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MISA BOTSWANA Newsletter

Media Watchdog

Shaping A Future At Peace

World Press Freedom Day

A DAY WHICH SERVES TO REMIND US
OF THE VITAL ROLE THAT A FREE PRESS
PLAYS IN OUR SOCIETY



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ANNUAL SUPPLEMENT

DEBSWANA

THE WORLD CAME. BOTSWANA SPARKLED.

From the heart of Botswana to the global stage, the Debswana World Athletics Relays Gaborone 2026 was more than a sporting event: it was a defining national moment.

For one unforgettable weekend, the world's fastest athletes, global broadcasters, international media, and millions of viewers turned their eyes toward a nation built on resilience, excellence, and the brilliance of natural diamonds.

Botswana's brilliance has been revealed to the world, and what comes next is worth staying tuned for.



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World Press Freedom Day in an Age of Quiet Retreat

As Botswana joined the rest of the world to mark World Press Freedom Day on May 3, the real question was not how it was celebrated but what exactly it is celebrating and under what conditions, writes Thomas T. Nkhoma



THOMAS T. NKHOMA
MISA-BOTSWANA CHAIRMAN

The global warning is no longer distant. It is immediate, measurable and deeply unsettling. The latest trends show a steady erosion of freedom of expression, with a 10 percent decline since 2012. This is according to the UNESCO World Trends Report in Freedom of Expression and Media Development (2022-2025).

But beyond that headline figure lies a more troubling pattern: a 63 percent surge in self-censorship among journalists, 48 percent increase in efforts by governments and powerful actors to control media and a sustained decline in academic and artistic freedom. These are not isolated indicators. They are signals of a world in which the space for independent thought, inquiry and expression is steadily narrowing.

This is the climate in which Botswana commemorates World Press Freedom Day. Traditionally, the day has been one of reflection and recommitment - a reaffirmation that journalism remains central to democracy. Yet the global data forces a more difficult question: what does it mean to celebrate press freedom at a time when it is, in many respects, retreating? More importantly, where does Botswana stand within this trajectory?

LOCAL ENVIRONMENT

At first glance, Botswana may appear insulated from the more extreme manifestations of this global decline. There are no widespread reports of journalists being killed, imprisoned or forced into exile. The country retains a reputation for democratic stability and institutional order. However, to read the global report only through the lens of extremes is to miss its deeper warning. Decline does not always begin with crisis. It often begins with subtle shifts - cultural, institutional and rhetorical - that gradually redefine the boundaries of what is possible.

This is where Botswana must pay close attention. The report's finding of a 63 percent increase in self-censorship is particularly instructive. Self-censorship is not imposed. It is internalised. It emerges in environments where the risks of speaking begin to outweigh the rewards. In Botswana, this risk is becoming more perceptible, not necessarily through overt repression but through a combination of structural changes and public narratives that place journalism under suspicion.

STATE MEDIA

Recent developments within the Department of Broadcasting Services offer a telling example. The transfer of key personnel particularly those associated with editorial independence, has raised concerns about the direction of state media. In my earlier reflections such as The Quiet Return of Media Capture in Botswana, I argued that media capture in contemporary settings is rarely dramatic. It is incremental. It unfolds through administrative decisions that, over time, reshape institutional culture. The newsroom does not disappear. It adapts. And in adapting, it may lose some of its critical edge.

This dynamic is further complicated by the broader trend identified in the global report:



World Press Freedom Day: Local journalists should not have to remind authorities about the importance of creating a conducive environment to disseminate information

a 48 percent increase in efforts to control media across newspapers, television, radio and digital platforms. In Botswana, control does not always manifest as direct censorship. It takes more nuanced forms - editorial influence, strategic appointments or policy directions that subtly recalibrate the boundaries of acceptable discourse.

POLITICIANS

Yet perhaps the most consequential shift has been rhetorical. When national leadership such as the president publicly characterises 90 percent of media output as fake news, it does more than critique journalistic standards. It delegitimises the institution itself. When the president describes journalists as unprofessional or driven by "brown envelope" incentives, it reinforces a narrative that undermines their credibility in the eyes of the public. In an era where information already competes with misinformation, such statements carry significant weight. They shape perception. They influence behaviour. And, as the global report suggests, they contribute to an environment where self-censorship becomes rational.

This is particularly dangerous when viewed alongside the report's findings on journalist safety. Between January 2022 and September 2025, 310 journalists were killed worldwide, with 162 of those deaths occurring in conflict zones. The year 2025 alone recorded 91 killings - the highest since 2018. Beyond physical violence, journalists increasingly face digital harassment, legal intimidation and forced displacement.

PHYSICAL HARASSMENT

Botswana is not experiencing this level of violence. But the lesson is not that such outcomes are inevitable. It is that the conditions that precede them often begin in less visible ways. Hostility towards the media, once normalised, can evolve. What begins as rhetorical attack can translate into public hostility particularly on social media platforms where journalists become easy targets of coordinated abuse.

This is already evident in the local context. As noted in A Climate Turning Hostile for Media in Botswana?, the tone of engagement with the media is shifting. Journalists increasingly find themselves defending not just their stories but their legitimacy. The space for critical inquiry is narrowing, not through formal restriction but through a climate that discourages it. The weakening of institutional safeguards compounds this vulnerability. Organisations such as the Botswana Editors Forum and Media Institute of Southern Africa (MISA) Botswana Chapter have long served as anchors of professional solidarity and advocacy. When these bodies face pressure or diminished influence, the ecosystem that supports media freedom begins to erode. The global report underscores the importance of strong institutional checks and balances - robust legislatures, independent judiciaries and active civil society - as essential to protecting freedom of expression. Without these, the media operates in a vacuum, exposed and fragmented.

COMMERCIAL ENVIRONMENT

The economic dimension cannot be ignored either. As global advertising revenue increasingly concentrates within digital platforms, traditional media faces financial strain. In Botswana, this translates into constrained resources, reduced investigative capacity and increased vulnerability to both political and commercial influence. Economic fragility does not directly suppress journalism but it limits its ability to resist pressure.

Taken together, these trends point to a critical juncture. Botswana is not yet in crisis but it is not immune to the currents shaping the global media landscape. The warning from the World Trends Report is not that every country will experience the same outcomes but that the underlying dynamics - control, self-censorship, weakened institutions and hostile rhetoric - are widely shared.

WORLD PRESS FREEDOM DAY

World Press Freedom Day, therefore, must be more than a ceremonial observance. It must be a moment of introspection. A moment to ask whether the country is strengthening or weakening the conditions that allow journalism to thrive. Because the most dangerous assumption is that decline happens elsewhere. In reality, it often begins quietly, through decisions that seem routine, statements that seem rhetorical and changes that seem administrative. Until, over time, they amount to something more profound. A shift not just in the media landscape but in the very nature of public discourse. By then, the retreat may already be well underway.. MW

Journalists' surveillance more sophisticated post Khama era -Report

Surveillance of journalists by intelligence is becoming increasingly more sophsiticated observes Nicholas Mokwena

The post-Ian Khama regime period saw no diminution in the use of surveillance against journalists; rather, the tools deployed became more sophisticated and the operations better documented.

This is according to the 2026 Report by Intel Watch titled - A Democracy at the crossroads- Mapping threats to the media in Botswana.

The Directorate of Intelligence and Security (DIS) and the Botswana Police Service have been identified as users of an array of commercial surveillance technologies with capabilities that far exceed what is necessary for ordinary law enforcement.

According to the Report the AccessData Forensic Toolkit (FTK), developed by the US-based Access Data Group, enables the extraction and analysis of data from seized devices, including the decryption of passwords and the recovery of deleted files.

"It has been deployed by the Police Service's Digital Forensics Laboratory. Cellebrite's Universal Forensic Extraction Device (UFED), manufactured by the Israeli firm Cellebrite, is capable of bypassing encryption and device passwords to extract messages, call logs, contacts, images, audio files, and social media accounts. It has been sold to law enforcement agencies in over 150 countries and is alleged to have been used invasively against journalists in Botswana", says the Report.

It states that Predator spyware, developed by Cytrox, is an advanced mobile surveillance tool comparable to the notorious Pegasus capable of targeting both Android and iOS devices for comprehensive monitoring and data extraction. Intel Watch points out that Huawei's Safe City systems combine cameras, facial recognition technology, and big data analytics, and operate with minimal transparency regarding data collection and use. Hidden technology GPS trackers, developed by the UK-based firm later acquired by MetOcean Telematics, have been used in Botswana for real-time location monitoring.

The report states that each of these technologies, deployed individually or in combination, represents a profound threat to journalistic source protection and editorial confidentiality — the twin foundations upon which investigative journalism depends.

Reads the Report "the DIS, established during the Khama presidency under the Intelligence and Security Services Act of 2007, upped surveillance and technological threats aimed at targeting the media. Reporting directly to Khama, the DIS was granted extensive and vaguely defined powers, including the authority to arrest individuals, seize property, and detain persons without a warrant. These broad powers were accompanied by minimal parliamentary oversight."

In 2022, the government introduced the Criminal Procedure and Evidence (Controlled Investigations) Bill under a certificate of urgency, ostensibly to comply with recommendations of the Financial Action Task Force (FATF) during a period when Botswana had been grey-listed by the European Union for deficiencies in its financial integrity frameworks. Had the Bill passed in its original form, it would have granted the government the power to intercept the communications of journalists and other citizens, compel the disclosure of information, and conduct surveillance operations without judicial oversight for periods of up to 14 days.

The provisions generated significant pushback from civil society, the legal fraternity, and media organisations, both local and regional. The government ultimately withdrew the most egregious clauses, including those permitting warrantless surveillance and undercover operations. The Bill was passed into law in February 2022. MW

Manual workers union moves in to assist dismissed mass media freelancers



Veteran Unionist Johnson Motshwarakgole of Botswana Manual Workers Union concerned about arbitrary dismissal of free lancers at Government Media

The plight of the 300 freelancers at government media known as Mass Media has forced a local trade union- National Amalgamated, Local, Central Government and Parastatal Workers Union (NALCGPWU) commonly known as Manual Workers Union to enter the fray writes NICHOLAS MOKWENA

Government freelancers some of whom have been working for decades especially at the national broadcaster- Botswana Television and Radio Botswana had their contracts terminated. The freelancers had complained about late payments, failure to be paid for some months, low wages and poor working conditions.

The freelancers have since approached the union to seek assistance after failure to have their issues addressed by the relevant officials including the portfolio minister- Minister for State President, Defence and Security Moeti Mohwasa.

Manual Workers Business Consultant and veteran unionist Johnson Motshwarakgole stated that the situation as explained by the freelancers is very painful.

"What makes it worse is that these people have been working for the government for a very long time with low wages. Now government is claiming that they cannot be classified as workers", he said.

According to Motshwarakgole their interpretation of the law is that those freelancers are employees, and they are entitled to leave days and gratuity since they are government employees. He stated that they have since engaged Minister Mohwasa on the matter.

"Mohwasa was equally shocked as we were. He also expressed his worry how things were being done at mass media", said Motshwarakgole.

He revealed that the Minister has requested that both state media and Manual Workers Union should seek a legal opinion on the matter so that both parties can make a sound decision on the matter.

"We as manual workers, as far as we are concerned, those people are employees and have to be treated as such. What has been done is a clear abuse. We just hope that mass media will also agree with us that they erred and rectify", he added.

According to Motshwarakgole if nothing tangible is agreed they would be left with no choice but to litigate.

"We hope that we will not reach that point where we go to court. We also call upon the private media to come forth if they are also experiencing the same thing so that we take both issues head-on. The time is now and we want to liberate the media in this country", revealed Motshwarakgole. MW

REDEFINING NEWS

Perspectives on Reinventing Journalism



KABO RAMASIA
MISA BOARD MEMBER

The notion that journalism is dying is a greatly disputed one. However, for journalism to survive the future it must first start with the journalists rebranding themselves. Writes KABO RAMASIA

So, I happened to pass by the Mmegi newsroom on a Tuesday morning. As expected, the journalists there are going about their business trying to gather stories for the week's edition.

It's the kind of aura that I had been accustomed to from a young age. The kind that gets one thinking. Although I sometimes miss this aura, I do make random visits every now and then to remind myself of that very experience. The headlines, deadlines and all there is to it. My day was partially fulfilled.

But for a slow morning, the scribes are making calls trying to solicit interviews, others planning stories with the Editor Ryder Gabathuse and the rest of the business that goes on in the newsroom. For a while, everyone seems to be on about their daily business until Business & Features Editor Mbongeni "Mbo" Mguni breaks the silence with a breaking news story he has been following. As he shouts in excitement, he gets everyone's attention.

Mguni, pushes to get the story published on social media or online as they say.

The story also draws the attention of Sports Editor, Mqondisi "Mqo" Dube who immediately starts going through the comments, analysing them one by one as they come. Why would such a huge bank decide to let go of ownership just like that? This puts him deep in thought.

This sparks a debate. The question of why Standard Chartered would put the bank up for sale takes centre stage. For myself, Dube and Mguni, we all agree that beyond that Facebook post, there is a further need to revisit the story and explore it to give the audience a perspective of how the bank arrived at such a decision and just why the story matters. Doing so, we all agree, is what must differentiate journalists from social media bloggers and the much-debated phenomenon of citizen journalists.

As we deliberate on the debate at hand, I pose a question to both of them as to what needs to be done for journalism to survive in the age of Artificial Intelligence(AI), shifting audiences, declining newspaper sales, threats posed by misinformation and disinformation. The issue arises out of the growing habit of consuming information as shared on social platforms without any attempt to verify and ascertain news veracity.

"Journalists must rebrand themselves," replied Mguni.

By this, he means mainstream media journalists must establish themselves as

Despite the advent of AI, journalism will not die because it is a craft which naturally relies on originality of thoughts and an inquisitive mind. Against this backdrop, they stipulate that scribes must thrive to be as authentic to reflect their unfiltered thoughts in their natural state.



Tools of Trade: The platforms at disposal of journalists has quadrupled with improved accessibility of internet and increased use of AI

authorities in their fields. This, he meant that they must go beyond reporting on the surface to give audiences perspectives that are thorough and based on facts that answer the WHY. What seemed to be the difference between selling news and falling for click baits was the notion of stories that tackle the WHY. Why should anyone care to read the story compared to what they get online?

Dube, on the other hand, insists that with live streaming, live television, social media scribes must be creative in curating story ideas that are relevant to the readership. He argues that even though it is not a guarantee that audiences will buy newspapers, giving them relevant and more thoroughly researched stories could ignite interest for them to buy papers.

Another point driven home by colleagues is that there needs to be authenticity in writing. Despite the advent of AI, journalism will not die because it is a craft which naturally relies on originality of thoughts and an inquisitive mind. Against this backdrop, they stipulate that scribes must thrive to be authentic to reflect their unfiltered thoughts in their natural state.

Political reporter Tsaone Basimanebotlhe weighs in with arguemnts supporting the advent of social networks and the Agenda-Setting Theory of the media under challenge. Basimanebotlhe posits that instead of the media now dictating what audiences consume, it's the other way round as audiences now lead the newspapers to the news. As she argues this point, everyone seems to be in alignment with what she says.

The above, together with the need to deliver accurate news stands out as some of the ways in which the journalism fraternity could attempt to reinvent itself. Other suggestions bordered on journalists getting training on fact checking and verification of facts. This could be through adoption of available online tools as well as coming up with other mechanisms.

As a point of departure, scribes do agree that even in the face of turbulent times the news industry finds itself in, there is, a lot of work that can be done to protect its value.

Redefining journalism would entail a paradigm shift. In an era where news is generated at the click of a button, my colleagues in the local media industry agree that while there is nothing wrong with regurgitating what was said at a press conference/ summit or AGM, the real story is going an extra mile to refine it such that it gets a longer shelf life and it is of pub lic interest. What use is it reproducing what was live streamed, broadcast on tv or even reported on social media? These are but some of the questions modern journalists must grapple with as they navigate their ways within the complex, evolving and dynamic news industry.

KABO RAMASIA is a Media Institute of Southern Africa (MISA)-Botswana Board Member. He writes in his personal capacity.

MW



PHOTO - TSHEKISO TEBALO

Public Interest: *Journalists play a crucial role in compelling authorities to account in inclusive participatory democracies*

Why Journalism must be supported

Journalism is the pillar upon which democracies stand and as such must be supported to fully function, argues KABO RAMASIA

The primacy of journalism to society cannot be over emphasised. Often regarded as the Fourth Estate, the press or news media is a cornerstone of democracy.

Journalism exists to educate, inform and entertain. Traditionally this was done through radio, television, print media, and in today's world platforms like podcasts, blogs, vloggers and online streams which all fall under digital media.

Throughout its history, journalism has proved to be effective in holding power to account and exposing wrongdoing in society. Using the might of their pen, scribes have been able to bring to light corruption scandals, corporate shenanigans, political thuggery, poverty and many prevailing societal defects as the stories reflected on the people.

There are many instances where the power of journalism came to play revealing its significance. For instance, the Boston Globe's reporting on Child Sexual Abuse by Roman Catholic Priests in early 2002 resulted in a serious outrage in Boston. The



story accused the clergymen of sexual abuse which dated to many years and a plot to cover up their dirty deeds.

Similarly, The Water Gate Scandal or simply Watergate Scandal in the US marked the epitome of investigative journalism at its very best. This was a political scandal involving the administration of the then 37th US President Richard Nixon in the 1970s. The watergate became a major talking point in 1972 after operatives of the Nixon campaign in his re-election bid were caught planting spying(listening) devices at the Democratic National Committee Headquarters in Washington DC, watergate complex. The story as reported by the Washinton Post's Bob Woodward and Carl Bernstein exposed the then political espionage which led to an impeachment process and Nixon's ultimate resignation. This courageous act of journalism was driven by a leaker (source) who got to be known as "Deep Throat".

Across the border, in South Africa, the Gupta leaks during the former President Jacob Zuma era dominated headlines. Similarly, in Botswana stories like the construction of the controversial Mosu Airstrip during the Ian Khama regime, Banyana farms acquisition, and many instances generally showcasing the rot in government comes to mind.

All these are but acts of journalism serving as a watchdog of society and fulfilling its mandate to disclose what is of public interest. This has been the case for years. However, today, journalism faces unprecedented challenges. The arrival of digital technologies and social media platforms disrupted audience culture and whilst media revenue continues to decline, what remains is split with online platforms.

Nevertheless, with traditional media under siege, dominant big tech companies continue to lap it out with sheer impunity raking billions and billions of dollars out of content originally created by news media.

Consequently, there is a need to protect journalism from this pervasive encroachment. To this end, governments must devise media friendly policies and laws that allow the media as a business to thrive, create funds that will aid news media and introduce tax breaks, and corporates should salvage what remains of mainstream media to supplement digital marketing efforts. Equally, consumers should continue buying newspapers to stay informed through credible news sources. By supporting independent media, society is contributing to the fight against misinformation especially at the height of mushrooming online media platforms.

Further, this call to support journalism is anchored on the premise that it is a source of income/employment and like any other sector, once it collapses, this affects the overall growth of the GDP. Media houses have employed citizens who pay tax and contribute mainly to the growth of the economy.

So, as 2026 gains traction, let it be a prosperous year for Botswana's social transformation and be a reminder that it cannot be a true democracy without journalism. Even so, journalists must be reminded that they don't hold a monopoly of wisdom as with lawyers or any fraternity. Thus, all hands must be on deck to improve the country's fortunes.

Remember in the words of the famous author, George Orwell "Journalism is printing something that someone does not want printed. Everything else is public relations."

The above simply suggests that there will always be tension between what journalists write and what politicians or the business community wants. However, news stories grounded on facts and fairness must prevail over frivolity. Likewise, politicians must not move to censor journalism for what they don't want reported. Both journalists and politicians have a duty to society and often love-to-hate each other and hate-to-love one another. Despite this, the two can still not exists without each other.

Stay blessed and please continue supporting independent media. MW

Remember in the words of the famous author, George Orwell "Journalism is printing something that someone does not want printed. Everything else is public relations."

KABO RAMASIA is a Media Institute of Southern Africa(MISA)-Botswana Board Member. He writes in his personal capacity

The Writing Was On The Wall

Botswana's newspaper industry did not collapse overnight. It was squeezed slowly by an overcrowded market, rising production costs, stagnant revenues and a digital revolution it was never built to survive argues Shike Olsen, Publisher of The Botswana Gazette



SHIKE OLSEN, BOTSWANA GAZETTE PUBLISHER,

There was a time when owning a newspaper in Botswana looked like one of the safest businesses imaginable.Advertising revenues were strong. Circulation was reliable. Newspapers shaped political discourse, influenced public opinion, and controlled one of the few truly mass communication platforms available to both government and business. Across the industry, there was an old saying that newspapers were "a licence to print money". At the time, the phrase hardly sounded exaggerated.

For decades, newspapers occupied a protected economic position. They controlled access to audiences. Classifieds were lucrative. Government advertising flowed steadily. Private companies needed newspapers to reach consumers. Readers, meanwhile, had few alternatives for daily information.

In hindsight, however, the industry may simply have mistaken permanence for stability.

After all, newspapers as a product remained relatively unchanged for almost 400 years. The fundamental business model endured through wars, depressions, technological revolutions, and political upheaval. That longevity created an illusion that newspapers were somehow immune to disruption.

GLOBAL FINANCIAL CRISES

If one were to identify the beginning of the end for Botswana's newspaper industry, 2008 stands out as the clearest turning point.

That was the year the global financial crisis rattled economies across the world. Botswana managed, in relative terms, to avoid the worst immediate effects of the collapse. Government intervention softened some of the damage and preserved stability in key sectors.

But beneath the surface, something fundamental had already shifted.

For newspapers, the growth years were over.

Revenues did not collapse immediately. In fact, the initial signs were subtle enough that many in the industry dismissed them as temporary. Advertising slowed, but not catastrophically. Circulation softened, but remained respectable. There was still enough momentum for many businesses to believe conditions would eventually recover.

Instead, revenues flatlined. Then they declined.

The industry was not entering a cyclical downturn. It was entering structural decline.

AN OVERCROWDED MARKET

Part of Botswana's vulnerability lay in the structure of its media industry itself.

Relative to the size of its population,

Botswana historically supported an unusually large number of newspaper titles. In purely commercial terms, the market was probably oversupplied long before the crisis emerged.

But newspapers in Botswana were not always established purely on commercial logic. Some existed because of political influence, ideological positioning, prestige, or the desire to shape public discourse. Commercial sustainability was often treated as secondary.

For a time, economic growth masked these weaknesses. Strong advertising revenues allowed multiple publications to coexist despite competing for the same limited audience and advertising pool.

Yet structurally, the market was already fragile.

An overcrowded industry also created inflationary pressure within newsrooms themselves. Newspapers competed aggressively for a relatively small pool of journalists, editors, designers, photographers, and sales staff. Labour costs rose steadily as publications fought for talent.

At the same time, newspapers remained extraordinarily expensive businesses to operate.

Unlike many modern digital platforms, print media depends on a vast physical infrastructure: presses, paper, fuel, transport networks, printing schedules, distribution systems, and large staffing structures. Every edition carries significant upfront costs before a single copy is sold.

Even in prosperous years, newspapers were operationally heavy businesses.

After 2008, those burdens became increasingly difficult to sustain.

THE PAPER PROBLEM

One of the least appreciated aspects of the newspaper business is the volatility of its input costs.

Paper is not merely another commodity affected by ordinary inflation. It depends on a global industrial ecosystem that has itself been shrinking for years. As newspaper circulation declined internationally after the financial crisis, paper manufacturers consolidated operations, reduced output, or shut mills entirely.

Ironically, declining demand did not necessarily make paper cheaper. In many cases, it had the opposite effect.

A warning sign came in 2011, when Sappi closed its Adamas Mill in Port Elizabeth after 47 years of operation. The company cited rising costs, difficult market conditions, and the uncompetitive nature of an ageing smaller mill. Production shifted elsewhere, but the symbolism was difficult to ignore: the regional economics supporting print were beginning to weaken.

Ink presented another problem.

Printing ink is heavily tied to petroleum markets because many industrial inks rely on oil based components. Between 2008 and 2020, repeated oil price shocks filtered into printing costs through hydrocarbon resins, solvents, pigments, freight, carbon black shortages, and currency pressure.

The result was predictable. Newspapers found themselves trapped between declining revenues and rising production costs.

That imbalance became progressively harder to absorb.

ADVERTISING STOPPED GROWING

At the same time, one of the industry's traditional financial anchors was also weakening.

Government advertising remained important to Botswana's newspaper ecosystem, but over time spending did not increase in a manner that adequately reflected inflation or rising production costs.

Private sector advertising also became increasingly constrained as economic growth slowed.

The consequence was a prolonged squeeze. Revenues flattened while operational costs continued climbing.

For many publishers, survival increasingly depended on debt, delayed supplier payments, tax arrears, restructuring arrangements, or the hope that market conditions would eventually improve.

But the underlying economics were deteriorating.

THE INTERNET CHANGED EVERYTHING

Then came the disruption that fundamentally altered the economics of media worldwide.

The internet did not merely create competition for newspapers. It dismantled the assumptions upon which newspapers had been built.

Historically, newspapers relied on two major profit centres: advertising and circulation.

Both weakened simultaneously.

As audiences migrated online, circulation steadily declined. Selling newspapers gradually shifted from being a profit centre to becoming a loss leader. At the same time, advertisers followed audiences onto digital platforms.

The irony is that many newspapers successfully built large online audiences. Some media houses now reach larger audiences digitally than they ever achieved in print.

Yet digital scale did not translate into equivalent digital revenue.

Technology platforms fragmented advertising markets while conditioning consumers to expect information instantly and often for free. Newspapers were no longer competing only against rival publications. They were competing against social media platforms, search engines, influencers, streaming platforms, and effectively the entire internet.

The traditional economics of attention collapsed.

A FIGHT FOR RELEVANCE

Perhaps most worrying of all was the gradual erosion of print media's relevance.

For decades, newspapers occupied the centre of public attention. Today, that attention is fragmented across countless digital spaces competing simultaneously for audiences, advertisers, and influence.

The warning signs were visible long ago. What many in the industry underestimated was how quickly the wall itself would begin to collapse. MW



PHOTO - TSHEKISO TEBALO

POLICY BRIEF

SURVEILLANCE OF JOURNALISTS IN BOTSWANA AND ITS IMPACT ON MEDIA FREEDOM



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1. INTRODUCTION

The use of communications surveillance against journalists by law enforcement agencies in Botswana is said to be rampant. In a recent Intel Watch publication, it is recorded that Citizen-Lab has identified the use of two Circles surveillance systems in Botswana since 2015. One of the identified spyware is 'Bentley Boulevard' which it is alleged has been used to launch a warfare against the private media to compromise confidential source protection. The other spyware is Cellebrite's Universal Forensic Extraction Device which is said to be capable of bypassing encryption and device passwords to extract messages, call logs, contacts and social media contacts. In March 2024, the Insikt Group released a report in which it raised suspicion over the use of the Predator spyware to target some leading national newspapers, including, the Botswana Guardian, Mmegi and the Midweek Sun. The report does not say whether the suspected use of the spyware was by state agencies or private actors. The knowledge or fear of being a target of surveillance instils fear in many journalists leading to self-censorship. A former chairperson of the Botswana Editors Forum observed that journalists shy away from engaging in investigative journalism when they fear that intelligence agents have their communications under surveillance. Communications surveillance takes place in secrecy without the knowledge of the target. There is generally no obligation imposed on

law enforcement agencies in many states around the world to inform targets that they were subjected to surveillance when the disclosure can no longer jeopardize investigations. Where a power vested in the executive is exercised in secret, the risks of arbitrariness are evident hence the recommendations by international human rights law that surveillance must only be used in accordance with human rights principles of lawfulness, legitimacy, necessity and proportionality.
The concerns over the arbitrary use of surveillance by law enforcement agencies against journalists in Botswana demands an interrogation of the legal framework regulating surveillance to determine whether it contains adequate mechanisms to protect targets against arbitrary surveillance. The freedom of expression of journalists, which is defined to include 'the freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any class of persons)', is guaranteed under the Constitution of Botswana. The freedom is not absolute, but may be limited provided that limitations meet the conditions prescribed in the Constitution, which lays down a stringent three-part test. The conditions are that any limitation on the right should be:

a) Contained in or done under the authority of the law.
b) For protecting a legitimate interest; and
c) Reasonably justifiable in a democratic society.

A cumulative application of the above principles ensures that any restriction on freedom of expression comply with the human rights principles of lawfulness, legitimacy, necessity and proportionality.

2. SURVEILLANCE LEGAL FRAMEWORK

Interception of individual's communications for law enforcement purposes is regulated under two laws, the Intelligence and Security Service Act, 2007 (ISS) and Criminal Procedure and Evidence (Controlled Investigations) Act, 2022 (CPE). The ISS empowers the Director General of the Directorate of Intelligence and Security (DIS) to apply to a court of Senior Magistrate or above, or a judge of the High Court, for a warrant to intercept a person's electronic mail, computer or telephonic communications. The DIS is Botswana's intelligence agency. A warrant may be issued where the DIS is investigating any threat to national security or in the performance any of its other functions as prescribed in the Act. In an application for a warrant, the DIS is required to prove to the court that the interception of communication would obtain information likely to be of substantial value to the agency in the discharge of its functions, and that the information cannot be reasonably obtained through other means. Judicial oversight of communications surveillance is important in a constitutional democracy as it can ensure that such is done in accordance with the human rights principles of lawfulness, legitimacy, necessity and proportionality. The judiciary's primary role is to interpret the law and adjudicate disputes of a legal nature between individuals and the state. An independent judiciary is thus better placed to carry out a proper balancing exercise between the competing interests of the state and individual.

The CPE makes provision for interception of communications where law enforcement agencies are conducting a controlled investigation and in gathering evidence in criminal investigations. A controlled investigation is defined as including interception of communications. The CPE prohibits interception of communications unless such is authorised through an interception warrant. A warrant is issued by the High Court upon an ex parte application by an investigating officer for purposes of gathering evidence in a controlled investigation. The application must contain the following information:

i) The person whose communication is to be intercepted.
ii) The basis for believing that communication relating to the ground on which application is made will be obtained through interception.
iii) The service provider to whom the direction to intercept the communication shall be addressed, (where applicable).
iv) The nature and location of the place from which the communication is to be intercepted.
v) Full particulars of all the facts and circumstances alleged by the applicant in support of his/her application.
vi) Whether other investigative procedures have been applied and have failed to produce the required evidence.
vii) Whether other investigative procedures involve undue risk to the safety of members of the public or to those wishing to obtain the required evidence; and
viii) The period for which the authorisation is required to be issued.

The High Court is mandated to issue a warrant where it is satisfied that there are reasonable grounds to believe that material information relating to the commission of an offence or the whereabouts of a person suspected to have committed an offence is contained in the communication. The language used in the provision is imperative such that where one or both of the factors outlined above are established, the court must issue a warrant. When a warrant is issued, the court has powers, either:

a) Require a communication service provider to intercept and retain specified communication of a specified description received or transmitted, or about to be received or transmitted by that communication service provider; or
b) To authorise an investigating officer to enter premises and install on such premises, a device for the interception and retention of a specified communication or other communication of a specified description, and to remove and retain such device.

Furthermore, the High Court is given permissive powers to issue an interception warrant where it is satisfied that:

i) A serious crime related activity is being or will probably be committed; or
ii) The gathering of information concerning a potential threat to public safety or national security or to compelling national economic interest is necessary.

Where applicable, the court may order a service provider to comply with such technical requirements as may be specified to facilitate the interception and the High Court is required to specify the apparatus and other means that are to be used for identifying the communication that is to be intercepted. A warrant issued under this provision is valid for three months and the court is empowered to revoke or amend the warrant at any time if it is of the opinion that the circumstances so require.

The legal framework on interception of communications provides some safeguards that could arguably prevent arbitrary surveillance of journalists' communications. Both Acts require that interception of communications must be authorised by a court of law. The CPE outlines the nature of offences which may give rise to an interception order. In terms of the Act, an interception order may be granted for purposes of gathering evidence of a serious crime-related activity, or information concerning a threat to national security, public safety or compelling national economic interest. A serious crime related activity is an act or omission, which at the time of commission, is an offence for which the minimum penalty is a fine for which the minimum penalty is a fine of two thousand Pula or imprisonment for a period of two years, or both. It is contended that any person who is involved, or there is reasonable suspicion that they are involved, in the commission of the stated crimes will be a potential target of surveillance.

The ISS on the other hand permits interception of communications where such would enable the DIS to obtain information likely to be of substantial value to it in the discharge of its functions. The functions of the agency include the detection and identification of threats to national security and 'other duties and functions as from time to time, be determined by the President to be in the national interest'. The latter function raises concerns over compliance with the rule of law, a component of the first limb of the constitutionality test. This limb requires, among others, that a law restricting freedom of expression must be formulated with sufficient precision and where it confers discretionary powers on the executive, adequate guidelines as to the exercise of the discretion must be provided and they should be mechanisms to limit the exercise of the power. The ISS gives the President wide discretionary powers to determine additional powers of the DIS in the national interest. What is in the national interest is left to the discretion of the President which makes it unpredictable what conduct the President would deem prejudicial to the national interest and thus justifying interception of communications. The wide discretionary powers given to the President can be easily abused and there are no adequate



mechanisms in place to guard against potential abuse of the power. A warrant issued under the CPE is valid for a period not exceeding three months and may be renewed for a period not exceeding three months. The High Court has power to amend or revoke the warrant of interception if it is of the opinion that the circumstances so require. The ISS does not prescribe any limit on the duration of interception.

The third limb of the constitutionality which requires that surveillance of an individual's communications should be reasonably justifiable in a democracy essentially demands that the target should not be subjected to surveillance whose nature, extent, and scope is more than what is necessary to achieve the purpose for which the surveillance was authorised. The ISS and CPE somewhat incorporate this principle. It is a requirement in both statutes that a court must only authorize an interception of communications where the information sought cannot be reasonably obtained through other less intrusive means. Under the CPE, an applicant has to prove that there are reasonable grounds to believe that the information sought through surveillance relates to the commission of a crime. The ISS on the other hand only need an applicant to prove that the information sought is 'likely to be of substantial value'. The evidentiary burden of proof set in the ISS is lower and would allow exploratory surveillance which has been held to be unlawful by the European Court of Human Rights. The CPE sets a higher evidentiary burden of proof which should ensure a proper balance between the protection of the rights of journalists and the public interest. A law enforcement agency such as the DIS is thus likely to seek an interception warrant under the ISS where the conditions are less stringent.

3. ASSESSMENT OF ADEQUACY OF LEGAL SAFEGUARDS

Although Botswana has in place a regulatory framework on interception of communications, journalists live under

a fear that they are being targeted by the DIS in what they perceive as an arbitrary and abuse of the law. The status quo raises the question whether the safeguards provided in the legal framework are adequate to ensure a fine balance between the protection of the rights of journalists and the public interest. While judicial authorisation of surveillance in Botswana is commendable, it has inherent weaknesses. An application for a communications interception warrant is made ex parte. That is, it is made without notice to the target and the target is not given a hearing before an order is made. The court will be called upon to issue a warrant based on one-sided information and is not able to confirm the veracity of every detail placed before it. The ex parte procedure is justified on the need to withhold sensitive information from individuals under investigation. However, it conflicts with the basic principles of natural justice which requires that a person must be given notice of the case against them and afforded an opportunity to respond. An applicant in the ex parte procedure has a "duty to observe utmost good faith and candour" and must not seek to gain a tactical advantage by withholding information from the court. The downside of the ex parte procedure is that a law enforcement agency seeking a warrant may simply give the court false information in violation of the duty of utmost good faith. The DIS has been found by the courts to be in the habit of acting as a law unto itself by breaching the rule of law, which raises scepticism over whether it can be trusted to observe the duty of utmost good faith.

The dangers of the ex parte procedure are more pronounced in cases where an interception warrant is sought for the protection of national security. In Good v Attorney General (2), the Botswana Court of Appeal held that decisions on matters of national security are entrusted to the executive and are not for the judiciary to decide. Furthermore, that once the executive has decided, it is not the function of the judiciary to second-guess the executive in its decisions. The approach is justified on the basis that an assessment of intelligence on national security depends on the expertise of serving intelligence officers which judges do not have. The judiciary is still expected to strike a fine balance between the public interest and the rights of individuals even in cases where national security is involved.

The shortcomings of the ex parte procedure can be mitigated by introducing an adversarial system like the special advocate in New Zealand. The system is an attempt to reconcile the use of sensitive, undisclosed material, with natural justice. It involves security cleared lawyers who are appointed to argue the case of an intended target in an adversarial hearing which is closed to the intended target and his or her lawyer. The special advocate is allowed access to all material relied on by the state, including sensitive national security-related information that cannot be disclosed to the intended target. This approach ensures that, at the time of making the determination whether to grant an interception order, the interests of the intended subject are adequately represented whilst preserving the integrity of the investigations.

To mitigate against the abuse of surveillance under the veil of secrecy, international human rights law and domestic laws of some states provide for post-surveillance notification. This requires that a target of surveillance must be notified that they were subjected to surveillance when notification can no longer jeopardize the purpose of the surveillance. The notification serves two related purposes. It affords the subject of surveillance an opportunity to assess whether the surveillance was applied for and issued within the law. And it provides an opportunity for challenges to illegally sought and obtained interception orders, which in turn will discourage the abuse of the process under the cover of secrecy. The South African Constitutional Court in the Amabhungane case highlighted the importance of notification as an important safeguard by observing that it will go a long way towards eradicating the sense of impunity with which law enforcement agencies use surveillance and will lead to a reduction in the numbers of unmeritorious interferences with individuals' rights. The ECtHR has also emphasised that post-surveillance notification is inextricably linked to the effectiveness of remedies for a victim of unjustified surveillance. The court observed that unless an individual is notified of the measures that were taken without their knowledge, they will not be able to challenge their legality retrospectively. Notification is thus an important safeguard against the abuse of surveillance powers by law enforcement agencies.

4. CONCLUSION AND RECOMMENDATIONS

Journalists in Botswana live under a cloud of fear that they are under constant surveillance by the DIS. There is no way of verifying these suspicions as the law does not provide for post-surveillance notification. The concerns by journalists force them to self-censure which is an infringement of their freedom of expression. The fear creates an unsafe working environment for them. Interception of individual's communications is highly intrusive and an egregious interference with their rights and should only be used in exceptional circumstances. It is thus important that the judiciary should be the arbiter on whether such an intrusive method of gathering information should be used. The ex parte procedure compromises the ability of the courts to meaningfully play the balancing role. There is thus an urgent need to reform the legal framework on the interception of communications to provide further safeguards to ensure that a proper balance is maintained between the protection of the public interest and enjoyment of the freedom of expression of journalists. It is recommended that:

a) **There must be harmonization of laws regulating interception of communications. The provision in the ISS which sets a lower evidentiary burden of proof in applications for an interception order should be repealed.** MW



PHOTO - TSHEKISO TEBALO

Despite years of lobbying by private media resisting statutory regulation of the local media, the Media Practitioners Bill is on the verge of being legislated

Media Bill poised for Legislative Approval

THAPELO NDLOVU,
Publisher - Public Editor

The Media Practitioners Act 2008 (MPA 2008) and Media Practitioners Act 2022 (MPAA 2022) remained dormant for their entire existence. The two laws failed primarily due to some points of contention and without being exhaustive, for the MPA 2008, these are:

1. Registration of journalists: the contention is that registration is a form of exclusion.
2. The executive involvement: the involvement of a Minister in the affairs of the media is political interference regardless of the stated intent.
3. The editorial interference: the essence of media freedom is in an independent editorial framework that affirms total discretion.

To a large extent, the MPA 2022 retained the essence of MPA 2008, except for the role of the Minister in the setting up of the board and committees. The issue of registration of journalists remains a contentious issue.

While previously the tug of war had been on the models of regulations, with industry frowning on state regulation, the new Media Bill is explicit that it facilitates self-regulation. It is not the purest of self regulation but marks a major mindset shift in the government thinking.

MEDIA SUSTAINABILITY FUND

While all the three legislations talk to some media fund, the current bill does not only stop there but expands the expectation beyond just in-house fund raising activities for the running of the office. The Media Act is envisaged to, "facilitate development and sustainability of the media sector through the media development fund." The bill provides for the funding from the National Assembly, amongst other avenues. This explicit undertaking acknowledges the economic difficulties that the media faces. However, caution to protect its independence must always be there.

Another significant and perhaps triumphant intervention is the push back at Strategic Lawsuits Against Public Participation, commonly known as SLAPP. How this will work out alongside the penal code's provisions for defamation litigation is yet to be established. Related to this is the protection of journalists against arrest, detention and harassment over public interest work. However this provision somehow negates its intent by giving some exception in which the right is withdrawn if intended falsity is established in the published material. This sounds all good and fair until one wonders if there are no lies that are in the public interest.

The setup of a Media Ombudsman office, which is a departure from a Complaints Committee is also a welcome move. It might improve on efficiency with extended oversight by the Ethics and Conduct Committee, quality assurance is ensured.

RED FLAGS: EDITORIAL DISCRETION

However, the bill does have areas that

need improvement, notably where there are opportunities for editorial interference. The areas that stands out are the administration of the right to reply, the redundancy of some clauses, especially the Code of ethics as well as the undermining of the editor's discretion.

Section 49 provides for the right to rejoinder. An interpretation of the term is given in the preliminary section. However, the use of the term rejoinder as an interchange for the initial reply, is not common in media ethics circles, perhaps because it is not strictly accurate in meaning. The right to reply is broader and foundational while the right to rejoinder is more about subsequent exchanges. This distinction is important as issues are mostly with the original response to inaccuracy or offensive material, while the rejoinder could just be an exchange over a point of view or a debate. The term rejoinder, therefore reduces the sacredness of a reply.

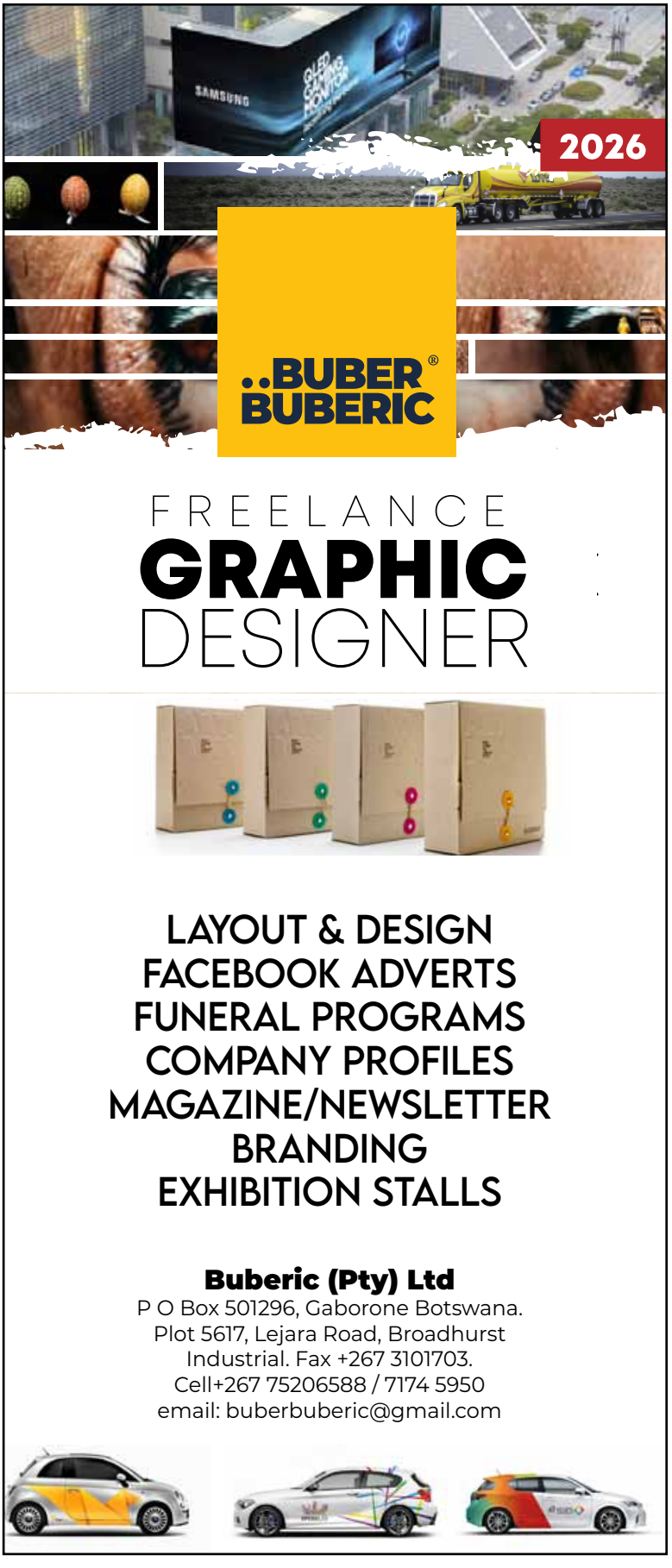
The second observation with this part is the administration of the provision. The suggestion that a remedy would be found through a prominent placement of a 'rejoinder' ignores certain editorial dynamics of space and discretion.

Say Complainant A lodges a complaint against Newspaper B over an offensive material in some obscure space, somewhere in the newspaper. The newspaper is found guilty and asked to publish a 'rejoinder'. Where should it place it? Well the editor may just be silly and publish it in that obscure space. Although the two were placed in the same space, the impact would be different. The solution therefore is not to be prescriptive but allow the two parties to engage and come to a reasonable conclusion, with the complainant relatively satisfied.

Section 50 on the composition of the Ethics committee is restricted to members of the board. This is the body that will draw the code and determine if a matter is referred to the Media Ombudsman. The diversity in its composition is important.

The editorial discretion is interfered with in section 54 where the editor is instructed to publish bylines. This provision is ultra vires the earlier provisions for protection of sources. It is generally accepted that an editor shares the burden of responsibility in cases of ethical misdemeanors, but stressing it in the law has the effect of self censorship.

The bill has some legacy positives and has the potential to be one of the best in the world, but only if some provisions are revised. MW





Stanbic Bank Botswana CEO Chose Modise at Legae Loan Launch

Stanbic Bank Botswana Positions Itself at the Centre of Botswana's Growth Story

Staff Writer

Stanbic Bank Botswana's growth over the past year has increasingly been shaped by how deliberately the Bank is positioning itself within Botswana's wider development story. As the Bank continues to expand its footprint across th ecountry, its focus has also extended into the sectors and platforms influencing the country's future economy, from sport and culture to sustainability, entrepreneurship, and financial inclusion.

Across 2026, this commitment has taken shape through strategic investments in sport, culture, sustainability, and financial inclusion, all closely aligned to the Bank's Kgolo strategy, which focuses on sustainable growth, economic participation, and measurable impact within communities

This includes Stanbic Bank Botswana's P5 million sponsorship of the World Athletics Relays Gaborone 2026, one of the country's most significant international sporting events. The investment supports Botswana's growing global profile while contributing to tourism, economic activity, and national visibility.

The Bank also launched Maun's first padel court at BMC Sports Club in Boseja through an investment exceeding P500,000. The facility introduces one of the world's fastest-growing sports to the region while creating new opportunities for youth participation, recreation, and local business activity.

The Bank continues working to improve access to housing finance through the introduction of the Legae Home Loan Product. Designed for Batswana who already own land but face challenges accessing traditional housing finance, the product offers financing of up to P650,000 with no bond registration, no legal fees, and no deposit required.

Stanbic Bank Botswana's investment in the creative economy has also continued to grow through the its Music 'N' Lifestyle Festival. The 2026 edition attracted over 2,500 attendees and directly supported 124 creatives and 113 SMEs across fashion, food, music, art, production, and lifestyle sectors. Over 400 people were engaged across logistics, staging, supplier coordination, and operations linked to the festival.

Sustainability has become another key area of focus through the launch of Blue Roots, a long-term tree planting and ecosystem restoration initiative developed in partnership with the Botswana University of Agriculture and Natural Resources.The programme aims to plant 22,500 trees by 2028, beginning with 5,000 trees in 2026, while linking environmental restoration with agriculture, food production, and sustainability-linked economic participation.

The Bank continues working to improve access to housing finance through the introduction of the Legae Home Loan Product. Designed for Batswana who already own land but face challenges accessing traditional housing finance, the product offers financing of up to P650,000 with no bond registration, no legal fees, and no deposit required. The solution was created to help expand home ownership and property development, particularly within rural and semi-urban communities where access to practical housing finance remains limited.

This momentum recently saw Stanbic Bank Botswana named Banking Brand of the Year Botswana 2026 by the Global Banking & Finance Awards®, recognising the Bank's brand strength, customer trust, and market leadership. These initiatives together, reflect Stanbic Bank Botswana's continued focus on investing in platforms and solutions that contribute meaningfully to Botswana's long-term economic and social development. MW



Stanbic Bank Botswana's investment in creative economy resulted in support for Music 'N' Lifestyle Festival

MISA Regional Launches Media Lawyers Network to Strengthen Press Freedom

The initiative is part of efforts to strengthen legal protection for journalists, media houses and civil society organisations facing growing legal and digital threats.

Media Institute of Southern Africa (MISA) officially launched the Regional Media Lawyers Network, a platform bringing together media and human rights lawyers from across Southern Africa to defend media freedom and freedom of expression. The initiative was launched on May 5, 2026, in Lusaka as part of efforts to strengthen legal protection for journalists, media houses and civil society organisations facing growing legal and digital threats.

The network will provide legal support and rapid response services in cases involving defamation, cybercrime charges, unlawful surveillance, data protection disputes and Strategic Lawsuits Against Public Participation (SLAPPs).

Speaking during the launch, MISA Zambia Chairperson, Lorraine Mwanza Chisanga described the establishment of the network as a significant milestone in strengthening the legal defence of journalists and independent media in the region. The Chairperson noted that the changing media landscape, driven by digital technologies and emerging forms of regulation, has increased the need for coordinated regional legal support mechanisms.

The Chairperson further highlighted the importance of collective action among legal professionals in safeguarding media rights and freedom of expression.

Mrs. Chisanga further encouraged lawyers and stakeholders within the network to actively engage in knowledge-sharing, strategic litigation and advocacy aimed at improving media laws and protecting democratic participation across Southern Africa. MW



MISA-Southern Africa is capacitating structures in the region to combat threats against media freedom.

A New Chapter for Botswana's Publishing Voice

BNPA
Botswana Newspaper Publishers Association

The newly registered Botswana Publishers Association steps onto the national stage, ready to unite the industry, protect press freedom, and serve readers, clients, and partners.



UNITING UNDER ONE VOICE

When the Botswana Publishers Association was officially registered under the laws of the Republic of Botswana, it marked more than just a bureaucratic milestone — it signaled the birth of a unified voice for our nation's publishers.

As Chairperson, I am proud to share that our mission is simple but powerful: to protect the freedom and integrity of the press, to champion professional standards, and to ensure the publishing sector thrives in a rapidly changing world.

SERVING OUR READERS, CLIENTS, AND PARTNERS

We are here for our readers, who deserve trustworthy, high-quality journalism; for our clients and advertisers, who rely on a vibrant and ethical media landscape; and for our partners, who believe in the role of information as a driver of democracy and development.

Our work will include advocating for fair policies, supporting our members with resources and training, and embracing innovation so that Botswana's publishing industry remains relevant in the digital age.

AN INVITATION TO ALL

But we can't do this alone. The strength of this association comes from the collective effort of everyone who reads, writes, creates, and invests in our media. Your ideas, your trust, and your participation will guide us as we grow.

Together, we will write the next chapter of Botswana's publishing story.

"This is not just about publishers — it's about every Motswana who values truth, trust, and the free exchange of ideas."

OUR CORE VALUES

Press Freedom • Integrity • Innovation • Collaboration



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