



We demand freedom



A Tour into the Media Freedom Environment in Southern Africa: Brief Country Profile

MISA's Media Monitoring exercise in 2010 showed a skewed shift to legislative nature, where repressive laws seemed to take over the emblem of media freedom in the region. However, much worse to spark concern was the killing of two journalist in Angola, a violation, which one would view as strange to the region, especially 20 years after the enactment of the Windhoek Declaration. MISA also witnessed a number of repressive media legislations being proposed and enacted in Malawi, South Africa, Botswana and Zimbabwe, a sign of deteriorating democratic values in these countries. Arrest, detention and prosecution of journalists cases were also witnessed in countries such as Zambia and Zimbabwe.

However, as we celebrate the 20th anniversary of the Windhoek Declaration, we would like to take you into a brief tour in examining the Media Freedom Profile for each of the 11 Southern African countries as monitored in 2010.

Number of Alerts, Communiqués, and Press Statements sent per country in 2010

COUNTRY	NUMBER OF ALERTS	NUMBER OF COMMUNIQUES	PRESS RELEASE
ANGOLA	2	13	0
BOTSWANA	7	2	7
LESOTHO	5	0	1
MALAWI	8	13	7
MOZAMBIQUE	3	4	2
NAMIBIA	4	11	4
SOUTH AFRICA	10	17	8
SWAZILAND	16	1	0
TANZANIA	3	5	8
ZAMBIA	24	11	7
ZIMBABWE	27	13	17
PRESS RELEASE SENT BY MISA REGIONAL SECRETARIAT			20
Total	109	90	81

CLASSIFICATION OF VIOLATIONS PER COUNTRY MONITORED IN 2010

Country	Beaten/assaulted	legislated	kill ed	victory	bombed	detai ned	sente nced	oth ers	cens ored	Expelled/banned	Threat ened
Angola	0	0	2	10	0	0	0	3	0	0	0
Botswana	0	2	0	1	0	2	0	1	0	2	2
Lesotho	0	1	0	1	0	0	0	0	0	1	2
Malawi	0	4	0	8	0	1	0	3	1	4	2
Mozambique	0	2	0	2	0	0	0	2	0	0	1
Namibia	0	0	0	8	0	0	0	5	0	1	1
South Africa	1	4	0	12	0	1	0	6	1	2	3
Swaziland	2	4	0	0	0	2	0	2	4	3	4
Tanzania	0	2	0	2	0	0	0	1	0	2	1
Zambia	1	5	0	8	0	1	1	9	2	4	12
Zimbabwe	1	5	0	9	0	13	0	7	1	3	5
Total	5	29	2	61	0	20	1	39	9	22	32

Angola

Independence: November 11, 1975



President: Jose Eduardo dos Santos



Through its monitoring MISA managed to expose the killing of two (2) journalists in Angola violations that sent a dark cloud to the media environment in Southern Africa. A Togolese Journalist was shot in Kabinda, Angola just upon the arrival of the Togolese Soccer Team to participate in the 2010 African Cup of Nations. The journalist was shot by alleged rebel movement that seeks the secession of Kabinda from the rest of Angola. Whereas, Alberto Graves Chakussanga, a Radio Journalist with Radio Despertar was gunned down by unknown assassin at his house in Luanda on 5 September 2010. MISA widely distributed these violations across the world and sent out press statements calling for the arrest and prosecution of offenders. This information caught the attention of many other media rights organisation in the world that also reacted to the violation by sending protest statements against the violation. However, the killers of these journalists are still at large.

Meanwhile Angola is also still faced with lack of Access to Information legislation to allow journalists and the public access to public information.

Angola media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	1
Radio Stations	Government/ Public	1
	Private	7
Community Radio Stations		0
Newspapers/ Dailies	Government	1
	Private	0
Newspapers/ Weeklies	Government	0
	Private	11

Botswana



Independence: September 30, 1966



President: Ian Khama

Botswana has enacted the Media practitioners Act that seeks to register journalist and control the media by statute. The act has stalled an envisaged self-regulatory mechanism in that country. The government decided to drive a statutory regulatory body to control the media, but has since failed to get off the ground. In addition to this repression, president Khama has scraping the Ministry of Communication, Science and technology; state print and broadcasting media are now under his bosom through the Ministry of State President. However President Khama is not always having his way, his infamous Media Practitioners Act of 2008 has failed to take off. Intense lobbying from MISA has meant that publishers have refused participation while the law society has refused to provide a chair as required by law. However MISA together with other players have launched a constitutional challenge which seeks to repeal the Media practitioners Act and ensure that the media regulate themselves. The case is still at initial stages.

Botswana does not have an Access to Information legislation, making it difficult for both the media and citizen to access public information.

The government in Botswana is still exercising its control of the Botswana Television (Btv). There is still need for the government to avail its political will to transform the state media into public broadcasters that will serve the interest of every citizen. The continuous control by the government over Btv is evident given the conflict that always prevails over the allocation of airtime to political players during elections.

Botswana media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	1
Radio Stations	Government/ Public	2
	Private	3
Community Radio Stations		0
Newspapers/ Dailies	Government	1
	Private	1
Newspapers/ Weeklies	Government	0
	Private	12

Lesotho



Independence:

October

4,

1966

Prime Minister: Pakalitha Mosisili

The country has no Access to Information legislation and the media, which makes it difficult for the media and other citizens to access public information.

The government holds the monopoly of state media. The government has also proposed a Media Council Bill that seeks to drive a statutory control over the media and stall promises for self regulation of the media in that country.

The media in Lesotho still faces defamation law suits and threats at the heads of powerful political players in the country. This has being worsened by the lack of a legislation that allows for the formation of a self regulatory mechanism which, would make sure media disputes are settled via a recognised media council. The latest case of defamation against the media involves the recent defamation law suit, were Prime Minister Pakalitha Mosisili is suing a local newspaper own by the Catholic Church, Moeletsi oa Basotho for defamation and is demanding M2 million (US\$288 600.00) in damages.

Lesotho media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	1
Radio Stations	Government/ Public	2
	Private	7
Community Radio Stations		1
Newspapers/ Dailies	Government	0
	Private	0
Newspapers/ Weeklies	Government	2
	Private	10

Malawi



Independence: 6 July 1964



President: Bingu wa Mutharika

The media environment was relatively free in Malawi until the amendment to Section 46 of the penal code was signed into law. The recent assertion to the amendment of section 46 Penal Code in Malawi by President Bingu wa Mutharika is backlash to the prevailing media freedom in that country. The bill was signed into law by President Wa Mutharika without further stakeholder consultations and gives the Minister of Information power to ban publications and publication materials he or she views as not in the public interest.

On the other hand, despite the fact that Malawi has being a flourishing media Environment recently, the Malawi Communications Regulatory Authority (MACRA) has thrown spanners in the further establishment of broadcasting stations by delaying to offer broadcasting licences to new players in the broadcasting industry. Because of this situation, several arrests have been done to cab illegal operations of community radio stations in Malawi.

Malawi media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	3
Radio Stations	Government/ Public	2
	Private	15
Community Radio Stations		4
Newspapers/ Dailies	Government	0
	Private	2
Newspapers/ Weeklies	Government	0
	Private	6

Mozambique



Independence: June 25, 1975



President: Armando Guebuza

Media Freedom in Mozambique has been relatively promising with proper relationships existing between the media and the government. Government has also been forthcoming in allowing civil society and media players to participate in debates leading to enactments of legislations in the country. However, the lack of Access to Information legislation in that country is still a major challenge. The Mozambican parliament, the Assembly of the Republic, has promised to pass Freedom of Information Bill in 2010 that was to grant citizens access to information held by public bodies. The Bill was not passed and the country still has no Access to Information legislation to date. The country has also witnessed harassments and threats by the police towards journalists who have attempted to cover stories regarding the former leader of the major opposition party Renamo, Afonso Dhlakama. The country also witnessed defamation lawsuits against journalists. For example, Lucia Afate, a parliamentary deputy for Mozambique's main opposition party, the former rebel movement Renamo, sued journalist Jose Vasco da Gama over a story that appeared in the weekly paper "Magazine Independente" (MI) in 2009, which alleged that Afate had secretly married Renamo leader Afonso Dhlakama in a traditional ceremony in the northern province of Nampula. These cases are made worse by the absence of a self-regulatory mechanism to put in place by the media themselves to preside over media disputes in that country. The government in Mozambique has since put in place a statutory regulatory mechanism centrally to internationally recognize self-regulatory mechanism set by the media themselves.

Namibia



Independence: March 21, 1990



President: Hifikepunye Pohamba

Meanwhile in 2010, MISA also established stabilization in the media environment in Namibia. Other Media rights organisations have also ranked Namibia to be the first in terms of media freedom in Africa during 2010. It is thus positive to note that the country has experienced a stable environment with few violations recorded against the media. However the media environment in Namibia still faces challenges. One (1) case was recorded where the Informante Editor Max Hamata, was threatened for writing a story on the illness of the Founding President Dr. Sam Nujoma, whereas in another incident the NBC journalists were prevented from covering an opposition party for the Rally for Democracy and Progress (RDP) Party in Kahandja. These cases together with the continues ban on advertisement in the Namibian Newspaper as well as the continuous state control over the Namibian Broadcasting Corporation (NBC) are still a major challenge to the media environment in Namibia. In addition to this, the country still has no Access to Information Legislation and because of that, a total commitment to access to public information is still not guaranteed. and because of that, a total commitment to access to public information is still not guaranteed. There also seems to be no proper political will from the side of government to enact the Access to Information law. The operationalization of the recently enacted Communications Act is also still a farfetched idea and still leaves the media with doubts on whether the Act will not be abused to repress the media. The Act provides for the interception of Information that is deemed threatening to the country's security system. The delay in the operationalization of the communications Act has also encouraged further delays by government to issuing broadcasting licenses to new players in the broadcasting sector for almost a year now. This has also stalled the process of establishing community radio stations in rural areas to ensure that rural communities have proper access to information.

Namibia still lacks vocal print and broadcasting players to spark democratic debates on issues of national concerns. This problem is also worsened by the fact that the country lacks more critical newspaper that vows to hold leaders accountable to citizens. At the moment the country, has only 3 English daily newspapers which also caters for the urban dwellers in towns and cities, making it difficult for the rural majority to access news. The Namibian Newspaper, which seems to be a strong player in the print media industry still continue to face threats from political players. The burn on advertisement on the Namibian by the government is still enforced throwing the country into serious travesty of justice. Community newspaper idea is also still a farfetched idea in the country, while on the other hand the broadcasting industry is still dominated by private players whose agenda has being purely commercial, rather than community needs and national debates. The country therefore needs a major broadcasting transformation to allow more community radio stations established to cater for the rural poor.

There are only two television stations in Namibia, One Africa television and the NBC. However, One Africa television still lacks the capacity to generate local contents that is necessary to local citizens. That means NBC is still valued as the major player that should serve the interest of Namibians. However, the NBC will always be limping in as much as the government still fails to relinquish its control over the national broadcaster. The NBC has no editorial independence, the government still have power on the appointment and firing of the entire NBC board, and management, where as the entire editorial departments of the NBC has being polluted, with all news coming out of the station being biased towards the ruling party. A proper broadcasting Act therefore needs to be passed to transform the NBC into a purely Public Broadcaster.

Namibia Media landscape

Media	Title	Language	Ownership
Daily Newspapers Private owned (2) Trust owned (1) State owned (1)	• Allegemeine Zein- tung	German	Private (Democratic media Holdings)
	• New Era	English (Local languages)	State (New Era Publication Corporation)
	• Die Republikein	Afrikaans (English)	Private (Democratic Media Holdings) the Democratic Media Trust
	• The Namibian	English (Oshiwambo)	Trust (Free Press of Namibia Trust)
Weekly & Bi- weekly Newspaper Private owned (5) Community (1) State owned (1)	• Caprivi Vision	English (Silozi)	Community/ Private (private individuals on a volunteer basis.)
	• Informante	English (Afrikaans)	Private (Trusco Group International)
	• Namib Times	English (German)	Private (Frankfurt)
	• The Economist	English	Private (D. Steinman)
	• The Southern Times	English English (Afrikaans)	State (NamZim Newspapers(pty.) Limited
	• The Windhoek Observer		Namibian & Zimbabwean states Private (E. Schmidt)

Media	Title	Language	Ownership
Commercial Radio Stations Private owned (6) State owned (0)	<ul style="list-style-type: none"> • Cosmos Radio • Radio 99 • Radio Energy(100FM) • Radio Kudu • Radio Omulunga • Radio Wave 	Afrikaans (English) English (Afrikaans and Portuguese) English English (Afrikaans & German) Afrikaans (Oshiwambo) English English & Oshiwambo English	Private Private Private Private Private
Community Radio Broadcasters Private owned (2) Trust owned (2) Public owned (1)	<ul style="list-style-type: none"> • Channel 7 • Base FM • Ohangwena Community Radio • Radio Ecclesia • UNAM Radio 	English & Oshiwambo English English & Oshiwambo English & German English	Article 21 comp. (department under Media for Christ) Trust (Base FM Trust) Private (Catholic Church) Private / Public (University of Namibia)
Public / state media English service (1) Indigenous languages services (9)	<ul style="list-style-type: none"> • NBC Radio (Namibian Broadcasting Corporation) 	English & (Local Languages)	State owned
Television Stations Private owned (2) State owned (1) Other (1) SWAPO Party	<ul style="list-style-type: none"> • One Africa • NBC (Namibian Broadcasting Corporation) • MultiChoice Namibia 	English English & Local Languages English & Depends on channel	Private State owned Private & SWAPO Party (51%) MultiChoice Africa (49%)

South Africa

Independence: 27 April 1994



President: Jacob Zuma



The country has been a flourishing democracy with a promising media environment in Southern Africa over the past years. But that dream became drowned by defiantly political players in the ruling ANC whose agendas throughout 2010 has being to control the media by statute.

South Africa has in 2010 seen two repressive media laws which, if passed will completely derail the existing media freedom in that country. Despite the county being the only SADC country with Freedom of Information Act and a flourishing media self regulatory mechanism, political players have being vowing to pass the Media Appeals Tribunal and the Protection of Information Act which would stall the provisions of the Freedom of Information Act that exists in South Africa. Debate on the legislation is still ongoing but a strong voice from both the media and civil society has rallied a campaign against the passing into law of these repressive Bills.

The country has also witnessed major threats towards the media being fuelled by the ANC youth leaders, such as Julius Malema.

In addition to that, South Africa's public broadcaster, the SABC has being fuelled by complete miss management that has crippled the national broadcaster and landed it into bankrupts. The SABC which was viewed as the promising broadcaster on the African continent has since scaled down its operations and closed down its news channel, The SABC News International shattering all promises for debates on issues of national and international concern to the public.

South Africa media landscape

Media	Ownership	Number Per Media Category
Television Stations	Public:3 Commercial: 4 Commercial: 6	13
Television Stations	Public:15 Commercial: 19 Commercial: 126- (87 on Air)	160
Newspapers/ Dailies	Newspapers / Dailies Independent Newspapers: 9 Avusa: 5 Naspers: 6 Caxton: 1	21
Newspapers/ Weekly	Independent Newspapers: 8 Avusa: 5 Naspers: 10 Caxton: 1	24

Swaziland



Independence: October 1, 1968



King Mswati III

In Swaziland the King remains the law. A MISA study into censorship in Swaziland's newsrooms singled out the monarchy as the main predator of press freedom. The once vibrant, unrelenting and promising Swazi media now resembles a tired sleeping dog. The media in Swaziland are still scared to report issues deemed sensitive by the monarchy, let alone 'The Queen's Sex Scandal'.

The government has since been throwing spanners in the process to establish a self-regulatory mechanism in that country. The government has been advocating for a statutory media council, however intense lobbying by MISA and other stakeholders seems to bear fruit even though major

avenues are still not open yet to allow for a speedy registration of a voluntary self-regulatory council; the Media Complaints Committee.

The media continues to be sued for defamation due lack of proper self regulatory mechanism to deal with media disputes. The cases through which the Swazi Mirror was sued defamation and where the Nation Magazine was sued for contempt of court are a testimony to that.

Swaziland media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	1
Radio Stations	Government/ Public	1
	Private	0
Community Radio Stations		2 (but not licensed)
Newspapers/ Dailies	Government	1
	Private	1
Newspapers/ Weeklies	Government	1
	Private	5

Tanzania



Independence: : 26 April 1964



President: Jakaya Kikwete

Despite mushrooming of private players in the media in Tanzania, the country still faces interference by the government in the operation of the media in that country. The government has continuously imposed threats and violated media freedom using the archaic Newspaper Act through which several newspapers are being burned from publishing.

Because of this, media reporting has being skewed, leading to shoddy journalism that has so far compromised the level of professionalism in the media industry.

Apart from Mwanahalisi newspaper that was burned from operation two years ago the government still continue to close down other media outlets. In 2010, the Tanzania government de-registered *Leo Tena* newspaper and suspended the publication of *Kulikoni* newspaper for 90 days effectively from 11 January 2010. The draconian measure was announced by the Minister of Information, Sports and Culture Captain George Mkuchika in Dar es Salaam on 10 January 2010.

The Minister claims that the newspapers were punished for violating journalism ethics. He also said *Kulikoni* violated National Security law by covering a story on the army. *Leo Tena* Newspaper was accused of violating the Penal Code through its publication of obscene materials. The newspaper was accused for publishing pornographic materials of nude lesbian women having sex.

Tanzania media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	0
Radio Stations	Government/ Public	1
	Private	5
Community Radio Stations		1
Newspapers/ Dailies	Government	1
	Private	0
Newspapers/ Weeklies	Government	0
	Private	5

Zambia



Independence: October 24, 1964



President: Rupiah Banda

The Zambian government still continues to wage a media war against the Post Newspaper, Zambia's biggest daily. Arrest and prosecution of the post newspaper journalists has continued since 2009. Immediately after the exoneration of News editor Chansa Kabwela, the Zambian Government turned their anger on Editor in Chief of the Newspaper Fred M'membe who is being accused of contempt of court. The Penal Code has also been the major threatening legislation that has been used by the government to arrest and prosecute journalists in Zambia. The media environment will therefore remain skewed as long as the Zambian government do not consider repealing it. As it stands, the draconian law is a stumbling block to freedom of speech and the media. This is also worsened by the fact that the country does not have Access to Information legislation.

The Zambian government has since stalled the registration of a self regulation mechanism, The Media Council of Zambia, a process driven by the media themselves. The government has since refused to assert to the process while at the same time pushing to enforce a statutory regulation of the media.

In addition to this, MISA is still disturbed by the continuous ban of Radio Lyambai, a community radio station in Western Zambia by the Zambian government on the 14th of January 2011. Radio Lyambai has since closed down after government confiscated equipments and arrested the radio station's deputy Manager Nyambe Muyumbano. Muyumbano spent few days in detention at Mongu Central Police before he was released on bail following the intervention of MISA. His case is also still ongoing in the Zambian court. The Zambian government has since then failed to budge to request from the radio station and MISA to allow the station back on air. The government is accusing the radio station for airing seditious materials during political unrest on 14 January 2011 involving communities who demand the independence of western Zambia.

MISA values the role that radio Lyambai plays in the development of communities in western province of Zambia by providing information and giving people a platform to express themselves on various developmental and governance issues, including crosscutting issues of gender and HIV/AIDS. In order to verify the reports linking the radio station to the 14th January 2011 riots in Mongu, MISA deployed officials to the province to investigate the allegations, and so far the findings suggests that there are no facts suggesting that Radio Lyambai incited violence or disturbed the peace through its broadcast.

We therefore call on the Zambian government to relinquish its position on the ban of the radio station and allow the station to go back on air.

Zambia media landscape

Media	Ownership	Number Per Media Category	Comments
Television Stations	Government	1	Has introduced a second television channel but is on test transmission
	Private	7	of which 5 are cable television while two are satellite pay television providers
Radio Stations	Government/ Public	4	Three stations are run by the state broadcaster while the fourth one is Parliament radio
	Commercial	11	Most are found along the line of rail and the Capital city has the majority
	Community Radio Stations	17	Out of which one went off air. Blends religious owned and community owned stations
Newspapers/ Dailies	Government	2	
	Private	1	
Newspapers/ Weeklies	Government	2	
	Private	4	Very erratic in publication.
Newspapers/ BiWeeklies	Private	1	Most stable and consistent
Newspapers/ Monthly	Private	1	

Zimbabwe



Independence: April 18, 1980



President: Robert Mugabe

Although there has been some sort of stability in the media environment in Zimbabwe during the past months, Zimbabwe still ranks the worst offender of Media Freedom in the region more violations going on in that country. MISA recorded about 27 Alerts in Zimbabwe during 2010. The media still suffers repression through arrest and prosecution of journalists.

In 2010 alone, there have been 13 arrests of journalists in Zimbabwe, compared to 7 cases of detention in 2009 statistics. Journalists such as Andriison Manyere, Nunurai Jena, Kudakweshe Zvarayi, Flata Kavinga, Nkosana Dhlamini, Dumisani Sibinda, and Nqobani Ndlovu, Nevanji Madanhire have suffered detention in their lines of duty at the hands of security agents in Zimbabwe, a sign that the coalition government has completely failed to protect media freedom in Zimbabwe. Since the beginning of the coalition government the number of threats against journalists has continued to rise up. In 2010 along there were 21 threats against the media recorded in Zimbabwe compared to 7 cases in 2009.

The government of Zimbabwe has gone further to establish a statutory Zimbabwe Media Commission to control the media by statute through Zimbabwe's draconian Access to Information and Protection of Privacy Act (AIPPA) thereby violating the international principles of independent and free media that was supposed to exist in Zimbabwe.

The statutory Zimbabwe Media Commission (ZMC) was established through AIPPA and has since imposed a heavier registration and accreditation fees to journalists who intend to operate in Zimbabwe. This process is seen as a tool through which the government intends to dispel more journalists from operating in Zimbabwe.

The broadcasting sector in Zimbabwe is also still yet to be liberalised and the government is still holding monopoly of the industry while at the sometime preventing private plays from obtaining broadcasting licenses. Despite a call for application of broadcasting license by ZMC in 2009, there has been no single license issued to private players so far.

Zimbabwe media landscape

Media	Ownership	Number Per Media Category
Television Stations	Government	1
	Private	0
Radio Stations	Government/ Public	4
	Private	0
Community Radio Stations		0
Newspapers/ Dailies	Government	3
	Private	0
Newspapers/ Weeklies	Government	10
	Private	10

Enquiries

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