

FREEDOM OF THE PRESS

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Botswana

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While press freedom is not explicitly guaranteed in the constitution, clauses guaranteeing freedoms of speech and expression undergird extensive legal protections for media outlets, and the government generally respects these freedoms in practice. However, the constitution also contains a number of provisions concerning national security, public order, and public morality that can be used to limit press freedom. Additionally, Botswana does not have a freedom of information law. The 2008 Media Practitioners Act established a statutory media regulatory body and mandated the registration of all media workers and media outlets—including websites and blogs—with violations being punishable by either a fine or prison time. The act also seeks to create a new Media Council, with which the minister of communication can exert significant influence through control of essential committees. However, the act was not yet operational as of the end of 2011. Since the act's passage, there has been significant pushback from various sectors of civil society, including the Law Society of Botswana. In 2010, a group of 32 individuals and groups representing media outlets, nongovernmental organizations (NGOs), and trade unions filed a lawsuit challenging the constitutionality of the law; the case was filed in Botswana's High Court in April 2011, and was pending at year's end.

The government occasionally censors or otherwise restricts news sources or stories that it finds undesirable. In 2010, coverage of the split in the ruling Botswana Democratic Party (BDP) and the resulting formation of the Botswana Movement for Democracy (BMD) party was conspicuously absent from state-run radio and television broadcasts, and journalists were discouraged from interviewing BMD leaders. Under President Ian Khama of the BDP—who took office in October 2009—government-press relations have worsened significantly, and Khama has not held a domestic press conference since taking office. Fear of incurring reprisals for coverage critical of the new government has led to reports of increased self-censorship over the past three years.

In March 2011, "higher authorities" withdrew a story from the *Daily News* about the government's 1 million pula (\$150,000) donation to Japan following its earthquake and tsunami, claiming the information would be detrimental to the government's image during the public workers strike that occurred in spring 2011. In April 2011, BDP legislator Phillip Makgalemele sued the private Yarona FM radio station for 2 million pula (\$300,000) over a 2008 report alleging he was willing to take bribes to orchestrate losses by the national soccer team while head of the Botswana Football Association.

Journalists can generally cover the news freely and are seldom the targets of attacks, though harassment has increased in recent years. According to the 2011 African Media Barometer report on Botswana, there were three reports of photographers being arrested by the police while conducting their work in the first six months of the year.

A free and vigorous print press thrives in cities and towns, with several independent newspapers and magazines published in the capital. State-owned outlets dominate the local broadcast media, which reach far more residents than the print media, and provide inadequate access to the opposition and

2012 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

40

LEGAL ENVIRONMENT

11

POLITICAL ENVIRONMENT

17

ECONOMIC ENVIRONMENT

12

government critics. The private Gaborone Broadcasting Corporation television system and two private radio stations have limited reach, though Botswana easily receives broadcasts from neighboring South Africa. The country's widest-circulation newspaper, the state-owned *Daily News*, is free to readers and is generally the only newspaper available in rural areas. High printing costs and limited distribution networks mean that independent papers usually have modest print runs. The government has restricted buying advertisements in private newspapers deemed too critical of the government, and has even made efforts (albeit unsuccessful) to ban private advertising in the daily *Mmegi* and the *Sunday Standard*.

The government does not restrict internet access, though such access is rare outside cities, with 7 percent of the population using the medium in 2011. The most limiting factors regarding internet access remain the high cost of access and the small percentage of households with a computer. According to the 2011 World Economic Forum's *Global Information Technology Report*, only 4.9 percent of people in Botswana live in a household with a computer.

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