

BOTSWANA 2005

AFRICAN MEDIA BAROMETER BOTSWANA

Sector 1: Freedom of expression, including freedom of the media, are effectively protected and promoted

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

ANALYSIS:

Section 12 (1) of the Botswana Constitution states that “except with his consent, no person shall be hindered in the enjoyment of his freedom of expression, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence.” It is therefore assumed that freedom of the media is also guaranteed by the constitution, in line with a High Court judgment that acknowledges that the freedom of expression clause in the constitution includes freedom of the media and that this is similar to Article 10 of the European Union Convention on Human Rights.

But there are certain exceptions. The rights and freedoms are restricted, for example, in relation to national security, to protect the rights of other people, to protect the freedom of civil servants to perform their duties and where public order is threatened. There was no consensus whether the provision in the constitution guaranteeing freedom of expression is sufficient given all these exemptions. The majority was of the view that the exemptions are so broad that they do not pass the three part test which says that any restrictions on freedom of expression shall be provided for by law, serve a legitimate interest and be necessary in a democratic society.

There was consensus that the constitution may have guarantees for freedom of expression but that the reality on the ground is different. This is the reason why some freedom of expression activists have called for the explicit guarantee of the freedom of the media in the constitution.

There is a plethora of legislation which makes it difficult for the Botswana media to operate. These include the Directorate on Corruption and Economic Crime Act, which bars the director from giving information on any person who is being investigated.

Other such restrictive laws are the Public Service Act and the National Security Act, which make accessing information by journalists very difficult, the Official Secrets Act and the Cinematography Act. MISA has been pressing for the latter to be scrapped but the government does not seem to be interested in doing so.

Besides the fact that all these pieces of legislation could lead to the media in Botswana practising self-censorship for fear of being on the wrong side of the law, it was also felt that the situation is made worse by the many far-reaching powers given the Botswana's President under the Constitution. These powers are more or less unlimited and extend to many aspects of Botswana's public life.

SCORES:

Individual scores: 2, 3, 2, 4, 4, 2, 3, 2, 2, 2

Average score: **2.6**

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

ANALYSIS:

There was general agreement that there is a lot of fear among citizens, which is partly due to intimidating threats made by state operatives like the police, security officers and the army.

Examples of these various threats include an incident when a group of clergymen had stated publicly that they were opposed to automatic presidential succession, and a series of letters, allegedly initiated by state functionaries, appeared in the media scandalizing them.

There were other cases cited where police either physically harassed some sections of civil society or ignored instances where such harassment took place. For example, it was said that in the past the police have ignored and even cheered when photographers were physically attacked while taking pictures of court witnesses and accused persons in the course of their professional duties. In other instances, journalists have been physically abused, sometimes in the presence of the police. Where cases were reported, police appeared to be unable to do anything.

Another example given was that of an NGO, Women's Coalition, that had its phones allegedly bugged by security police.

There is general confusion in Botswana between 'government' and 'public', with the two often taken to be one and the same thing: public interest equals government interest and vice versa – hence who is against government is against the public.

In the private sphere, advertisers pose a threat to the media by sometimes threatening to

withdraw advertising should the media not tow their line or report negatively on them.

Cultural taboos were identified as another form of intimidation and gender-related hazards have been found to be prevalent in the country.

But it was also noted that despite these threats, the Botswana media still continue to publish what they want.

SCORES:

Individual scores: 2, 2, 2, 2, 2, 2, 1, 2, 3, 1

Average score: **1.9**

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

ANALYSIS:

It was noted that there is a lot of arrogance within the Botswana civil service and that although the freedom to receive information is constitutionally guaranteed, there is no freedom to seek information. This is not helped by the fact that the President seems to have unlimited powers under the country's constitution. His actions are such that he appears to be above the law.

Therefore, freedom of expression may be guaranteed in the Constitution but specific legislation takes away that freedom from the media. For example, in terms of the Public Service Act, public officers are prohibited from releasing public information - though, admittedly, leaks do happen.

SCORES:

Individual scores: 1, 1, 1, 2, 1, 1, 2, 1, 2, 1

Average score: **1.3**

1.4 *Entry into and practice of the journalistic profession is legally unrestricted*

ANALYSIS:

It is generally easy for anyone to enter the profession and practice as a journalist in the country.

SCORES:

Individual scores: 5, 5, 5, 5, 5, 5, 5, 5, 5, 5

Average score: **5.0**

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

ANALYSIS:

This is not the case in Botswana.

SCORES:

Individual scores: 1, 1, 2, 1, 1, 1, 1, 1, 1, 1

Average score: **1.1**

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

ANALYSIS:

Although according to the Vision 2016 document Botswana should have a Freedom of Information Act (FIOA) in place by 2016, government has publicly stated that the country is not yet ready for this type of legislation and that, therefore, nothing is being done towards promulgating such legislation. It was noted that civil society should probably start cultivating and pushing for a culture of openness in the civil service so that by the time the FIOA gets considered by government, the situation on the ground would already be conducive for such legislation to be applied easily.

A younger democracy, the one in South Africa, seems to have overtaken the older Botswana version of democracy since it promulgated a Freedom of Information Act in 1998.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

Participants were disappointed that Ditshwanelo Botswana Centre for Human Rights did

not want to participate in the Panel and some felt that this was an indication of how civil society has left MISA Botswana solely responsible for fighting for freedom of expression and the freedom of the media in the country.

It was pointed out that civil society previously lobbied together on issues with notable success - although this was not done consistently. For example, Emang Basadi spearheaded the lobby against the Citizenship Act and MISA led the one against the Mass Media Bill, which led to its blockage.

Even then, it was agreed that Botswana's civil society organizations should do more to mobilize and lobby together for various causes or better coordinate their efforts.

There was a strong feeling that civil society organizations in the country have become more of 'government NGOs' since most of them are now funded by the Botswana government. This is a new phenomenon, which started in earnest in 1994 and after the country was declared a middle-income country and NGO- funders left the country in large numbers.

It was concluded that public funding should not be synonymous with government funding and that civil society is entitled to public funding like everyone else and has every right to expect it from the government.

SCORES:

Individual scores: 3, 2, 3, 2, 2, 3, 2, 2, 3, 2

Average score: **2.4**

Overall score for sector 1:

2.2

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

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

ANALYSIS:

The market appears to be saturated with news publications but there are issues of accessibility – in the form of better distribution, the (English) language used in most newspapers and affordability - that are presenting a challenge. The country has a high literacy rate (84%) but a sparsely distributed population.

There is only one Tswana paper on the market. The reason given was that even Tswana speakers have difficulties reading their own language, because they have been brought up in English. For example, if questionnaires are offered in both languages, people generally choose the English version.

Most publications are centered in urban areas or places with high population concentrations. Most newspaper houses either distribute their newspapers themselves or use other means such as subscriptions, use of courier services and various forms of public transport. The situation could improve since a company from the *Mmegi* stable – BONESA - has recently been established as a distribution agency.

South African newspapers appear to enjoy better distribution than the local papers, probably because it is cheaper for the South Africans with their established networks and large population to penetrate the market than it is for small publications.

In addition, there are instances where South African owned trading outlets refuse to sell local newspapers - either because this is a management decision or because the shop management has been instructed to stock certain newspapers and are not aware of the existence of local papers that they could also sell.

It was further noted that, generally, investigative journalism appears to be lacking and that news content in most newspapers is largely the same. One of the panelists argued that where there is a major issue of national or regional importance, this tends to happen even among leading publications in the world and that it is not only true of Botswana.

Panelists stated that, given the scattered distribution and the small size of the population, it would take a long time for specialized publications to evolve in Botswana and that the tendency to have general newspapers will stay with us for a long time.

Newspapers in Botswana are generally affordable as they are cheaper than a loaf of bread, an internationally accepted form of measuring the affordability of newspapers.

SCORES:

Individual scores: 2, 2, 3, 3, 2, 2, 2, 2, 2, 2

Average score: **2.2**

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

ANALYSIS:

Access to media sources is not restricted. In any case, it would be difficult to stop any published material from entering Botswana.

SCORES:

Individual scores: 4, 4, 5, 4, 5, 5, 4, 4, 5, 5

Average score: **4.5**

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

ANALYSIS:

Given the fact, mentioned above, that Botswana's small population is thinly spread over a vast area, this is a serious challenge for the local media, particularly with regard to rural communities. Even the government is finding it difficult to distribute its publications to every corner of the country.

SCORES:

Individual scores: 2, 4, 4, 3, 4, 3, 2, 3, 3, 1

Average score: **2.9**

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

ANALYSIS:

A Broadcasting Act has been in place since 1998 which provides for public, private and community broadcasting services. But the development of commercial and community radio stations remains bogged down in bureaucratic haggling and red-tape.

In regard to community broadcasting, a number of groups are interested in starting such services but there are concerns in government circles about what these could be used for. As panelists noted, there is generally no respect for or commitment to freedom of expression among the people and government which is due also to historical and cultural reasons. Government fears that the international NGO Survival International could use community radios to promote their messages. This NGO is campaigning against the removal of San people from their original home. Any critic of the government like Survival International is perceived to be a threat to the diamond company Debswana and the government.

Government is not willing to give up control over Botswana Television and Radio Botswana.

SCORES:

Individual scores: 2, 2, 2, 2, 1, 2, 2, 2, 2, 1

Average score: **1.8**

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

ANALYSIS:

This is not the case. As stated above, the Botswana government is highly skeptical of community radio because of its perceived potential for abuse or propaganda.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

Government journalists are seen more as government officials and not as journalists per se. There is little independence and a lot of interference. The government media is under the direct control of the minister responsible for the media – the Minister of Communications, Science and Technology.

SCORES:

Individual scores: 1, 1, 2, 2, 1, 1, 1, 1, 1, 1

Average score: **1.2**

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

ANALYSIS:

The government-owned *Botswana Press Agency* (BOPA) was supposed to gather and distribute information to all media but has failed as it continues to compete with private newspapers.

There is a new independent agency which offers news to all publications. It is called *Silas News Agency* and is owned by Stan Mulenga.

SCORES:

Individual scores: 2, 1, 1, 1, 1, 2, 3, 2, 1, 2

Average score: **1.6**

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

ANALYSIS:

There is no regulation or competition board at present. The government intends to come up with a competition policy but debate over this issue is not transparent enough. The draft is considered confidential at the moment but expected to be widely distributed eventually. It deals with competition generally rather than being sector-specific.

SCORES:

Individual scores: 1, 1, 2, 1, 1, 2, 1, 1, 1, 1

Average score: **1.2**

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

ANALYSIS:

Government competes with the private sector for advertising in print and broadcasting media and does not think the views of its political opponents are important. No incentives are being given to private media and media are even taxed. More promotion might occur in the ICT sector, where government has taken a lot of interest. P15 million was provided to bail out the construction industry but the media has never been considered for government assistance of any type.

SCORES:

Individual scores: 1, 1, 3, 1, 1, 1, 1, 1, 1, 1

Average score: **1.2**

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

ANALYSIS:

In a small market any inefficiency will be punished with closure or failure of the business. The media industry has small profit margins, partly due to cost-recovery measures being implemented by government. The state media charge sub-standard rates and have national coverage, both of which give them an advantage over the smaller media houses. This results in distortion in the market and unfair competition from state outlets under the guise of 'cost recovery'. The state uses the public purse to run its media whereas the private media have to rely on their own meagre resources. This raises questions about the democratic nature of Batswana society and the development of diversity of public opinion.

There are strategies in place to cultivate professionalism and to ensure the sustainability of private media. This is done through MISA and SAMDEF. The latter was established to help in sustaining the private media.

All media houses are trying hard to diversify sources of revenue instead of depending on advertising only.

SCORES:

Individual scores: 4, 3, 2, 3, 4, 4, 4, 4, 4, 3

Average score: **3.2**

2.11. *State print media are not subsidized with taxpayers' money.*

ANALYSIS:

The government-owned *Daily News* is subsidized directly by government.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

In May 2001 the Botswana government issued a circular to all ministries, departments, parastatal organisations and private companies in which government is a shareholder, ordering them to stop advertising in *The Botswana Guardian* and the *Midweek Sun*. The reason given was the “persistent negative and often hostile reportage on government and its institutions”. This decision was declared unconstitutional by the Botswana High Court later in the same year.

At present, government departments use mainly the government-owned *Daily News* for their advertising, with a lot of business going there, including tenders, advertorials and all other types of traditional advertising. This has been taken up with government and now the private press is getting a small share as well because some people in government seem to be ignoring the instruction.

Government media even solicit advertising from the private sector and advertising agencies. They charge either lower or nominal rates only, thus encouraging more advertisers to go to government and not to private media.

A study by panelist Dr T. Balule on public sector advertising in the private media showed that there is need for safeguards against government manipulation of the private media. He also found that most advertising is being placed in government media and not in the private sector. Government should make the process more transparent. There is no market

research to guide advertisers on which market to target.

SCORES:

Individual scores: 2, 1, 2, 2, 1, 1, 1, 1, 1, 1

Average score: **1.3**

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

ANALYSIS:

Titles which have long been on the market and have developed a brand for themselves manage to survive more easily than new entries into the field. There are varied estimates on the overall ad spend, with one going up to P400 million. Internet, radio and others have not yet explored the advertising market thoroughly enough.

The advertising market is large enough despite government's destabilization tactics and new titles are coming up all the time.

SCORES:

Individual scores: 2, 3, 4, 4, 2, 2, 2, 3, 4, 4

Average score: **3.0**

Overall score for sector 2: 2.0

Sector 3. Broadcasting regulation is transparent and independent, the state broadcaster is transformed into a public broadcaster.

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

ANALYSIS:

According to the Broadcasting Act, 1998 the National Broadcasting Board (NBB) is appointed by the minister in charge of broadcasting. The board comprises an officer from the Office of the President, an officer from the Ministry of Commerce and Industry, an officer from the Department of Cultural and Social Welfare, a representative of the Botswana Telecommunications Authority (BTA), and seven persons appointed from a list of 10 candidates nominated by a Nominating Committee. This Committee consists of a member of the Law Society, the Vice-Chancellor of the University and a representative

of the Office of the President. The Board is funded by the ministry and the BTA serves as the Secretariat to the Board.

Especially the role of the BTA as Secretariat was questioned, given that it creates the possibility of the BTA dominating the Board in its decision-making. The Board would need to have its own independent staff to do its work without direct interference from the BTA.

In some respects the BTA may presently be acting outside the law. After all, it was set up mainly to control and manage the spectrum, not to give technical advice to the NBB.

It was also noted that there are plans to merge BTA and NBB to set up a combined body to deal with all aspects of broadcasting and ICT. The present minister is not as keen on such a merger as was her predecessor, so it might not take place as quickly as previously thought.

Overall, there does not appear to be any or enough government commitment to the work of the NBB. For its part, the NBB does not appear to be pro-active in implementing broadcasting policy.

SCORES:

Individual scores: 2, 2, 1, 2, 1, 1, 1, 2, 1, 2

Average score: **1.5**

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

ANALYSIS:

As outlined under 3.1 appointments are made by the minister. When the present board was appointed all names submitted by civil society were ignored. The Nominating Committee is biased towards government, with two of its three members being a representative of the president's office and the Vice Chancellor of the university who is himself a government appointee.

An example for an alternative way of doing things is the Press Council of Botswana, where a Selection Committee invited people to apply and these were interviewed with the public and media present.

Interviews for NBB candidates took place behind closed doors. The names of potential members were not published and so the whole process was not open and transparent.

SCORES:

Individual scores: 2, 2, 2, 2, 2, 2, 2, 2, 2, 2

Average score: **2.0**

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

ANALYSIS:

Regulations for licensing broadcasters were passed in October 2004 but the broadcasting policy is yet to be approved by government. The NBB has not yet had the opportunity to regulate in the public interest and ensuring fairness and a diversity of views because of the absence of a broadcasting policy to guide it.

The NBB would be free to implement its regulations regardless and issue licences for commercial and community radio stations. So far, it has only granted a licence for Radio Botswana 1. One of the licence conditions is that Radio Botswana 1 should have an independent board. However, the station was not given any time frame within which to transform into a public broadcaster, and the duration of the licence is ten years.

SCORES:

Individual scores: 1, 3, 1, 1, 1, 2, 1, 1, 1, 1

Average score: **1.3**

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

ANALYSIS:

The policy was developed in an open and transparent manner. The public had a chance to submit proposals and comments and there was an extensive public consultation process. However, the policy has not been adopted by government and it can thus not yet serve as a basis for the decisions of the NBB.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

The Broadcasting Act defines the “public broadcasting service” as “any statutory body

which is funded either wholly or partly through State revenues”. *Radio Botswana* and *Botswana Television* are directly controlled and managed by the Minister of Communications, Science and Technology.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

This requirement does not even begin to apply because there is no independent board controlling the public broadcaster in the first place.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

There is no law on public broadcasting in Botswana and thus no guarantee of editorial independence of any sort.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

There is no such protection against arbitrary interference. The broadcaster is funded by the government, which can cut or increase funding at its discretion.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: **1.0**

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

ANALYSIS:

85 percent of the population has access to radio. For television the figures are 60 percent via terrestrial signals and 100 percent via satellite.

SCORES:

Individual scores: 4, 4, 3, 3, 2, 2, 3, 3, 3, 4

Average score: **3.1**

3.10 *The public broadcaster offers diverse programming for all interests as well as balanced and fair information reflecting the full spectrum of diverse views and opinions.*

ANALYSIS:

Given the direct control by government it is not possible for *Radio Botswana* and *Botswana Television* to offer fair and balanced information and truly diverse programming. There is no language diversity as minority languages are not catered for. *BTV* has made some effort in this regard. On the other hand, overall programming on radio seems more diverse than that on television.

SCORES:

Individual scores: 3, 3, 3, 4, 2, 2, 2, 2, 1, 4

Average score: **2.6**

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

ANALYSIS:

BTV has started to commission more local content. However, the quality standards set are

so unreasonably high that the actual share of local content shown is still low. *Radio Botswana* promotes folk music and folk musicians.

SCORES:

Individual scores: 3, 4, 3, 3, 2, 2, 3, 3, 2, 2

Average score: 2.7

Overall score for sector 3:

1.7

Sector 4. The media practice high levels of professional standards.

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

ANALYSIS:

The Press Council started its work in November 2004, using a Code of Ethics. There have been only a couple of cases so far, among them a complaint from a Member of Parliament over an infidelity case which is presently on appeal.

Adjudication must be done within 28 days from the day the case is brought to the Press

Council. On the part of the media there is still a lack of willingness to publish the Council's judgments

Generally, however, the Press Council is functional and the Code of Ethics was circulated in media houses and discussed with journalists to ensure that they follow the Code. Unfortunately, the Council is presently under-resourced and therefore not able to do its work as efficiently as it should and to communicate more on its judgments and other activities. It should embark on a campaign to make the public aware of its existence by regularly publishing information on how to report to it. It is also necessary for all media houses to indicate in their imprints that they are members of the Press Council and bound by its Code of Ethics.

Overall, the Council is on the right track and most major media players are members.

SCORES:

Individual scores: 3, 4, 3, 4, 4, 3, 5, 3, 3, 4

Average score: **3.6**

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

ANALYSIS:

The media generally are not doing enough to get the other side of the story. There is too little analysis and in-depth coverage of issues of national importance such as the recent devaluation of the pula, for example.

Furthermore, there is no diversity of experts writing in the papers and it seems that always the same political analysts get a chance. One of the reasons cited was that a lot of people do not dare to come forward and express their opinion in writing. Another underlying cause is the decline of quality teaching and research at the university which does not produce top experts any more - the "UB is a bakery producing a lot of loaves".

SCORES:

Individual scores: 3, 2, 4, 2, 3, 3, 3, 3, 3, 3

Average score: **2.9**

4.3 *The media cover the full spectrum of events, issues and cultures, including*

business/economics, cultural, local and investigative stories.

ANALYSIS:

In view of increasing commercialisation, the media do not want to antagonize their advertisers and thus practice self-censorship. There is tension between the editorial and advertising teams, as the former always seek to cover only newsworthy events and not those directly linked to commercial interests and designed to make potential advertisers appear in a good light.

The local media were also accused of being too cowardly and not talking about certain issues because they fear people in positions of power and influence. (A number of examples show that the press has indeed been brave – and braver - in the past.) Not many people are prepared to come forward and comment when something is written about them, leading to a situation where stories are not balanced and as accurate as they could be.

Investigative reporting has also suffered because most experienced journalists tend to be promoted and stop writing. Therefore, there is a need to train new journalists in investigative reporting all the time. Many others leave the profession for greener pastures, especially in public relations.

SCORES:

Individual scores: 3, 2, 4, 4, 3, 3, 3, 2, 3, 3

Average score: **3.0**

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

ANALYSIS:

As far as possible editors try not to censor themselves. But they do face some cultural constraints, such as respect for elders. Sometimes self-censorship is practiced when editors do not cover a story on prominent people who are misbehaving and abusing their office. Editors have to live with an “unbelieving society” that thinks newspapers are quite prepared to make up their stories. However, the situation has not become so serious as to have reached a “stage of unhealthiness”.

SCORES:

Individual scores: 3, 2, 2, 2, 2, 3, 2, 3, 3, 3

Average score: **2.5**

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

ANALYSIS:

Journalists are generally free to write what they want and only editors check their stories to make sure they are accurate and balanced. Unlike in Britain, for example, newspapers in Botswana are non-aligned economically, politically or otherwise and editors are encouraged to be independent and non-partisan. This is included in their mission statements and holds true for most print media – with the exception of government media. The daily *Mmegi*, for example, has an editorial charter which ensures the independence of the editor and clarifies the relationship between the editor, the board of directors and the rest of the Botswana society in as far as his or her professional work is concerned.

At one radio station there have been incidents of running battles between journalists and the chairman of the board of directors, with journalists left unprotected by their station manager. Nevertheless, they stood up to the chairman whenever this happened, until they were fired from the station.

SCORES:

Individual scores: 2, 3, 2, 2, 3, 4, 4, 4, 3, 3

Average score: **3.0**

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

ANALYSIS:

As a general rule, salaries for journalists in Botswana are based on comparable industry salary levels. Journalists are expected to declare gifts and the nature of such gifts to determine whether or not they should be allowed to keep them. There are clear divisions between the editorial and the marketing departments in most media houses in the country.

SCORES:

Individual scores: 4, 3, 2, 3, 5, 4, 4, 4, 2, 3

Average score: **3.4**

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

ANALYSIS:

Short-term training is available and MISA informs media houses regularly on such opportunities. Many students were trained in media all over the world on government scholarships and locally at the University of Botswana. In addition there have also been many short courses offered by several institutions in the region. At the moment, there are even too many journalism graduates in the country and not enough full-time jobs available for them.

There are also efforts to take on interns, but there is not enough capacity to give all of those interested a chance.

SCORES:

Individual scores: 4, 4, 4, 2, 4, 4, 5, 5, 4, 4

Average score: **4.0**

4.8 *Journalists and other media practitioners are organised in trade unions and/or professional associations.*

ANALYSIS:

There are various media organisations in the country such as the Botswana MISA chapter, the Botswana Press Club, the Botswana Media Women's Association and the Botswana Journalists Association, with the latter apparently not being functional at present.

SCORES:

Individual scores: 5, 3, 3, 2, 3, 4, 5, 4, 3, 4

Average score: **3.6**

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

ANALYSIS:

Women are in top decision-making positions in some media such as the *Voice* or the

Gazette.

There have been more women journalists joining the profession in the recent past. However, many women journalists find journalism to be too confrontational in nature and are wary of going out and facing up to controversial cultural or political issues, in particular because most opinion makers and decision-makers are men. Many prefer desk jobs and others leave for public relations jobs. There are much fewer female than male applicants for journalistic jobs.

Most companies and media houses in Botswana are equal opportunity employers, with merit being the more important criterion for hiring rather than gender considerations per se.

According to a study commissioned by MISA, only two media houses have gender policies in place (*Voice* and government media). Those that have no official policy claim to have unwritten gender practices and policies.

SCORES:

Individual scores: 3, 1, 4, 3, 2, 4, 4, 2, 3, 3

Average score: **2.9**

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

ANALYSIS:

Various studies on the Botswana media such as a 2002 Gender Links study have shown that the editorial content of most media outlets is generally unbalanced, with 84 % of all sources being male and only 16 % female.

One of the reasons discussed was the fact that many women in high positions are not forthcoming and will rather delegate a requested interview to a male colleague. Therefore journalists should deliberately seek out women and get their voice heard. One (female) panelist, however, asked why the media should be more altruistic than other players in society. The answer was that media are the eyes, ears, conscience and voice of society. As such they have the power to transform society and therefore a special responsibility.

Another reason identified for the imbalance was that news coverage is too often merely event driven rather than issue driven, and that gender topics could be better addressed in issue driven stories.

SCORES:

Individual scores: 1, 1, 2, 2, 1, 2, 1, 1, 2, 2

Average score: **1.5**

Overall score for sector 4:

3.0

The panel meeting took place at the Cumberland Hotel, Lobatse, 17 to 19 August 2005.

The Panel:

Dr. Tachilisa Balule, Law Lecturer; Rev. Rupert Hambira, Church Minister; Ms. Beata Kasale, Publisher; Mr. Modise Maphanyane, Media Activist; Ms Felicitus Mashungwa, Journalist; Dr. Pinckie Mekgwe, Lecturer – Literature; Ms Nkamo Mokongwa, Lawyer; Mr. Solomon Monyame, Prodiucer; Dr. Masego Ayo Mpotokwane Lecturer - Environmental Science; Ms Clara Olsen, Editor

The Rapporteurs:

Mr. Methaetsile Leepile and Mr. Sechele Sechele

The Facilitator:

Mr. Hendrik Bussiek

Sector 1 Freedom of expression, including freedom of the media, are effectively protected and promoted

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| 1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and protected by other pieces of legislation. | |
| 1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear. | |
| 1.3 There are no laws restricting freedom of expression such as excessive official secret or libel acts, or laws that unreasonably interfere with the responsibilities of media. | |
| 1.4 Entry into and practise of the journalistic profession is legally unrestricted. | |
| 1.5 Protection of confidential sources of information is guaranteed by law. | |
| 1.6 Public information is easily accessible, guaranteed by law, to all citizens, including journalists. | |

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

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

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| 2.1 A wide range of sources of information (print, broadcasting, internet) is available and affordable to citizens. | |
| 2.2 Citizens' access to domestic and international media sources is not restricted by state authorities. | |
| 2.3 Efforts are undertaken to increase the scope of circulation of the print media, particularly to rural communities. | |
| 2.4 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting. | |
| 2.5 Community broadcasting enjoys special promotion given its potential to broaden access by poor and rural communities. | |
| 2.6 The editorial independence of print media published by a public authority is protected adequately against undue political interference. | |
| 2.7 Local or regional independent news agencies gather and distribute information for all media | |
| 2.8 Media diversity is promoted through adequate competition regulation/legislation. | |
| 2.9 Government promotes a political and economic environment which allows a diverse media landscape. | |
| 2.10 Private media outlets operate as efficient and professional businesses. | |
| 2.11 State print media are not subsidised with tax payers' money | |
| 2.12 Government does not use its power over the placement of advertisements as a means to interfere with media content. | |
| 2.13 The advertising market is large enough to maintain a diversity of media outlets. | |

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

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| 3.1 Broadcasting is regulated by an independent body adequately protected against interference, particularly of a political and economic nature. | |
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| 3.2 The appointments procedure for members of the regulatory body is open and transparent and involves civil society. | |
| 3.3 The body regulates broadcasting in the public interest and ensures fairness and a diversity of views broadly representing society at large. | |
| 3.4 The body's decisions on licensing in particular are informed by a broadcasting policy developed in a transparent and inclusive manner. | |
| 3.5 The public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner. | |
| 3.6 Persons who have vested interests of a political or commercial nature are excluded from possible membership in the board, i.e. office bearers with the state and political parties as well as those with a financial interest in the broadcasting industry. | |
| 3.7 The editorial independence of the public broadcaster from commercial pressure and political influence is guaranteed by law and practised. | |
| 3.8 The public broadcaster is adequately funded in a manner that protects it from arbitrary interference with its budget. | |
| 3.9 The public broadcaster is technically accessible in the entire country. | |
| 3.10 The public broadcaster offers diverse programming for all interests. | |
| 3.11 The public broadcaster offers balanced and fair information reflecting the full spectrum of diverse views and opinions. | |
| 3.12 The public broadcaster offers as much diverse and creative local content as economically achievable. | |

Sector 4 The media practice high levels of professional standards

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| 4.1 The media follow voluntary codes of professional standards which are enforced by self-regulatory bodies | |
| 4.2 The standard of reporting follows the basic principles of accuracy and fairness. | |
| 4.3 The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local and investigative stories | |
| 4.4. Gender mainstreaming is promoted in terms of equal participation of both sexes in the production process. | |
| 4.5 Gender mainstreaming is reflected in the editorial content. | |
| 4.6 Journalists and editors do not practise self-censorship | |
| 4.7 Owners of private media do not interfere with editorial independence | |

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| 4.8 Salary levels and general working conditions for journalists and other media practitioners are adequate to discourage corruption | |
| 4.9 Training facilities offer formal qualification programmes for journalists as well as opportunities to upgrade their skills. | |
| 4.10 Journalists and other media practitioners are organised in trade unions and/or professional associations. | |