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Freedom Of The Press - Botswana (2011)

Status: Partly Free
Legal Environment: 11
Political Environment: 17
Economic Environment: 12
Total Score: 40

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. Since the act's passage, the Law Society of Botswana has refused to comply with its implementation. In August 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 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 were conspicuously absent from state-run radio and television broadcasts. In May, the independent *Mmegi* newspaper reported that Radio Botswana journalists who interviewed the press secretary of the BMD were subsequently called into the Office of the Presidency to explain their actions. Under President Ian Khama of the BDP—who took office in October 2009—government-press relations have worsened significantly, and Khama did not hold a domestic press conference in 2010. Fear of incurring reprisals for coverage critical of the new government has led to an increase in self-censorship over the past two years.

Journalists can generally cover the news freely and are seldom the targets of attacks. However, in October and November, there were a few separate cases of photojournalists being harassed by local authorities. One involved Lefoko Mogapaesi, who was arrested and detained by the Botswana police while covering the case of the Bakgatla Paramount Chief. The chief, along with 13 other members of his regiment, faced charges related to increased floggings of people in his district.

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 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 generally 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 *Mmegi* and the *Sunday Standard*.

The government does not restrict internet access, though such access is rare outside cities, with 6 percent of the population using the medium in 2010. According to the Africa Media Barometer 2009 report, the online version of one newspaper, the *Botswana Gazette*, removed its interactive functionality in an apparent act of self-censorship.