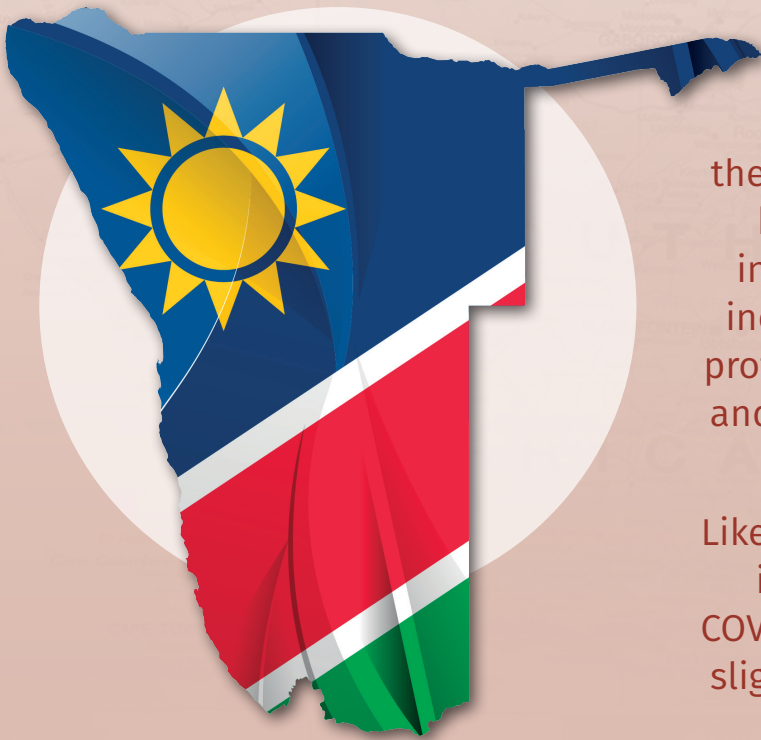




# NAMIBIA 2022

The African Media Barometer (AMB) is an in-depth and comprehensive homegrown description and measurement system for national media environments in Sub-Saharan Africa.



Namibia's legal and policy framework protects freedom of expression and media freedom based on Article 21 of the constitution. This is further bolstered by Article 144 of the constitution on international law, which automatically incorporates regional and international protocols, agreements and treaties signed and ratified by the Namibian government into the domestic legal system.

Like all other sectors, the Namibian media industry took a battering during the COVID-19 pandemic, emerging bruised and slightly altered in the post-pandemic era.

## KEY MEDIA DEVELOPMENTS 2018- 2021

### POSITIVE DEVELOPMENTS

There are new players in the broadcast sector.

The NBC is displaying some level of editorial independence.

The formation of the Namibia Media Professionals Union (NAMPU).

Solidarity has been shown within the media.

The NBC's former contract workers are now permanently employed.

### NEGATIVE DEVELOPMENTS

The detrimental impact of Covid-19 on the media's financial sustainability.

The NBC strike and continuing economic woes at the public broadcaster.

The increased harassment of journalists and civil society by the state.

State surveillance of journalists and civil society.

The SIM card regulations imposed by CRAN.

# KEY OUTCOMES

## Sector 1

### Legal/regulatory framework for freedom of expression and access to information and actual practice of these rights

- Namibia has ratified various international and regional agreements that support the freedom of the media. These agreements are automatically incorporated into the country's legal system and thus considered domesticated.
- Various acts infringe on freedom of expression, including the Defence Act, which prohibits reporting related to the army; the Protection of Information Act of 1982 and the Official Secrets Act of 2004, which limits the accessibility of state-held information.
- While the law guarantees freedom of expression within limits, concern was raised over how many citizens are aware of this and understand their rights, especially those in rural areas.
- Cultural constraints, especially in rural areas, inhibit people, including journalists, from expressing themselves freely. This is particularly evident in respect for community elders. This impacts journalists' ability to inform their audiences about specific topics.

## Sector 2

### Diversity, independence and sustainability of the media landscape.

- There are limited accessible formats online which cater for people with disabilities.
- Community broadcasting is challenging at the best of times in terms of resources. This was compounded by the effects of Covid-19 when reduced income caused several community radio stations to close permanently.
- The Namibian government does not appear to restrict access to domestic and international media. However, local media does experience political interference.
- Applications to register for print media are made to the Ministry of ICT.
- Online publications do not require permission to operate.
- As with all businesses, print and broadcasting companies must register with the Business and Intellectual Property Authority.
- The editorial independence of state-owned media is a challenge.
- Unequal representation of women and minority groups compared to men.

## Sector 3

### Legislation and regulation of broadcasting and internet.

- The Communication Regulatory Authority of Namibia (CRAN) was established in 2011.
- CRAN is meant to be an independent body but whether it is run independently without state interference is not always clear.
- There is no 5G network in Namibia. The Ministry of ICT and MTC are reportedly working together to erect new transmission towers to expand internet coverage.
- Namibia also has no cybercrime law, making citizens vulnerable to breaching the right to privacy.
- The draft Cybercrime Bill of 2019 is still with parliament and awaiting input.
- The Electronic Transactions Bill was passed in 2019 but is not yet operational.
- The Ministry of ICT has drafted a Data Protection Bill without consulting the Namibian stakeholders.

## Sector 4

### Quality of media, working conditions and safety of journalists.

- The self-regulatory EFN was formed in 2007. Members follow a self-regulatory Code of Ethics and Conduct.
- Lack of access to information legislation hinders journalists, and they frequently struggle to obtain information.
- Salaries at NBC are on a grading scale based on qualifications, and are considered competitive. Private media houses generally pay acceptable average salaries.
- Sexual harassment is not noted as a problem in newsrooms, although politicians have made inappropriate advances on female journalists.
- The state does not explicitly protect media practitioners, and state officials are sometimes heavy-handed with journalists.
- No independent or investigative body investigates attacks on the media, but there is an official police complaints department.
- Although most newspaper journalists in Namibia are female, this is not reflected in senior management positions.
- There are diverse training facilities.

# THE WAY FORWARD

### Recommendations for over the next three/four years?

- Revise the EFN's Code of Ethics and Conduct, and strengthen the office of the Media Ombudsman.
- Drive changes to improve the safety of journalists and determine if the police complaints department is fulfilling its role.
- Lobby media houses to update their in-house policies, including those on gender, safety, harassment and assault.
- Improve the role of the courts and security officials in strengthening journalism.
- Analyse the legislative framework and lobby for amendments regarding outdated, inappropriate laws.

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