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Freedom Of The Press - Namibia (2011)

Status: Partly Free
Legal Environment: 9
Political Environment: 14
Economic Environment: 11
Total Score: 34

The constitution guarantees freedom of the media, and Namibia's press has generally enjoyed a relatively open environment. However, constitutional provisions relating to the protection of national security, public order, and public morality provide legal mechanisms for restricting media freedoms, and there is no access to information law. Defamation is a criminal offense under common law. In November, the High Court dismissed an N\$3 million (US\$435,000) defamation case against the weekly tabloid *Informanté* launched by Oshakati police commissioner Nico Steenkamp. In addition, the ruling South West Africa People's Organization (SWAPO) party and government figures have also repeatedly called for the establishment of a media council to regulate the activities and operations of the media.

Government and party leaders at times issue harsh criticism and even threats against the independent press, usually in the wake of unflattering stories. In January 2010, investigative journalist John Grobler was violently attacked in a Windhoek bar by four men, including three prominent businessmen (and a son-in-law of former president Sam Nujoma) with close ties to SWAPO. Local journalists and press freedom organizations alleged that the attack was related to Grobler's reporting for the *Namibian* on the awarding of state tenders and his work for the South Africa-based *Mail & Guardian* on vote-rigging in Namibia's 2009 elections. In November, *Informanté* editor Max Hamata resigned after receiving threats and government pressure for publishing a story about Nujoma's alleged ailing health.

Namibia features 4 daily and 5 weekly newspapers, as well as about a dozen monthly magazines, 25 radio stations, and 3 television stations. Private broadcasters and independent newspapers usually operate without official interference. The state-run Namibian Broadcast Corporation (NBC) is the dominant player in the broadcast sector, and has come under increasing political pressure in recent years. In 2009, a high-ranking director was dismissed amid allegations that he backed the opposition, and the NBC cancelled popular phone-in radio programs due to alleged insults against current president Hifikepunye Pohamba and Nujoma. In addition, opposition parties and press freedom organizations accused the NBC of heavily pro-SWAPO coverage during the 2009 election campaign. Since 2001, the government has banned ministries and departments from advertising in the *Namibian* or purchasing it with state funds.

Approximately 6.5 percent of the population accessed the internet in 2010. There are no restrictions on internet sites, and many publications and organizations have websites that are critical of the government. However, the 2009 Communication Act includes a clause that allows for the

interception of e-mails, short messaging services (SMS), internet banking transactions, and telephone calls without a warrant.