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## FREEDOM OF THE PRESS

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# Botswana

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While press freedom is not explicitly guaranteed in the constitution, clauses safeguarding freedoms of speech and expression undergird extensive legal protections for media outlets, and the government generally respects these freedoms in practice. However, the constitution contains a number of provisions concerning national security, public order, and public morality that can be used to limit press freedom. In August 2012, the ruling Botswana Democratic Party (BDP) stifled a vote on a proposed freedom of information bill, and access to public information remains a major problem for journalists.

The 2008 Media Practitioners Act called for the establishment of a statutory regulatory body and mandated the registration of all media workers and outlets—including websites and blogs—with violations punishable by either a fine or prison time. The minister of communication would be able to exert significant influence over the new Media Council envisioned by the law through control of key committees. Although passed by the legislature, the act has not entered into force due to legal challenges by opponents, including a 2010 lawsuit by a group of 32 individuals and groups representing media outlets, nongovernmental organizations (NGOs), and trade unions. A final ruling on the law's constitutionality was still pending at the end of 2012.

Journalists increasingly face defamation charges from public officials. In March 2012, BDP legislator Phillip Makgalemele won a defamation case against the private Yarona FM radio station over a 2008 report alleging that he was willing to take bribes to orchestrate losses by the national soccer team while serving as head of the Botswana Football Association. Yarona FM was ordered to pay over \$31,500 in damages. In July, Dikgang Publishing Company won an appeal that reversed a prior defamation judgment for an article regarding the divorce of a local official.

In 2012, lawmakers passed the Communications Regulatory Authority Act, which merges regulation and licensing under the Botswana Communications Regulatory Authority (BOCRA). Critics expressed fear that the legislation favors state-owned media and may be used to monitor communications and social networks.

The government occasionally censors or otherwise restricts news sources or stories that it finds undesirable. In 2010, coverage of a split in the 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, government relations with the press relations have worsened significantly, and Khama has not held a domestic press conference since taking office in 2008. Fear of reprisals for coverage that is critical of the government has reportedly led to increased self-censorship in recent years.

Journalists can generally cover the news freely and are seldom the targets of attacks, though instances of harassment have increased in recent years. In September 2012, journalists were assaulted by defendants at a local courthouse as the police looked on.

State-owned outlets dominate the 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 does not have licensed independent community radio. A free and vigorous print sector thrives in cities and towns, with several independent newspapers and magazines published in the capital. The widest-circulation newspaper, the state-owned *Daily News*, is free to readers and is generally the only newspaper available in rural areas. There are currently 13 private newspapers, but they are mainly limited to Gaborone. High printing costs and limited distribution networks mean that independent papers usually have modest press runs. As of 2012, there was only one broadsheet printer in the country, Printing and Publishing Company Botswana, which is reportedly owned in part by senior BDP officials. The media rely heavily on advertising, and editorial accommodations are made for major buyers. The government has restricted state advertising in private newspapers that are deemed too critical of the government, and has even made unsuccessful efforts to ban private advertising in the daily *Mmegi* and the *Sunday Standard*.

## 2013 SCORES

PRESS STATUS

**Partly  
Free**

PRESS FREEDOM SCORE

**41**

LEGAL ENVIRONMENT

**11**

POLITICAL ENVIRONMENT

**17**

ECONOMIC ENVIRONMENT

**13**