and there are pockets of power and influence that impact on both sustainability and content.

The large budgets allow the major corporations to dictate the editorial direction taken by media outlets. Large corporations, and in particular mobile phone network operators, have never had "negative stories" written about them.

In some cases the influence can take on a more subtle form – e.g. the owner of a large supermarket chain did not retaliate in an obvious manner when his business was exposed in the *Botswana Guardian*. Instead the *Botswana Guardian* "would be hidden by other newspapers and magazines" on the newsstand. Obviously, this resulted in a decrease in sales until the *Guardian* threatened to report the supermarket chain to the Competition Authority.

Scores:

Individual scores:



Average score:

2.4 (2005 = 3.0; 2007 = 3.8;
2009 = 1.6; 2011 = 2.5)

Average score for sector 2:

2.7

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.

When the Communications Regulatory Act was enacted in November 2012, it replaced the Botswana Telecommunications Act of 1998. From a licensing perspective, the Broadcasting Act of 1998, provided for private, community and public broadcasting services, whilst the 2012 CRA does not include community broadcasting, and has replaced public broadcasting with state broadcasting. In addition, the new Act abolished the National Broadcasting Board (NBB) and replaced it with the Botswana Communication Regulatory Authority (BOCRA).

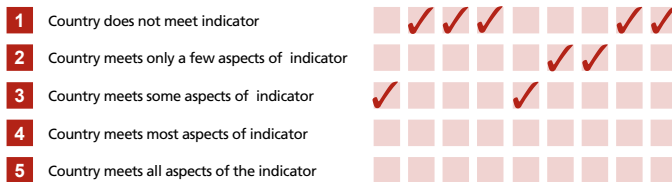
The Act was designed to improve regulation. “Instead of addressing state media and the licensing of community broadcasters, the consultation process resulted in an Act which abolished community broadcasting. It has a clause about the minister and regulation of state media and is very clear that this regulatory authority will be regulating commercial media. So we don’t have hopes, given the current legislation, of having community broadcasters or public service broadcasting.”

An attempt by the University of Botswana to get a licence for a radio station on campus was turned down, on the basis that there were no provisions for it under the current legislation. We tried to get it under ‘community’, but they had reservations in licensing the university as a community broadcaster.

“The problem is not operational. You can come up with an original radio station. The problem is with BOCRA, which issues licences. It’s a very grey area. So you don’t apply, you wait for BOCRA to call for submissions for radio station licences.”

Scores:

Individual scores:



Average score:

1.7 (2005 = 1.8; 2007 = 1.7;
2009 = 1.1; 2011 = 2.0)

3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference and whose board is not dominated by any particular political party and is appointed – in an open way - involving civil society and not dominated by any particular political party.

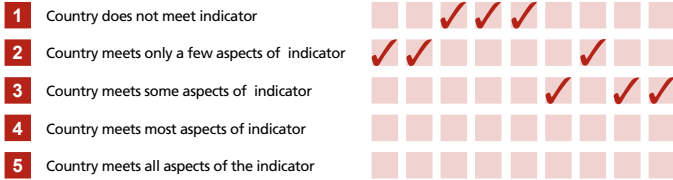
Broadcasting is regulated by the Botswana Communications Regulatory Authority (BOCRA). The BOCRA Act came into effect in 2012. Responsibilities of the former National Broadcasting Board and the Botswana Telecommunications Authority have been subsumed into BOCRA. The Minister of Transport and Communication appoints the BOCRA Board. The Secretariat comprises the CEO and the executive management. There is an oversight team that makes recommendations. There is no public involvement in the selection of the BOCRA Secretariat or the Board.

“These people (on both the Board and Secretariat) tend to be of a particular orientation: they tend to be, to some extent, politically inclined or if not, then sympathetic. They are chosen not only for their professional qualifications but for their political interests.”

All radio stations operating in Botswana are expected to inform BOCRA on their selection of the station manager and programmes manager.

Scores:

Individual scores:



Average score:

2.0 (2005 = n/a; 2007 = n/a; 2009 = 1.0; 2011 = 1.4)

3.3 The body, which regulates broadcasting services and licences, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large.

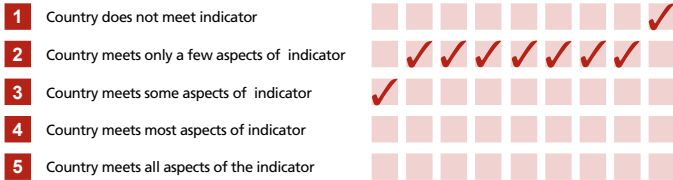
The last time there was a call for radio licences was 6 years ago, in 2008. A Christian Community was denied a licence because BOCRA does not provide for community broadcasting.

“I don’t think BOCRA acts in the public interest because we (eBotswana) struggled to get a licence to move from a regional to a national broadcaster. It was quite a process.”

“At GABZ FM we renewed the licence 3 years ago. We have technical problems all the time, there’s been jamming of the airwaves, equipment has been damaged and our transmitters have been tampered with. We have engaged ICASA to look into the interference.”

Scores:

Individual scores:



Average score:

2.0 (2005 = 1.3; 2007 = 2.1; 2009 = 1.8; 2011 = 1.9)

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

Botswana Television does not have a board. Instead there is a direct line between the President's office and the station. The Deputy Permanent Secretary in the Office of the President reads the news on Radio Botswana.

State media used to fall under the Ministry of Transport and Communications, but now it has been placed directly under the Office of the President. The Directors of Broadcasting Services (Radio Botswana and Btv) and Information Services (*Daily News*) are directly answerable to the Office of the President.

"Actually as some people have said, we have moved backwards. There was a move towards accountability to the public but this was all with individuals, not a board. Now we have gone backwards and the media has been put directly under the Office of the President. It used to be under the Ministry of Communications."

"If a new minister comes who is maybe sympathetic to the media, maybe it can be moved back to Ministry of Communications and be removed from control by Office of the President."

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓
2	Country meets only a few aspects of indicator									
3	Country meets some aspects of indicator									
4	Country meets most aspects of indicator									
5	Country meets all aspects of the indicator									

Average score:

1.0 (2005 = 1.0; 2007 = 1.0;
2009 = 1.0; 2011 = 1.0)

3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes.

The law does not guarantee editorial independence and in practice it is even worse. The Office of the President regulates Botswana Television and other state media.

“The top people have to come and see any news before it goes on air to check if it is politically correct; if not, they have to remove or replace it with something less controversial. I don’t think they themselves know who the head of news is. The Permanent Secretary calls the shots.”

There was an incident when the President of the ruling party [as the president of the Party] was allowed to read out a statement on state media regarding a court ruling. A member of the opposition then asked the NBB for permission to read out a statement on behalf of his party on the same court ruling as there was a provision that allowed all political parties equal coverage and equal airtime. It is believed that it was at this point that the government started working on transforming the public broadcaster into a state broadcaster.

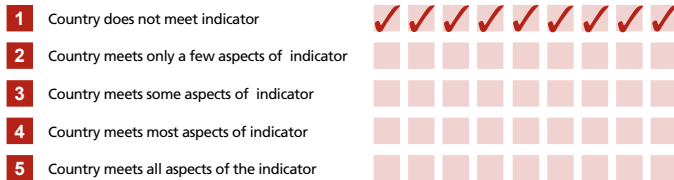
“They took it out of the NBB mandate and said ‘this is a state broadcaster now so those laws don’t apply’. Then BOCRA came about, where everything is managed.”

“In December 2012, a colleague of mine who works at BTV wanted to run a story about the treasurer of the ruling party, who was having problems at his farm. While I was having a drink with him, he received a call that flustered him. On ending the call he said that he had to get back to the office. When I asked why, he said that he had to pull a story as he had been called to be told that he couldn’t run the story he was intending on running. So he had to go and take that story out of the line-up. The story never came out. The treasurer had called his connections and asked them to do something to pull the story from the line-up.”

So Botswana doesn’t pretend to have a public broadcaster. It is quite obvious it is a state broadcaster. Under the law BTV is not obliged to act as a ‘public’ broadcaster.

Scores:

Individual scores:



Average score:

1.0 (2005 = n/a; 2007 = n/a;
2007 = n/a; 2011 = n/a)

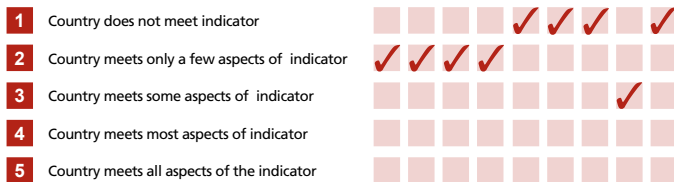
3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure.

BTV is regarded a government department and so it is fully funded by the state, "hence the political interference."

Few commercials are aired on BTV, and the revenue that is collected from licence fees goes directly to the central government revenue pool.

Scores:

Individual scores:



Average score:

1.7 (2005 = n/a; 2007 = n/a;
2009 = 1.1; 2011 = 1.8)

3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes.

Asian movies and foreign soapiers dominate BTV programming. Some of these foreign programmes form part of a business arrangement - e.g. the South Korean films in exchange for advertising for Samsung.

There are few current affairs and talk show programmes, and they find it difficult to attract members of the public to participate as audience members. Producers claim they have to vet people who appear as part of the studio audience.

There is a clause in the Communications Regulatory Act that states that 50% of programming on private media should be local content. There was a time when government would commission local programmes for BTV. This posed a problem for the state broadcaster, as they were not comfortable about the dialogue on documentaries. During the second phase they requested more predictable programming, but these were eventually terminated.

Just before elections the government had allocated funding to production houses for programmes, but some of these were never aired on television.

Several government departments have set up public relations units that produce television programmes that are shown or aired on national TV. "So there is no diversity; it's just government circulating content around."

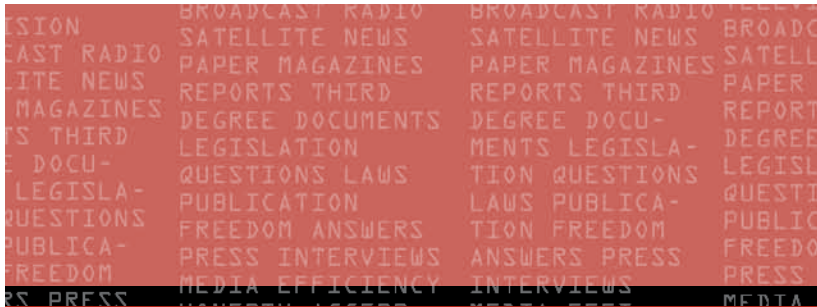
Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score: 1.3 (2005 = n/a; 2007 = n/a; 2009 = n/a; 2011 = n/a)

Average score for sector 3: 1.5



SECTOR 4:

The media practise high levels of professional standards.



The media practices high levels of professional standards.

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

The media sector has had a series of challenges with experienced media professionals leaving the profession and going into public relations and communications. Some feel they are not growing professionally, while others are leaving because of their financial needs. Newsrooms are getting younger and so are the editors. This lack of experience and depth comes through in the content.

Since there is no legal provision for access to information, journalists have to work with limited information. Despite this, they are performing well.

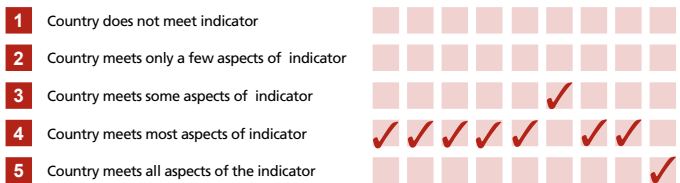
“Many a times they have bright moments, but there are inconsistencies as well and you are left wondering what the writer is trying to communicate.”

Panellists explained that when engaging with journalists, it becomes clear that they focus on what they can sell and they are unwilling to admit when they make mistakes. An inaccurate story will be the main headline, but the apology for these inaccuracies very rarely appears on the front page.

“We are accurate but the situation makes you look biased. During elections we worked to bring in political party representatives, but the ruling party declined and then you look as though you are biased. They want to dictate their terms and then they rebut or respond.”

Scores:

Individual scores:



Average score:

4.0 (2005 = 2.9; 2007 = 2.1; 2009 = 2.8; 2011 = 3.3)

4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners are adequate.

For a long time, the salaries and benefits of journalists were tagged against those being paid out by the *Guardian* - which was the largest and best paying media house at the time. This has since changed and salaries vary from one media house to another.

Journalism in Botswana is a badly paid profession with very few benefits and security. Government media houses tend to pay better salaries, which is difficult for media houses in the private sector to compete with.

“Entry level pay is about, or less than 7000 Pula (US\$ 700,-), for someone who comes out of university. Government hires your first-time writer, at *Daily News*, at that amount. We are in the private sector. There is no way we can compete with those salaries.”

There is a great deal more exploitation of journalists in the broadcasting sector.

“Having managed different kinds of media, both a radio station and print, the differences are glaring. Basically the broadcasters exploit journalists but it’s a lot better in the newspapers. The entry level of 7000 (US\$ 700,-) is twice what you get on entry-level at a radio station.”

A few of the larger print media houses have a human resources department that deals with staff management, but this has not improved the situation for media practitioners. “So one day by mistake we’re running through the salary files and it turns out the Human Resources manager was paid higher than the editor, and by a substantial amount.”

Many experienced and senior journalists have left the profession because they have been offered better financial packages in the corporate sector. “When you reach 5 years you say - you know what, I can go to Barclays and triple my salary, why can’t I just go there? Forget the passion, you have kids to feed.”

Journalists work irregular hours and are continuously on the job but are not paid overtime. Some companies are willing to pay medical insurance while others are not.

“Last week I had one of my cameramen collapse. So I asked: ‘What can we do about it?’ They said: ‘we can’t do anything.’” The cameraman is a full-time long-term employee of a broadcasting organisation.

A media house under new management is considering the cancellation of medical aid because they feel: "it's a waste of money, in terms of profit margins. So their argument is: 'if you want medical aid, pay for yourself. Why should the company pay for you?' Due to the large number of lawsuits that the company was facing, they also decided to downgrade their legal insurance."

"One of the things that I realised is that our bosses - the directors - have no understanding of the industry, so obviously this is why the payment is also bad. They would understand how much you put in but they don't understand the risk that you go through, that you have to be in when you're getting a story or whatever that you're doing. So that is also a huge hindrance; it impacts on your internal independence, on practically everything."

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Country meets only a few aspects of indicator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Country meets some aspects of indicator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
5	Country meets all 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"/>

Average score:

2.2 (2005 = n/a; 2007 = n/a;
2009 = 2.7; 2011 = 2.0)

4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests.

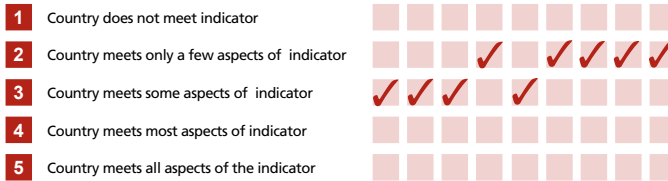
There are a number of media organisations which function at different levels such as the Press Council, the Press Club (these have been formed through the Press Council), the Editors Forum and MISA.

When senior journalists and editors left the profession, it also affected the institutional structures and the former Botswana Union of Journalists disintegrated. Efforts are being made to revive it. The Botswana Journalists' Association (BoJA) collapsed when its founding member passed away.

The Botswana Media Women's Association (BOMWA) has not held an AGM in the last few years, while female sports journalists have formed their own organisation under the Botswana National Sports Council.

Scores:

Individual scores:



Average score:

2.4 (2005 = 3.6; 2007 = 4.3;
2009 = 2.6; 2011 = 1.3)

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

Corruption in sports journalism is rife and major sponsors of sporting events nurture unethical behaviour by offering bribes in the form of money and positions.

"I was in the soccer industry for a while when I realised that at every newspaper and every radio station there is a journalist who has been given money."

"I remember that there was going to be a change of leadership in the Botswana Football Association (BFA), and journalists were promised positions... For some of them it didn't materialise so now they've changed their stories.

"I also did a lot of investigation on how Qatar won the 2022 World Cup and at the same time I was looking for top investigative journalists in the soccer industry, so I met with a lot of stakeholders in Botswana. They would tell me: 'you can't deal with that person because I gave him that' and then they showed me SMSes to prove it. I know of some journalists who couldn't afford prostitutes and some of these guys paid for them."

As more large corporations sponsor media awards, more journalists are focusing on writing stories they think will win them favour.

"The Coca-Cola Awards are for articles about the Coca-Cola Cup... Sometimes these awards pay bigger than the National Media Awards. So you get these reporters who are really obsessed with covering the Coca-Cola Cup for example. They're at every press conference, they record everything, and they want to be there, take pictures."

Mobile phone companies are notorious for presenting media practitioners with free airtime and the latest mobile phones "for review purposes" and "in return",

journalists plug their products and their services on air or write glowing stories about the company. One mobile phone company is always handing out Blackberry smart-phones as gifts, while editors are given the latest cellphones as a Christmas gift. Very few journalists refuse these gifts.

The tourism sector tends to nurture relationships only with the journalists who write favourable articles, and terminates relationships with those who write critical articles about sponsored trips.

“I think our problem is that we allow our reporters to build a relationship with different companies so it’s the same person writing about one company and who has access to the CEO all the time. So I think the important thing is that we need to centralise these invites so they come to the editor.”

The lack of policy on freebies and favours has resulted in journalists behaving unethically and unprofessionally because they are unaware they are crossing the line. Entertainment journalists who are offered free tickets to shows find it difficult to write critical reviews. For this reason, a particular media house decided that it would purchase tickets to events itself.

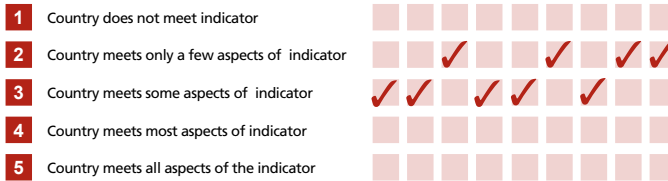
During the recently held elections, it became clear that certain journalists had taken partisan positions. “There were journalists whose line of writing you could follow and they were pushing certain political parties. I don’t know whether it was an issue that they are members of those political parties or that they sympathise with those political parties, or they got something,” pointed out one panellist.

“It did happen. They were getting paid by the papers and by the ruling party, either to keep quiet or to write negative stuff about the opposition or to write positive stories. As of this year there were 8 journalists paid by the ruling party,” confirmed another panellist.

“While it does fit into the category of corruption,” a panellist pointed out that: “difficulties in drawing the line occur when the role of publisher and editor become absorbed into one. You have to think about the business and sometimes you have to think of the journalists. I’ve seen some cases where the publisher uses the power of the publication to push business agendas, or even political agendas.”

Scores:

Individual scores:



Average score:

2.6 (2005 = n/a; 2007 = n/a;
2009 = 3.6; 2011 = 3.6)

4.6 Journalists and editors do not practise self-censorship in in the private broadcasting and print media.

The line between editorial policy and advertising considerations becomes blurred when media organisations pitch for advertising.

Commercial pressure has forced journalists and media houses to spike a number of stories.

The marketing departments of some media houses will ask journalists and editors to “lay off” a particular organisation they might be doing a story on, because they are still sealing an advertising deal.

Owners of small publications who are also the editors often find themselves in a quandary. “This is the contradiction I was talking about...when your role as a publisher and an editor are morphed into one - you are compromised.”

“I was negotiating a business deal as the editor of the paper and then my journalists came to me with sparkly eyes. They had something they wanted to work on. I went and spent the night thinking about it – it was not good. The next morning, I called them and said: ‘comrades I’m sorry about this’ and I stopped them working on the story. I feel like a sell-out.”

Since top editorial positions are usually appointed by the board of the organisation, board members feel an editor is obligated to them, and has to abide by their decisions instead of using his or her own editorial discretion.

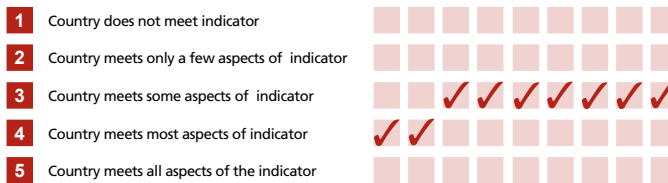
“When I was hired, I was told: ‘look you are hired by the board’. You then sit with the board and they will say, ‘You are answerable to us’. Things changed later when they started understanding what the job was about.”

Editors are not always able to tell when journalists are practising self-censorship, but a few of the editors on the panel said they realised that journalists sometimes pulled back on certain stories, or that the final article was very different from the idea that was presented at the editorial meeting. They realised that something had happened, but it was not possible to tell what had happened during the information gathering process.

“We had a solid story and we were going after these people, and then for some reason my investigative reporter just pulled back on it and I still haven’t gotten that story. It was initially my idea. It’s been two months and I’m still not getting the story.”

Scores:

Individual scores:



Average score:

**3.2 (2005 = 2.5; 2007 = 2.4;
2009 = 1.6; 2011 = 2.2)**

4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

One of the most favoured training institutions is Limkongkwing - a Malaysian based university also found in Swaziland and Lesotho. When it first started operating the standards were considered high but they have declined over the years.

The University of Botswana offers two 4 year Bachelor’s Degree programmes, Bachelor of Media Studies (BMS) and Bachelor of Arts in Media Studies (BAMS). The two programmes emphasise production and theoretical aspects of print and broadcast media. Government has cut its sponsorship for students in the arts; thus the enrolment for these programmes is dropping.

There has been a general decline in standards across the board and most editors felt it was difficult to find journalists who can construct proper sentences. Newsroom personnel are unaware of the content of the curriculum being offered

at the different tertiary institutions and so they have to deal with what they feel is a disconnect between the knowledge being provided at tertiary institutions and the requirements of the newsrooms.

“It’s high time that Human Resources personnel really scrutinise the degrees of the people they recruit for the newsrooms. New recruits will have multimedia design courses, web design, graphics, motion graphics and Bachelor’s Degree in Journalism. There are students who will tell you they have done an associate degree in television or in journalism or digital video. You have to scrutinise this because somebody who has done an associate degree in video will have no idea about many things relating to journalism. I think it’s high time to scrutinise the course content of (academic) programmes.”

“Generally the education system in this country is terrible. The University of Botswana is still the best institution in the country or it’s perceived to be the best so they get a slightly better quality of students. So if you get someone from UB they can probably construct a sentence slightly better than someone from another institution. The education system in the country is a problem, not only in these institutions but also going back to primary schools.”

Many students enter journalism for the wrong reasons or with unrealistic expectations. There are students who want to be celebrities and become disappointed and disillusioned when they realise that journalism will not provide them with instant fame. “The structure of our sponsorship is that you can’t pull out. So we have this bunch of students that are pushing, and we are pushing them to get out of the programme. They are not interested. When they are not interested you also are not that motivated to push them.”

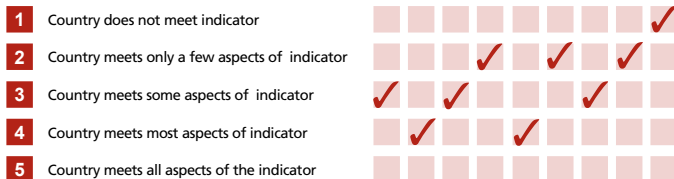
“So you find that there are people that think that being a journalist is about looking good, it’s about all of that. They don’t have the gift, they don’t have that call of the profession - they think it’s just this glam thing and sadly it becomes very evident in the newsroom where you have this person who just looks like a celebrity, a model in the newsroom, and cannot do stories.”

Since the media industry does not undertake surveys, it fails to understand the training needs of the media sector. The rapid transformation of the media sector makes it more critical than ever before for mid-career journalists to be capacitated, but this is difficult as most media houses are either unable or unwilling to spend resources on further training. The few media houses that have offered in-house training are engaging consultants whose knowledge is sound but outdated,

or who present subject matter that is irrelevant. There is need for engagement between editors and trainers to ensure a more coordinated approach to training.

Scores:

Individual scores:



Average score:

2.7 (2005 = 4.0; 2007 = 3.8;
2009 = 3.2; 2011 = 2.3)

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

Media houses in Botswana do not have affirmative action policies on race, religion or any other aspect of labour diversity. People with disabilities can't access media offices and most buildings are inaccessible. Disabled people who do work in the media are often placed in other departments and not in the newsroom.

While most houses have gender mainstreaming policies, many of them are not implementing the requirements of these policies. Gender Links carried out a gender mainstreaming strategy in a number of newsrooms, which they will review on an annual basis.

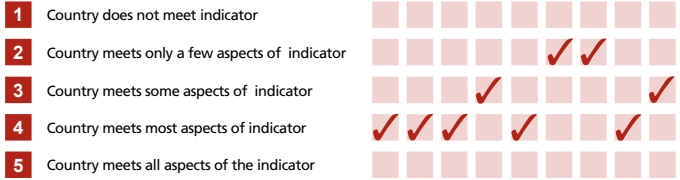
An interesting development is the increase in good female journalists as opposed to male. "My top investigative journalist is a woman. There was no effort whatsoever... there was no policy to promote that. I think it's something that has happened incidentally."

While ethnicity is not a critical issue in Botswana, panellists felt that people with accents from certain parts of the country are being discriminated against, particularly in radio. "There is a perception in Botswana that there is a certain voice that should be out there, I don't know whether it's necessarily a good thing but the perception is there."

The public has reacted to issues of sexual orientation via Facebook, but it is not an issue in newsrooms, where there are several journalists and presenters who are “starting to come out and asserting themselves.”

Scores:

Individual scores:



Average score:

3.3 (2005 = n/a; 2007 = n/a; 2009 = 2.7, 2011 = 2.7)

Average score for sector 4:

3.0

DEVELOPMENTS SINCE 2011

A model Freedom of Information Bill was shared with stakeholders - the media industry, civil society and members of the public - and presented in Parliament as a Private Member's bill through a Member of Parliament who lost his seat in the recently held elections. It was presented in Parliament and generated a great deal of interest. However, the ruling party Members of Parliament who are in the majority voted against the bill. They argued that the limitations in the draft Bill were "not enough."

MISA is waiting for the next Parliamentary sitting so that the process of engaging with the new MPs on the Model FOI can be restarted.

The way forward

1. What were the developments in the media environment in the last two/three years?

Positive developments

- The receptivity of the courts to protect and uphold the rights of citizens.
- The growth of the opposition – there are now 20 opposition MPs in the newly appointed Parliament. The calibre of MPs has improved and there are more intellectually grounded people in Parliament.
- There has been greater unity in the media. Government was trying to divide the media and get them to take positions, but instead, the media decided to support each other.
- There is a sense of activism across the spectrum of media, especially social media

Negative developments

- The Enactment of the Broadcasting Regulation – the Communications Regulatory Act (BOCRA, 2012).
- The tendency of media organisations to break stories that have not been checked – there is pressure to break stories because of the competition.
- The prosecution of journalists under archaic laws, and the willingness of the Executive to use them. The Executive was a bit more circumspect. However the President announced that government would financially support Cabinet Ministers and senior government officials' lawsuits against the media.
- Media houses are losing senior and experienced staff to the corporate sector.
- Deepening tension between the President and the media.
- The harassment and intimidation of journalists by the DIS.

2. What kinds of activities are needed over the next years?

ACTIVITY	ORG
Establish a union for media practitioners	Federation Lawyers MISA – Media Workers Union – Govinius Toka Coordinating/facilitation
Follow up on Freedom of Information Bill	MISA
Consensus building on BOCRA	MISA
Position Paper on digital migration: Why is commercial broadcasting failing to take off?	MISA
Media organisations to harmonise/ consolidate activities	Press Council

The panel discussion took place from 14 - 16 November in Cresta Jwaneng, Botswana.

Panellists:

Media:

1. Kealeboga Dihusto, Editor
2. Tshireletso Motlogelwa, Publisher
3. Kushatha Ndibi, Senior Reporter
4. Kagiso Sekokonyane, Botswana Editors Forum
5. Seamogano Mosanako, Media Lecturer
6. Keikatshe Shumba, Radio Journalist and Executive Producer

Civil Society:

7. Rev. Mosweu Simane, Church Minister
8. Uyapo Ndadi, Lawyer
9. Tobokani Rari, Trade Unionist

Rapporteur:

Reyhana Masters

Moderator:

Sarah Chiumbu

Friedrich-Ebert-Stiftung (FES)

fesmedia Africa
Windhoek
Namibia
Tel: +264 61 417500
Fax: +264 61 237441
E-mail: info@fesmedia.org
www.fesmedia-africa.org

MISA Botswana

Private Bag BO 86
Gaborone
Plot 111, SAMDEF House, Block B
Gaborone International Finance Park
Tel: (+267) 3971972
Fax: (+267) 3161196
Email: outreach@bw.misa.org

MISA Regional Secretariat

21 Johann Albrecht Street
Private Bag 13386
Windhoek, Namibia
Phone: +264 61 232975
Fax: +264 61 248016
Email: info@misa.org
Web: www.misa.org

