

Office of the  
**UNDP Resident Representative**



**BOTSWANA**

**World Press Freedom Day**

“SADC Journalists under Fire”

“Botswana Mass Media Bill”

A View from the United Nations

Francistown

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*Director of Ceremonies  
Honourable Member of Parliament, Rre Masisi  
District Commissioner  
The Mayor of Francistown, Rre Peter Ngoma  
National Director, MISA Botswana, Rre Maphanyane  
Ladies and Gentlemen of the Press  
Heads of Departments  
Distinguished Guests  
Ladies and Gentlemen,*

It is a great pleasure and privilege for me to be present here in Francistown today. I am still fairly new to this country, and therefore also to this particular place.

But not as new as you might think. I was in fact in Francistown for the first time in 1980, in May, about a month after Independence was celebrated in Zimbabwe on April 17. I stayed only one night in a hotel, before I hurried on towards the border and spent the next night in the famous Victoria Falls Hotel, after driving through Matabeleland.

I will not make it a secret that Zimbabwe is on my mind and in my heart on this day, where we gather for the commemoration of the World Press Freedom Day. Since 1993 throughout the world, May 3<sup>rd</sup> serves as an occasion to inform the public of violations of the right to freedom of expression and as a reminder that many journalists brave death or jail to bring people their daily news.

You will all recall that stemming from the UNESCO General Conference of 1991 that recognized that a free, pluralistic and independent press was an essential component of any democratic society, the General Assembly in 1993 declared May 3<sup>rd</sup> as World Press Freedom Day. So that is why we are here today! Not to celebrate – but to commemorate!

I am myself a writer, more than a journalist. I have written numerous books for children and students, on global issues of sustainable development, and on the duties and rights of every man and woman to decide his/her own destiny, while recognizing that what each of us decide to do will impact on the lives of other people.

I am therefore a staunch believer in the concept of a free press being one of the most essential components of a democratic society, which in turn is a prerequisite for sustainable social and economic development. I therefore cannot and will not over-emphasize the

importance of free and independent media, for it is one of the pinnacles of true democracies.

A free and independent press opens space for the public to guard against authoritarian tendencies; it enables citizens to hold their governments accountable; and it gives them power to make choices about the type of government they want. It goes without saying that a free press and therefore access to information enhances citizens' capacity to participate in the democratic process by making informed decisions about matters pertinent to their governance.

So in my perspective, as in the perspective of the United Nations, a free press promotes public discourse, for the good of the individual and for the good of all – the ruling and the ruled.

In every continent, journalists, editors and publishers are murdered, assaulted, detained or harassed. Their publications are censored, fined, suspended and closed down or even denied their principal source of income through advertising.

*Master of Ceremonies,*

World Press Freedom Day exists to recognise the sacrifices made in the struggle for freedom of the press and to put pressure on the numerous countries that continue to deny their citizens this basic human right.

The figures are eloquent and astounding: Forty-six journalists were murdered in 20 countries last year; and at least 136 journalists are currently imprisoned in 27 countries.

Throughout human history experience has shown that men and women of scribe risk their lives by professional choice, in their effort to promote the free flow of information, asserting press freedom on behalf of all members of society.

In southern Africa or the SADC countries, this day is commemorated by looking back to the year and by reflecting on this year's theme of "**SADC Journalists under fire**".

It would appear that despite the importance of information and free press in the maintenance of democracy, very little has been done in the region to protect and promote that right. Over the past five years or so, there have been intense calls upon governments in the SADC region to liberalise and entrench the right to information in their constitutions and to enact laws to give effect to this right.

But the situation is not very encouraging! So far only three countries: *Mozambique, South Africa and Malawi* have provisions in their constitutions expressly protecting the right to information.

In the constitutions of other SADC member states - such as *Botswana, Lesotho, Zambia and Zimbabwe* - the protection of the right to information is weak, as only a passive right to information is protected. The constitution of *Namibia* is silent on the right to information, while *Swaziland* does not have a constitutional guarantee on the issue.

However, not all is gloom! Several SADC member states have initiated processes that will hopefully sooner or later lead to the enactment of access to information legislation

Media practitioners will remember the impact of the September 11 in America, with the resultant concerns by governments for citizen safety and protection. There has been a heightened (perhaps unprecedented) desire to control activities of the press under the cover of international terrorist fears and concerns post September 11.

The SADC region has experienced a number of individual country efforts to suppress independence of private media, as well as the desire to limit individual freedoms by legislation.

This is not least true in *Zimbabwe* through the “Access to Information and Privacy Act” and “Media” bills.

In *South Africa* we have witnessed efforts to criminalise the media’s protection of sources.

An increase of criminal defamation cases taking place in *Zambia and Lesotho* as well as other countries brought against a large number of media houses and workers in the SADC countries are clear signs of concern.

No country can claim to be a true democracy as long as it promulgates legislation intended to curtail free flow of information to its citizenry.

The banning of public discussions on “Third Term” calls by some sitting Presidents, show failure by those put in power democratically, to protect the electorates.

When you add this to the numerous administrative impediments brought to bear on media in the form of advertising bans, it becomes serious.

Incidents such as the banning of advertising and sales in the newspaper - *The Namibian*, by the government, the closing down of the *Guardian* in Swaziland, even after it won the court case; and many more, are clear indications that indeed “**SADC Journalists are under Fire**”.

But again, we should look at this in the longer-term perspective, where many SADC governments are democratising their institutions, and where it is generally acknowledged that meaningful development is impossible in the absence of true democracy, respect for human rights, peace and good governance.

With the New Partnership for Africa’s Development – commonly called NEPAD - African governments undertake to respect the global standards of democracy, the core components of which include political pluralism, allowing for the existence of several political parties and workers’ unions, fair, open and democratic elections organized periodically to enable citizens to freely choose their own leaders and governments.

All of these developments can only happen in an atmosphere where there is a free, broad-spectred and responsible press able to inform the people accordingly.

The purpose of the Democracy and Political Governance Initiative in the NEPAD initiative is to contribute towards the strengthening of the political and administrative framework of participating countries, in line with the principles of democracy, transparency, accountability, integrity, respect for human rights and promotion of the rule of law. Taken together with a free and responsible press, these initiatives will contribute to harnessing the energies of the continent towards development and the eradication of poverty.

*Ladies and Gentlemen!*

With this background on SADC countries as regards media issues, one then needs to place in context, the current desire by the Botswana Government to legislate on media through the *Mass Media Communications Bill*.

For a long time the local media industry had been without a self-regulating organ (in the form of a Press Council) to oversee the practice of journalism in this country. However, one is elated to learn that at long last journalists have ultimately formed the “Press Council of Botswana”, registered on the 28<sup>th</sup> of October 2002.

The Press Council will be charged with a mandate to protect and promote the development of the free, ethical, pluralistic and self-regulating press within the confines of law. The Press Council will also have within its organs an independent *Complaints Committee* and *Appeals Committee*, which will receive petitions from the public about the performance of members of the press and adjudicate on such matters and apply appropriate remedies including sanctions where necessary, in order to promote an atmosphere of mutual trust and respect between the press and the public.

I also understand that in a meeting with the Media Advisory Council in March this year, the Minister of Communication, Science and Technology, Boyce Sebetela, challenged the Press Council to coordinate the independent media fraternity to come up with their counter suggestions to the Mass Media Communication draft Bill for Government to consider.

Even as late as this past Wednesday at the MISA press conference at the Gaborone Sun, the Minister further challenged media practitioners that if there are any disturbing issues to the media, his ministry would be more than happy to discuss these so that together you come up with a common understanding.

This is an opportunity that the media fraternity in this country must seize so that they become true partners in democratic institutions of Botswana. It's a window of opportunity that has been opened for the media. It is not very often that such an opportunity is created to the media fraternity, especially in developing countries.

I understand that plans are underway for the Press Council to hold discussions with stakeholders as well as find consultants with both media and legal understanding to help expedite the process of a counter bill. This is a noble approach, for without the necessary consultations covering a broad spectrum of your constituency such efforts may leave out important segments of our society.

An irresponsible press without observance of the professional ethics will be a clear invitation for the powers that be to try and regulate it. But when this happens, it is you the scribes, and of course also your readers that suffer.

I would therefore strongly urge you to guard against such irresponsible elements among you. Hopefully the Press Council will make this job easier and therefore wont be any need for government to come up with draconian legislation to "make the press behave."

Therefore, as we commemorate the World Press Freedom Day here in Botswana, as do our colleagues worldwide, we sincerely hope that the families of about a dozen journalists who perished in the war in Iraq will understand that their cause has not been forgotten by journalists living elsewhere. We grieve for them. And I hope you will carry on the job they left behind, that is, to disseminate information to the world at large without fear or favour.

The injustices that are prevailing the world over can not be solved if the press ignores the wars and conditions of people living in Iraq, Azerbaijan, Southern Sudan, the DRC, Uganda and closer to home Zimbabwe. You in Botswana may be relatively better off. Therefore, as we commemorate here I urge you all to remember your less fortunate colleagues who have a tough time writing the truth in the mentioned countries.

Our commemoration of the World Press Freedom Day serves as a reminder to governments, of the need to respect their commitment to press freedom and is also a day of reflection among media professionals about issues of press freedom and professional ethics.

Just as importantly, World Press Freedom Day is a day of support for media which are targets for the restraint, or abolition, of press freedom. It is also a day of remembrance for those journalists who suffer the injustice in the exercise of their profession.

May the good Lord take care of them during the dangerous discharge of their duties.

*Thank you all.*