



MEDIA RELEASE

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For Immediate Release

CSOs FORM COALITION TO TACKLE LEGAL CASES AGAINST JOURNALISTS IN BOTSWANA

CFE has partnered with the Botswana Editors' Forum (BEF) and the INK Centre for Investigative Journalism to host a Media Defence Seminar on October 31, 2023, with support from Media Defence London.

The meeting will gather journalists from various publications and stations, and independent journalists to analyse the high number of ongoing legal cases against journalists and the punitive nature of the quantum of damages awarded to litigants in the judgements that have been passed on some of these cases so far. The aim is to probe the underlying causes and propose strategies to foster regional collaboration to safeguard press freedom and protect journalists in Botswana and beyond.

Strengthening media defence is critical for Botswana now as the country is about to hold elections. Freedom of expression and access to information are key tenets of democracy and for Botswana to hold free and fair elections in 2024, an independent media is crucial. Many journalists and media houses in Botswana are facing charges of defamation after publishing articles of public interest, exposing corruption and wrongdoing by influential people. A lot of these cases have the characteristics of Strategic Litigation Against Public Participation (SLAPP) cases, calculated to intimidate and frustrate journalists and media houses rather than achieve justice. Publications facing defamation lawsuits include ***The Voice, Sunday Standard, The Gazette, The Patriot on Sunday, Mmegi, Botswana Guardian, Weekend Post, Business Weekly & Review***, and several independent journalists.

These cases are particularly worrying as they signify a downward trend in fundamental freedoms in a country that has long been recognized as a stable democracy in the region and on the continent. The intimidation and harassment of journalists can hinder diverse voices and limit the spread of information from reaching a wider audience. This imbalance can undermine fair electoral competition and limit the ability of citizens to access a diverse range of political information, including accessing credible voter education.

Topics to be tackled at the media seminar include the influence of the political climate on press freedom; the role of government in initiating or supporting legal actions against journalists and publications; how the existing legal provisions – such as defamation laws, national security legislation, media self-regulation and other relevant regulations relate to freedom of the press - impact journalists and publications. This will be delivered by Professor Tachilisa Badala Balule from the University of Botswana School of Law.

Professor Anton Harber, the Head of Campaign for Free Expression, will deliver a multi-pronged strategy on how to prevent and fight SLAPP lawsuits. He will discuss how SLAPPs are being dealt with globally, with a local case study to highlight the various ways in which such cases can be dealt with.

Mrs. Emang Mutapati, Editor-in-Chief of The Voice, and Chairperson of BEF, will lead an experience-sharing discussion by participants that have been legally targeted for their work. This will include an examination of prominent legal cases and court decisions and their implications for press freedom. Other distinguished speakers will include Mr Joel Konopo of INK, Ms Hanna Uihlein from Media Defence London and Mr Outsa Mokone, the Sunday Standard Editor.

“Botswana needs a political culture that promotes tolerance, respect for diverse opinions, and dialogue among citizens. Addressing media intimidation can contribute to an open environment that fosters open communication and encourages the participation of all citizens,” said Mrs. Hanifa Manda, Campaign for Free Expression Project Manager.

Media Defence London’s support for the event is part of its project which provides legal help to journalists, citizen journalists and independent media around the world who are under threat for their reporting.

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