



# AFRICAN MEDIA BAROMETER

The first home grown analysis of the  
media landscape in Africa

## NAMIBIA 2015



AFRICAN  
MEDIA  
BAROMETER

MEDIA INSTITUTE OF SOUTHERN AFRICA  
**MISA**  
PROMOTING MEDIA DIVERSITY •  
PLURALISM • SELF-SUFFICIENCY  
• INDEPENDENCE

**FRIEDRICH  
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## **NAMIBIA 2015**

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Friedrich-Ebert-Stiftung (FES)  
fesmedia Africa  
Windhoek, Namibia  
Tel: +264 (0)61 417500  
E-mail: [info@fesmedia.org](mailto:info@fesmedia.org)  
[www.fesmedia-africa.org](http://www.fesmedia-africa.org)

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# The African Media Barometer (AMB)

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations like the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Stiftung (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organisations like the Media Institute of Southern Africa.

## Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB-report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

<b>1</b>	Country does not meet indicator	
<b>2</b>	Country meets only a few aspects of indicator	
<b>3</b>	Country meets some aspects of indicator	
<b>4</b>	Country meets most aspects of indicator	
<b>5</b>	Country meets all aspects of the indicator	

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

### **Outcome**

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and – in SADC countries the Media Institute of Southern Africa (MISA) – only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

In 2009 and again in 2013 the indicators were reviewed, amended, some new indicators were added and some were replaced.<sup>1</sup>

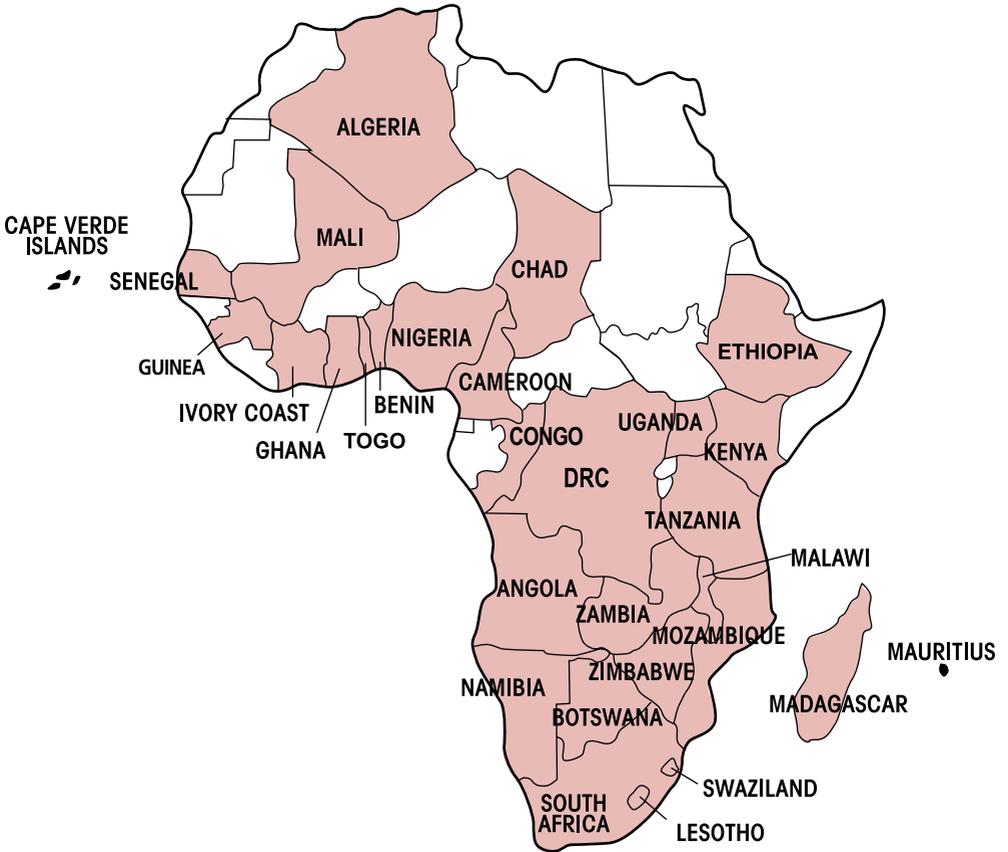
By the end of 2013 the African Media Barometer had been held in 30 African countries, in some of them already for the fifth time.

**Zoe Titus**  
**Regional Director**  
**Media Institute of Southern**  
**Africa (MISA)**  
**Windhoek, Namibia**

**Sara Brombart**  
**Head of fesmedia Africa**  
**Friedrich-Ebert-Stiftung**  
**Windhoek**  
**Namibia**

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<sup>1</sup> Consequently, the comparison of some indicators of previous reports is not applicable (n/a) in some instances in which the indicator is new or has been amended considerably. Furthermore sector scores are not applicable (n/a) as indicators have been moved.



*See above 30 AMB Countries (2005-2015)*

# African Media Barometer Namibia 2015

## Executive Summary

Although freedom of expression – including freedom of the press and other media – is guaranteed in Article 21(1) of the Namibian Constitution, this right is hamstrung by laws that remain on the Statute Books 25 years after independence, new regulations that hinder the practice of this freedom, and the absence of certain laws. This continued state of affairs has the potential of trumping Namibia's high ranking (1st in Sub-Saharan Africa and 17th in the world according to the World Press Freedom Index, and 1st in Africa according to Freedom House) for press freedom.

For one, Namibia still has no Access to Information law to ensure citizen and media access to public information. The Public Service Act of 1995 only makes it more difficult to access information held by the state, as it restricts public servants from disclosing information that should, in fact, be available to Namibians.

Further, there is no law guarding the protection of whistleblowers, or protecting journalists from having to disclose their sources in court.

The introduction of new regulations to the Research Act of 2004 can only be seen as draconian, as they could potentially restrict freedom of thought and academic freedom at all levels of society. Arguing that the regulations are unconstitutional, the Legal Assistance Centre (LAC), alongside the Institute for Public Policy Research (IPPR) and The Namibian newspaper, are in the process of taking government to court over these regulations after failed consultations with the Ministry of Education.

The Communications Act of 2009 (dubbed the 'Spy Bill' because of contentious clauses that allow for the interceptions of communications), as well as apartheid era laws – such as the Official Secrets Act, the Key Points Act, and the Criminal Procedures Act – continue to threaten freedom of expression in general, and media freedoms in particular. As one member of the panel put it, "There is a high level of secrecy". These threats to freedom of expression require urgent redress.

The Namibian government is currently looking at the Electronic Transactions and Cyber Crime Bill, as well as regulations for the film industry. The final content of these Bills is yet to be seen, but concern has already been raised about certain secrecy clauses in the draft Film Bill, which could potentially restrict filmmakers'

freedom of expression. This points to a dire need for meaningful consultation and public hearings among state institutions, media, civil society, interest groups, etc.

Despite these various legal restrictions, however, Namibians seem relatively free to express themselves – more so when they can do so anonymously (particularly when criticising government or the ruling party). Social media is increasingly providing a platform for Namibians to share their views on a wide range of issues, and media houses are working towards greater convergence with social media. Most media houses have a website, a Facebook page, and a Twitter presence, and SMS pages are incredibly popular. The Namibian Broadcasting Corporation (NBC) often posts content on YouTube, and with its switchover from analogue to digital, now provides live streaming options on its website.

Indeed, digital migration has been heartily welcomed, and the Ministry of Information and Communications Technology (MICT) can be commended for seamlessly managing the transition. The switchover provides the room for the national broadcaster to introduce increased content in a high quality format. It is important that NBC ensure that the migration does not affect access to information due to affordability problems, and that it deliver on the opportunity to enhance local content that effectively reflects Namibia's diversity and engages a broad range of voices. "Now we have 3 channels with no content" since the digital switchover, was the view of one panellist.

On the subject of NBC, the broadcaster can be commended for its improved governance, and for the stability it has been able to foster over the past four years. It is also important, however, that the broadcaster be brought under the regulation of the Communications Regulatory Authority of Namibia (CRAN). The establishment of this regulator has been a positive development during the period under review, and it can be commended for running a highly professional and consultative outfit, despite the political patronage and conflict of interest that seems to exist at the board level.

Another development of which the media can be proud, is the way in which coverage on the 2014 National Assembly and Presidential Elections was handled. The Electoral Commission of Namibia (ECN) came up with a voluntary electoral code of conduct, by which, it would seem, most media houses abided.

However, the NBC's silence on the attack by a Swapo Councillor on one of its radio producers – in an NBC studio – remains a major concern for media freedom and for the security of journalists. The removal of important talk shows (e.g. *The Week that Was* and *Open File*) from the airwaves during the election period also points to some level of intolerance for critical dialogue on government. These events show that the editorial independence of the state media – print and broadcast – remain limited.

On the whole, Namibian journalists were found to do a reasonable job in their reporting; displaying some level of fairness and accuracy. However, the quality of journalism still isn't as good as it should be. Journalists are found to be reactive, rather than proactive – relying on press releases and press conferences for their stories. In this regard, one panellist stated, "It's like reactionary journalism". Investigative journalism remains lacking; and there is a lack of diversity in voice, content and media ownership (along gender, ethnic, religious, class, and socio-political lines), as well as in the angles of the stories explored. A member of the panel expressed the situation by saying, "We are missing the boat on a lot of angles", and "missing the perspectives from below".

There is a clear need for educational institutions with media offerings to train beyond the technical, as well as for students from other majors to explore journalism as a viable option. Otherwise, as a member of the panel stated, "we are producing technically skilled people who are intellectually hollow". On-the-job training and mentorship programmes are also necessary, given this state of affairs.

While the Media Ombudsman provides an important and effective avenue for the public to take issue on media reports, in line with a voluntary media code of ethics, it falls short of making media houses that report inaccurately or irresponsibly feel the full sting of their lapses in professional journalism. The Media Ombudsman can only exact an apology or retraction from media houses, but cannot order monetary compensation for the complainant, or a fee for these lapses.

Media ethics have also come into question, with warning signs of corruption tainting the integrity of media houses. A panellist warned that "there is a creeping risk of corruption particularly in private media houses". The need for editors to engage and train their staff on media ethics is vital, and the broader public should be educated and informed about the dangers of corruption in and corrupting the media.

The working conditions and salaries of media professionals require review and redress, partly because these issues are often linked to corrupt behavior. The potential for a union for journalists, or a Press Club to address some of these issues was highlighted as worthy of exploration.

Finally, civil society needs to come to the table and join media in advocating for media freedom, access to information, and, essentially, freedom of expression and thought. Of over 400 civil society organisations in Namibia, aside from the Media Institute of Southern Africa (MISA), only the Institute for Public Policy Research (IPPR) and the Legal Assistance Centre (LAC) are actively engaged with these issues. A member of the panel noted, "We are using media just to echo what we are doing, but are not looking at the impact of Freedom of Expression

issues” on Namibians. Civic education on the importance of a free media that is able to access public information, and which presents information in a way that reflects the diversity of the country, is critical.

Panellists called for national consultations with the various stakeholders that affect or are affected by the media – including journalists, government, media houses, development partners and civil society, and citizens – to effectively address the challenges to Namibia’s media landscape, and to improve on the positive progress made to date.



# SECTOR 1:

**Freedom of expression, including freedom of the media, is effectively protected and promoted.**



# Freedom of expression, including freedom of the media, is effectively protected and promoted.

## 1.1 Freedom of expression, including freedom of the media, is guaranteed in the Constitution and supported by other pieces of legislation.

*“25 years after independence we should have adopted laws that give effect to the constitutional provisions.”*

Article 21(1) of the Namibian Constitution guarantees freedom of expression under ‘fundamental freedoms’ and explicitly includes freedom of the press and other media as part of the protection of freedom of expression:

All persons shall have the right to: (a) freedom of speech and expression, which shall include freedom of the press and other media;

Article 144 of the Constitution further states:

Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international law and international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia.

Therefore, international conventions, such as the Universal Declaration of Human Rights, which guarantees freedom of expression and opinion in Article 19 and Article 9 of the African Charter on Human and People’s Rights<sup>1</sup> are legally enforceable documents in Namibia.

However, there are no other pieces of legislation that support the constitutional guarantees. “25 years after independence we should have adopted laws that give effect to the constitutional provisions”, was the feeling of one panellist.

Article 91 (a) of the Constitution provides for an Office of the Ombudsman in Namibia which, amongst other things, is supposed to:

investigate complaints concerning alleged or apparent instances of violations of fundamental rights and freedoms.

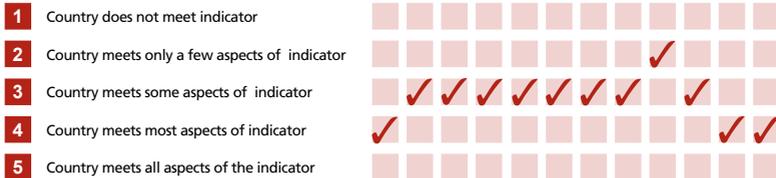
Another regulatory mechanism that is supposed to promote free expression is the Communications Regulatory Authority of Namibia (CRAN) established by the Communications Act of 2009. There are, however, a number of provisions and clauses in the setup of the regulator that contradict the international standards by which Namibia is bound.

<sup>1</sup> By Extension also the African Declaration of Principles on Freedom of Expression amongst others as it interprets Article 9 of the African Charter on Human and Peoples Rights.

There is no Access to Information law in Namibia.

## Scores:

### Individual scores:



### Average score:

**2.8 (2005: 3.4; 2007: 3.3;  
2009: 3.1; 2011: 2.9)**

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

With the emergence of the internet and increased popularity of social media, especially amongst young, urban Namibians, these new spaces for self-expression are increasingly being used.

On social media “people are relentless in expressing themselves” was the observation of one of the members of the panel.

With an overall internet use of just about 16 %<sup>2</sup>, this positive trend cannot be interpreted as a clear indication of more freedom of expression in general. However, mainstream media have started to pick up on some of the discussions started on social media, hence making them accessible to the general public.

Increased convergence of different media formats – such as mainstream media using social media platforms, SMS pages featuring in the newspaper, or integrating twitter and facebook in radio and

*“Are people really free to express themselves or are they only free when they go anonymous?”*

<sup>2</sup> Based on household survey results of Research ICTAfrica data of 2012 internet use. This number might have increased but must be considered against the backdrop that according to latest world bank data more than 40% of Namibians live on less than 2US\$. This means according to the latest affordability report that for those segments of society it costs them with 17% of their income for mobile broadband prepaid handset-based on 500MB, 25% for broadband postpaid computer-based internet based on 1 GB and 113% for fixed broadband <http://a4ai.org/affordability-report/report/>.

television discussions – also show a trend by media houses towards conscious engagement of citizens through various discussion channels.

On the other hand, access to alternative platforms to express oneself remains a predominantly urban privilege: As a member of the panel observed, “We do not hear rural voices”.

Furthermore, it needs to be taken into account that on these platforms, comments and opinions cannot always be traced back to the source. So a critical question as posed by one of the panellists: “Are people really free to express themselves or are they only free when they go anonymous?”

A panellist remarked that while there might not be overt repercussions for expressing oneself, “citizens and journalists oftentimes do not express themselves freely”, especially on contentious issues.

Citizens assume negative repercussions socially and otherwise and censor themselves when they speak publicly for several reasons. For one, Namibia is about 90% Christian and people tow a strong moral line that they try not to cross by discussing issues seen as too critical, such as abortion or homosexuality. At the same time, Namibia is a country with a relatively small population of just over 2 million, and in which the influential ruling party is often seen as synonymous with the government. As a consequence, people try to stay clear of contentious issues that might offend the ruling elite.

“When it comes to issues that determine election outcomes, that is when there is fear” was one of the comments.

The fact that known personalities, too, do not speak up further discourages the general population. It was noted that, “A lot of people who should be commenting on national issues (current affairs etc.) are not doing that”.

The verbal and physical attacks on a female senior radio producer at the studios of the Namibian Broadcasting Corporation (NBC) by ruling party (SWAPO) Councillor Ambrosius Kandjii, on 13 August 2014 for example, remained without real consequence or an official position by the Party or the NBC.

In this instance, the Councillor questioned the radio producer about coverage for a public meeting to be addressed by (then) Prime Minister Hage Geingob on the Third Constitutional Amendment Bill, which was criticized by civil society and media for having been drafted, tabled and finally passed in a rushed manner without meaningful public consultation.

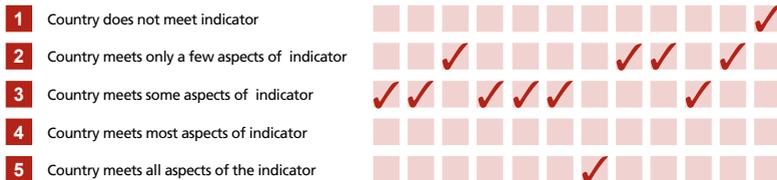
Although, as one panellist assessed, “overall media remain free and stable” and direct or open attempts by the government to stifle the media are rare, criticism in the media is often misconstrued by politicians as being inciting or anti-patriotic. If a journalist for instance tries to uncover side dealings or abuse of power for

private gain of a minister that is generally performing well, then, the panellist asserted, “the media is being vilified of being against nation-building”.

Furthermore, it was also noted that, while it is not official policy it has become practice that “they [government representatives] will just not respond to journalists from certain media houses” or to journalists they consider ‘troublemakers’.

## Scores:

### Individual scores:



### Average score:

**2.7 (2005: 3.3; 2007: 2.8;  
2009: 2.4; 2011: 3.0)**

## 1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secrets, libel acts, legal requirements that restrict the entry into the journalistic profession or laws that unreasonably interfere with the functions of media.

Article 21 (2), of the Namibian Constitution states that:

“The fundamental freedoms referred to in Sub-Article (1) hereof shall be exercised subject to the law of Namibia, in so far as such law imposes reasonable restrictions on the exercise of the rights and freedoms conferred by the said Sub-Article, which are necessary in a democratic society and are required in the interests of the sovereignty and integrity of Namibia, national security, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.”

Blanket provisions such as “national security” or “public order” or vague concepts of “decency and morality” can be problematic as they leave room for broad interpretations that could be used to restrict freedom of speech and expression.

Apart from constitutional limitations, there are a number of laws on the Statute Books some of which are remnant from apartheid era that can restrict freedom of expression such as the Protection of Information Act of 1982 (which repeals

the Official Secrets Act of 1956), the Key Points Act of 1980, the 2004 Criminal Procedures Act, and the 2002 Defence Act.

The Public Service Act of 1995 (with amendments in 2012), as well as defence and security legislation, also prohibit civil servants from disclosing information without permission from the Permanent Secretary (PS) of their respective ministry. While “the rationale behind the law [Public Service Act] is national security, it can be misused for censoring the media”, a panellist remarked

Additionally, the 2009 Communication Act allows for interception and monitoring of telephone and mobile phone conversations as well as e-mail messages. Communication service providers have to keep records of conversations at their own cost.

Furthermore, in 2013 additional regulations were added to the Research, Science and Technology Act of 2004, making it unlawful to conduct research without permission by the government-appointed National Commission on Research, Science and Technology (NCRST) irrespective of whether such research is privately or government funded. The definitions of ‘research’ and a ‘research institute’ or a ‘person doing research’ are so broad that they potentially affect a wide variety of people, including doctors, academics, journalists, students or even children doing school projects. Failure to seek/gain such permissions can result in a fine of N\$20,000 (1700 USD) or five years in prison, and an indefinite ban on conducting research in Namibia.

In March 2015, the Legal Assistance Centre (LAC) – together with the Institute for Public Policy Research (IPPR) and The Namibian newspaper – launched a High Court application to have this law tested for constitutionality, arguing that it violates fundamental rights set out in the Constitution, including the right to freedom of thought, freedom of expression, academic freedom, and the right to practise a trade or profession.

Since independence there have been no cases of criminal defamation or *crimen injuria*, but rather civil defamation cases, which seem to have decreased in the past 4 years.

Legally, the ability to work as a journalist in Namibia remains unrestricted.



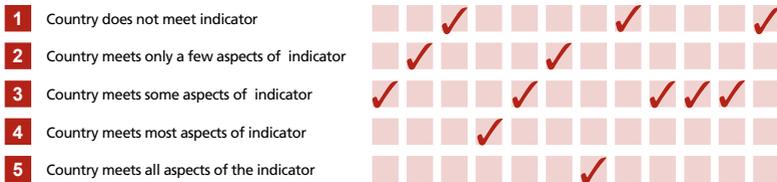
As a panellist noted, “We’ve signed and we’ve ratified many of them but we haven’t actually made provisions for implementation.”

This appears to be the case in several SADC countries, as member states such as Namibia find it difficult to align their national policies to the Protocols they have ratified.

Some panellists felt that the lack of implementation might be linked to a lack of capacity, while others felt that “our government is being selective”.

## Scores:

### Individual scores:



### Average score:

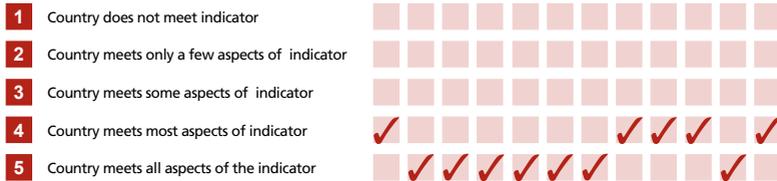
**2.5 (2005: n/a; 2007: n/a;  
2009: 2.1, 2011: 2.6)**

## 1.5 Print publications are not required to obtain permission to publish from state authorities.

There are registration procedures under the Newspaper and Imprint Registration Act of 1971. While the Act gives the Minister of Information, Communication and Technology the power to reject registration, it was confirmed that “no-one has ever been refused to register since independence”.

## Scores:

### Individual scores:



### Average score:

4.6 (2005: n/a; 2007: n/a;  
2009: 4.4, 2011: 3.8)

## 1.6 Confidential sources of information are protected by law and/or the courts.

There are no laws that protect sources of information.

While the United Nations (UN) Convention on Corruption protects whistleblowers, the Namibian Anti-Corruption Act of 2003 merely protects the identity and address of witnesses that assist the Anti-Corruption Commission (ACC).

As explained by one of the panellists, "If we had effective general whistleblower legislation it could cover sources".

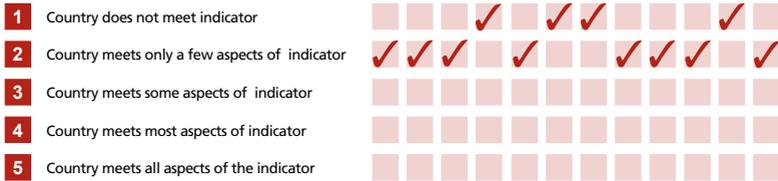
Conversely, Section 212 of the 2004 Criminal Procedures Act can be used to order a journalist to reveal his her source, as it allows a court to convict a witness for refusing to release information without providing 'just excuse'. It is not specified what would qualify as 'just excuse'.

The Diamond Act of 1999 gives power to the Minister of the line ministry to force someone to disclose confidential sources. By extension this would apply to journalists as well.

Lastly, the possibility of interception of electronic communication as established in the Communications Act of 2009 makes the protection of sources potentially very difficult.

## Scores:

### Individual scores:



### Average score:

**1.7 (2005: 2.1; 2007: 1.8;  
2009: 3.3, 2011: 2.5)**

## 1.7 Public information is easily accessible, guaranteed by law, to all citizens.

While Article 21 of the Constitution might imply access to information, there is no Access to Information law or an explicit constitutional guarantee.

In fact, there are a number of laws that hinder freedom of information - amongst them, the Public Service Act (1995) that forbids civil servants from sharing information held by public bodies without permission from ministers and permanent secretaries.

There are no legal protections for whistleblowers and, as a matter of fact, laws criminalise whistleblowing with blanket provisions for non-disclosure of 'sensitive' and 'secret' information on the grounds of 'national security' and 'public interest' - which are open to broad interpretations irrespective of the legitimacy of motives for disclosing information.

This effectively hinders citizens' access to information. The new provisions added to the Research, Science and Technology Act of 2004 further hinder access to information and freedom of expression. One panellist described the current state of affairs as one in which "(T)here is a high level of secrecy".

Article 9 of the African Charter on Human and People's Rights, to which Namibia is bound, states that:

Public bodies hold information not for themselves but as custodians of the public good and everyone has a right to access this information, subject only to clearly defined rules established by law.

Having so many legal provisions that complicate disclosing and accessing information is in direct contradiction to that premise.

While the government has generally expressed willingness to engage in the process of drafting and passing a Namibian Access to Information law, the former head of the Law Reform and Development Commission (LRDC) and current Attorney General, Sacky Shangala, has also expressed government's interest in introducing protection of information provisions, which could be in line with the controversial South African Protection of Information Bill.

In the absence of an access to information regime, it was felt that it seems that often "public officials have no sense of what is public information".

The centralisation of information and autocratic structures within government and society at large further hinder the smooth and timely release of information. "Even if you are the PS or the manager, you are still not empowered to reveal information" expressed one panellist; and the case is even less so if you are a 'low level' government employee.

There is also no determined timeframe for answering requests from the media, which can make it difficult to verify information.

Panellists noted that before elections a "heightened sense of perceived threat within the ruling party" led to higher levels of secrecy. The Delimitation Commission's Fourth Report (2013) which explains the reasons for the creation of several new constituencies and a new region, as well as the name change of Luderitz to !Nami#nus, for example, have been kept secret under the pretence of national security.

Related to this secrecy, one panellist felt it important to note that "(T)here is a fine line between inaptness and deliberate refusal".

On the other hand, some ministries have become more forthcoming with information, and the restructuring of most ministries to include Communications and Public Relations Departments could be an indication that they acknowledge the importance of sharing information.

In some instances, civil society engagement with certain government agencies has rendered positive results. After MISA Namibia engaged the Ministry of Foreign Affairs about a lack of information available through their structures, there were visible improvements on the Ministry's website, for instance.

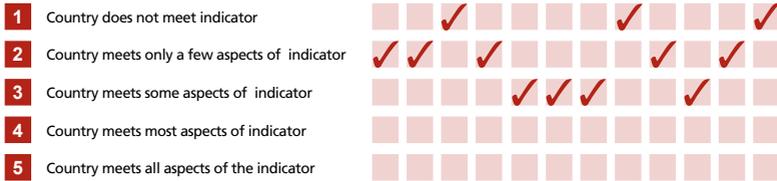
Furthermore, all observed that "some agencies are very forthcoming" such as the Motor Vehicle Agency (MVA), which has won MISA's Golden Key Award on several occasions, for being the country's most transparent institution.

It was also acknowledged that the Namibia Statistics Agency (NSA) has revolutionised access to information in Namibia as they make the results of their studies easily available.

However, the NSA's findings are interpretations of the data they collect and the interpretation could be politically motivated. It was confirmed that "They (NSA) will not give you access to the raw data". For instance, they did not provide access to the initial data which led to the conclusion that the unemployment rate in Namibia according to their Workforce Report of 2014 stands at 51%, and has risen by merely 2% since 2013.

## Scores:

### Individual scores:



Average score:

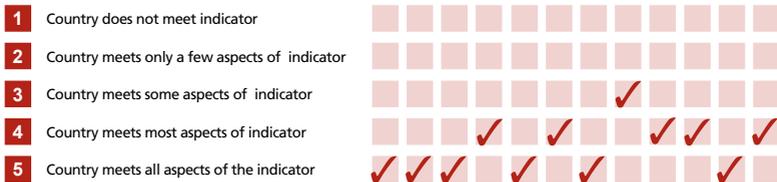
2.1 (2005: 2.4; 2007: 1.8;  
2009: 1.9; 2011: 1.8)

## 1.8 Websites, blogs and other digital platforms are not required to register with, or obtain permission, from state authorities.

Panellists noted that while "government is becoming increasingly aware of the dangers of such platforms" there are no laws or restrictions regarding the registration of websites, blogs or other digital platforms.

## Scores:

### Individual scores:



Average score:

4.4 (2005: n/a; 2007: n/a;  
2009: 4.8; 2011: 4.7)

## 1.9 The state does not seek to block or filter Internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts.

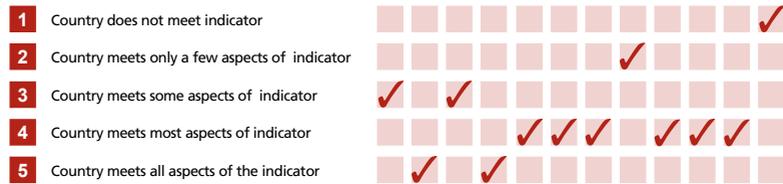
There are no laws that allow government to illegitimately block or filter internet content. The Electronic Transactions and Cyber Crime Bill of 2013 is currently being finalised to specifically address internet assisted offences.

One panellist was very worried about there not being enough oversight mechanisms in the said Bill.

Even in the absence of such a law, in 2013 in the first case of its kind, the Windhoek High Court granted a young woman, Grace Zamuee, an interim order against her former boyfriend, Klaus Weichhaus, to, amongst others, remove all defamatory material concerning her from his Facebook profile.

### Scores:

#### Individual scores:



#### Average score:

3.6 (2005: n/a; 2007: n/a;  
2009: 4.3; 2011: 4.1)

## 1.10 Civil society in general and media lobby groups actively advance the cause of media freedom.

There are slightly over 400 civil society organisations in Namibia, but apart from MISA Namibia, only the Institute for Public Policy Research (IPPR) and the Legal Assistance Center (LAC) actively and visibly advance the cause of media freedom by engaging with issues of freedom of expression and access to information.

Usually there is issue-based support by individual organisations but not enough proactively coordinated effort. Sometimes individual media houses also join advocacy efforts.



The controversial additions to the Research Act are a case in point. There were consultations and concerns were raised but the problematic provisions were not reviewed.

Furthermore, due to a lack of access to information it is not always clear when consultations are taking place, and what the topic of the consultation is. And it might be difficult to track how any comments were taken into account after public consultations. “There is an extremely selective process of who knows when what happens” one panellist explained

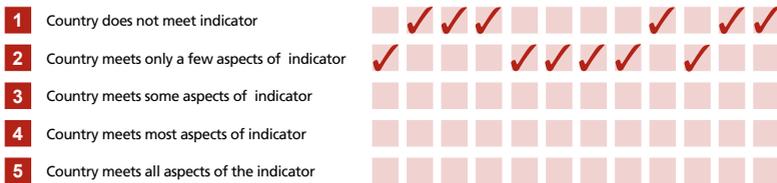
On the other hand, it is not clear who actually shows up for the formal consultations. A panellist expressed that “We need to bring up a sense of responsibility in terms of civic participation”.

It was asserted that on the government’s end, there seems to be an “absolute disregard of consultation with the [general] public”, while civil society needs to question which organisations are able to represent the media’s interests adequately.

There is also a lack of civil society organisations that have the capacity to engage interest groups and citizens at large to partake in consultations in a meaningful way.

## Scores:

### Individual scores:



**Average score:** 1.5 (2005: n/a; 2007: n/a; 2009: 1.9; 2011: 1.0)

**Average score for sector 1:** 2.8



# SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability.

## The media landscape, including new media, is characterised by diversity, independence and sustainability.

### 2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to citizens.

Namibia has a wide range of media sources available to the public; however, with great income disparities, panellists noted that “affordability is a problem”.

Access varies when comparing rural and urban areas as well as across different income groups with different levels of education. In relation to income and living standards, affording 1 daily paper every day at N\$3 (0.25 USD) a day, hence \$60 (5USD) a month, is more than the average person, with a salary of under N\$2000 a month (170 USD)<sup>3</sup>, is willing to pay.

For instance, a pensioner without any additional income has a state pension of N\$600 (51 USD) available each month<sup>4</sup> which, in most cases, needs to provide for more than 1 person.

Therefore all noted that “all media subsidise their prices with advertising” in order to be able to sell daily newspapers, for example, at the relatively low price of N\$3.

Furthermore, it is estimated that every newspaper is read by about 6 people and due to this habit of media sharing, which also affects television, radio and cell phones, a panellist asserted that “accessibility is not always determined by affordability alone”.

#### Publications:

Dailies:

There are 5 all available for N\$3 each (approximately 0.25 cents U\$). Circulation figures are estimated as *The Namibian* is the only local publication that is audited by South Africa’s Audit Bureau of Circulation:

1. The German language daily, *Allgemeine Zeitung*, with an estimated print run of about 4000 to 5000 (published by Namibia Media Holdings (NMH))
2. The Afrikaans language daily, *Die Republikein*, with a print run of about 20,000 (published by NMH)
3. *New Era*, with a print run of around 40,000 (published by government-owned New Era Publications Corporation)
4. *The Namibian*, with a print run of about 40,000 Mondays to Fridays and approximately 60,000 on Fridays (published by Free Press of Namibia Trust)

<sup>3</sup> 1 N\$= 0.08470 US\$

<sup>4</sup> On 1st April the new president Hage Geingob raised the pension to 1000 N\$ (85 USD) a month

5. *The Namibian Sun*, with a print run of about 20,000 (published by NMH)

#### Weeklies:

1. *Confidente* (about 8000 a week published by Max Media Conglomerate)
2. *Economist* (about 7000 copies per week)
3. *Erongo* (published by NMH)
4. *Informante* (65,000 copies per week according to their own estimates)
5. *Kundana* (published by New Era Publications Corporation)
6. *Namib Independent*
7. *Namib Times* (14,000 a week) (comes out twice a week)
8. *Namibia Today* (published by the SWAPO Party)
9. *Southern Times* (published by NamZim Newspapers Pty (Ltd) - a joint venture between the government-owned New Era Publications Corporation of Namibia and its Zimbabwean counterpart)
10. *The Villager* (part of the Omalaeti Media Group)
11. *Windhoek Express* (an Afrikaans weekly published by NMH)
12. *Windhoek Observer* (between 12,000 and 15,000 a week published by Paragon Media)

#### Magazines:

1. *Ewi IyaNooli* (11,000 per month as insert in *The Namibian Sun* or separately)<sup>5</sup>
2. *Insight* (3000 per months)
3. *Inspired*
4. *Municipal pillars* (10,000 every month)<sup>6</sup>
5. *Prime Focus* (part of the Omalaeti Media Group)
6. *Sister Namibia* (quarterly magazine operated as a trust and run as a not-for-profit organisation with a circulation of about 8000)

#### Online:

1. *Oshili Nashi Popiwe* <http://www.oshili24.com.na/>
2. *Lelamobile* <http://www.lelamobile.com/> (a downloadable news application developed by the Omalaeti Media Group)

## Broadcasting

### Radio:

Radio is still the most accessible medium in Namibia and, while listenership might have decreased in certain age groups, about 80% of the population still listens to the radio. NBC has almost 90% coverage in the country.

<sup>5</sup> Launched in March 2015 appearing every last Friday.

<sup>6</sup> Launched 2014 and local municipalities subscribe to it.

Radio stations nationwide:

State owned	Commercial	Community
NBC !HA	Fresh FM	Base FM
NBC Afrikaans	Hitradio Namibia	Channel 7
NBC Damara>Nama	Omulunga Radio	E-FM
NBC German	Radio 99	Karas
NBC Lozi	Radio Cosmos	Live FM
NBC National Service (English)	Radio Energy	Namcol <sup>7</sup>
NBC Oshiwambo	Radio France International (RFI)	Ohangwena
NBC Otjiherero	Radio Kudu	Omaheke
NBC Rukavango	Radio Wave	Oranjemund FM
NBC Tirelo ya Setswana	West Coast FM	UNAM Radio

### Television:

Access to television has increased in recent years and just over half of Namibia's population has access to television<sup>8</sup>. Since the switchover from analogue to digital, apart from the annual TV licence fee, the public needs to buy a set-top box to watch NBC for about N\$400 (33USD). Seniors, veterans and people with disabilities get 50% off the retail price.

TV stations nationwide:

State	Commercial	Community
NBC TV <sup>9</sup>	One Africa	Trinity Broadcasting Network
	Multichoice Namibia (subscriber based DSTV offering) <sup>10</sup>	

### Information and Communications Technology (ICT) services:

Mobile Telecommunications Limited (MTC) claims to have 2 million customers in Namibia. TN Mobile, first introduced as Cell One and then Leo, is the second largest mobile operator in Namibia, claiming to have 300,000 active subscribers. In 2012, the Communications Regulatory Authority of Namibia (CRAN) approved the takeover of Leo by state-owned Telecom to become TN mobile.

<sup>7</sup> Launched in February 2015, education campus radio station currently streaming online off campus.

<sup>8</sup> According to the household survey of Research ICT Africa in 2012 only 42% of the population had a television set at home. The panel estimated that about 70% have access to television.

<sup>9</sup> Since digital switchover NBC has 3 channels (NBC 1, NBC 2, NBC 3)

<sup>10</sup> 51% owned by the commercial arm of the ruling party SWAPO Kalahari Holdings

Mobile phone penetration has increased rapidly in recent years, while the uptake of internet enabled phones or 'smart phones' remains limited outside urban centres due to lack of access to electricity and the general disparity of distribution of wealth in Namibia. It is worthy to note, however, that the costs for mobile internet have decreased.

Especially in rural areas access to the internet remains more difficult. "I paid N\$50 (4USD) for 30 minutes of internet in Okongo," (a village in the Northern part of Namibia), recalled a panellist.

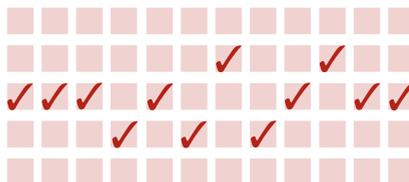
ICT services nationwide:

Service	Private	State
Mobile Telephony		MTC (Portugal Telecom owns 34%, 66% is owned by the govern- ment's Namibia Post and Telecommunications Holding Company)
		TN Mobile (100% owned by Telecom Namibia which is owned by the government)
Internet Service Provider	Africa Online	
	M-Web (partly owned by Kalahari Holdings)	
		Iway (owned by Telecom Namibia, which is, in turn, owned 100% by the state)

## Scores:

### Individual scores:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator
- 5** Country meets all aspects of the indicator



### Average score:

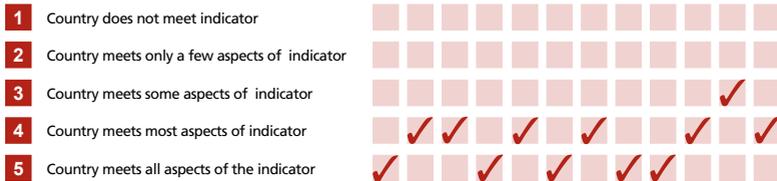
**3.1 (2005: 3.4; 2007: 3.9;  
2009: 3.0; 2011: 3.0)**

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

There are no legal restrictions on citizens’ access to domestic or international media sources.

### Scores:

#### Individual scores:



#### Average score:

**4.3 (2005: 4.6; 2007: 3.7;  
2009: 3.8; 2011: 4.9)**

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

The Namibian Press Agency (NAMPA), the daily newspaper *New Era*, and the weekly *Southern Times* are owned and operated by the government, while the Southern Times is a joint venture with the Zimbabwean government. The Minister of Information and Communication Technology appoints the boards of these entities, who, in turn, appoint the Chief Operating Officer’s (CEO) and the editors.

Accordingly the structure leaves room for editorial interference.

In the past *New Era* had been criticised several times and threatened with funding cuts by government, which complained about a degree of critical reporting. Aside from this, however, interference has taken a rather subtle form. One panellist described it by saying, “You won’t be told you cannot write this or that, but your story might just not make it into the paper”. And further that it also happens that suddenly “you have a minister, a Chinese or another state visitor in the office to visit during meetings”. These kinds of visits have been publicised in the newspaper, but their effects on the editorial independence of the paper are not documented.

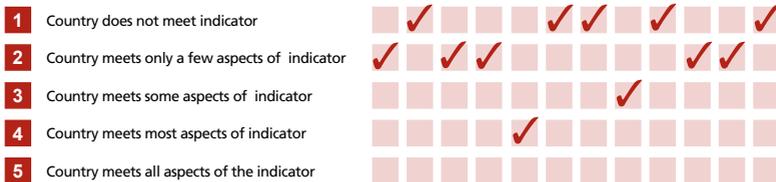
There seems to be a lot of self-censorship, especially during an election period – one panellist stated that “there are certain issues that you won’t write about”.

Some panellists noted that the quality of stories has declined dramatically in the past two years and that the new leadership at *New Era* appears to have given in to government pressure.

While it might not be an overt mouthpiece for the ruling party, the panellist asserted that “they are not really critical anymore”.

## Scores:

### Individual scores:



### Average score:

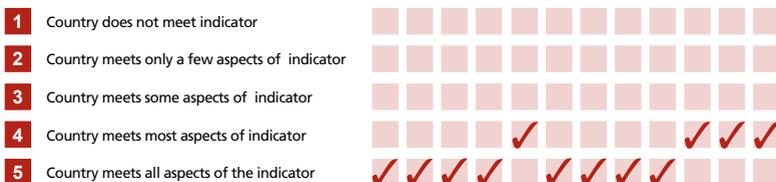
2.0 (2005: 1.8; 2007: 2.7;  
2009: 2.3; 2011: 2.6)

## 2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced.

While information regarding the ownership of media houses might not be disclosed proactively, panellists agreed that “everyone can find out”. You can legally verify and check the company registry and investigate who owns what, as well as the shareholding structures of companies.

## Scores:

### Individual scores:



### Average score:

4.7 (2005: n/a; 2007: n/a;  
2009: n/a; 2011: n/a)

## 2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

The Communications Act (2009) makes provision for anti-competitive practices in Chapter IV, and deals with cross media ownership in the issuing of broadcasting licenses under Section 85 (8):

When considering an application for the issue of a broadcasting license, the Authority must have regard to ... (c) the desirability or otherwise of allowing any person or associated persons to have control of or a substantial interest in – (i) more than one broadcasting or transmission service; (ii) more than one radio station and one television station [or] a combination of television and radio channels and registered newspapers with a common circulation in Namibia.

In practice however, concentration of ownership exists.

Namibia Media Holdings (NMH) formerly known as Democratic Media Holdings (DMH) owns printing facilities (Newsprint Namibia), 3 daily newspapers (*The Allgemeine Zeitung*, *Republikein*, *The Namibian Sun*), and some weeklies and monthlies (*Erongo*, *Windhoek Express*, *Ewi IyaNooli*). They sold their shares in the radio station 99 FM in 2012. In the same year Namibian company Stimulus Investments acquired a 50% share in DMH. DMH changed its name to NMH in 2014.

Now First Lady Monica Geingos (then Monica Kalondo) is a shareholder and the Managing Director of Stimulus, and at the time, became Chairperson of the Board of NMH. She stepped down as Board Chairperson shortly before marrying then Prime Minister (now President) Hage Geingob.

“There is a monopoly from the printing side,” said one panellist, as NMH owns Newsprint Namibia and can therefore prioritise the printing of their own publications.

That has an effect on how late or early other papers have to hand in their paper for printing, which becomes a problem when there is urgent breaking news. Furthermore, one panellist remarked, “the printing mafia can dictate the price”.

The Namibia Media Trust, which owns the Free Press of Namibia, which in turn owns *The Namibian* newspaper, recently set up its own printing press – WordPress – with one other shareholder – local businessman Wolfram Jauss. WordPress currently prints *The Namibian* and *Confidante* newspapers.

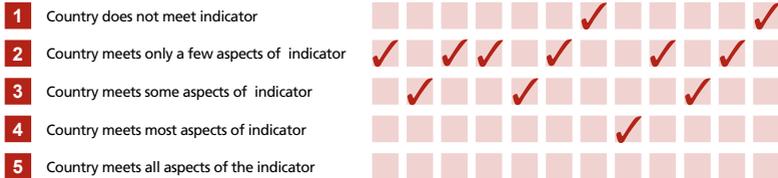






## Scores:

### Individual scores:



### Average score:

2.3 (2005: n/a; 2007: n/a;  
2009: n/a; 2011: 2.5)

## 2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives and conduct investigative stories.

The media cover a broad spectrum of different events and topics, but they are not covering a broad spectrum of perspectives.

"We are missing the boat on a lot of angles," commented one panellist.

*...there is "no effort to go to the man on the street, to link the issues to the people..."*

There are days on which all papers carry more or less the same headlines, with the same angles, on stories, and they usually end up, as a panellist stated, "missing the perspectives from below".

All papers will, for instance, cover the discussion about minimum salaries for domestic workers, but no paper will speak to a domestic worker and investigate how they live on their salary.

Journalists tend to write from press statements instead of investigating alternative angles on an issue. "We tend to run to the same speakers", noted the panel.

Lastly, there seems to be a (mis)understanding that investigative journalism is only about (high level) corruption. It was agreed that there is "no effort to go to the man on the street, to link the issues to the people".



## **2.11 The country has a coherent ICT policy and/or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.**

Panellists observed that, “yes we do have an ICT policy and it sounds very nice” (on paper).

The ICT policy of 2009 is an all-encompassing policy that considers the role of different stakeholders and the importance of ICTs for the development of the country.

Despite this, the government appears not to have yet incorporated ICTs in their structures in a comprehensive way. “When government has a statement, they are going to fax it to you” asserted one panellist. And while at some point the reasoning might have been that a fax - as opposed to an electronic document - is the only form of communication that is considered legal besides a hard copy, that should not apply anymore.

Another indication of the limited level of use of ICTs would be government's websites. While there have been some improvements, there is no coherent use of ICTs, including the updating of websites as a vehicle for communication with the outside world and their constituents.

There have been some improvements and positive developments such as vaccination SMSes, updates on taxes via SMS and the restructuring with an emphasis on public relations (PR) and communication departments, which could improve the situation in ministries.

It also has to be noted that the Ministry of Information, Communication and Technology (MICT) “did a good job” in managing the digital switchover from planning to implementation, beating the International Telecommunication Unit's (ITU's) deadline. It is too early to assess, however, how the switchover has affected accessibility to the national broadcaster.



## 2.13 The advertising market is large enough to support a diversity of media outlets.

While it would never be said openly, panellists asserted that “there is a racial patronage network at work”. Hence it is quite clear which advertising will go to which media house dependent on who owns and runs it. The Polytechnic and the University of Namibia spend about 3 million each a year in advertising in *The Namibian*, while the motoring companies spend a similar amount for advertising in *Die Republikein* for example.

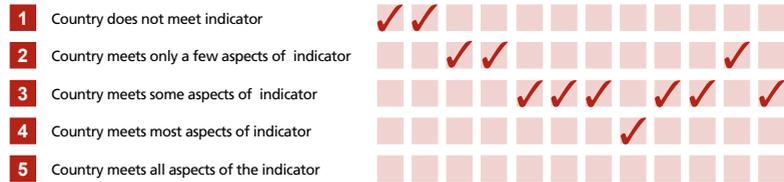
Generally, however, the advertising market is not big enough and it is difficult especially for new or small outlets to cut in.

Media houses go to great lengths to get advertising and all agreed that “power and agency lies with the private sector”. As is the case with parastatals, private companies can pull advertising if the media outlet starts running critical stories. This could potentially influence editorial content, considering that the advertising market is not big enough.

At some point, for example, Standard Bank pulled advertising from the *Confidante* after the paper published a story that the Bank considered unbalanced; and First National Bank (FNB Namibia) pulled advertising from *Informante* after it ran a critical front page story about the Bank.

### Scores:

#### Individual scores:



#### Average score:

**2.5 (2005: 2.4; 2007: 2.9; 2009: 3.0; 2011: .0)**

#### Average score for sector 2:

**2.9**



# SECTOR 3:

**Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.**



## Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster.

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

The Communications Act of 2009 considers the three-tier system under the licensing Section 84 (2):

When different categories of broadcasting licences are determined, the following distinguishing characteristics of the services must be taken into account [...]

(d) Whether the services concerned are community, commercial or public broadcasting services.

In Section 85, 8(h), the Act also explicitly points to the need to give priority to community broadcasters in terms of licensing. However, the effectiveness of the legislation was questioned.

What is more, the Namibian Broadcasting Corporation (NBC) as the national broadcaster, does not yet fall under Communications Regulatory Authority of Namibia (CRAN).

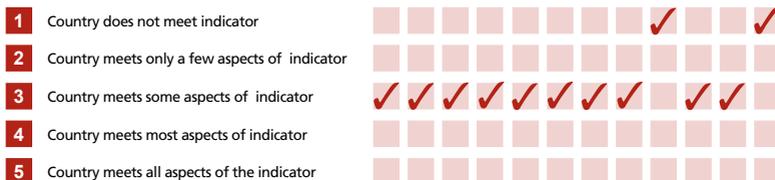
According to Section 93:

- (1) Until a date determined by the Minister by notice in the Gazette, this Chapter does not apply to the Namibian Broadcasting Corporation established by Section 2 of the Namibian Broadcasting Act, 1991 (Act No. 9 of 1991), or in respect of the broadcasting activities carried on by that Corporation.

Section 89 of the Communication Act also provides for the possibility of CRAN introducing a broadcasting code with enough leeway of turning into statutory regulation and limiting freedom of expression "even if the African Declaration on Freedom of Expression proclaims that self-regulation is the best form of regulation", noted one panellist.

## Scores:

### Individual scores:



### Average score:

2.7 (2005: 1.8; 2007: 2.7;  
2009: 2.9; 2011: 3.6)

## 3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference and whose board is not dominated by any particular political party and is appointed – in an open way – involving civil society and not dominated by any particular political party.

Ideally, the independence of the CRAN Board would already be guaranteed through its setup and structure.

The Communication Act of 2009 makes provision for the Board to have different members representing different interests.

In Section 106 (1) it is stated that CRAN is managed and controlled by a Board of Directors consisting of five directors of whom:

- (a) three are nominated by an organisation that in the opinion of the Minister is representative of the information technology and telecommunications industry in Namibia;
- (b) one is a Staff member whose duties relate to information technology in the government;
- (c) one represents the Namibian public.

The Minister of Information and Communication Technology appoints all the Board Members and designates a chairperson of the Board, hence leaving room for interference.

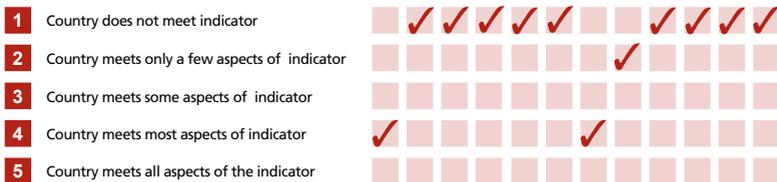
Mr. Lazarus Jacobs, the Chairperson of the Board, has an economic interest in the media as the Co-founder and Executive Director of Paragon Investment, which, under Paragon Media, owns advertising agency TBWA/Paragon, and the *Windhoek Observer* newspaper.

Some panellists recalled an incident in which Lazarus Jacobs, on a Monday, backtracked from a statement he had made on the preceding Thursday so that it would not contradict the Minister, who had made a statement on the same topic on the preceding Friday.

On the other hand, a few panel members felt that despite its setup “CRAN has come a long way” and the Board seems to have acted independently during the time under review.

## Scores:

### Individual scores:



### Average score:

1.6 (2005: n/a; 2007: n/a;  
2009: 1.2; 2011: 1.4)

## 3.3 The body, which regulates broadcasting services and licences, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large.

*“...there are forces other than public interest that might influence licensing.”*

From the CEO downwards, the regulator “runs a professional operation”, was the general view.

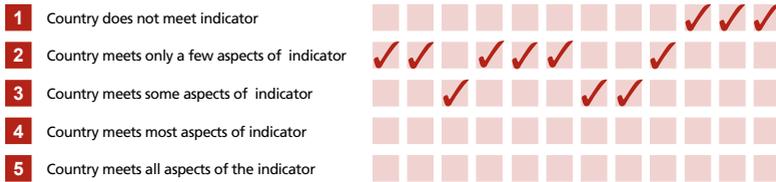
There are complaints procedures in place and CRAN also advertises public hearings. Unfortunately, the language of the adverts is usually very technical and the outcomes of such hearings are not made readily available.

The Polytechnic of Namibia has repeatedly been refused a licence for its campus radio for lack of spectrum.

While there were no other cases known in which licences were refused for illegitimate reasons many panellists felt that “there are forces other than public interest that might influence licensing”.

## Scores:

### Individual scores:



### Average score:

2.0 (2005: 2.0; 2007: 1.8;  
2009: 1.8; 2011: 2.8)

## 3.4 The state/public broadcaster is accountable to the public through an independent board which is representative of society at large and selected in an independent, open and transparent manner.

The Board of the Namibia Broadcasting Corporation (NBC) consists of between 6 and 11 persons, all appointed directly by the Minister of Information and Communication Technology at his or her own discretion in line with the Namibian Broadcasting Act of 1991 (Sections 5 and 6).

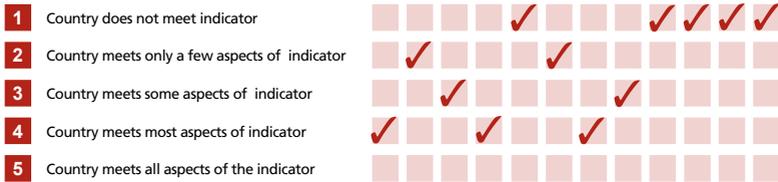
While the Board appoints the Director General, it has to seek approval from government (Cabinet). Hence the process of designating Board Members is vulnerable to manipulation.

Furthermore, according to the NBC's own website, the broadcaster states that it is accountable firstly to their line ministry and secondly only to Parliament- hence by extension to the public.

Panellists noted, however, that since public complaints were also among the reasons that several Director Generals have been removed from the broadcaster in the past few years, "just because the Minister appoints the Board, this does not necessarily discredit the independence of the Board".

## Scores:

### Individual scores:



### Average score:

2.3 (2005: 1.9; 2007: 1.6;  
2009: 1.2; 2011: 2.5)

## 3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes.

While the NBC has an editorial policy and a programme policy developed in the 1990s, there is no legislation guaranteeing editorial independence.

It was revealed that “there used to be an editorship with a straight line to the Minister” and there were certain people at the political desk of the NBC that other journalists feared for ‘snitching’.

Hence, if a journalist was perceived as being too critical in their coverage, a panellist went on to say “the next day you cannot go to State House or are off the plane of the President”.

There have, however, been significant positive changes in recent years.

The NBC has started covering more opposition party events during election periods, for instance, or events such as the launch of a book that was critical of former President Hifikepunye Pohamba.

Nonetheless, most panellists felt that the NBC still tried to keep the peace with the powers-that-be by omitting reports about contentious topics. This can also influence the contextualisation of certain issues. The news might, for example, report on the SWAPO Party’s agenda on the one hand, and show the opposition party bickering and complaining on the other hand, thereby discrediting the credibility of the opposition.

Critical current affairs programmes such as ‘The Week that Was’ and ‘Open File’ were taken off the air leading up to the most recent elections.



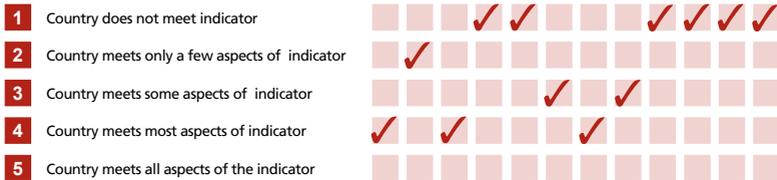
the government. Some panellists pointed out, however, that these exclamations - which are usually made in the process of budget discussions - might rather be motivated by populist self-promotion than by serious intentions to interfere.

The current Director General has made significant improvements in the funding and running of the NBC towards financial sustainability.

With regards to the current Director General of the NBC – Albertus Aochamub, one panellist noted that “He has a much better standing [than previous DGs] and is able to explain and defend budgets”. For instance, he made it clear to the Parliamentary Committee on Public Funding that the government cannot expect the NBC to cover all government events – including expensive outside broadcasts – if they are not willing to fund these accordingly.

## Scores:

### Individual scores:



### Average score:

**2.1 (2005: n/a; 2007: n/a; 2009: 2.2; 2011: 1.8)**

## 3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes.

While the NBC has made vast improvements with respect to financial sustainability, it has not yet managed to mirror these improvements with sustainable high quality content. “Now we have 3 channels with no content” since the digital switchover, commented one panellist.

There have, however, been several noticeable improvements in terms of the content, look and feel of NBC programmes in recent years.

Local music programmes have improved and diversified and there are different programme formats such as live shows like ‘Free Your Mind’, talk shows, and magazine programmes such as ‘Business One on One’, ‘Business Today’ or ‘The Week that Was’ (when it was still on air). The NBC also ran ‘Elections Talk’ during

the 2014 national and Parliamentary elections and started to live stream some programmes online.

The production of local content requires a lot of capacity and that should be part of NBC’s budgeting. The only local soap opera - ‘The Ties That Bind’ - for which one film producer was awarded N\$4 million in 2011, was never completed though the funds were used up. This seems to have discouraged any other such initiatives since.

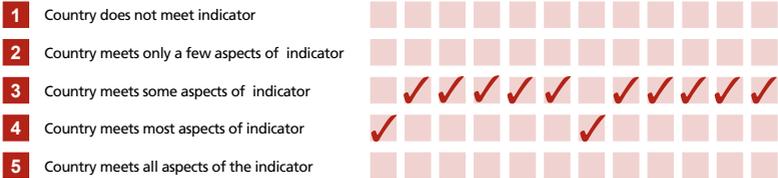
While the NBC seems to acknowledge the need for more local content, it is not quite clear what is concretely being done to encourage more interaction with the film cultural industry as a whole.

There are, however, some indications that efforts are being made to enhance local content or engage local filmmakers, such as calls for local content.

In conclusion, all agreed that “yes there is a lot to be done but it is improving”.

### Scores:

#### Individual scores:



#### Average score:

3.2 (2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a)

#### Average score for sector 3:

2.2



# SECTOR 4:

The media practise high levels of professional standards.

## The media practise high levels of professional standards.

### 4.1 The standard of reporting follows the basic principles of accuracy and fairness.

Generally, media seem to do a good job regarding accuracy and fairness but many journalists seem not to verify their facts. It was noted that “there are a lot of one-source stories”.

Conversely, many journalists engage in what panellists called “false equivalents” and “fake balance”.

In a report about an alleged corruption case, for example, journalists try to be balanced and give the factual presentation in the same space as the person trying to defend him or herself by refuting the facts based on hearsay or opinion. They also sometimes fail to put facts in proper context and panellists felt that “They [journalists] are confusing the audience”.

Overall, there are great differences in standards of reporting across the different media platforms and outlets.

#### Radio

The standard of reporting in community broadcasting – which often relies on volunteers – is especially low. “Those kids don’t know how to pick up on or contextualise issues”, was one comment. The quality of reporting of commercial radio stations is hard to assess as the presenters seem to have little freedom to pick up on important topics. NBC radio stations, especially the national English service, have high standards of reporting. Panellists observed that these journalists “know what they talking about and can direct conversation”.

#### TV

On One Africa Television, the standards are sometimes questionable. It seems that their presenters or interviewers stick to scripts rather than listening to the conversations, and might not be able to pick up on what has been said. The standard of reporting at NBC is much better in that regard. However, the NBC sometimes seems to support a certain agenda. For example, in news and weather reports, NBC keeps referring to Luderitz as !Nami#nus, which is legally inaccurate. The name change of the town is a disputed issue and a side has clearly been taken by NBC.

#### Print

Overall, in print media there is a basic standard of reporting, but a lack of critical thinking. Journalists seem to write a lot from press releases. “It’s like reactionary journalism” was one person’s comment.



between CRAN and the Editors Forum on how to better incorporate the broadcasting sector under the Code of Ethics.

Thus far, most broadcasters subscribe to the Media Ombudsman and the EFN's Code of Ethics, and even if a media house would refuse to publish or broadcast a correction, there is provision for other media houses to publish it or report about it, thereby applying the 'name and shame' principle.

Broadcasters, including the NBC, have complied with rulings of the Media Ombudsman in the past. There was, for instance, a radio broadcast about a criminal case in Otjiwarongo in which the accused government Official from the Ministry of Education was warned to return to court, but the radio station reported that he was released on bail. The aggrieved sent a complaint to the Media Ombudsman, who informed the radio station. That same evening they broadcast an apology and a correction.

The Media Ombudsman cannot order monetary compensation, but can only exact retractions and apologies by the relevant media house. Monetary compensation for complainants have been discussed, but the amendments were not formally adopted. If people go to the Media Ombudsman, they waive their right to go to court. Some panellists wondered "what's the use of a Media Ombudsman if one can sue?"

However, court cases are usually a costly and lengthy exercise, and it was noted that "most people want to clear their names quickly and they want things to be put straight". The panellist went on furthermore to say, "most private and public media houses subscribe to the system".

Some journalists pointed to the need for raising more awareness about ethical standards of reporting, especially for new journalists. "A lot of times, editors don't really spell it out for you when you start with a certain media house", explained one member of the panel.

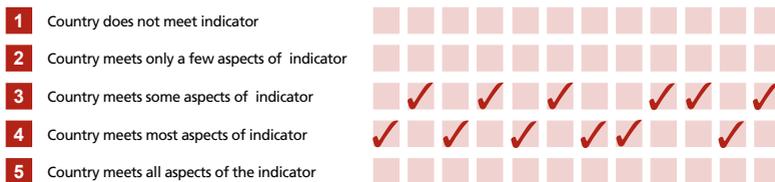
There might also be a need for more public awareness raising about the Office and work of the Media Ombudsman. MISA organised a roadshow for that purpose in 2014, during which the Ombudsman travelled to Ondangwa, Oshakati, Keetmanshop and Swakopmund.

In most newspapers, there is a small advert about the Media Ombudsman. One year ago, a TV spot was aired on One Africa and a radio spot was aired on some of stations.

Mr. Clement Daniels, the current and first Media Ombudsman in Namibia since the establishment of the system in 2010 – has indicated his intention to step down this year.

## Scores:

### Individual scores:



### Average score:

3.5 (2005: 2.3; 2007: 2.0;  
2009: 1.9; 2011: 3.4)

## 4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners are adequate.

There are no minimum salaries or minimum standards by which media houses have to abide; as such, it was explained that “everyone goes in and negotiates for themselves”.

Generally, working conditions in public media institutions are far better than those in private media houses, partly because in public institutions employees are in a better position to negotiate through their union - the Namibian Public Worker’s Union (NAPWU). About two years ago, NBC staffers went on strike for a month in a call for improvements in their working conditions.

*“...everyone goes in and negotiates for themselves.”*

As a full time employee at NBC, a junior reporter can expect about N\$12,500 (1,060 USD) per month, and a senior reporter about N\$25,000 (2,100 USD) per month. Furthermore, they get yearly salary increments and inflation adjustments, as well as a housing allowance, pension and medical aid. While they might be required to work overtime and on weekends, they are compensated accordingly.

“People get very comfortable at the NBC but there is a lack of growth”, noted one panellist.

The Namibia Press Agency (NAMPA) was noted as the “best paying” media institution.

In private media institutions, while salaries range from one media house to another, in general, entry-level journalists may expect to earn between N\$3,000

(254 USD) and N\$5,000 (424 USD)<sup>13</sup> per month. Generally, senior reporters earn around N\$18,000, while editors earn between N\$27,000 (2,287 USD) to N\$30,000 (2,541 USD) per month. Namibia Media Holdings pays its employees according to the Patterson Scale.

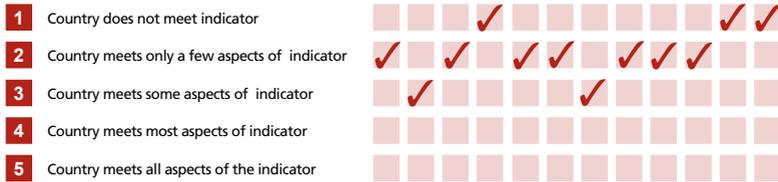
The Namibian newspaper makes a 100% contribution towards the medical aid of its employees.

In general, many journalists work on a freelance basis, hence not qualifying for benefits or social security covered by the employer. When a Deputy Editor at the Villager newspaper returned from maternity leave, for instance, her job was gone. In the words of one panellist, "It's dog eat dog".

Journalists often end up moving to the PR sector instead.

## Scores:

### Individual scores:



### Average score:

1.9 (2005: n/a; 2007: n/a;  
2009: 3.0; 2011: 2.5)

## 4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests.

Public sector journalists fall under the Namibian Public Worker's Union (NAPWU). Independent journalists would probably not want to join NAPWU even if they could, so as not to compromise their impartiality. NAPWU is an affiliate of the National Union of Namibian Workers (NUNW), which has association with the ruling party.

Aside from this, there are no journalist associations or unions, and journalists are very vulnerable in that regard. "If they have issues, where could they go with their issues?" was the question posed by a member of the panel.

<sup>13</sup> 1 N\$= 0.08470 US\$



Some corporate and government practices also compromise the impartiality of journalists.

Being given a ride by officials, travelling in the Presidential jet, getting free cellphones, being taken for quad-biking outings, or parties being specifically organised for the media by certain companies can clearly compromise how critically a journalist writes about said company or official. The panel questioned, "if journalists go on joyrides, are they going to be objective at the end of the day?"

There seems to be a "trend of pampering journalist by corporates", commented one member of the panel.

*"...if journalists go on joyrides, are they going to be objective at the end of the day?"*

Company branding is another issue, whereby it seems that some journalists are not even aware that from head to toe, they are wearing free branded clothing when they go for an interview or cover an event. It was revealed that this situation "...got real bad at The Namibian and it was taken up".

Furthermore, embassies that are from countries in which they are accustomed to paying for stories often bring such practices with them and "hand out brown envelopes at their events" even if this is uncommon in Namibia.

Generally, the corruption in the media reflects corruption in society. So while it might not be overt, it was agreed that they had all heard about people engaging in corrupt practices. Sometimes it is simply the way a story is written or the fact that a rather promotional story is written, which creates suspicion-whether unfounded or not. A panellist noted concern about trends where a certain personality would receive several days of continuous negative coverage from a media outlet, and wondered where "someone is being paid" in such instances.

Another journalist recalls an interviewee being surprised that the journalist did not want to get paid for taking his picture claiming, "but we paid N\$200 to a junior reporter from [XYZ] Newspaper to take a photo".

One panellist saw the entire existence of a state-owned media sector as a corruption of the profession, saying "Journalists are not supposed to work for government". As the watchdogs of society, the panellist continued, "it corrupts their standards".

Another contentious issue is chequebook journalism, whereby some of the tabloids such as *Confidante* sometimes pay for stories. All agreed that such a practice "undermines the credibility of the story".



## 4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

There are a few tertiary institutions that offer courses in the field of media.

The University of Namibia (UNAM) offers a general Bachelor Degree in Media Studies, in which students have to specialise in Public Relations, Electronic Media or Print Media. UNAM further offers a general Masters of Arts Degree based on research.

*“...we are producing technically skilled people who are intellectually hollow.”*

The Polytechnic of Namibia offers a Bachelor of Journalism and Media Technology, whereby students can specialise in Broadcast and Print Journalism, Public Relations or Multimedia. The Polytechnic also offers an Honours Degree in Journalism and Communication Technology, for which a mini-thesis is a main requirement for graduation.

The media school at the College of the Arts offers a Diploma in Television Production, Sound Production, Radio Production and New Media.

These courses (maybe apart from that offered at Polytechnic) do not specifically train journalists, and after graduation in the first journalistic job, panellists asserted that, “you are fairly on your own”.

Members of the panel expressed that, the one hand, “we are struggling with the command of language” and on the other hand “knowledge of contextualising what you are writing is missing”.

The English language and lack of writing skills are a serious issue, and create a serious need for more practical on-the-job training and mentorship opportunities.

On the other hand, it should also be encouraged that students with specialisations in other fields enter the profession - such as from political science, economics, history, or with a science background. Rather than focus on journalism alone, training should be more interdisciplinary to encourage students to develop interests and knowledge in certain fields. Otherwise, as was expressed, “we are producing technically skilled people who are intellectually hollow”.

Media houses often complain about the quality of graduates but there is no systematic approach in addressing the gap between the theories learned and the skills required in practice. Considering that most media houses face the same issues, one panellist proposed, “we in the media sector were supposed to set up our own training all subsidising it, but things drag on for years”.



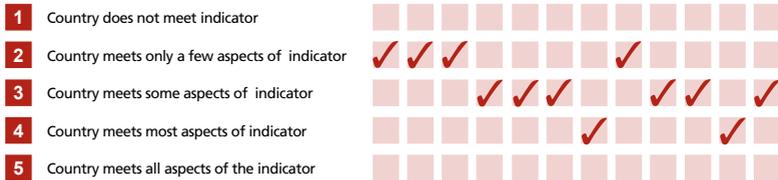
move up. At the same time, a panellist noted, “we [women] are allegedly being wheelbarrowed into positions”, even if often the producers and “the ones that do the dirty work are women”. Hence there are a lot of men in management positions. Women deal with the stereotype of rather having been promoted based on the fact that they are female rather than merit even if very often they are the once who are doing conceptual and management work such as producing.

Structures in the newsroom generally reflect the structure of society. Needless to say therefore, as in the words of a member of the panel, “you don’t find minorities represented at high levels or positions of importance”.

At a broader level, it has to be questioned whether the current training and lack of ‘upskilling programmes’ – be it at institutions or within the media sector – will be able to redress these imbalances and meet the requirements of the industry. For instance, one panellist asked, “How can we ensure that at least in 10 years we can have 1 San writer? There is not one (in Namibian newsrooms).”

## Scores:

### Individual scores:



### Average score:

**2.8 (2005: n/a; 2007: n/a; 2009: n/a; 2011: 2.4)**

### Average score for sector 4:

**2.7**

# The way forward

## 1. What were the developments in the media environment the last 3-4 years since the last AMB panel discussion?

### Contentious Areas

- Lack of protection of confidential sources and whistleblowers (access to information)
- Lack of meaningful consultations in the passing and drafting of relevant legislation
- Lack of diversity of voices
- Competition regulation is not adequate
- The current make-up of the CRAN Board
- Editorial independence of the public broadcaster
- Salary levels and working conditions in the media
- No representation structures for journalists (unions or professional associations)

### General positive developments

- Increased usage of social media
- The establishment of CRAN
- Media convergence
  - Link of social media to election or use of social media as a platform for citizen engagement
  - SMS pages in English and vernacular language
- More youngsters on TV
- Peaceful elections
- Acquisition of DMH by Stimulus (local ownership)
  - Opening of another Namibian printing press called Wordpress challenges NMH monopoly
- Better internet on the horizon: government's commitment to the West Africa Cable System, WACS system
- Improvements at NBC
  - Stability in the leadership at NBC
  - Digital migration was managed well
  - More channels on NBC
  - Improved governance at NBC
  - Better equitable coverage of elections on NBC
- Equal free airtime on elections

### Negative developments

- Restrictive additions to the Research Act
- Media and debates are based in Windhoek (lack of diversity of voices)
  - Braille newspaper could not be sustained
- Lack of diversity of ownership
  - Concentration of power in the hands of a few
- Any nation should come up with a universal service fund – e.g. Telecom to NBC/networks should put money into the fund - to roll out network/internet in rural Namibia (?? This point is not so clear)
  - This is an ITU requirement, but CRAN has been silent on it (?? This point is not so clear)
- Bad working conditions for journalists in the private media
  - Few media houses have contracts and benefits for journalists
- Lack of policies: Human Resources (HR), salaries, equal opportunities etc.
- Broadcasting regulations
  - NBC still not being under CRAN
  - Selection of Board Members of CRAN is not public or transparent enough

## 2. What kinds of activities are needed over the next 3-4 years?

### Need for national stakeholder consultation meetings with the following stakeholders:

#### JOURNALISTS

- There is a need for studies to be done on salary scales and working conditions (Possible partners: Labour Resource and Research Institute (LARRI), MISA, Friedrich Ebert Stiftung (FES))
- Need for a formal structure representing journalists
  - Possibly a union or press club (as an intermediary step)
  - Contact the International Federation of Journalists in this regard
- Need for systematic approach to training
  - Coordination between media houses, journalists and training institutions
  - Mentorship programmes by veteran journalists
  - In-house training/continuous professional development
- Media Awards should encourage good reporting standards and more diversity

#### GOVERNMENT

- Access to information
  - Work on a law
  - Work on practices that promote access to information
  - Work on (infra)structure for easier access to information and sharing of information

- Electronic Communications and Cybercrime Bill needs to be checked
- Update the Audit Report about media regulation and laws in Namibia
- Access to information

#### MEDIA HOUSES (PUBLIC/PRIVATE)

- Lobby for access to information
- Engage with the Electronic Communications and Cybercrime Bill
- Invest in 'up-skilling' programmes and leadership development (conscious of equal opportunity policies and programmes)
- Improve working conditions
- Need to strengthen the legitimacy of self-regulatory mechanisms
- Need to engage with the topic of ethics surrounding new media/ Facebook etc.
  - Setting up basic ethical standards and publishing these
- Need for a Decentralisation of structures

#### DEVELOPMENT PARTNERS

- Civil society
  - Move forward the media legislation audit report
- Development organisations
  - Should work with existing organisations on identified issues

#### CITIZENS

- Media literacy
- Diversity
  - Need for engaging citizens to ensure greater diversity in content
  - Enhance educational efforts to increase the awareness of the public on the importance of civic participation

*The panel discussion took place from the 27th to the 29th of March 2015, at Okapuka, Namibia.*

## **Panellists:**

### **Media:**

1. Bertha Amakali - Media Expert
2. Confidence Musariri - Editor
3. Frederico Links - Journalist
4. Jade McClune - Journalist
5. Margareth Nunuhe - Journalist
6. Nashilongo Gervasius-Nakale - Journalist

### **Civil Society:**

7. Clement Daniels - Legal Practitioner
8. Linda Baumann - Activist
9. Lizaan van Wyk - Activist
10. Loide Amkongo - Activist
11. Michael Uusiku Akuupa - Researcher
12. Patrick Sam - Activist/Broadcaster

### **Rapporteur:**

Sophie Mukenge Kabongo

### **Moderator:**

Nangula Shejavali

**Friedrich-Ebert-Stiftung (FES)**

fesmedia Africa  
Windhoek  
Namibia  
Tel: +264 61 417500  
Fax: +264 61 237441  
E-mail: info@fesmedia.org  
www.fesmedia-africa.org

**MISA Namibia &  
MISA Regional Secretariat**

21 Johann Albrecht Street  
Private Bag 13386  
Windhoek, Namibia  
Tel: +26461232975  
Fax+264 61 248016  
www.misa.org

