



## FRIENDS OF FREE EXPRESSION DINNER

Grand Aria Hotel, Gaborone, Botswana

Tuesday 31 October 2023

### Meeting Report

On the evening of Tuesday 31 October 2023, the Campaign for Free Expression hosted a consultative dinner meeting in Gaborone, Botswana, attended by civil society organizations, international development agencies/foundations, human rights activists, and media practitioners, among others. Present at the meeting were representatives from Botswana Editors' Forum, INK Centre for Investigative Journalism, Media Institute for Southern Africa, United Nations Botswana, Friedrich Erbert Stiftung and some local newspapers, including the Patriot.

The purpose of the meeting was to assess the following:

- The state of freedom of expression in Botswana and the impact that limited freedom of expression has on the overall development and progress of the country.
- Main challenges faced by individuals or groups exercising their right to freedom of expression in Botswana.
- The legislative environment and how conducive it is to freedom of expression.
- The accessibility of media platforms for expressing different opinions and views.
- The role played by social media in promoting or limiting freedom of expression in Botswana.
- How the current government can better protect and promote freedom of expression.
- Whether there are some groups or communities that face greater challenges in exercising their right to freedom of expression than others. If so, to find out who they are and why this is so.
- To establish some steps that civil society organizations or individuals can take to advocate for greater freedom of expression in Botswana.

### **Main Take-Aways**

It was noted during the proceedings that:

- **Botswana's civil society is very inactive and needs resuscitation.** The Botswana Council of Non-Governmental Organisations (BOCONGO), the body that is meant to coordinate the work of non-governmental organisations was said to be under state influence and partial in its operations in favour of the ruling party/government.
- Participants added that **the state of Freedom of Expression and civil society is predominantly determined by the administration at the time.** Although things seemed generally better when compared to Ian Khama's reign, participants argued that this was only so on the outside and most 'changes' were made only for window-dressing, without much action to implement change on the ground. An example given was the issue of legal cases against journalists, which was said to have been ongoing since Khama's time. Although new

cases have gone down, the new strategy seems to be to award punitive damages to journalists and media houses that are taken to court for publishing stories of public interest.

- It was noted that **most NGOs are state funded**, which makes it **difficult for civil society to be independent**. It was further noted that **there are laws that govern how CSOs receive external funding**.
- There was a consensus that **citizens are generally either ignorant, complacent, or afraid to speak up and participate in public life**. Participants noted that although the fear was quite different from that in some closed-society countries whereby there is the fear of being abducted or tortured, the main fear in Botswana was the fear of being isolated and becoming an outcast.
- As for journalists, publications, and business people, **the fear of being backlisted from advertising funding or receiving government tenders** was raised as the main hindrance behind freedom of expression. For journalists, **being targeted legally, through unjustifiable defamation cases or being sued for alarming publications** among other reasons was another fear factor.
- The ruling Botswana Democratic Party has **a tendency to device ways to control citizens and retain power**. Such ways include an absolute **control and domination of the state media, public influence** through labelling private media as liars or using propaganda (particularly in rural or grassroots communities where the government is still a trusted source of information).
- The **non-licensing of community radio stations** was another way that **the state was said to be gate-keeping information** that ordinary citizens get access to.
- There are **pieces of legislation still in existence, that limit freedom of expression and the right of peaceful assembly or right to protest**. The Corruption Watchdog and the Broadcasting Regulatory Authority were named as some of the institutions being abused by the ruling party to remain in office.
- **Opposition parties were said to not have equal freedom to hold rallies or spread information through state media**.
- It is a **requirement to obtain a police permit to stage a public protest in Botswana**. However, in many cases **permission is granted last minute, making it difficult to organize** protests or mobilise supporters.
- The need for **research to document non-progressive laws** impacting freedom of expression and **legal cases on those that speak out** was commonly identified.
- All participants agreed that a **Freedom of Expression Summit would be beneficial** to hold before the elections. A timeline for the summit to be held was agreed for some time **before May 2024**, as any time after that all focus will be on elections.
- It was advised to **invite the Minister of State in the President's Office to the summit** in order to have buy-in from other stakeholders.
- **Partnering with the diplomatic community was advised against**.

In closing the meeting, CFE Executive Director, Anton Harber expressed gratitude to all participants for their valuable input and advised that CFE would be commissioning research looking into the state of freedom of expression in Botswana more broadly. The report would be launched at the summit, which CFE would be reaching out to potential partners in the near future to collaborate on hosting.

- END -