

AFRICAN MEDIA BAROMETER

A home-grown analysis of the
media landscape in Africa

NAMIBIA 2018



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The African Media Barometer (AMB) is a perception index. The findings, interpretations and conclusions reported are those of panelists drawn from civil society and media organisations for the purposes of conducting the AMB, and do not necessarily reflect the views and opinions of *fesmedia* Africa, the Friedrich-Ebert-Stiftung or the Media Institute of Southern Africa (MISA).



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The African Media Barometer

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 such as 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 AMB 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 FES in sub-Saharan Africa and into the advocacy efforts of other local media organisations such as MISA.

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:

- 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

In 2009 and again in 2013 some indicators were replaced to align with changes in the media landscape. Consequently, in some instances, the comparison of indicators of previous reports is not applicable (n/a), as the indicator is new or has been amended considerably.

The sum of all individual indicator scores is 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.

Outcome

The final, qualitative report summarises the general content of the discussion and provides the average score for each indicator. Panellists are not quoted by name in the report, in order to protect them from possible repercussions. The reports can be used as a tool for possible political discussion on media reform.

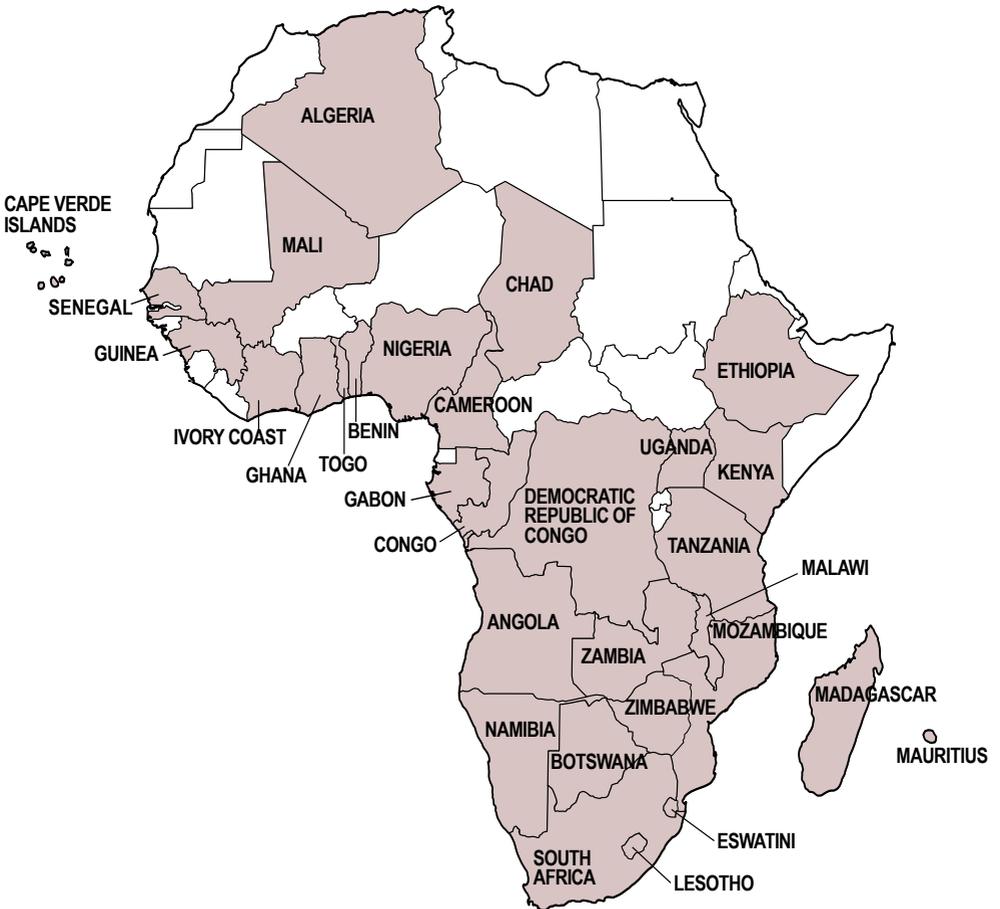
In countries where English is not the official language, the report is published in a bilingual edition.

In facilitating the AMB, the FES and 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.

By the end of 2018 the AMB had been successfully completed 116 times in 31 African countries, in some of them for the fifth time already.

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See above 31 AMB Countries (2005-2018)

African Media Barometer Namibia 2018

Summary

Freedom of expression for all citizens and freedom of the media is specifically guaranteed in Section 21 (l) (a) of Chapter 3 of the Namibian Constitution. Freedom of expression is also protected under laws such as the Communications Act of 2009 and the Protection of Information Act of 1982.

Namibia has ratified a number of international and regional agreements which strongly advocate for freedom of expression and freedom of the media such as the Southern African Development Community (SADC) Protocol on Culture, Information and Sport; the Windhoek Declaration and the African Charter on Human and Peoples' Rights. However, the country has not fully ensured that local laws match the letter and spirit of these protocols.

Within the constitution, there are restrictions based on terms such as 'morality' and 'decency' that are inherently undefined and can be subject to interpretation. There are also some laws that contain clauses which could have restrictive effects on freedom of expression, such as the Protection of Information Act of 1982. This act seeks to prevent information in the public domain, which is considered secret by the state, from becoming public knowledge.

Namibia does not have an Access to Information Act, but a draft bill has been produced by civil society and is being discussed with the Ministry of Information and Communication Technology.

In general, citizens exercise their right to freedom of expression without fear. However, self-restriction is often exercised due to traditional and cultural practices, and also by government employees who seem reluctant to speak freely unless guaranteed anonymity.

There are no laws in Namibia that force journalists to disclose their sources. There is only one known case of a journalist being detained for this reason. In the 1990s, Hannes Smith, a newspaper editor, claimed that he knew who had assassinated Anton Lubowski. He would not submit to the request to give any names, after which he was arrested and detained for a few days.

General protection is offered to those who give evidence to the authorities through the Witness Protection Act of 2017 and the Whistleblower Protection Act of 2017.

There is a range of information sources in Namibia including five daily newspapers, at least seven weeklies, about 30 radio stations, a state television broadcaster and several private stations. However, content does not seem to be well balanced – it was felt that the focus is largely Christian, and dominated by politics and economics. Newspapers owned by the state are viewed as not being

free of political interference. There are several languages in which the media do not publish or broadcast. There is no real gender balance in the media – men tend to be favoured for covering important topics.

Access to the internet is widespread in urban areas and, according to panellists, there is almost total territorial coverage of mobile telecommunications. There are no laws which restrict access to international media, internet content is not filtered or blocked by the state and there are no known instances where the ability to report online has been hampered. Websites and blogs are not required to register with state authorities.

The Namibian Broadcasting Corporation (NBC) is the public broadcaster of Namibia. The board is appointed by the Minister of ICT and most members have close links with the ruling party. There are no provisions in the NBC's Act that guarantee its editorial independence. Panellists were divided on whether NBC has diverse quality programming formats that cater to public interest. NBC collects TV licence fees, has a subsidy from the government and receives income from advertising. Nevertheless, it does not seem to have enough money to run its operations properly, leading some to believe that the funds are poorly managed.

A number of laws seek to promote competition in the Namibian economy in general. The Communications Act of 2009 empowers the national regulator – the Communications Regulatory Authority of Namibia (CRAN) – to prevent any anti-competition practices. However, despite this legislation, media concentration does exist. All six members of the CRAN regulatory body are appointed by the Minister of ICT, and many of them have close links with the ruling political party. Nevertheless, CRAN is seen as being balanced, fair and professional. Its decisions do not seem to be influenced by political authorities and the licensing is diverse.

In the fiscal year 2017/2018, the advertising market amounted to 7.1 million USD. Government is the biggest advertiser in the country and has used this power to punish the media that are too negative towards its policies. In 2001, The Namibian newspaper suffered a ban on government advertising because its editorial line was deemed too critical. The ban was lifted in 2011.

In Namibia, newspapers regularly publish corrections of articles. Some see this as a sign that there is not enough accuracy in reporting. Panellists complained that journalists do not take the time to check their facts and get a more balanced story. Most complaints received by the office of the media ombudsman centre around inaccurate reporting, truthfulness and the right of reply. The Editors' Forum of Namibia (EFN) developed a Code of Conduct in 2007. It is a self-regulatory code, enforced by the media ombudsman who is appointed and paid by the EFN.

Corruption is not a common practice in the country and although self-censorship does exist, it is possibly due to the limitations of journalists' knowledge, the fear of losing a job or advertising revenue and security reasons. There are ample opportunities for training, with several institutions offering formal qualifications and some media houses offer on-the-job training.

The panel discussion took place at Tungeni Von Bach Dam Resort, Okahandja, from 30 November – 2 December 2018.



SECTOR 1:

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

Under the list of Fundamental Freedoms in Chapter 3 of the Namibian Constitution, Section 21 (1) (a) guarantees freedom of expression and explicitly includes the media. It reads:

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

This right is supported by several other pieces of legislation, including international instruments that Namibia has signed and/or ratified. It is important to note that per Article 144 of the constitution, all international and continental agreements, once ratified, automatically become binding and thereby form part of the laws of Namibia. Amongst others, these include the SADC Protocol on Culture, Information and Sport, the Windhoek Declaration and the African Charter on Human and Peoples' Rights (ACHPR) – all of which strongly advocate for freedom of expression and of the media.

At the local level, laws supporting this right include the Communications Act: which establishes CRAN, makes mention of the equitable distribution of frequencies and tries to ensure community access to the media. The Communications Act, however, also carries various drawback clauses which are contradictory to the letter and spirit of the right enshrined in the constitution and the international laws to which Namibia is party.

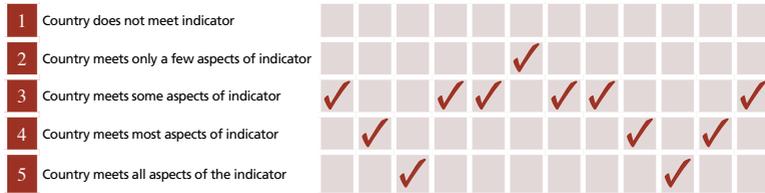
'We have many laws that support freedom of expression, but our laws are rather schizophrenic. On the one hand, they promote this right, but further down, they go against these very laws.' These include parts of the Communications Act, the Protection of Information Act and others, which are discussed in Sector 1.3.

The Namibian Broadcasting Act 'does not explicitly promote freedom of expression and can't be seen as supporting this right'. That said, the Broadcasting Policy currently being discussed by CRAN has the potential to add support to the constitution's guarantee and seeks to include clauses on things such as the equitable coverage of political parties.

Namibia still does not have an access to information law and panellists noted the need for an urgent review process for a Communications Amendment Act, as well as a review of the Broadcasting Policy.

Scores:

Individual scores:



Average score:

3.5

Score of previous years:

2005: 3.4; 2007: 3.3; 2009: 3.1; 2011: 2.9; 2015: 2.8

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

The right to freedom of expression is practised to a large extent by both citizens and journalists, but not without some level of fear or repercussion.

With regards to citizens, the right to freedom of expression is practised to its fullest extent on platforms that provide for anonymity, including the Short Message Service (SMS) platforms popular in *The Namibian* and other newspapers (wherein readers may text their views to the newspaper and have these published on a dedicated page in the paper) and on radio call-in programmes.

‘The SMS platform is great, but it is anonymously done. Anonymity is a major issue in the practise of this right.’

‘For the most part, comparatively, citizens have the ability to phone in on certain programmes and to be critical. They have platforms to be able to express themselves freely. Citizens who are not in the employ of government practise without fear more so than those in government. And the higher one is in government, the more fear he or she has, because there is more to lose.’

Panellists noted the example of Dr Joseph Diescho – an outspoken academic and former director of the Namibian Institute of Public Administration and Management. Diescho was dismissed from his role seemingly for his critiques of government. ‘The regime did not like this. The accusation is clear and the issue is still in court (three years later) as a labour matter. This sends the message that “If I say something, I might not be promoted.”’

The tendency for those in government to self-restrict their right to freedom of expression has its roots at the party level. ‘Freedom of expression is supposed to be an enabling right. The SWAPO¹ Party amending its constitution to disallow

1 The South-West Africa People’s Organisation and officially known as the SWAPO Party of Namibia, is a political party and former independence movement in Namibia. It has been the governing party in Namibia since the country achieved independence in 1990. Source – Wikipedia.

members to be part of organisations that are critical of the party has a chilling effect.’

‘A lot of credible leaks are dropped off at our paper. Ministers and politicians even fear their own system. Even this week, we were brought cabinet documents that prove things and these came from Cabinet Ministers.’

Beyond the assurance of anonymity and one’s position in government, other factors that may affect how freely citizens express themselves include their geographical location (urban versus rural), issues around community and morality, etc.

‘If you’re coming from a more rural traditionalist setting, obedience to culture and especially respect for elders is very important. This is less pronounced in urban environments.’

‘In the community, for example with community radio, etc, there is fear of the community and of the chief or councillors, who also serve as watchdogs.’

A panellist noted that, for LGBTI persons, practising this right can be difficult because of fear of political landscape or due to personal prejudice they might face. Further, the representation of LGBTI Namibians in the media can be problematic. ‘Only a few LGBTI issues make it to the paper, with some editors being hesitant to publish LGBT-related stories and when they do, the coverage is often negative or sensationalised.’

‘At institutions of higher learning, even students and academics struggle to express themselves because of fear of reprisal.’

Journalists also find it difficult to fully practise their right to freedom of expression and panellists noted that this is often a result of the lack of access to information.

‘Practically, there are a lot of issues. Government often holds closed-door meetings where they don’t allow media to enter or to publish information.’

The ability to practise the right to freedom of expression also depends greatly on which media house one is referring to. ‘Although some exercise freedom of expression, state media practitioners are self-censoring.’

‘At NBC, on *Open Line*, you might know that a certain leader or minister is not doing the right thing – say they are corrupt – but they won’t allow you to mention the name of that minister on the programme.’ At NBC, several programmes have also been cut and/or modified to ‘toe the political line’. ‘NBC stopped playing newspaper headlines: the *Week that Was* has been done away with and radio shows are more directed and not as open as previously.’

Both citizens and journalists are increasingly making use of new media – including platforms such as WhatsApp and other social media – to openly express their

panellists that based on this clause, people who were seen as supporters of the 1994 secession attempt of the Caprivi Strip are not allowed on air.

The Protection of Information Act of 1982 stipulates that a government official may not give any information to a journalist. This stipulation is contradictory to the access to information legislation that government is currently discussing and is a good example of a law that inhibits access to information, which may in turn inhibit freedom of expression.

The Protection of Information Act of 1982 also seeks to prevent information in the public domain, which is considered secret by the state, from becoming public knowledge. In fact, this Act was used against *The Patriot* newspaper in a lawsuit brought against it by the Namibian Central Intelligence Service (NCIS) in 2018, in an attempt to stop the paper from publishing a story on properties purchased by the NCIS for recreational purposes which, in some instances, were registered in the names of individuals; as well as on a slush fund to which government was donating money for the benefit of state officials. *'The Patriot* won the first round of the case on the basis that it was absurd for the NCIS to claim it was a law unto itself and using the law to cover up its transgressions.'

Part 6 of the Communications Act of 2009 allows for the interception and monitoring of telecommunications (per Clause 70) and compels telecommunications service providers to gather the necessary identifying information from their customers:

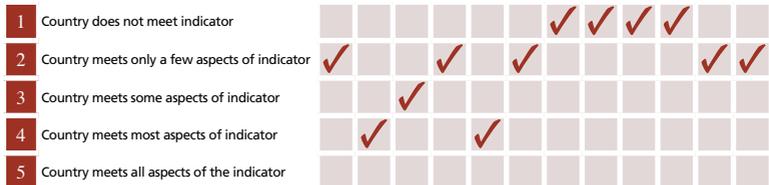
'in order to make it possible to intercept the telecommunications of that customer' (Clause 73).

While the Act states that the establishment of the interception centres contemplated by the Act are for the combating of crime and for national security, there is concern that much room is left for the abuse of this functionality.

Importantly, there are no laws that keep journalists from doing their jobs, or from entering the journalistic profession.

Scores:

Individual scores:



Average score:

2.1

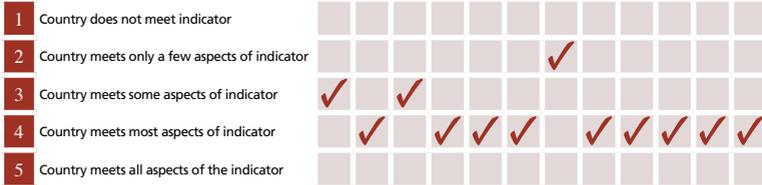
Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a; 2015: 2.7

Panellists were not aware of any incidences where journalists were forced to disclose the name of a confidential source. This is despite the many instances in the media where reports note that a ‘person spoke on condition of anonymity’.

Scores:

Individual scores:



Average score: **3.7**
 Score of previous years: 2005: 2.1; 2007: 1.8; 2009: 3.3, 2011: 2.5; 2015: 1.7

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

Namibia does not have an Access to Information Act, although a bill has been drafted by civil society and discussed with MICT; there are no local laws that guarantee access to public information by citizens.

Article 9 of the ACHPR (which Namibia has ratified) 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.

In practise, however, panellists agreed that the Namibian government has some way to go in making public information more available to its citizens.

As one panellist put it: ‘In Namibia, although we’ve signed up to agreements that expressly guarantee access to information, the fact that Namibian legislation doesn’t provide for this makes it difficult. It’s as if it’s a privilege to access that information.’

‘Going to a ministry and asking for information can present blocks. They hide behind a veil of secrecy and say that they need to have approval first (before providing the requested information).’

Accessing information is especially difficult for citizens based in rural areas, unless this information is made available on the radio. A panellist also noted that for the blind, information published in print media is difficult to access, as no print publishers make information available in braille.

The bureaucracy involved in accessing information also makes it difficult for citizens to get the information they need. For example, *The Patriot* newspaper conducted an investigation which found that when applying for social protection grants (such as grants for orphans and vulnerable children, pension and disability) one needs to go to six different ministries in order to complete an application. 'This shows how difficult it can be for citizens to access information.'

Information on key issues in the public discourse such as the list of beneficiaries from Namibia's land redistribution efforts and in-depth details on the Food Bank – remain difficult to obtain from government.

'Several bottlenecks exist when trying to access information from government or from public institutions,' not only for citizens, but also for journalists. A panellist noted that when some community broadcasting stations began their voter education productions, they went to a stand of the Electoral Commission of Namibia (ECN) at the Katutura Expo² and were told that the ECN would only provide information to reporters from NBC. 'We literally had to get an NBC reporter to interview the ECN for our story and then put together a story based on that interview.' The ECN's public relations officer later denied that this was part of the commission's requirements, but the incident showcased the gross misinterpretations that can occur when state agencies provide public information.

This tendency by government to favour state media is not surprising. 'There are some events where so-called government media will be invited and the other media get left out.'

'I have a lot of friends in the media that get their news from NBC,' a panellist said.

'There was a minister at some point who said all media should have access to state events, but I'm finding it disturbing that in some instances, they only call for state media to attend.'

Further, getting information from NBC can prove costly. 'I wanted to get a copy of a *Talk of the Nation* programme and NBC quoted us 780 NAD [Namibian Dollars] [54 USD] for a five-minute segment. So, these costs can be exorbitant.'

It was highlighted that in a recent publication by the Institute for Public Policy Research (IPPR), it was found that it is indeed very difficult to access information in Namibia. According to the panellists, the government was up in arms discounting the IPPR report, but it clearly reflected the reality. Even at NBC, reporters struggle to get information in good time due to the bureaucracy involved with accessing information from government. 'It can take very long before you get the information you need.'

2 The Katutura Expo takes place annually in Windhoek, Namibia and provides a platform for small business owners in the area to showcase their products and services.

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 for a democratic society, and which are applied by independent courts

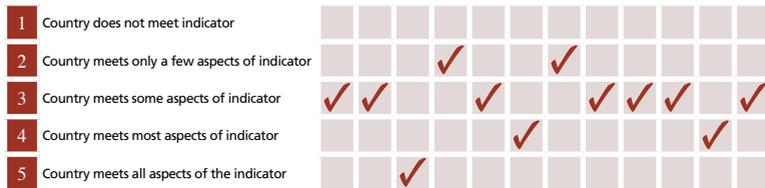
The state has not sought to block or filter internet content per sé, but there is provision in the law for CRAN to do so if government is satisfied that an entity or individual has committed one of the general offences stated in Section 117 of the Communications Act.

There have been cases, however, where the ability to report online has been hampered. One panellist noted that, ‘There have been instances such as at the Land Conference and at [the] State House, where they have jammed the signal.’ Another stated that, ‘At the SWAPO Extraordinary Congress which started on [the] 30th November 2018, no phones were allowed during the opening ceremony and as such, online or social media reporting was not possible.’

At the University of Namibia (UNAM) ‘there is quite an extensive blocking procedure for workers and students, using a platform known as Cyberoam. The excuse for this is bandwidth.’

Scores:

Individual scores:



Average score:

3.2

Score of previous years:

2005: n/a; 2007: n/a; 2009: 4.3; 2011: 4.1; 2015: 3.6

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

‘Media lobbies and CSOs have become a lot more active and there seems to be more focus and capacity in advancing the cause of media freedom. However, they remain relevant to the Namibian context. They won’t go to the streets to *toy-i-toyi* for media freedom, but in terms of advocacy, promoting media literacy, policy interventions and so forth, they are active.’

Panellists differed, however, on how effective these groups have been in advancing the cause of media freedom (beyond World Press Freedom Day),

1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups

As one panellist remarked, ‘There’s always been consultation, but not always meaningful.’

As per the constitution, legislative power is vested in the National Assembly, which is often seen to make laws without the involvement of the citizenry. The majority of laws have been passed on to parliament by the state itself.

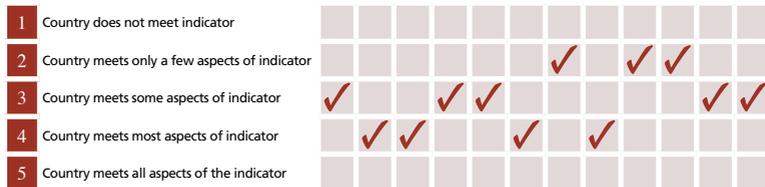
The draft Access to Information Bill, which is being drafted by civil society has stalled at various points due to the fact that it did not originate with, nor is driven by, the state.

Positively, panellists noted that in the creation of the Communication Act of 2009, parliament consulted extensively and in the process modified and improved the law. That said, several provisions raised during consultation as critical issues for removal from the law – specifically those related to the interception of communications – were maintained in the final Act.

Consultation was also conducted during the drafting of the Film Commission Act. However, several key stakeholders (particularly those in the TV and photography fields which are also affected by the Act) were not invited to the consultations. ‘So, the consultations were not broad enough and not as meaningful as they could’ve been in this respect.’

Scores:

Individual scores:



Average score:

3.1

Score of previous years:

2005: n/a; 2007: n/a; 2009: 1.9; 2011: 1.0; 2015: 1.5

Overall Score for Sector 1:

3.1



SECTOR 2:

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

A wide range of information sources are available to the Namibian public across different platforms. However, access and affordability is debatable, given the high level of income and wealth inequality in Namibia which boosts a population of only 2.4 million people.³ The unemployment rate in the country stands at 34%⁴ while 66.5%⁵ of the employed population is in informal employment; the average salary is 6,759.00⁶ NAD (500 USD) and a loaf of bread, on average, costs between 8 to 10 NAD (50 to 70 US cents).

Print

Dailies

Namibia has five daily newspapers, namely:

- *The Namibian*, which sells for 3 NAD (20 US cents) during the week and 5 NAD (35 US cents) on a Friday.
- *New Era*, a state-owned publication, which sells for 4 NAD (28 US cents).
- *The Namibian Sun*, which sells for 4 NAD (28 US cents) daily.
- *Die Republikein*, an Afrikaans-language paper, which sells for 7 NAD (48 US cents).
- *Algemeine Zeitung*, a German-language newspaper, which sells for 7 NAD (48 US cents).

The Namibian Sun, *Die Republikein* and *Algemeine Zeitung* are published by Namibia Media Holdings (NMH). The different newspapers carry various thematic supplements on a regular basis. Most of the above newspapers are distributed countrywide in major towns. In rural or far-flung areas, newspapers are likely to arrive a day or two late.

Weeklies

Several weekly newspapers exist. The more prominent amongst these include:

- *The Windhoek Observer*, published every Friday by Paragon Investments and which sells for 5 NAD (35 US cents).
- *The Patriot*, published every Friday by Oxygen Communications, launched in 2016 (after the last African Media Barometer) and sells for 5 NAD (35 US cents).
- *Confidenté*, published every Thursday by the Max Media Group, sells for 5 NAD (35 US cents).

³ Namibia Statistics Agency, 2018.

⁴ Namibia Statistics Agency, 2017. Namibia Labour Force Survey 2016.

⁵ Ibid.

⁶ Ibid.

- *The Namib Times*, distributed primarily in the country's central coastal region, sells for 4 NAD (28 US cents).
- *The Southern Times*, a joint initiative of the Namibian and Zimbabwean governments, sells for 3 NAD (20 US cents).
- *Informanté*, a free weekly newspaper published by the Trustco Group and seen primarily as an advertising platform for the company and its products.
- *Kundana*, an Oshiwambo-language paper published by the state-owned New Era Publication Corporation, which also publishes the *New Era* newspaper, and sells for 3 NAD (20 US cents).

The Economist and *The Villager*, which were also among the more prominent weeklies, now published solely online, presumably due to the high costs of printing.

Online

All of the daily and weekly papers mentioned above have an online presence and some have a strong social media presence and following – particularly on Twitter and Facebook.

Papers that exclusively publish online include:

- *The Namibian Economist*
- *Oshili Nashi Popiwe (Oshili 24)*
- *The Villager*
- *Lelamobile*

The content of the above online papers is freely available on their respective websites.

Internet access in Namibia is quite widespread in urban areas. One panellist noted that 'internet cafes are disappearing in Namibia and for those that still exist, costs start at about 50 NAD [4 USD] for 30min[utes]'.

Radio

Most Namibian households have a radio set, or access to radio (e.g. via mobile phone). A panellist noted that collectively, radio provides approximately 97.5% coverage. There are parts of the country, however, that still do not receive radio signal. According to NBC⁷, its ten radio stations (covering ten languages) reach 78% of the country's population. The national broadcaster recently rebranded its various language stations in order to enhance its appeal with the lingual communities serviced by each of these stations.

⁷ NBC, 2018. NBC National Radio. Accessed at www.nbc.na/radio.

On the whole, there are close to 30 radio stations in Namibia. The table below (an updated version of that presented in the 2015 AMB) provides a listing of these stations:

State-owned	Commercial	Community
<i>Hartklop FM (Afrikaans)</i>	<i>99FM</i>	<i>Base FM</i>
<i>Kaisames FM (Damara/Nama)</i>	<i>Fresh FM</i>	<i>Channel 7</i>
<i>Funkhaus FM (German)</i>	<i>Hitradio Namibia</i>	<i>Radio E-FM</i>
<i>Nwanyi FM (Silozi)</i>	<i>JACC FM (previously Radio Kudu)</i>	<i>Karas</i>
<i>National FM (English)</i>	<i>Kosmos Radio</i>	<i>Live FM (Rehoboth)</i>
<i>Kati FM (Oshiwambo)</i>	<i>Omulunga Radio</i>	<i>Namcol</i>
<i>Omurari FM (Otjiherero)</i>	<i>Radio Energy</i>	<i>Ohangwena</i>
<i>Wato FM (Rukavango – Rukwangali, Rumanyo/Rugciriku and Thimbukushu)</i>	<i>Radio Wave</i>	<i>Omaheke</i>
<i>TYS FM (Tirelo ya Sechaba) (Setswana)</i>	<i>West Coast FM</i>	<i>Oranjemund FM</i>
		<i>UNAM Radio</i>
		<i>Rapid Radio (Rundu)</i>

Radio France International (RFI) also broadcasts in Namibia on its own frequency. The Namibia Community Broadcasters Network works with community radio stations to enhance capacities, develop programming and provide general support for the long-term sustainability of these stations.

TV

Since switching from analogue to digital broadcasting in 2015, NBC has had three TV stations: NBC1, NBC2 and NBC3.

The privately-owned TV broadcasters in Namibia include *One Africa* TV and MultiChoice Namibia. *One Africa* TV is available on DStv Namibia and is free to air on the NBC's Digital Terrestrial Television platform.

MultiChoice Namibia (of which the ruling party, SWAPO, owns 51% through its commercial arm Kalahari Holdings) provides DStv, GOtv and other options to Namibian audiences, with packages that feature access to TV channels from around the continent and the world. MultiChoice does not produce its own programmes, but has made some effort towards increasing local media on its various platforms through calls for local content.

Trinity Broadcasting Namibia (TBNamibia) is the only community TV broadcaster in Namibia and, according to its website, is funded through 'the support of its viewers, small amounts of airtime sold, or sporadic donations'.⁸

8 TBN Namibia, 2018. www.tbnnamibia.tv. Accessed on 20.12.2018.

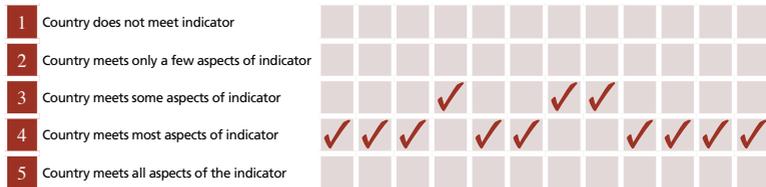
Mobile Telecommunications

Namibia has two mobile telecommunications companies, both with majority state ownership. MTC Namibia (owned by government with 51%) is the larger of the two and claims to have 2.5 million active subscribers.⁹ TN Mobile, wholly owned by the parastatal Telecom Namibia, claims to have over 300,000 subscribers.

Essentially, given that the country's population stands at about 2.4 million, over 100% coverage of the Namibian population exists in terms of active SIM cards per capita; though there are people and institutions who own more than one handset or SIM card. Panellists noted that there is almost total territorial coverage of mobile telecommunications.

Scores:

Individual scores:



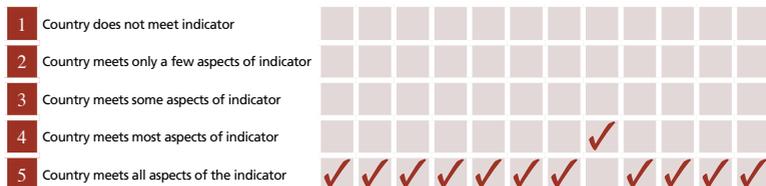
Average score: **3.8**
 Score of previous years: 2005: 3.4; 2007: 3.9; 2009: 3.0; 2011: 3.0; 2015: 3.1

2.2 Citizens' access to domestic and international media sources is not restricted by state authorities

There are no laws restricting citizens' access to other media sources – domestic or international. Furthermore, there have been no cases in which international media have been kept from entering the country, or prevented from being viewed online.

Scores:

Individual scores:



Average score: **4.9**
 Score of previous years: 2005: 4.6; 2007: 3.7; 2009: 3.8; 2011: 4.9; 2015: 4.3

⁹ Matthys, 2018. MTC Records 2.5 million Active Subscribers. In The Namibia Economist, 22 November 2018. Accessed at www.economist.com.na on 20.12.2018.

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

Print media published by the government include *The Namibia Press Agency (NAMPA)*, *New Era* and the *Southern Times* (co-owned with the government of Zimbabwe).

Panellists noted that *New Era* ‘is not at all protected from undue interference and there is no law protecting it’.

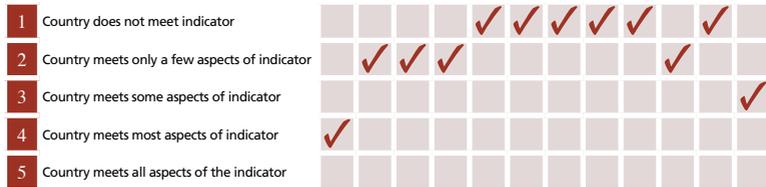
‘It is government controlled and there is definitely political interference.’

‘He who pays the piper plays the tune.’

It is believed that there is a high level of self-censorship amongst journalists and editors at *New Era* and one panellist pointed out that, ‘You’ll find they are very selective on what they report.’ Another noted that a few days before the AMB, the paper’s managing editor was writing articles for the paper.

Scores:

Individual scores:



Average score:

1.8

Score of previous years:

2005: 1.8; 2007: 2.7; 2009: 2.3; 2011: 2.6; 2015: 2.0

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

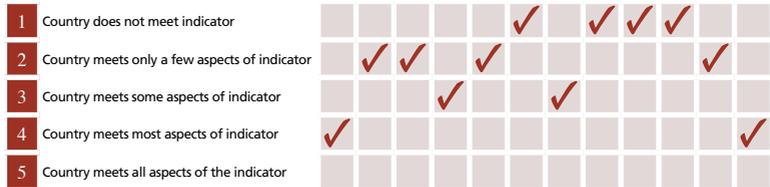
Information on the ownership of registered companies can be obtained from the Registrar of Companies at the Ministry of Industrialisation, Trade and SME Development, in line with Namibia’s Companies Act of 2004.

There are no laws that prevent politicians from owning media houses. The president asked all members of parliament to declare their assets, which would include their shareholding in different companies. Many of these declarations

were, however, inconclusive. Importantly, President Hage Geingob and First Lady Monica Geingos, voluntarily declared their assets after the President took office in 2015. Stimulus Investments, partially owned by Monica Geingos, owns Namibia Media Holdings – which publishes the *Namibian Sun*, *Die Republikein* and *Algemeine Zeitung*.

Scores:

Individual scores:



Average score:

2.2

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a; 2015: 4.7

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

Namibia’s Competition Act of 2003 (in force since 2008) deals with issues around the promotion of competition in various fields (not just media), with the stated purpose:

to enhance the promotion and safeguarding of competition in Namibia in order to (a) promote the efficiency, adaptability and development of the Namibian economy; (e) ensure that small undertakings have an equitable opportunity to participate in the Namibian economy; and (f) promote a greater spread of ownership, in particular to increase ownership stakes of historically disadvantaged persons, amongst others.

Chapter 4 of the Communications Act of 2009 also addresses the promotion of competition in the telecommunications and broadcasting sector, clearly giving CRAN the authority to prevent any anti-competition practices and stating under Section 33 (1) and (2) that:

- (1) Any practice or activity that has the object or effect of preventing, restricting or distorting competition in a market for the supply of telecommunications or broadcasting services or any product or service used in connection with these services is prohibited.
- (2) Any abuse of individual or collective dominant position by one or more persons in a market for the supply of telecommunications or broadcasting services or any product used in connection with these services is prohibited.

2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets

Namibia has a diverse media landscape (as noted in Indicator 2.1) and while government makes an effort to promote this diversity by – for example – subscribing to all the newspapers, more has been promised and more could be done.

The Communications Act of 2009 stipulates that there should be a Universal Services Fund funded by commercial broadcasters and the telecommunications companies ‘for the purposes of paying subsidies to licensees to subsidise the provision of services or the provision of infrastructure for the purpose of providing universal service’. However, this Fund only exists in principle and is not yet effective, with MTC arguing that others are not paying their share and Telecom contesting the levy itself.

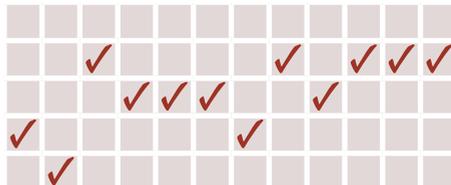
There are also examples of government not supporting a diverse media landscape. One panellist noted that in the past, ‘parastatals have been given a directive to advertise only in the *New Era* newspaper and the paper has gone to potential advertisers with this directive’.

The above-mentioned notwithstanding, there has been strong growth in Namibia’s media landscape. ‘At Independence in 1990, Namibia had only one TV station and one radio station. The airwaves have definitely opened up since then and there is much diversity amongst the commercial and community radio stations.’

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:

Score of previous years:

2.9

2005: n/a; 2007: n/a; 2009: 2.4; 2011: 2.4; 2015: 3.1

2.7 All media fairly represent the voices of both women and men

Panellists noted that there are some discrepancies in how the voices of men and women are represented in the media, particularly on topics that are considered to be the most pertinent.

‘The media are biased towards males for voices on “hard issues”. We have several female economists, for example, but the media tend to go to the men.’

‘The media position men as the authority on economics and politics, which also make up the bulk of media content coverage, particularly in print media.’

A panellist noted that a recent conference held in Windhoek, in partnership with the International Institute for Democracy and Electoral Assistance, concluded that women are not well-covered in the media on issues of politics, such as elections.

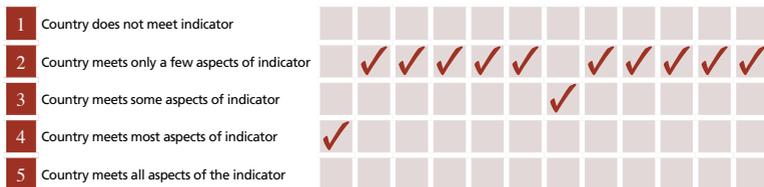
The SADC Protocol on Gender and Development compels that in terms of media content, both men and women’s voices should appear in the story as much as possible. However, panellists noted that when women are covered, it is often to profile them in segments such as ‘women on the rise’, to highlight them on ‘soft topics’ or to cover their plight as victims in some way or another.

A panellist noted that from a community broadcasting perspective (for example with vox pops¹⁰) the voices heard are mostly those of men. ‘Culturally, the head of the house is the man and they are the ones prescribed by society to speak and this hasn’t changed much.’

Another noted that women do not mind giving their comments and will generally speak freely on different issues, ‘but many don’t want their name and picture to appear in the paper’.

Scores:

Individual scores:



Average score:

2.3

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: 1.8; 2015: 2.6

10 Vox pop – Popular opinion as represented by informal comments from members of the public, especially when broadcast or published. Source: www.mediacollege.com.

2.8 All media fairly represent the voices of society and its minorities in its ethnic, linguistic and religious diversity

Panellists generally agreed that not enough is being done to ensure that the diversity of voices in society are fully represented in the media.

With regards to religious diversity, panellists noted that although Namibia is a secular state, media content is primarily Christian focused. 'NBC only focuses on Christians and there is not much coverage of religious minorities.'

On political diversity (particularly in terms of the coverage of opposition parties) although some pronouncements and efforts have been made to level the playing field in terms of coverage, as the majority party is much better resourced opposition parties do not receive nearly as much coverage. Furthermore, given the extensive coverage of ministers and the president by the media (including during the campaign seasons when their party colours are often worn), the majority party also receives much more coverage than anticipated, 'and [it] is difficult for civil society to pick up this bias'.

There are several languages in which the media do not publish or broadcast; notably, NBC Radio has ten different language stations (see Indicator 2.1) and some community radio stations may have programmes in languages other than English. Private broadcasters that do not broadcast in English do so mainly in Oshiwambo (e.g. *Omulunga Radio*), German (e.g. *Hitradio*) and Afrikaans. NBC TV presents a weekly news report in all the country's languages, but other than English, only the Oshiwambo language has a dedicated daily news bulletin in the morning, which is translated from the English nightly news on the previous day.

One panellist remarked that culturally, the media also needs to keep up with the times and reflect the current context more accurately. 'With the San people, there are certain media that represent these communities in a pristine form, which is archaeologically incorrect. We also need to deal with things economically or socially in the modern context. When you get an image, [you] get a romanticised popular version that the media buy into: but this is not always representative of the current [or] modern context.'

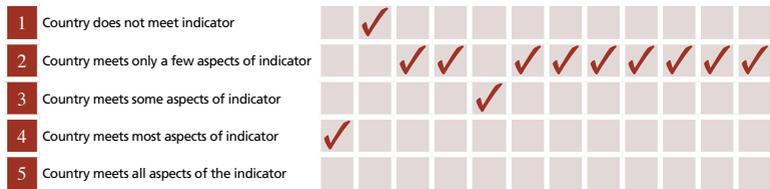
With regards to people with disability, a panellist noted that not enough is being done and that associations for the disabled have complained to various media about coverage of their events. 'We invite the media to cover our events, but NBC hardly ever shows up! *The Namibian Sun* makes an effort to cover issues related to people with disabilities.' NBC does, however, provide sign language interpretation in various programmes and on the daily news bulletins. 'In 2014, a federation tried to take up an initiative to have newspapers print in braille, but the cost was an issue. Economically, it is not viable, but the public media should try to cater for that. Moreover, this is not only a media issue though. Government does not do enough to print, for example, legislation in braille.'

In terms of gender diversity, a panellist opined that the media do not fairly represent LGBTI people. ‘There is a lot of mis-gendering and de-gendering of LGBTI issues. The media will, for example, use a photograph of a transgender person before their transition, thereby presenting them as the sex that they no longer identify as. They also don’t give thought to the use of the correct pronoun. And even after these qualms have been expressed, there is the question of identity. Even with the terminology – for example with the continued use of the term “sodomy” – there is not enough sensitivity around language use. From my personal experience, I think that by not being sensitive to these and their issues, the media are inciting more marginalisation of marginalised groups.’

Importantly, the office of the media ombudsman has received requests for sensitivity training on topics such as LGBTI, mental illness, the San community, Down’s Syndrome – and is looking into how best to address these requests.

Scores:

Individual scores:



Average score:

2.2

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: 2.5; 2015: 2.3

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

Politics and economics tend to dominate media coverage, with much of the content being event-driven – particularly with respect to government events.

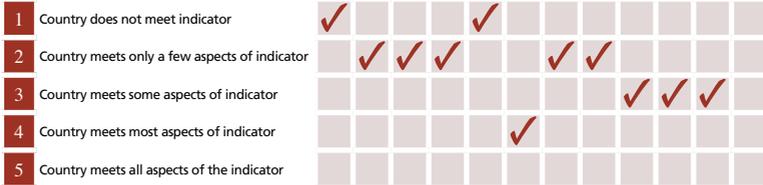
‘NBC, for example, doesn’t do much in terms of investigative stories. They are always covering the person, not the facts.’

Culturally, not much media coverage can be seen – whether on private or state media, or from the national news agency (NAMPA) which has an office in every region. ‘NBC has a Content Hub, whose role is to get stories on different topics, including different cultural activities and so forth. So, there is an effort (to cover more cultural content), but there is an imbalance and little from the Content Hub makes its way onto the air.’ The national broadcaster has also renamed and relocated ten of its radio stations in order to broaden its appeal to the communities targeted by those stations.

Aside from these two broadcasters, beyond basic news programmes which are often drawn from the daily newspapers, much remains to be done by other private broadcasters in providing public interest programming.

Scores:

Individual scores:



Average score:

2.3

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a; 2015: 1.5

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

‘There are so many nice laws in Namibia. The problem is implementation.’

Namibia’s ICT Policy of 2009 is viewed as highly comprehensive and engaging of various stakeholders with a strong focus on national coverage and infrastructure. The policy is supported by (or supports) other pieces of legislation related to ICTs, including Vision 2030, the 2010 Government e-governance project under the Office of the Prime Minister, the 2009 Communications Act, the Harambee Prosperity Plan of 2016 and the MICT’s Strategic Plan for 2017-2020.

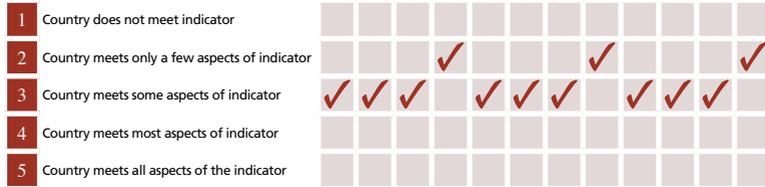
One panellist noted that, in fact, the Harambee Prosperity Plan contains an update on the ICT policy and that the stated target has actually been met.

While the ICT policy is highly comprehensive, there are areas in which it is lacking in terms of ensuring that the ICT needs of the marginalised are also met. One panellist noted that, ‘Most national information is communicated in English and the majority of the marginalised are not educated to read and understand English. Therefore, the ICT policy is not meeting all the needs.’ Another added that ‘access for the disabled remains problematic. On TV programmes, for example, they’ll say “call the number on the screen”, thereby leaving out blind audiences. Or they might not read certain indicators that are highlighted on the screen, as they simply assume that everyone can see them’.

Various efforts were noted by the panel as being undertaken to increase telecommunications and broadcasting coverage.

Scores:

Individual scores:



Average score:

2.8

Score of previous years:

2005: n/a; 2007: n/a; 2009: 2.2; 2011: 2.8; 2015: 3.2

2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content

Government is the biggest advertiser in Namibia and in the past has used its advertising power to punish those deemed too critical of government.

Most notably, in 2001, government placed an advertising ban on *The Namibian* ‘because they didn’t like the editorial stance of the paper’ and the idea that the newspaper appeared to be too critical of its policies. *The Namibian*, however, was able to survive and flourish despite the ban, which was finally lifted in 2011. ‘Until fairly recently, government used this as a tactic to squeeze *The Namibian* into providing more favourable government coverage. Under President Hifikepunye Pohamba, that ban was lifted. That sort of blatant economic stranglehold has gone but it may be more subtle now.’

Panellists stated that while government has not issued bans on any other newspapers, more advertising is given to those who provide favourable coverage.

One panellist noted that in print media, most government adverts go to the state-owned *New Era* newspaper, with fewer going to the papers in the NMH stable and even fewer to *The Namibian*.

The former Minister of ICT, Tjekero Tweya, previously made pronouncements regarding government advertising only in its own media outlets. ‘Things are much better now under Simataa (the new Minister of ICT), although he hasn’t publicly pronounced that all media houses should get fair advertising coverage.’



SECTOR 3:

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, through the establishment of the regulator, makes provision for the three tiers of public, commercial and community broadcasting.

Section 84 (2) of the Act states that:

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.

Section 85 (8) (h) of the Act also highlights community broadcasting as a priority area for licensing, 'However, the question is around implementation and whether CRAN actually promotes community broadcasting.'

Importantly, although the Communications Act provides for the three-tiers, the regulation of the state broadcaster does not fall under the scope of CRAN. In fact, Section 93 of the Communications Act clearly states that:

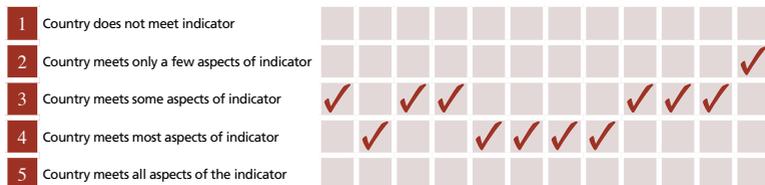
Until a date determined by the Minister by notice in the Gazette, this Chapter does not apply to the Namibian Broadcasting Corporation established by Section 2 of the Namibian Broadcasting Act, 1991 (Act No. 9 of 1991), or in respect of the broadcasting activities carried on by that Corporation.

Almost ten years after the enactment of the Communications Act, this date is yet to be determined.

As noted in Indicator 2.1, there are several examples of radio stations from each of the three tiers and at least one example of a TV station under each tier.

Scores:

Individual scores:



Average score:

Score of previous years:

3.3

2005: 1.8; 2007: 2.7; 2009: 2.9; 2011: 3.6; 2015: 2.7

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

As noted above, broadcasting is regulated by CRAN – established under the Communications Act of 2009 – but its functions do not include the regulation of the state broadcaster, NBC, which functions in line with its own Act – the Namibian Broadcasting Corporation Act of 1991.

With regards to the appointment of the Board Members of CRAN, Section 9 of the Communications Act states that:

- (1) The Board must be constituted and its members, including the chairperson and the vice-chairperson of the Board, must be appointed in accordance with, and for a period as determined under Sections 14 and 15 of the State-owned Enterprises Governance Act, 2006 (Act No. 2 of 2006).
- (2) The members of the Board must, when viewed collectively, be persons who represent a broad cross-section of the population of Namibia including with reference to gender and who possess proven qualifications, expertise and experience in the fields of information and communication policy and technology, radio services, law, economics, business practice and finance.

Members of the Board must be Namibian citizens or legal permanent residents, they must be resident in Namibia, they may not be members of parliament, regional councils or local authorities and they may not have a financial interest in any products or industries regulated by CRAN.

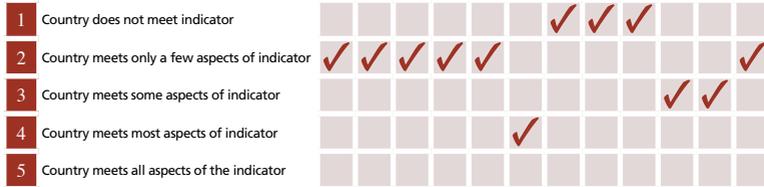
Currently there are six members on CRAN's Board. The appointment of these board members are made at the discretion of the Minister of ICT, with tenures set at three years with the possibility for re-appointment.

Panellists were of the opinion that CRAN board members are selected based on their closeness to the majority party, SWAPO. 'The board is not entirely independent, as the ruling party makes sure it appoints its representatives – though this is not stated openly.'

'People are appointed because of their proximity to power.'

Scores:

Individual scores:



Average score:

2.1

Score of previous years:

2005: n/a; 2007: n/a; 2009: 1.2; 2011: 1.4; 2015: 1.6

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

For the most part, CRAN is seen as being balanced, fair and professional as a regulator.

‘Despite its political leanings, there have been no particular instances where we see that those leanings have affected decision-making.’

It should be noted, however, that CRAN does not regulate the NBC, though ‘there is a thin line between the two legislative frameworks’.

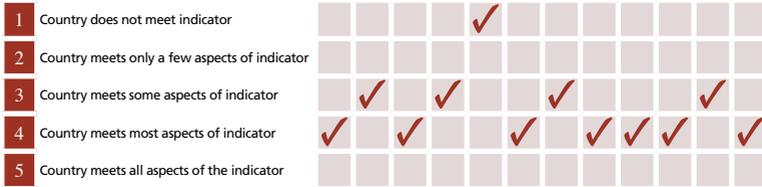
‘The relationship between NBC and CRAN is not quite clear. There has been some interference with respect to NBC’s plans to make one of its stations – *Touch FM* – a commercial broadcaster. Further, NBC has to go through CRAN to import certain equipment, etc.’

There was general consensus from the panel that ‘from an overall perspective of who the licences are given to, there is a diverse licensing framework’.

It was also acknowledged that the Minister appears to have some sway in the decision-making of CRAN, with one panellist noting that when CRAN was taking a lengthy period of time to approve an application for a community broadcasting licence (for good reason given CRAN’s concerns about the station having more of a commercial business model than that of a community station), following a direct complaint to the Minister the community broadcasting licence was issued shortly thereafter.

Scores:

Individual scores:



Average score:

3.4

Score of previous years:

2005: 2.0; 2007: 1.8; 2009: 1.8; 2011: 2.8; 2015: 2.0

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

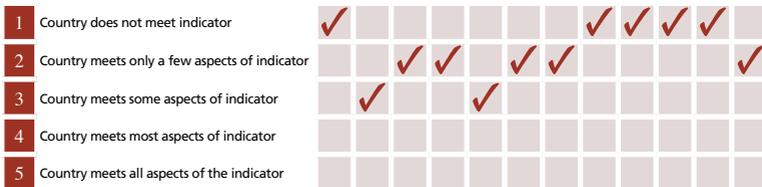
NBC’s board is appointed by the Minister of ICT and no public consultations take place regarding the representation on the board. Panellists noted that the board is composed primarily of government representatives or those sympathetic to SWAPO.

With respect to the constitution of the board, the NBC Act states that the board should be made up of no more than 11 and no less than six members and should consist of Namibian citizens with knowledge and/or experience in the field of the management of public affairs as well as the political, socio-economic and communication fields. Members of the National Assembly may not be part of the board. The tenure of a board member is five years and they may be reappointed for a subsequent term.

Panellists were of the opinion that the board ‘governs the NBC in the best interest of the government and not necessarily of the public’.

Scores:

Individual scores:



Average score:

1.8

Score of previous years:

2005: 1.9; 2007: 1.6; 2009: 1.2; 2011: 2.5; 2015: 2.3

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

The NBC Act does not speak to the editorial independence of the state broadcaster (which is defined as a parastatal) and in fact, gives a great deal of power to the Minister of ICT. Additionally, the appointment of the Director General (at least in the case of the current director general, Similo) had to be approved by the president.

Panellists cited various examples that have made it clear that the broadcaster's independence is certainly not guaranteed.

'When the Land Conference took place, NBC workers were on strike. However, some coverage took place because the director general assembled a quick team from MICT and using the NBC platform, they did a broadcast of the conference.' A panellist noted that this was a clear example that the NBC is not independent, as the state was able to make use of the broadcaster's infrastructure despite the ongoing strike.

'This is a very worrying sign because the independence of NBC and its board is out the window.'

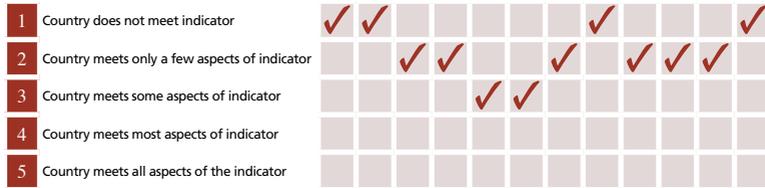
Another example cited was that of Job Amupanda, the leading activist behind the Affirmative Repositioning movement. 'Job Amupanda is often times scheduled to appear on TV programmes, just to find that his presence on the panel has been cancelled at the 11th hour.' The Landless People's Movement has also complained that it has invited NBC to several of their events, but NBC has not attended.

And in yet another example, a panellist highlighted how in the case of a controversial land deal with a Russian farmer and investor, 'there was an instruction from the higher-ups on how it would be covered'.

A panellist opined that perhaps NBC was suffering from an identity crisis that allows it to pander to government and the politics at play. 'Is NBC a broadcaster? Are they just there to push a button? Are they a media organisation also?'

Scores:

Individual scores:



Average score:

1.8

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a; 2015: 1.9

3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure

NBC has three main sources of income, namely a government subsidy allocated through the national budget, TV licence fees and advertising. The broadcaster also receives income through the hiring out of transmitters.

Panellists argued that this income, however, is either insufficient for meeting the high costs of running the national broadcaster or is simply managed poorly.

‘NBC has enough money to be able to carry out its operations, but it doesn’t have systems in place to get their revenues right.’

‘NBC is underfunded, but the expectations on it are those of a profit-making entity. NBC is like a social institution though, in terms of these expectations.’

Most of the funds that come to the broadcaster via the national budget vote go towards the payment of salaries. Furthermore, a large part of the NBC’s budget goes to live broadcasts, covering parliament, state events and conferences, and providing coverage of state funerals. ‘A live broadcast costs millions!’

Revenue collection from TV licence fees is said to have decreased significantly over the past two years, despite the NBC teaming up with the police at one point in a bid to threaten the Namibian public with arrest if they did not pay their licence fees. Panellists noted that the state broadcaster missed several opportunities to streamline this system to provide for a more efficient collection mechanism, including with the introduction of NBC decoders – for which 40% were funded through the now defunct SME Bank (although NBC is available on other bouquets).

With regards to advertising, ‘There are no regulations with respect to how much NBC can get from commercial advertising.’ The broadcaster’s main advertisers

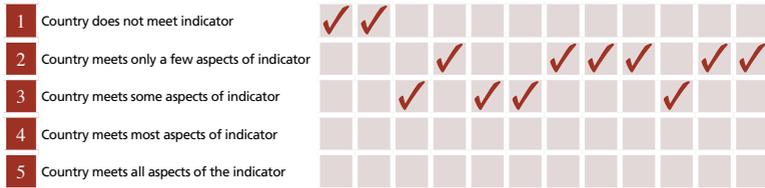
include state-owned enterprises, the telecommunications companies, the banks and Namibia Breweries.

On the whole, there is a desperate need for greater efficiency in the management of NBC funds and for updated systems and general broadcast infrastructure and facilities. 'It has to do with systems. If you don't have systems in place to track these things, of course there will be problems. For example, NBC is still using Excel to issue invoices.'

'It's a very sorry situation.'

Scores:

Individual scores:



Average score:

2.2

Score of previous years:

2005: n/a; 2007: n/a; 2009: 2.2; 2011: 1.8; 2015: 2.1

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

Panellists differed on whether the state broadcaster offers sufficient diversity in its programming and the quality of such.

It was noted that the broadcaster's TV programming covers a wide spectrum including children's programming, youth shows, religious talk shows, travel, magazine programmes, music programmes, news, current affairs and sports. Despite this, some panellists were not entirely impressed.

'The content is there, but it is not of quality.'

'There is a lot of local content, but it's superficial. For example, in the news they have two interviews of five minutes minimum each. There are also a lot of repeats in the programme schedule.'

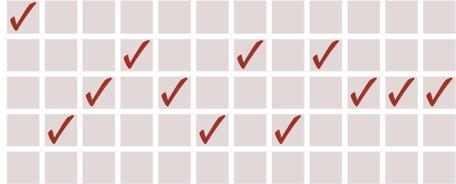
Other panellists differed, stating that 'in terms of programme and content diversity, yes, NBC does well. But a lot of Namibians with access watch other channels too and mainly only watch the news on NBC'.

A panellist noted that NBC TV has created a Content Hub, which is aimed at catering for additional, diverse local programming.

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:

2.8

Score of previous years:

2005: n/a; 2007: n/a; 2009: n/a; 2011: n/a; 2015: 3.2

Overall Score for Sector 3:

2.5



SECTOR 4:

The media practise high levels of professional standards

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

Both media and civil society members of the panel agreed that the media are not doing enough to report fairly and accurately. This is visible in the large number of corrections that newspapers have to make in their papers.

‘Journalists are not taking the time to do their stories properly in terms of verifying information, fact-checking and ensuring that different angles and voices are captured.’

‘I have witnessed that sometimes what has been said is not what has been quoted. You provide a copy of the speech, but something else is written and even your name, which is on the speech, is spelled incorrectly.’

‘As a citizen, I would feel uncomfortable sharing my opinions with the media because the news is inaccurate and distorted.’

‘You see it in the pocketbooks. People don’t buy newspapers anymore, because often newspapers are taking a tabloid approach.’

Basic elements such as spelling and grammar, reporting on figures and terminologies related to certain communities are often taken for granted, resulting in avoidable errors. ‘For example, you’ll read about a road accident in the different newspapers, but each one will have a different figure on how many people died.’

In line with the above sentiments, a panellist noted that in the 2017 annual report of the media ombudsman, the key issues that most complaints centred on are inaccurate reporting, truthfulness and the right of reply.

Part of these inaccuracies are a result of journalists rushing to be the first to break a story. ‘There’s high competition with social media, so journalists are running fast to be the first to break a story, as they want to scoop the competition. Every newspaper is now on social media. For example, in an incident where a man killed his girlfriend and then committed suicide, one paper rushed to publish the story online and even accompanied it with very graphic and disturbing photographs.’

In another example, a panellist recalled that ‘*Confidente* carried a story last year about people getting into a fight at work with their manager at a parastatal. The manager laid a charge of *crimen injuria* against the employees. On its online version, however, *Confidente* went ahead and reported that the employees had been arrested for attempted murder.’

‘As journalists, we’re not doing our homework well enough.’

Some panellists, while conceding that journalists can and should do better in their reporting, also noted that journalists often struggle to access information

from government. ‘Sometimes, this is because of bureaucracy and hierarchy issues. And oftentimes, government simply doesn’t respond or takes days or even weeks to do so.’

‘I’m thinking of the predicament in which journalists find themselves when writing a story and those implicated are not willing to respond. Especially with members of the ruling party, for example. When the SG [secretary general] is not responding to the journalist, what do you expect?’

‘What happens is the story is written without their response. And a week later, the ministry or affected institution will publish an advertorial correcting the story. 20,000 NAD [1,377 USD] later, they have their correction and the papers are probably laughing at all this.’

One panellist noted that at *The Patriot*, it is editorial policy to wait for all the facts, to try to have three voices on a story and to provide time for people to respond – to ensure that a full picture with verified facts is what is published. It was noted however, that daily newspapers do not have the same luxury, given their daily grind. This was seen as a compromise of their integrity. ‘There is a difference in reporting between dailies and weeklies. In the dailies, it feels like you’re reading a court case and judgment is being passed.’

With regards to fairness and bias, one panellist noted that ‘sometimes, you see a clear political position not necessarily on an issue, but on a person’.

‘There are some papers whose editorial policy reflects issues around the owners’ proximity to power.’

Panellists noted that this is particularly evident during the run-up to elections. ‘To the credit of NBC, last year they allocated equal time to all political parties to motivate their manifestos, as part of an internal policy of NBC. Even took it as far as providing coverage with the political parties on internal election issues.’

‘This is a step in the right direction, but we are talking about free election coverage. News coverage is a different story. For example, you’ll have a news story about the president, but he has a SWAPO scarf around his neck.’

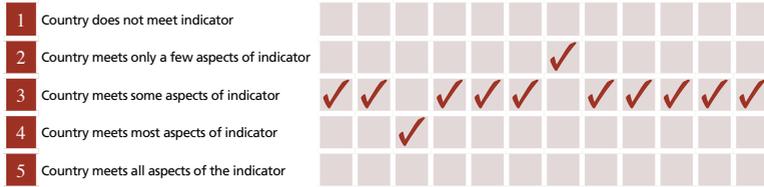
A panellist also noted that ‘There is a perception, for example at the Office of the President, that certain newspapers are targeting the person of the president. *The Namibian*, for example, gets a lot of flak on the issue of the president, but Geingob went out saying he wanted to be the most honest, transparent, etc president. And in holding him to account, a counter-narrative then gets developed, with the perception that they’re being unfair to the president. I don’t think *The Namibian* has an agenda against the president.’

On the issue of bias, one panellist noted with concern the way in which Namibian media report on the Chinese. ‘There is definitely a negative bias and sometimes the tone is outright racist.’

On the whole, panellists agreed that the media should do better in following the basic principles of accuracy and fairness.

Scores:

Individual scores:



Average score:

3.0

Score of previous years:

2005: 3.0; 2007: 3.6; 2009: 3.3; 2011: 2.5; 2015: 3.1

4.2 The media follow voluntary codes of professional standards, which are enforced by independent/non-statutory bodies that deal with complaints from the public

Most media houses follow the Code of Conduct developed by the EFN in 2007.

The self-regulatory code is enforced by the media ombudsman (who is appointed and paid an allowance by the EFN) and provides for a complaints commission and appeals process. It also deals with issues such as ethics, gifts, principles and around how trips are paid for. The enforcement of the code is only applicable to members of the EFN. ‘Our code hasn’t formally been endorsed though and the EFN Board is taking this further.’

CRAN provides regulation with respect to the broadcasting sector and NBC has its own code of ethics.

Initially, the EFN Code of Conduct only dealt with complaints related to the print media, with CRAN focusing on broadcast regulation. However, the Communications Act, in a first for the world, fundamentally endorses self- and co- regulation, thereby creating the space for such.

‘The code is very unique and is currently used as a model for the rest of the world and Africa; in particular because unlike other codes, it regulates all forms of media – print, online and broadcasting. There is a challenge though in terms of freelancers who don’t belong to any media house, as there have been some serious complaints against some freelancers: but the code doesn’t apply to these guys.’

Other loopholes with respect to the enforcement of the code include newspapers such as *Informanté*, which operate under the radar in terms of broadly applied codes of conduct in that it is not a member of the EFN; CRAN’s Code of Conduct is

be approximately 20,000 NAD (1,425 USD). 'NBC has an open grading system. In the private sector, however, this does not exist and is not open.' There was a case at *The Namibian* where a graphic designer was training a new designer and when the new (trainee) designer happened to leave their salary slip in open view, it was discovered that new designer was getting paid double what the incumbent designer was earning.

Media practitioners employed at the state media also receive other benefits that they are unlikely to get in (smaller) private media houses, such as housing, medical aid and pension benefits. 'You underestimate those perks, but when you leave, you realise how good the perks are at NBC.'

That said, a panellist noted that in the private media houses, journalists are able to set themselves apart as 'real journalists'. 'You can't compare journalists in private media with those in the government media. The private guys have been able to establish brands for themselves. The private sector makes the journalists.'

Not much benchmarking takes place in the media industry, but panellists noted that much poaching happens regularly, merely based on salary slips and simply increasing the earnings of the poached journalist by a few hundred dollars. Additionally, there are many cases of journalists leaving newsrooms to become public relations officers.

Cases of racial discrimination in the payment of journalists have also been raised – particularly at white-owned media houses. A panellist noted that at one media house there was a case where a white reporter in the newsroom, who did not go out to cover many stories, was being paid almost double what black reporters who were much more productive were being paid. It was noted that the editor took strong exception to this and raised the issue with others in management. It is not clear what the final outcome of this situation was.

In terms of safety on the job, a civil society panellist noted, 'I'm not sure how those in the media feel, but there are times when I'm concerned when they're writing about international smuggling rings and so forth and I'm not sure if they understand the potential implications of this.'

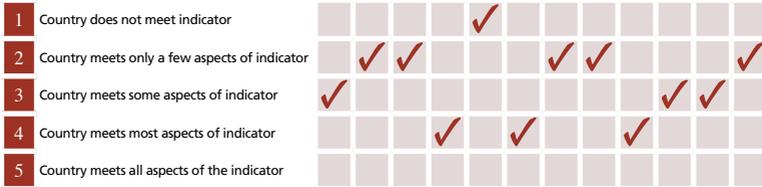
It was noted that the danger can come from the public itself. There was an incident where a journalist who had written on issues critical of the ruling party was assaulted on a night out. Additionally, Max Hamata has been threatened at his office with a 'panga'.

In some cases, media houses reporting on sensitive cases use the by-line of 'staff reporter', so as not to identify the journalist behind the story.

'The president is on record for saying that nothing physical will happen to a journalist while he is president. What sometimes scares me is the individuals who can walk into your office with a panga. I speak to journalists a lot about being more aware of their surroundings.'

Scores:

Individual scores:



Average score:

2.7

Score of previous years:

2005: n/a; 2007: n/a; 2009: 3.0; 2011: 2.5; 2015: 1.9

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

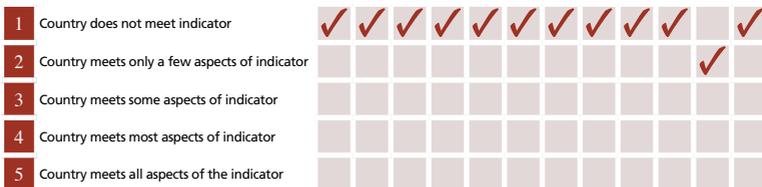
Journalists in Namibia are not organised into trade unions and therefore lack collective bargaining power. Some media practitioners at NBC, however, are members of the Namibia Public Workers Union. It is important to note the history of this union, which was affiliated to SWAPO and which therefore brings into question issues around objectivity for those who are members.

In terms of professional associations, there is only the EFN. However, this is specific to editors and the body focuses more on standards than on representing the interests of journalists.

MISA Namibia had a fund to assist journalists if they were in trouble. However, it was not a union but simply a member-based organisation which advocated for media rights, whether or not affected journalists were signed-up as members. MISA Namibia is currently dormant.

Scores:

Individual scores:



Average score:

1.1

Score of previous years:

2005: 2.8; 2007: 3.0; 2009: 2.4; 2011: 1.6; 2015: 1.4

4.5 Journalists and media houses have integrity and are not corrupt

Corruption does exist in the media, but the scale of this corruption is not clear and as one panellist put it: ‘I would like to think that for the most part, the media have a high level of credibility. I would hope that there are a lot of checks and balances and that when we open a paper, the content is not skewed by corrupt practice.’

Panellists noted that the corruption that does take place takes on many forms. There may be corruption in terms of financial benefits, but there are also other benefits, such as being seen in certain circles of power. One panellist noted an example whereby a certain newspaper refused to publish a story about a maid working at the Spanish embassy, seemingly to keep favour within diplomatic circles.

A panellist also noted that in radio, there have been several cases of sex and other favours for interviews. ‘It’s normal in this country.’

The above notwithstanding, it is promising to note that the office of the media ombudsman has not received any complaints about journalists asking for money or favours.

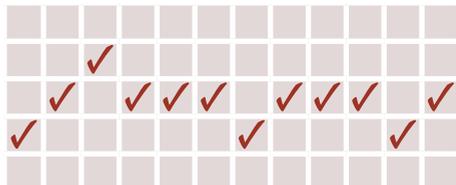
Panellists noted that corruption does not only take place at the level of the journalists and reporters, but also at the management and ownership level. As one remarked: ‘If media houses are owned by “tenderpreneurs” [business people or entrepreneurs specialising in government tendered projects], how can they not be corrupt?’

Most media houses require that journalists declare freebies provided to them. It is common that various organisations will provide journalists with transportation and sometimes with accommodation when outside their place of residence to attend their events. It was noted with concern that this practice could skew the angle of reporting.

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:

Score of previous years:

3.2

2005: n/a; 2007: n/a; 2009: 3.6; 2011: 2.6; 2015: 2.9

4.6 Journalists and editors do not practice self-censorship in the private broadcasting and print media

Journalists and editors in the private media do, at times, practise self-censorship. Panellists posited that this may be due to the limitations of their own knowledge, fear for their own security or their job, fear of losing advertising dollars, or to remain on good terms with their friends.

‘People have been fired for what they’ve said or written. My concern is especially for students who have just started as journalists as well as for freelancers, who are paid very little, have no security and are in a delicate position. They are easily impressionable by those in power and can censor themselves. So, they get the press release and do “copy and paste” journalism so as not to get in trouble.’

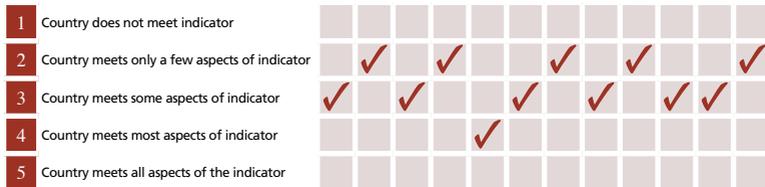
Media owners may also be compromised. ‘Namibia is a small country with respect to population and people may easily take sides with their friends.’ A panellist noted how a story on Windhoek Gymnasium played out on the front pages of a newspaper, simply because the editor was close friends with the principal at the school and was using the newspaper to defend his name.

At *Informanté*, panellists noted that, ‘There is a thin line between journalism and PR [Public Relations]. For example, when Quinton van Rooyen¹¹ says something, it’s front page news.’

‘The paper has a very strange structure, with a head of the media sector and an editor. It is very clear that the editor there doesn’t call the shots with respect to the paper and there is no independent editorial policy.’

Scores:

Individual scores:



Average score:

2.7

Score of previous years:

2005: 3.0; 2007: 2.9; 2009: 2.9; 2011: 2.1; 2015: 2.7

11 Quinton van Rooyen is the owner of the Trustco Group, which owns the *Informanté* Newspaper.

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

Various tertiary institutions in Namibia offer formal qualification programmes in media fields.

The Namibia University of Science and Technology (NUST) offers a Bachelor of Journalism and Media Technology degree, as well as a Bachelor Honours degree in this same field. The bachelor degree can be done full-time (three years), part-time, or through distance studies. The one-year honours degree is offered as a part-time course, providing practising journalists with an opportunity to upgrade their qualifications on the job.

UNAM offers a Bachelor Degree in Media Studies and students have to choose one of three streams in which to specialise: PR, Electronic Media or Print Media; as well as a research-based Master of Arts degree in Media Studies. UNAM's department of Information and Communication Studies also houses UNAM Radio: a campus radio station licensed as a community broadcaster and UNAM Echo – a student-led publication.

Both NUST and UNAM have theoretical and practical components to their programmes and students are required to complete an internship before graduating.

The College of the Arts' (COTA) media school provides Diplomas in TV Production, Sound Production, Radio Production and New Media. COTA's training is more technical and it does well in this regard. However, an identified shortfall is that its graduates are not well-versed on issues of ethics and certain aspects of journalism, as they are not trained as journalists.

Other smaller colleges may also offer media-related courses. For example, Triumphant College's School of Management and Business Studies offers a Diploma programme in Journalism and Media Studies.

The quality of students who graduated from these institutions, however, is questionable – an issue that raises concern even beyond media graduates and which speaks to the failing of the country's education system on the whole. Despite the majority of journalists having some sort of tertiary education or qualification, 'It is frightening the stuff we have to correct. The training is good, but not sufficient. One of the most frustrating things or challenges we face are with the basics, like grammar and writing and full-stops. We still have to say to a qualified journalist, "Did you see that you didn't put in a full-stop?".'

Plagiarism, the lack of a reading culture even amongst journalists, a lack of specialised training on key issues and topics and an inability to think critically and to ask hard-hitting, probing questions are also key challenges that editors face with new reporters.

Members of the panel from civil society also complained about the quality of interviews. ‘Sometimes journalists ask the personalities they are interviewing to provide the questions they want them to ask. So, the interviewee ends up setting the agenda, not the journalist conducting the interview.’ ‘That’s why some of the content is very boring to watch – because it’s just a little routine.’

Some panellists complained that several seasoned journalists and editors have left the newsrooms of media houses and few practise as media lecturers. ‘Seasoned journalists and editors are lacking and we also have millennials with an attitude!’

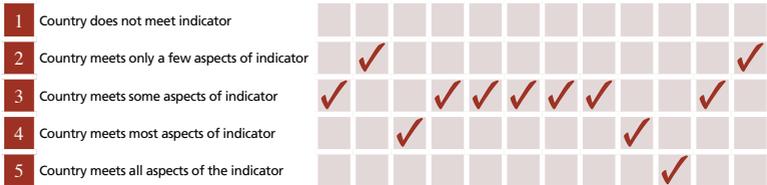
One panellist noted that there have been cases where media students have not attended classes, or have had other people writing their exams for them. ‘So, they have no training!’ It is unclear how common this practice is.

Beyond the formal education programmes, there are various media training opportunities and some media houses provide on-the-job training for their journalists. Many media training opportunities are, however, reliant on NGOs or international organisations such as Deutsche Welle).

NMH has a media academy which provides in-house training to their journalists. NBC has a training department which partners with organisations such as DW, CCTV and Canal France International to provide capacity training to its media staff.

Scores:

Individual scores:



Average score:

3.2

Score of previous years:

2005: 2.8; 2007: 3.0; 2009: 3.3; 2011: 2.7; 2015: 3.3

4.8 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media houses

With regards to gender, in print media the majority of editors are male. This is also the case with respect to management at most radio stations. Positively, NBC has a strong policy to promote gender balance within its structures and there are several women in leadership roles there.

Panellists felt that for the most part, there is no discrimination with respect to ethnicity, race, LGBTI individuals, or religion, although there may be external critique on religious dress. ‘At NBC, we have a journalist who is Muslim and who used to wear her religious dress and a lot of people complained about this.’

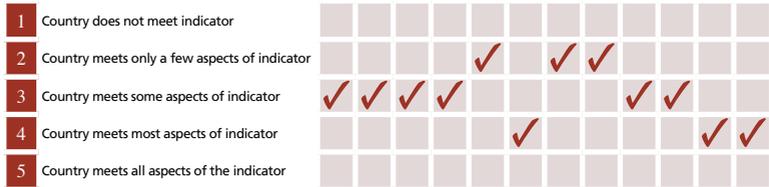
On the ethnicity issue, one panellist noted that more conscious efforts are required to ensure that people who are not from the dominant ethnic group (Aawambo) do not feel alienated or discriminated against. ‘Unfortunately, there is not a conscious effort to address this issue and this, strictly speaking, amounts to indirect discrimination. We’re not addressing the issues where people feel discriminated and are therefore perpetuating the status quo, which is discriminatory in itself.’

There is no clear national framework to monitor ethnicity in the workplace and although the Employment Equity Commission does monitor gender and race – it only collects data from eligible employers.

With respect to people with disabilities, discrimination does exist and one panellist questioned why there are so few media practitioners with disabilities despite the large number of disabled students studying media at the various learning institutions. A panellist noted that for people with disabilities, in the employment search process conversations quickly shift from their abilities (i.e. qualifications) to their physical disabilities. They also noted that physical accessibility (e.g. for wheelchairs) is not well considered in many Namibian newsrooms.

Scores:

Individual scores:



Average score: **3.0**
 Score of previous years: 2005: n/a; 2007: n/a; 2009: n/a; 2011: 2.4; 2015: 2.8

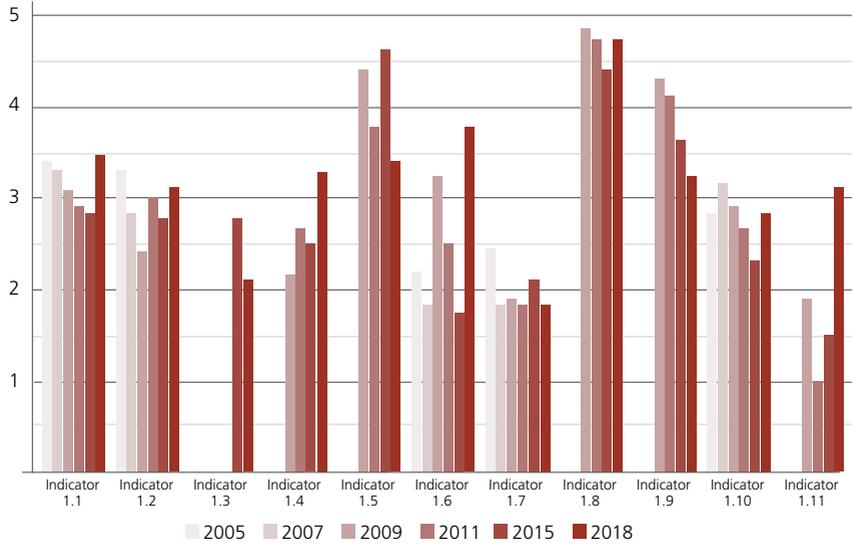
Overall Score for Sector 4: **2.9**



COMPARATIVE GRAPHS

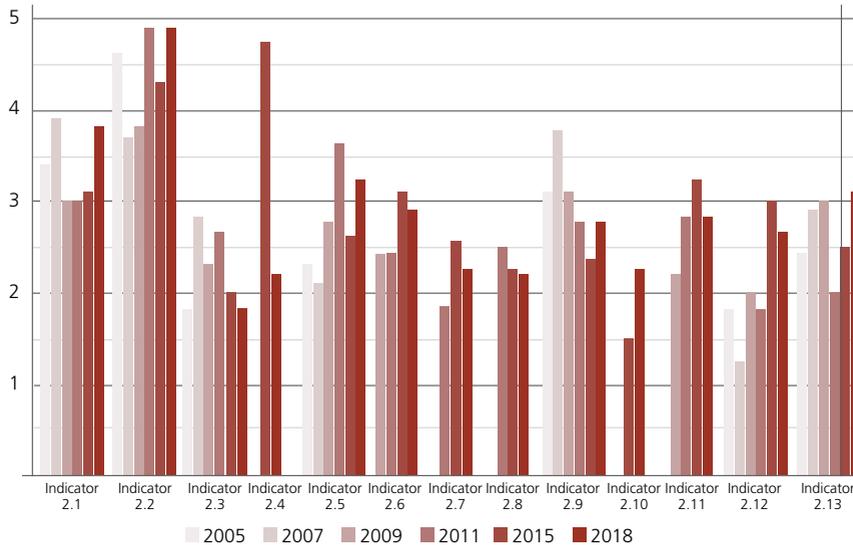
SECTOR 1:

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



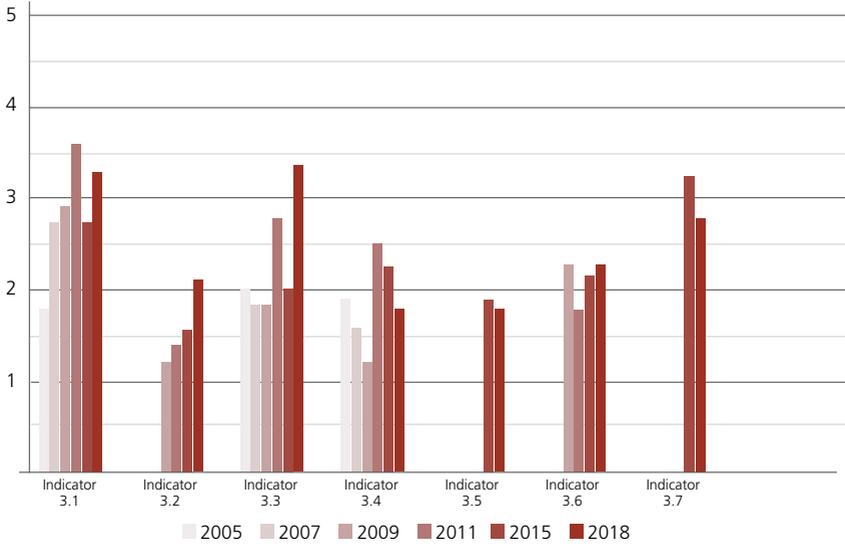
SECTOR 2:

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



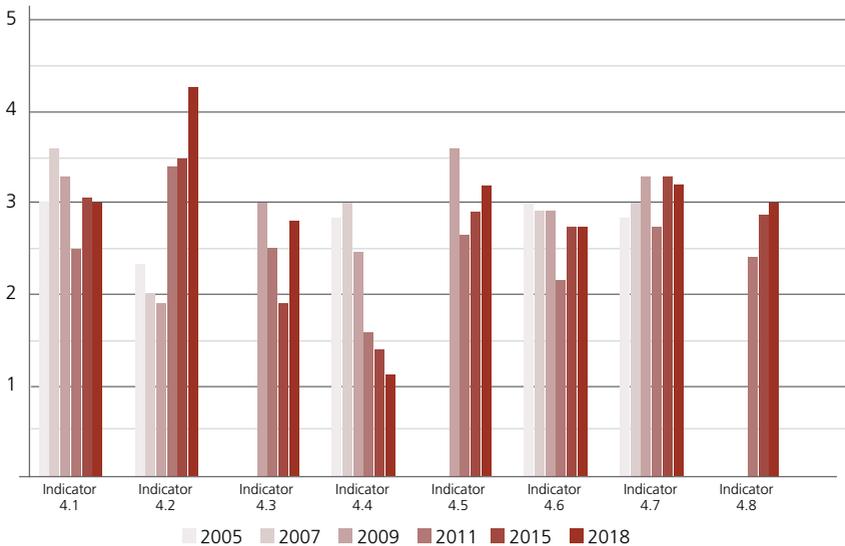
SECTOR 3:

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

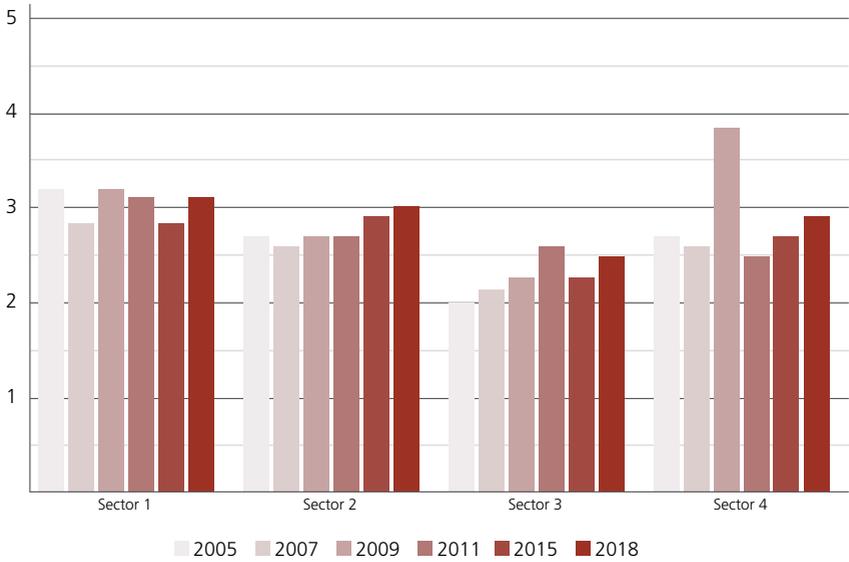


SECTOR 4:

The media practise high levels of professional standards



ALL SECTORS: COMPARING AVERAGE SCORES





THE WAY FORWARD

1. What were the developments in the media environment in the last three/four years?

Panellists highlighted the following key developments:

- New media houses have been established.
 - *The Patriot*, published by Oxygen Communications, was launched in March 2016.
 - Three new community radio stations were formed.
- The impact of social media which has had both positive and negative implications.
- The 2016 revision of the code of ethics was highlighted as a positive development.
- Positive improvements at NBC, including:
 - Digitalisation (including getting NBC radio stations to broadcast online).
 - The development and launch of the NBC mobile application to access TV on phone and online.
- Some newspapers have gone strictly online from print, such as the *Villager* and the *Namibia Economist*.

2. What kind of activities are needed over the next three/four years?

- The enactment of the Access to Information Act.
- Increased research on Namibia's media landscape, including research into salaries and ownership.
- The establishment of a journalist's union and professional associations.
- TV should become more accommodating and accessible to persons with disabilities – mainstreaming and integration of people with disabilities.
- Increased, balanced and sensitive coverage of minority groups.
- Media law reform with respect to broadcasting laws – NBC and CRAN – to support the independence and public accountability of the NBC.
- The activation of the Universal Service Fund to support community broadcasters.

Panellists:

Media (list in chronological order of surname):

1. Obed Emvula, Film Producer
2. Emsie Erastus, Producer – TV broadcasting
3. Levi Katire, Community Broadcaster
4. Hilda Basson Namundjebo, Print Media Owner
5. John Nakuta, Lawyer and Media Ombudsman
6. June Shimoushili, Print Media Journalist
7. Zoe Titus, Media Advocate/Activist
8. Robin Tyson, Media Lecturer

Civil Society (list in chronological order of surname):

9. Michael Uusiku Akuupa, Labour Expert and Activist
10. Kavena Hambira, Human Rights/Democracy Activist
11. Madame Jholerina Brina Timbo, LGBTI Activist
12. Daniel Trum, People with Disabilities Activist

Rapporteur:

Nangula Shejavali, Consultant

Moderator:

Dr Ibrahim Sané, Media and Communication Consultant

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