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MAPPING THREATS TO THE MEDIA

Namibia

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EXECUTIVE SUMMARY

Namibia is widely perceived as a successful constitutional democracy with a robust bill of rights which provides specific pronouncements on both freedom of expression and a free press. This has largely been affirmed by various entities such as Freedom House and Reporters Without Borders.

It is axiomatic that a free, diverse and independent media is the bedrock on which democratic societies are built and sustained. News media are the source of information for citizens, provide oversight on powerful people and institutions in government and commerce, a platform for rational debate and advocates for justice, among other things. These roles tend to trigger resistance, especially from those in powerful positions whose decisions and actions may threaten or undermine the welfare of ordinary citizens. Furthermore, commercial processes and technological advances can create conditions that undermine participatory political processes in society, not least in Namibia. As such it is imperative that the actual conditions in which the media operate be assessed against democratic normative expectations such as those outlined in the national constitution.

This report highlights some of the extant threats to the unfettered operation of news media, that can potentially undermine the condition of democracy in Namibia. The report highlights the potential threats posed by legacy or colonial and new laws with provisions that restrict the operations of the media or access to key information which is imperative to informed decision making. Examples include laws that constitute the surveillance framework, defamation laws, security laws, among others.

Political and institutional threats are also highlighted as a major threat to an unfettered press in Namibia. In particular, the report notes how political space and media operations are or can be constricted by a number of proposed and existing legislative instruments. The introduction of cellphone

SIM Card registration is seen as an ominous development which can result in the chilling of society and journalists considering their exposure to surveillance through such registration. The proposed Cyber Crime Bill which seeks social media regulation is also seen as part of the legislative arsenal being deployed to undermine free, independent and critical journalism. Furthermore, the legislative instrument aimed at regulating public gatherings and processions is seen as affront to citizen right of association. Cumulatively, these developments create an environment which paralyses citizen and journalistic agency and a big brother type society which promotes citizen submission to the whims of the state or obtaining architecture of power.

The report also examines how media in Namibia are also confronted by an existential threat owing to shrinking revenue sources, especially as this pertains commercial media and the influence of media owners on news content. Digital technologies have emerged as a potent threat to legacy media as they have driven both audiences and revenue in their direction, away from traditional news media. The shrinking revenue sources have meant that the media are vulnerable to control by advertisers that are still willing to use traditional media. The state, as shown in the report, has also demonstrated that it is willing to intervene with the operations of state media if it is expedient for it to do so.

The report also highlights the threats posed by misogynistic attitudes and practices. Apart from the trolling of female journalists online, it is also apparent that journalists who have been harassed by public officials happen to be mostly female. This suggests that female

journalists have an extra burden by virtue of their gender in addition to experiencing the threats broadly confronted by the journalistic fraternity in Namibia.

The report offers some recommendations for different social actors to enhance the freedom, independence, diversity and pluralism of the media in Namibia. Policy makers are exhorted to align laws with the constitution, create truly independent regulatory bodies and formalise civic

education. Civil society is encouraged to advocate for enabling legislation and provide critical oversight on the activities of public officials and institutions. The government is also encouraged to join regional or continental efforts aimed at institutionalising profit sharing and fair tax systems with Tech Conglomerates. Governments and regional bodies are also encouraged to enhance research, innovation and development in strategic areas of communications technology.

INTRODUCTION

Democratic societies are undergirded by the sovereignty of the citizen, guarantees of fundamental freedoms through robust provisions in national constitutions, inclusive and equal citizen participation in public life and the mutual independence of the legislature, judiciary and executive.¹

The sovereignty of the citizen is occasioned, among other things, through functional, plural, diverse and free media.² Such media, as argued by many, provide citizens with information, interpret complex issues and events, provide a platform for reasoned engagement, exercise oversight on the operations of public institutions and authorities as well as powerful commercial interests. In addition, free media enable unencumbered interaction between citizens, processes of identity formation and the promotion of national cohesion and international solidarity.³ However, the state of freedom of the press and its capacity to support and reinforce democratic structures and processes is shaped by factors including the political environment, economic imperatives, extant legal and regulatory frameworks, impact of technological innovations and socio-cultural factors, among others. Namibia has been recognised as a

functional constitutional democracy although there is still room for improvement in other areas such as providing formal oversight on intelligence services and activities as well as expanding platforms of participation for young people.⁴ Nonetheless, it is imperative to continuously assess the condition of democracy and its institutions, not least the media, as a basis for mitigatory responses in the national body politic. This report is based on a thematic reading of documents produced by civil society, the Namibian government, journalists and editors, academics, multi-lateral institutions and legal documents. The assessment of threats to the media in Namibia presented hereafter begins by outlining the country's historical context followed by an analysis of the current media landscape which is followed by an impact analysis, responses to threats and recommendations before making conclusive remarks.

1 Christians, Clifford G., Glasser, Theodore L., McQuail, Denis, Nordenstreng, Kaarle and White, Robert A. (2009). *Normative Theories of the Media: Journalism in Democratic Societies*. Urbana: University of Illinois Press.

2 Habermas, Jurgen (1989). *The Structural Transformation of the Public Sphere*. Cambridge: MIT Press.

3 Ibid.

Habermas, Jurgen (1998). *The Inclusion of the Other: Studies in Political Theory*. Cambridge: MIT Press.

4 Links, F. & Santos, P. (2025). The Democratic Subsidy in Namibia's Intelligence Oversight Mechanisms. In Duncan, J. & Munoriyarwa, A. (Eds.), *Democratising Spy-watching*. Scottish Universities Press.

HISTORICAL CONTEXT

Contemporary Namibia is significantly shaped by its colonial history which unfolded in two phases. Namibia was initially colonised by Germany, which ceded control to South Africa in 1919 following the former's censure for its role in triggering the First World War in 1914 and its defeat four years later.⁵

German colonialism in Namibia was characterised by the systematic brutalisation and disenfranchisement of the indigenous population, which triggered resistance leading up to the 1904 – 1908 genocide in which the OvaHerero and Nama people were targeted for annihilation.⁶ During the period of German colonialism, “[C]ivil and civic rights were exclusively reserved for the members of the settler community”.⁷ In addition, since the settler economy needed cheap labour, the state “produced a set of values and norms, rules and regulations enforced against the will of the vast majority of people...”.⁸ Furthermore, the German colonial administration in Namibia was “designed for control, and... The primary concern was to enforce order and stability, if necessary, by the application of violence”.⁹ Formal mechanisms of control were “...rooted in a legal system created to serve the interests of the external power, by protecting its subjects settling in the colony” and “[L]egislation was created and applied to

directly coerce local populations to respond to the needs of the imposed settler economy”.¹⁰ Ultimately, it can be averred that German colonialism in Namibia was organised on the principles of exclusion, repression and exploitation.

The situation was no different for indigenous Namibians under the control of apartheid South Africa which imposed the brutal apartheid system leading to multiple forms of dispossession, brutalisation and segregation of the local population.¹¹ As du Pisani argues, “[W]hen the Union of South Africa was designated the mandatory power over Namibia in 1919, that country set out to redefine public space and political life in the mandated territory”.¹² This was evident in its attempt to paralyse indigenous economic activities to create labour for the emerging capitalist colonial economy, its encroachment on the northern regions which were previously left alone by German

5 Melber, Henning (2010). Economic and Social Transformation in the Process of Colonisation. In Keulder, Christiaan (Ed.). *State, Society and Democracy: A Reader in Namibian Politics* (pp. 49-76). Windhoek: Macmillan Education Namibia.

6 Olusoga, David & Erichsen, Casper W. (2010). *The Kaiser's Holocaust: Germany's Forgotten Genocide*. London: Faber and Faber.

Melber, Henning (2024). *The Long Shadow of German Colonialism: Amnesia, Denialism and Revisionism*. London: Hurst.

7 Melber, Henning (2010). Economic and Social Transformation in the Process of Colonisation. In Keulder, Christiaan (Ed.). *State, Society and Democracy: A Reader in Namibian Politics* (pp. 49-76). Windhoek: Macmillan Education Namibia.

8 Ibid.

9 Ibid.

10 Ibid.

11 Wallace, Marion (2011). *A History of Namibia: From the Beginning to 1990*. Auckland Park: Jacana.

12 du Pisani, A. (2010). State and Society under South African Rule. In Keulder, Christiaan (Ed.). *State, Society and Democracy: A Reader in Namibian Politics* (pp. 16-48). Windhoek: Macmillan Education Namibia.

colonialists, and the institutionalisation of racial segregation and separate development, among other things.¹³ The apartheid state continued to treat Namibia and its indigenous people as subjects and strengthened the state's infrastructure of control and exploitation. Social arrangements instituted by South Africa were aimed at reconfiguring "public space in Namibia so as to contain the movement of the majority black population".¹⁴ As du Pisani avers "[A]partheid spatiality ensured a system of subordination and subordination that, over the years, became more coercive and ugly".¹⁵ Such a system could only be sustained by an enabling media system as discussed below.

CONTINUITIES AND DISCONTINUITIES IN NAMIBIA'S NEWS MEDIASCAPE

As with most African countries, mainstream media in colonial Namibia largely operated in the service of the colonial project. Both German colonialism and the apartheid regime actively emasculated independent journalism and marked narratives about and for indigenous Namibians for either erasure or distortion.¹⁶ The architecture of contemporary Namibian media owes its shape, in no small measure, to the early colonial media of the country. Broadly speaking colonial media in Namibia, then South West Africa, can be categorised in terms of a dichotomy between mainstream (European owned and controlled commercial and state media) and alternative media which were mainly Church

and community oriented as well as those affiliated to liberation political movements.¹⁷ Mainstream media were largely if not wholly acquiescent to the colonial government and commercial interests while alternative media were social justice driven and actively criticised the colonial and/or apartheid system. Print media were largely privately owned and broadcast media followed the purview and leadership of the colonial state. The first newspaper, *The Windhuker Anzeiger*, was established by a German speaking lawyer Georg Wasserfall during German colonisation in 1898.¹⁸ Although private, the newspaper exclusively represented the interests of German colonialists and operated more or less as a propaganda tool for the colonial government.¹⁹ Due to this very fact and the prevalent high levels of illiteracy among indigenous populations in colonial Namibia, the interests of the oppressed majority remained largely beyond the pale of public communication and representation.²⁰

It is only in the 1950s and 1960s that news media with bona fide alternative views emerged following the changing profile of congregants and Church leadership which now included indigenous Africans.²¹ Notably, one prominent component of news media in colonial Namibia thus, was owned and controlled by the Church. Nonetheless, although some of the Church-run media tried to assume a broadly inclusive posture in terms of the social groups and issues covered, they were consistent in their measured criticism of the colonial or apartheid system that subjected indigenous populations to

13 Wallace, Marion (2011). *A History of Namibia: From the Beginning to 1990*. Auckland Park: Jacana.

14 Melber, Henning (2010). Economic and Social Transformation in the Process of Colonisation. In Keulder, Christiaan (Ed.). *State, Society and Democracy: A Reader in Namibian Politics* (pp. 49-76). Windhoek: Macmillan Education Namibia.

15 Ibid.

16 Lister, Gwen (2021). *Comrade Editor: On Life, Journalism and the Birth of Namibia*. Cape Town: Tafelberg.

17 Namibia Institute for Democracy (1991). Introduction. Retrieved from https://www.nid.org.na/images/pdf/analysis_views/We_write_what_we_like.pdf

18 Ibid.

19 Ibid.

20 Ibid.

21 Ibid.

its vicious and brutal policies and practices. Some of these newspapers were established in the early 20th century but only became fairly open to a diversity of views in the 1950s and 1960s. They were operating mainly under the aegis of the two major local variants of the Lutheran Church (the Finnish Missionary Society and the Evangelical Lutheran Church in South West Africa) as well as the Catholic Church. Some of the Church publications included *Osondaba* which was established in 1901 and run by the Finnish Missionary Society. It was published in *Oshiwambo*. In 1961, the Evangelical Lutheran Church in South West Africa established the newspaper *Immanuel* which was published in Afrikaans, Khoekhoegowab and Otjiherero. The Catholic Church established the newspaper *Angelus* in 1963, which was published in Afrikaans, Khoekhoegowab and Otjiherero. The *Oshiwambo* version was established later in 1977.²² Initially, these publications focused on religious matters although they later engaged in sporadic socio-political commentary.²³ None of the early Church publications were owned or controlled by an indigenous African proprietor but they often encountered significant attempts of sabotage by the colonial government because of their activist content especially after the 1950s and 1960s. For instance, “the Lutheran printing press at Oniipa was bombed on 11 May 1973” and journalists working for Church run publications were often harassed.²⁴

This oddity was only upended by the black owned and controlled newspaper *South West News*, which was established in 1960.²⁵

Although the newspaper expanded the breadth of issues reported in the public sphere, its disconnection from settler colonial capital meant that it could not attract advertising revenue.²⁶ Not only did this limit the paper’s audience reach and capacity to cover issues beyond urban settings, it also ineluctably shortened its operational period. The late 1970s and early 1980s witnessed a significant growth of alternative media that sought to provide independent and critical reporting in a colonial context. Community newspapers such as the Namibian National Students’ Organisation’s (NANSO) *The Student Voice of Namibia* and the workers’ *The Namibian Worker* added to the expanding public sphere. *Sister Namibia*, a feminist outfit which addressed women’s issues added a critical voice to the mainly androcentric media in the country at the time.²⁷

Other mainstream media which attempted to provide independent and critical coverage of issues included the *Windhoek Observer* which was co-founded by the highly respected Gwen Lister who went on to establish *The Namibian* following sustainable challenges faced by the former due to lack of advertising revenue from the white or European business community which dominated Namibia’s colonial economy.²⁸ *The Namibian*, which was established in 1985 by the founding editor Gwen Lister and funded by international well-wishers, assumed a critical stance against the apartheid government and expanded the range of voices in the news to include those

22 Ibid.

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

27 Ibid.

28 Lister, Gwen (2021). *Comrade Editor: On Life, Journalism and the Birth of Namibia*. Cape Town: Tafelberg.

of liberation movements such as the South West Africa People's Organisation (SWAPO).²⁹ *The Namibian* provided a counter-narrative to the dominant colonial frame which sought to legitimise the segregation that defined the obtaining apartheid system. The paper continues to provide oversight on powerful institutions in contemporary Namibia. The *Republikein* was established in 1977 and provided explicit support for the apartheid system and its architects, the Republican Party and the Democratic Turnhalle Alliance (DTA), to which the former was affiliated. The German newspaper, the *Allgemeine Zeitung* was founded in 1916. From 1978 to 1990, the paper was owned by John Meinert (Pty) Ltd and was taken over by the *Republikein* in 1991. Although the newspaper focused on business news, its colonial orientation was also explicit.

Broadcast media in Namibia only entered the scene in 1956 with the introduction of a radio station within the ambit of the South West African Broadcasting Corporation (SWABC) which was under the tutelage of the South Africa Broadcasting Corporation (SABC).³⁰ The radio station had a strong collaborative relationship with the apartheid government and its South African handlers.³¹ Nonetheless, as the armed struggle for independence intensified in the 1960s, the Corporation expanded its offerings by including radio services in Oshiwambo, Otjiherero and Damara>Nama which were quickly used to entrench the power of the colonial regime by dividing indigenous Namibians on an ethnic basis.³² Ethnic and

racial differences were amplified using cultural content. Although the independence of SWABC improved in 1978 following an enabling United Nations Resolution, its radio services remained separated on the basis of race.³³ Afrikaans, English and German services which targeted white audiences were controlled separately from the Oshiwambo, Otjiherero, Damara>Nama, Rukavango, Lozi and Setswana services.³⁴ Notably, the controller of the African services was white, indicating the continued desire to control communication services by the apartheid regime in the country. Television services were introduced in 1981 although content was largely supplied by South Africa's SABC. These pre-independence media arrangements demonstrate a fundamental point, which is that an unpopular and repressive political system will seek to deploy the media as an integral mechanism of its broader architecture of control tailored for its own political and economic sustenance. In such a context, news media that seek independence as a foundation for critical reporting are met with repressive interference if not outrightly eliminated from the public sphere. This shows the importance of democratic politics as the quintessential enabling environment of a free and independent media.

Although the mainstream media in independent Namibia has been significantly pluralised and diversified³⁵, its ownership patterns also somewhat continue to reflect colonial dynamics. The Namibian government owns and controls the national broadcaster,

29 Ibid.

Namibia Institute for Democracy (1991). Introduction. Retrieved from https://www.nid.org.na/images/pdf/analysis_views/We_write_what_we_like.pdf

30 Matundu, Marina (2021). Radio as a Tool for Rural Communication in Namibia. *New Era*, 27 October 2021.

31 Ibid.

32 Tyson, Robin (2008). The South African Media's (re) colonisation of Namibia. *Global Media Journal* 2(1), 66-79.

33 Ibid.

34 Ibid.

35 Mare, Admire (2025). A Critical Reflection on the Postapartheid Mediascapes in Namibia. In Schapals, A. K. & Pentzold, C. (Eds.). *Media Compass: A Companion to International Media Landscapes* (First Edition). John Wiley and Sons.

the Namibia Broadcasting Corporation (NBC), the daily newspaper *New Era* and a news agency, NAMPA. NBC owns 3 television channels and about 10 radio stations some of which broadcast in a variety of vernacular languages. Commercial media conglomerates such as Network Media Hub (NMH) and Future Media Holdings (FMH) are largely owned and controlled by white capital. NMH owns and controls newspapers such as the *Republikein* (which publishes in Afrikaans), *Allgemeine Zeitung* (which publishes in German), and the *Namibian Sun* (which publishes in English). Future Media Holdings

owns five radio stations that include *Radio Wave*, *Fresh FM*, *Nova 103.5FM*, *Omulunga Radio*, and 99FM as well as the television station *One Africa TV*. *The Namibian* which is owned by Free Press Private Limited depends on both advertising revenue and international civil society support. State media are less critical of the government and non-state media are largely critical of the government and less so, of largely commercial entities. Given some continuities with the apartheid system in the organisation of Namibia's contemporary economy, it is imperative to examine how the media is positioned

and subjected to the dominant forces and the concomitant implications of this to the independence and freedom of the media. While Namibia has largely been recognised for advancing its democratic profile, it is also important to acknowledge and engage with the latter-day manifestations of undemocratic practices and systems and how these continue to structure both socio-economic and communicative realities in the country. As Melber notes, “[T]o some extent it can be maintained that a number of the structural elements then created continue to remain effective, and that some of the characteristics of postcolonial Namibian society are based upon or even rooted within the legacy of this past”, hence the need to sketch and engage with this past.

CURRENT LANDSCAPE

LEGAL AND REGULATORY THREATS

Namibia is constituted as a constitutional democracy and the national constitution provides for and guarantees fundamental freedoms in Article 21. In particular Article 21(1a) provides that “All persons shall have the right to freedom of speech and expression, which shall include freedom of the press and other media”. This provision makes specific provision for press freedom and goes further to accommodate all other media beyond news media. In addition, Namibia is signatory to a range of international instruments which provide for the same rights. These include among others, the United Nations Universal Declaration of Human Rights (1948) which provides, in Article 19, that:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.³⁶

The International Covenant on Civil and Political Rights (CCPR) (1976) also provides for freedom of expression in its Article 19 and the African Charter on Human and People’s Rights (1981) provides for freedom of expression and the right to receive information through Article 9. Namibia has also ratified the International Convention on the Elimination of All Forms of Racial Discrimination (Article 5) and the Convention on the Elimination of All Forms of Discrimination against Women (Article 7). Freedom of expression is also a leitmotif in the Declaration of Principles on Freedom of Expression in Africa of 2002, the African Union Election Monitoring Guidelines, the

SADC Principles and Guidelines Governing Democratic Elections, and the Windhoek Declaration for the Development of a Free, Independent and Pluralistic Press, among others.

Largely lauded as a progressive document, the Namibian constitution also provides for ‘Constitutional Supremacy’, which principle highlights the fact that “the Constitution takes precedence over all other law...”.³⁷ Article 1(6), of the Namibian Constitution, states that “This Constitution shall be the supreme law of Namibia”.³⁸ However, the Konrad-Adenauer Stiftung highlights a slight contradiction in the Constitution through Article 21(2) which states that “The fundamental freedoms referred to in Sub-Article (1) hereof shall be exercised subject to the law of Namibia, in so far as that law imposes reasonable restrictions on the exercise of the rights and freedoms conferred by the said Sub-Article...”. The reasonability refrain included here may not be effective given the inexactitude over what constitutes ‘reasonable restrictions’. As such, and in effect, it is possible that laws that undermine fundamental rights may still be used to disregard constitutional provisions depending on the obtaining socio-political and economic conditions. Ultimately, depending on the obtaining political environment, the fundamental freedoms provided for in the Constitution may easily be limited using this provision when expediency dictates.

Generally speaking, the operations of journalists in Namibia have not been significantly impeded by legal or regulatory instruments. This is acknowledged by one of Namibia’s most influential and veteran journalist Gwen Lister who notes “...journalists have largely worked in a safe environment

36 <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

37 https://www.kas.de/c/document_library/get_file?uuid=f86cf6dc-a8ca-71ac-40ca-0440bee01223&groupId=285576

38 <https://www.lac.org.na/laws/annoSTAT/Namibian%20Constitution.pdf>

and there have been no killings or arbitrary arrests of media workers”.³⁹ She repeated this observation in 2024 when she stated that “...although Namibia is not problem-free... we certainly have it a lot better than many of our peers in other countries”.⁴⁰ Coming from a veteran journalist whose figure looms large in Namibian journalism’s role in the fight against the apartheid system imposed on Namibia by South Africa, the comments are complimentary of the conditions in the country. Her observations are echoed by the latest African Media Barometer Report (AMB) on Namibia published in 2022 which asserts “Namibia’s legal and policy framework offers strong protection for freedom of expression and media freedom through Article 21 of the constitution”.⁴¹

In December 2022, the **Access to Information Act** was promulgated, enhancing an already enabling communicative environment in the country. The Act provides an enforceable legal framework which requires public and private institutions to make information available to citizens within specific time frames, on request. It is important to highlight that the Act does not limit the requirement to allow access to information to public institutions but extends this responsibility to private institutions whose activities are often opaque and yet significant in terms of their impact on ordinary citizens. This requirement applies in respect of historical information as well, a proviso which enhances transparency and public accountability. As the **Access to Information Act of 2022** states in Section 2(1), the law “applies to information held by a public entity or private entity whether or not the information had been produced before the commencement of this Act”.⁴² The Act also enhances access to information

in Section 4(f) by making it a requirement for public entities “to proactively disclose information, unless otherwise provided in this Act or any other law.” This means public institutions must not just wait for information requests for them to avail such information but must make effort to proactively publish critical information which is important to the public. The Act also protects information officers who will be processing information requests in Section 4(g), which states that “a person who discloses information in good faith is not subject to any sanction except where a relevant law provides otherwise”.⁴³ An equally important issue is the independence and autonomy of the Information Commissioner, as information requests will inevitably emanate from people with various and even contesting interests and of diverse political leanings. The Act provides in Section 10(1a) that “The information Commissioner is independent and impartial in the exercise and performance of his or her powers and functions, subject only to the Namibian Constitution and the law”. These provisions, among other things, enhance citizen access to information and by extension informed citizen participation in public processes such as elections.

However, pullback conditions which subject affordances in the Act to provisions in other laws could be used to restrict access to information. Furthermore, Part 9 of the **Access to Information Act** outlines areas in which there is “prohibition of access to exempt information”.⁴⁴ These include classified information, personal and other information of third parties, commercial and economic information of information holders and third parties, national security and defence, international relations, for purposes of law enforcement, legally

39 Lister, Gwen (2018). Namibian Media: Mostly Free but Fragile. *The Commonwealth Journal of international Affairs* 107(2), 229-231.

40 Lister, Gwen. (2024). *Thoughts About the State of the Media: Freest Press, Best Journalism?* Presentation made at the One Economy Foundation Media Summit and Awards, 2024 in Windhoek, Namibia.

41 Fesmedia Africa. (2022). *African Media Barometer: Namibia*. Friedrich Ebert Stiftung.

42 Access to Information Act, 2022.

43 Ibid.

44 Ibid.

privileged documents, and manifestly frivolous or vexatious requests, among other things. These explicit limitations coupled with the pullback conditions that accompany provisions for access can restrict access to information that is in the public interest. In some cases, decisions about whether certain information is exempt from access or not will be left to entities or individuals that are the subjects of interest, thereby undermining the sharing of information about issues that are in the public interest. It is imperative to highlight that the law is not yet in force as the regulations for its implementation are not yet in place and the Information Commissioner is yet to be appointed although the process has already been initiated.

Furthermore, the 2022 AMB on Namibia also points out some concerning developments which seem to contradict both the Constitution and the international instruments to which Namibia is signatory. For instance, the **Communications Act (Act 8 of 2009)** in Chapter 5(6), provides for the monitoring and interception of communications and thus, broadly allows for surveillance activities in the country. This concern was made even more real by the SIM registration requirements as per the April 2021 regulations under the **Communications Act**. Another set of regulations published in 2022 provide for mandatory data retention for a period of up to five years by telecommunications and internet service providers.⁴⁵ These conditions can potentially create a chilling effect where journalists are afraid to overstep certain boundaries which they may deem a step too far. Once journalists are weary of pushing the envelope on certain investigative or sensitive stories,

their effectiveness in reporting corruption, political and economic malfeasance as well as violations of human rights will be severely undermined.

As highlighted by the 2022 AMB on Namibia, press freedom may also be curtailed by the retention of laws “that criminalise sedition, insult and the publication of false news” as well as “the law of defamation” which is “based on common law”.⁴⁶ These laws can create a chilling effect at best and lock the media down in costly court cases with existential implications on the media. Furthermore, it is highlighted that confidential sources of information are not protected, which can undermine investigative journalism.⁴⁷ The ensuing discussion focuses on some laws and regulatory frameworks that stand as potentially consequential threats to media freedom in Namibia.

THE STATE SURVEILLANCE FRAMEWORK

As has already been noted above surveillance activities are potent in creating a chilling environment which threatens the freedom of the media and in more extreme cases, even the safety of journalists. A formidable set of laws that constitute the country’s communications surveillance framework pose a significant threat to the freedom of the media in Namibia. This framework consists of the following laws:

- **The Criminal Procedure Act 51 of 1977**⁴⁸
- **The Police Act 19 of 1990**⁴⁹
- **The Namibia Central Intelligence Service Act 10 of 1997**⁵⁰
- **The Defence Act 1 of 2002**⁵¹

45 Links, F. & Santos, P. (2025). The Democratic Subsidy in Namibia’s Intelligence Oversight Mechanisms. In Duncan, J. and Munoriyarwa, A. (Eds.). *Democratising Spy-watching*. Scottish Universities Press.

46 Fesmedia Africa. (2022). *African Media Barometer: Namibia*. Friedrich Ebert Stiftung.

47 Ibid.

48 <https://www.lac.org.na/laws/annoSTAT/Criminal%20Procedure%20Act%2051%20of%201977.pdf>

49 <https://www.lac.org.na/laws/annoSTAT/Police%20Act%2019%20of%201990.pdf>

50 <https://www.lac.org.na/laws/annoSTAT/Namibia%20Central%20Intelligence%20Service%20Act%2010%20of%201997.pdf>

51 <https://www.lac.org.na/laws/annoSTAT/Defence%20Act%201%20of%202002.pdf>

- **The Communications Act 8 of 2009**⁵²
- **The Prevention and Combating of Terrorist and Proliferation Activities Act 4 of 2014**⁵³

While all of these laws contain sections that speak to the enabling of communications interception, monitoring and retention in some manner or the other, at the heart of the framework is the **Communications Act 8 of 2009**, and its attendant regulations⁵⁴, that gives significant force to the surveillance-related provisions in the other laws. Part 6 of Chapter V of the **Communications Act** makes provision and provides cover for law enforcement and intelligence officers to intercept and monitor all manner of communications through the establishment of interception centres, and the imposition and implementation of mandatory SIM card registration and mandatory data retention by telecommunication service providers⁵⁵.

Also, worth noting in this context is the amendment of the **Criminal Procedure Act 51 of 1977** by the **Criminal Procedure Amendment Act 7 of 2023**, which provides for police officers to intercept and access digital communications without judicial authorisation or oversight.⁵⁶ This brings into focus the shortcomings of the state communications surveillance framework. A 2022 assessment of the framework conducted for the Namibia-based Institute for Public Policy Research (IPPR) by the South Africa-based ALT Advisory, found that, when measured against international and regional best practice, the framework fell “short on a range of fronts”⁵⁷. The major gaps identified in the framework by the IPPR assessment are

the following:

1. Lack of necessity and proportionality

The Namibian framework enables surveillance “in respect of any threat or potential threat, where the principle of proportionality suggests that more intrusive measures should be reserved only for serious or imminent threats”.

2. Lack of protections for metadata

“The Namibian framework mistakenly assumes that communications data is less sensitive than the content of communications and accordingly provides fewer protections and safeguards for its access.”

3. Provision for urgent warrantless access

As already indicated, the framework makes “provision for the Namibian Police Force to access customer information without court authorisation in urgent situations”.

4. Oversight concerns

“While the general requirement for a judge to authorise interceptions and metadata access should be welcomed, the framework lacks several key provisions for robust and independent oversight.”

5. Lack of user notification

“Namibia’s interception framework lacks user notification, which provides that any person whose communications and communication data is intercepted or accessed is generally notified after the fact, except where the notification must be delayed to preserve an ongoing investigation”.

6. Other transparency and oversight gaps

“The Namibian framework lacks other

52 <https://www.lac.org.na/laws/annoSTAT/Communications%20Act%208%20of%202009.pdf>

53 <https://www.lac.org.na/laws/2014/5490.pdf>

54 The first set of regulations (Government Gazette No. 7481) were gazetted on 15 March 2021, and the second set (Government Gazette No. 7797) on 28 April 2022. The regulations were initially set to come into force on 1 January 2024, but due to a slow rate of SIM registration a three-month extension was given, with the regulations, and Part 6, only becoming operational on 1 April 2024.

55 <https://namibiafactcheck.org.na/news-item/explainer-what-information-will-be-collected-during-sim-card-registration/>

56 <https://www.namibian.com.na/what-happened-to-our-privacy-police-access-to-our-personal-data/>

57 The report of the assessment commissioned by the IPPR, titled ‘Advocacy Report: Digital Rights in Namibia’ and dated 14 October 2022, is not a public document, but is referenced with permission.

important transparency and oversight measures. For example, a requirement for law enforcement and intelligence agencies, and judicial bodies, to submit regular, detailed, public reporting on their activities relating to interception and access to communication data". The assessment further notes that there is "also a notable lack of other oversight measures and ombudsman offices with the power and mandate to receive and investigate citizens' complaints of surveillance abuses and other abuses of power within the intelligence and law enforcement agencies".

7. Customer registration

"While the dominant rationale for SIM registration is that it assists in detecting and investigating crimes and security threats related to the use of ICTs, there is no clear empirical evidence that SIM registration policies lead to a reduction in crime".

Also, it is worth mentioning is that the IPPR assessment of 2022 followed an earlier one, from June 2021, by the Windhoek based Legal Assistance Centre (LAC), a public interest law firm, that focused on the constitutionality of the mandatory SIM card registration and data retention regulations gazetted in March 2021 under the **Communications Act of 2009**⁵⁸. The LAC assessment of the new regulations states that "it seems likely that Namibia's telecommunications data retention scheme might be found to be an unconstitutional infringement of the right to privacy overall, given the intrusion into the privacy of large segments of the population in a manner that has a questionable ability to serve the intended objectives".⁵⁹ The threat posed by the newest additions to the state surveillance framework were also flagged by the UN Human Rights Committee, following engagement with Namibian civil society actors, when it reviewed Namibia's compliance with specific sections of the International Covenant on Civil and Political Rights (ICCPR) in early March 2024, less than

a month before the mandatory SIM card registration and data retention regulations came into force on 1 April 2024. In its concluding observations, the UN Human Rights Committee expressed concern "that the data retention regulations currently being implemented under part 6 of chapter V of the **Communications Act** (No. 8 of 2009) may not provide adequate protections and safeguards for personal communications data. In addition, the implementation of the aforementioned regulations coincides with the implementation of mandatory SIM card registration, which raises concerns, especially for persons with a particular need for confidential or anonymous communications, such as journalists, whistle-blowers and human rights defenders".⁶⁰ The Committee recommended that the Namibian government "ensure that the management of the database for SIM card registration is subject to appropriate safeguards in order to prevent hacking, data leaks and unauthorised access by private entities and State authorities, including by establishing appropriate judicial or legislative authorization requirements for State authorities wishing to obtain access to the database".

The Prevention and Combating of Terrorist and Proliferation Activities Act 4 of 2014

This law was the updated iteration of an earlier, more problematic law the **Prevention and Combating of Terrorist Activities Act 12 of 2012**, which was never implemented and completely repealed by the current law less than two years after enactment. Both laws were rushed through parliament, without having undergone proper consultation and rigorous debate, which is why the current law contains serious flaws that have the potential to limit free expression and media freedom more than a decade since enactment. **The Prevention and Combating of Terrorist Activities Act 12 of 2012** was tabled before parliament and passed in less than two days

58 <https://www.lac.org.na/laws/2021/7481.pdf>

59 https://www.lac.org.na/projects/grap/Pdf/constitutionality_of_telecommunications_data_retention_schemes.pdf

60 <https://www.lac.org.na/news/inthenews/archive/2024/G2405625.pdf>

(one day in the National Assembly and one day in the National Council) without MPs having had the opportunity to even read through the bill⁶¹. The rush to enact was apparently justified in order to placate the Financial Action Task Force (FATF) which was on the verge of censuring Namibia for not having an adequate anti-terror law on the statute books.

The 'urgency' with which the law was passed attracted considerable criticism, with one opposition MP at the time noting "that the Bill had not been made available to the House prior to its tabling – meaning that MPs had to process 39 pages of a complex piece of legislation and be able to make constructive and meaningful input while only having the time it took for the Minister to motivate the bill to assess it". It was because of this rush that the initial law ultimately fell short of FATF standards and Namibia was sent back to the drawing board. It was on the second attempt that the **Prevention and Combating of Terrorist and Proliferation Activities Act 4 of 2014** came into being. Aside from forming part of the state surveillance framework, as mentioned earlier, the law is also significantly concerning in other respects. More significantly is the definition of "terrorist activity", which the IPPR notes, "is both vague and inappropriate in parts", to the extent that a critical media report or an online post could be classed as "terrorist activity" under the law⁶². "The various terrorism-related offences and actions by the State set out in the law spring from this definition. Hence, the Act could be applied in a manner that goes well beyond dealing directly with terrorist activity and impinges on the fundamental human rights set out in Chapter 3 of the Constitution," the IPPR states.

The Protection of Information Act 84

of 1982

This apartheid-era law forms part of the framework that governs the operations and activities of the Namibia Central Intelligence Service (NCIS), as established by the **Namibia Central Intelligence Service Act of 1997**⁶³. Simply put, the law provides "for the protection from disclosure of certain information" and prohibits disclosure of such information to any foreign state, any agent or any entity that could be categorised as a "hostile organisation", which theoretically can include a news media organisation⁶⁴. To illustrate the threat posed, this law was used to try and muzzle the now-defunct *The Patriot* newspaper in 2018 from reporting on alleged corruption, and alleged waste and misuse of state resources, in the NCIS. In the case, both before the High Court and on appeal to the Supreme Court, the government and NCIS cited the **Protection of Information Act of 1982**, along with provisions of the **Namibia Central Intelligence Service Act of 1997**, to allege "that they have statutory and constitutional powers and duties to protect sensitive information from being published, and maintained that the information sought to be published by *The Patriot* will compromise the secrecy of the NCIS's operations and be prejudicial to Namibia's national security"⁶⁵. The courts rejected the argument that exposing alleged corruption and waste in the intelligence agency constituted a threat to national security and in both cases ruled against the government and NCIS. Despite the state's loss, the attempted silencing of the newspaper showed that this long-forgotten apartheid-era law could still be deployed in a repressive manner in a patently democratic independent Namibia.

61 https://ippr.org.na/wp-content/uploads/2013/05/DemocracyReport_Terrorism_IPPR_L.pdf

62 <https://ippr.org.na/wp-content/uploads/2015/06/Anti-terror%20Paper%20Final%20h.pdf>

63 <https://www.lac.org.na/laws/annoSTAT/Namibia%20Central%20Intelligence%20Service%20Act%2010%20of%201997.pdf>

64 <https://www.lac.org.na/laws/annoSTAT/Protection%20of%20Information%20Act%2084%20of%201982.pdf>

65 <https://namiblii.org/akn/na/judgment/nasc/2019/7/eng@2019-04-12#:~:text=The%20High%20Court%20was%20satisfied%20that%20the%20information%20possessed%20by,or%20classified%20information%20whose%20publication>

Research Science and Technology Act of 2004⁶⁶

This law was passed in 2004 but only brought into force in 2011 following the gazetting of regulations to implement it. From the start it was evident that the framework was highly problematic as it sought to impose a system of government control and approval over what research could be conducted, and by whom, in Namibia. Following the gazetting of regulations, it became clear that the framework “appeared to violate both the letter and spirit of the Constitution – particularly freedom of speech, thought and debate which help sustain any democracy”, the Legal Assistance Centre (LAC) notes⁶⁷. According to the LAC, the framework “utilises an overly broad definition of research and research institutes. It describes research as the systematic investigation, analysis and study of materials, sources and the physical universe for the purpose of establishing facts, knowledge and conclusions – a definition so broad it would encompass many everyday activities”, including information gathering and research conducted by journalists for their reporting.

In March 2015 the LAC, along with the Free Press of Namibia (Pty) Ltd, which publishes *The Namibian* newspaper, and the Institute for Public Policy Research (IPPR), launched a constitutional challenge in the High Court of Namibia against the framework, citing the President of Namibia, the education minister, the National Commission on Research, Science and Technology (NCRST), and the Attorney General as respondents. The LAC argued that the framework violates the constitutional rights of freedom of speech and expression, freedom of the press, freedom of thought, conscience, and belief, freedom to practice any profession or trade,

and the right to privacy of communication. The constitutional challenge led to the Namibian government conceding that there were constitutional issues with the law and its regulations, and in 2016 amendments were made to the regulations to remove references to “Namibian-based researcher”, effectively meaning that the law did not apply to research conducted by individual Namibian researchers. However, it still meant that Namibian research institutes or other entities engaging in research would have to comply. The LAC argued that the amendments did not go far enough and that the constitutional foreshortening remained. This led the government to propose more amendments, which, while “considered to be a step in the right direction”, were “still found wanting in many respects by civil society groups involved in the court case”.⁶⁸

In October 2023 a settlement was finally reached between the parties, and the settlement agreement became an order of the High Court.⁶⁹ The settlement was that the education ministry would withdraw and replace specified sections of the regulations within six months of the settlement order, with amendments to the law to be tabled in the Namibian parliament within 12 months, and for the amendments to be passed within 24 months. At the time of writing this report, the 24-month deadline was looming, at the end of October 2025, and the Namibian government had not met either the sixth-month or twelve-month deadlines, as no draft amendments had been shared with the LAC, the Free Press of Namibia and the IPPR by end-July 2025.

66 <https://www.ncrst.na/wp-content/uploads/2021/05/RESEARCH-SCIENCE-AND-TECHNOLOGY-ACT-2004-NAMIBIA.pdf>

67 <https://www.namibian.com.na/a-broken-promise-amendments-to-the-research-science-and-technology-act/>

68 <https://www.namibian.com.na/a-broken-promise-amendments-to-the-research-science-and-technology-act/>

69 https://www.lac.org.na/news/inthenews/archive/2023/Govt_agrees_to_change_contested_research_law.pdf

STATE-OWNED MEDIA FRAMEWORKS

The Namibian media landscape is dominated by state-owned media, with the *Namibian Broadcasting Corporation* (NBC) having by far the largest footprint on the landscape, as most Namibians still get most of their news and information via radio, according to Afrobarometer. Aside from the NBC, which is not set-up as a public broadcaster, the other notable state entities with significant footprints on the media landscape are the Communications Regulatory Authority of Namibia (CRAN), which is the broadcasting and telecommunications regulator, the state-owned daily newspaper *New Era*, and the *Namibia Press Agency* (NAMPA). All four entities are statutory bodies falling under the Ministry of Information, Communication and Technology (MICT). The four entities are established under the following laws, respectively:

- **Broadcasting Act No. 9 of 1991;**
- **The Communications Act 8 of 2009;**
- **New Era Publication Corporation Act No.1 of 1992;**
- **Namibia Press Agency Act NO. 3 of 1992.**

All four entities receive and are primarily sustained by subsidies from the government, with the MICT responsible for tabling and accounting for their budgets in the National Assembly. The boards of these state media entities are appointed by the minister of MICT. Considering this, none of the four entities are thus independent from the government, and specifically not independent from the minister of MICT. This has meant that over the years since Namibian independence in 1990, there has been considerable political influence on the affairs, operations and governance of these state media sector entities. An example emblematic of this phenomenon were reports about how a journalist who worked for the state-owned

Namibia Press Agency (NAMPA) was censured for asking a question about the Fishrot corruption case during a COVID-19 press conference.⁷⁰ Another case involves the suspension of and later resignation from the government owned daily newspaper *New Era* by Managing Editor Jonathan Beukes in 2023. According to a statement by the media civil society organisation NMT Media Foundation, “Beukes’ suspension is connected to critical articles, editorials, and opinion pieces related to the judicial service and judges that were published in the *New Era*...”⁷¹ In yet another case, Namibian Broadcasting Corporation Political Affairs and Investigations Editor Anna Nicodemus was suspended and later reinstated in 2024, following comments she made about the health of then incoming and now Namibian president Netumbo Nandi-Ndaitwah in an interview with the South African news channel Newsroom Africa.⁷² These cases can potentially create a chilling effect among journalists working for state media in Namibia and promote the impression that the government is less tolerant of critical independent reporting.

Notably, the executive branch’s encroachment into the operations of news media is not limited to state owned and controlled media. In the recent past, a few concerning cases have raised questions about the state’s attitude towards journalists in general and the potential impact of this on free and independent journalism in Namibia. The most conspicuous of these was when journalist Jemima Beukes was escorted out of the State House after asking Namibian president Netumbo Nandi-Ndaitwah about her family’s interest in the country’s nascent oil industry. The incident, which occurred on 2 February 2026, was received with consternation by local and international journalism associations and civil society. For instance, the International Federation of Journalists (IFJ) and the Federation of African Journalists (FAJ), issued a statement in which they

70 <https://www.namibiansun.com/news/journalist-lands-in-trouble-for-fishrot-question-to-geingob2020-08-03>

71 <https://www.nmt.africa/News/87/Editor&rsquos-suspension-a-chilling-blow-to-media-freedom>

72 <https://www.nmt.africa/News/107/Press-freedom-violations-and-the-need-for-more-informed-journalism>

“strongly condemn this act of intimidation aimed at suppressing media freedom.”⁷³ They went further to highlight that Beukes’ treatment at the Namibian State House “raises concerns about the respect afforded to press freedom and access to information, as well as the safety of journalists in Namibia.”⁷⁴ In addition, the NMT Media Foundation also published a statement highlighting and condemning how Beukes was subjected to “physical manhandling, threats of arrest, and interference with journalistic equipment”.⁷⁵ The statement went on to highlight another incident in which a government minister criticised a report by Tracy Tafirenyika, a journalist of Zimbabwean origin albeit married to a Namibian man, using xenophobic invective. The report had exposed the minister’s N\$174000 water bill despite his criticism of people with water arrears.⁷⁶ In its condemnation of the two incidents, the NMT Media Foundation noted “such conduct by public officials or political actors represents a failure to uphold constitutional values and undermines stated commitments to media freedom.”⁷⁷ The nature of these incidents and the short time lapse between them indicates not only escalating hostility towards critical and independent media but also an executive branch of government that is antipathetic towards informal mechanisms of oversight such as the media. Progressively, this can consequently emasculate the media and promote lack of transparency and accountability in the Namibian body politic.

Criminal Defamation

Criminal defamation is a common law crime in Namibia and even though the jurisprudence relies primarily on South African case law, it remains a significant threat, and not just for the media. In fact, the Namibian constitution specifically notes defamation as one of the limitations in Article 21 (2) applicable to the freedoms articulated and enshrined in Article 21 (1), including free expression and media freedom. Article 21 (2) states that “the freedoms contained in article 21(1) must be exercised subject to the law of Namibia”, which should or can impose “reasonable restrictions”, which are “required in the interests of the sovereignty and integrity of Namibia, national security, public order, decency or morality, or in relation to contempt of court, *defamation* or incitement to an offence” (own emphasis). In this regard, the “Namibian courts have held that the common law of defamation is not *per se* inconsistent with the Constitution. This is because of the importance of upholding the right to dignity, which includes the right of a person not to be unlawfully defamed”.⁷⁸ That said, for the most part defamation is handled as a civil matter. It should be noted though that the frequency of such cases appears to have increased over recent years. For instance, in July 2025, it was reported that a businessman was threatening to take an online news organisation to court for defamation because of the news

73 IFJ/FAJ (2026). Namibia: Journalist forced out of State House for asking Question in the Public Interest. Retrieved from <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/namibia-journalist-forced-out-of-state-house-for-asking-question-in-the-public-interest>

74 Ibid.

75 NMT Media Foundation (2026). Statement in Response to the Presidency’s Media Release and the Treatment of Journalists. Retrieved from [https://www.nmt.africa/uploads/6980b17abfed9/NMTMediaFoundation\(JEMIMABEUKES\).pdf](https://www.nmt.africa/uploads/6980b17abfed9/NMTMediaFoundation(JEMIMABEUKES).pdf)

76 Tafirenyika, Tracy. (2026). Minister Sankwasa owes NamWater N\$174000 amid councillor debt criticism. Retrieved from <https://www.namibian.com.na/minister-sankwasa-owes-namwater-n174-000-amid-councillor-debt-criticism/>

77 Ibid.

78 https://www.kas.de/documents/285576/285625/7_file_storage_file_10508_2.pdf/40580346-8197-c39c-68cd-ccc6cfc7c4da

organisation's repeated use of a photograph, of a political opposition leader, in which the businessman appears in the background.⁷⁹ Around the same time, in early August 2025, a corruption accused state-owned enterprise executive lodged a case of defamation against the *Namibian Sun* newspaper and a journalist for reporting an erroneous utterance about the executive by an investigator of the Namibian Anti-Corruption Commission (ACC) during bail hearing proceedings.⁸⁰

OTHER LEGISLATIVE SOURCES OF THE 'CHILLING EFFECT'

As with most southern African countries, Namibia has retained or constituted security laws which to all intents and purposes are inimical to such Constitutional affordances as freedom of expression and the freedom of the media. The purpose of highlighting these laws is to point out that they remain part of a group of laws that can still be used in a way that violates human rights if so applied by the state at some stage. Although these laws have not been used as yet, they include the following:

Security Commission Act No. 18 of 2001⁸¹

In terms of section 5 of the law anyone (including a journalist) can be compelled to appear before or provide evidence, including documents, to the commission if called to do so. This law can potentially undermine investigative journalism, discourage whistle blowers from sharing information that is in the public interest with journalists and undermine the protection of sources with sensitive but important information both in the public and private sectors.

The Defence Act 1 of 2002⁸²

The Defence Act contains a number of sections that could curtail media freedom if invoked under certain political conditions. Section 26 could be used to bar journalists from reporting on areas designated as sensitive, which theoretically could include military procurement, conflict zones and military infrastructure even if the issues are relevant either for purposes of oversight or are in the public interest in one way or the other. The section also makes it a crime to take photos or generate images of military facilities. Sections 36 to 38 could be used to restrict the movement and coverage of journalists under broadly defined conditions of "internal disorder". Also, given the security implications that are conventionally used to legitimate the invocation of such laws, they can also create a chilling effect which discourages journalists from reporting on the country's defence system in toto.

POLITICAL AND INSTITUTIONAL THREATS

Namibia remains a relatively free environment for journalists and news media. However, the country's fluctuating position in the World Press Freedom Index over recent years reflects instability in the media environment and civic space generally⁸³. Three major developments since 2019 have arguably affected the configuration of civic space in Namibia. These include the implementation of expansive state surveillance powers and practices; repeated calls for social media regulation by political actors and attempts to limit public protests and political expression. As already discussed, the state surveillance of journalists has become a

79 <https://www.observer24.com.na/windhoek-observer-responds-to-legal-threat-over-published-photograph/>

80 <https://www.namibian.com.na/namcor-accused-sues-newspaper-for-n200k-over-wrong-romance-report/>

81 <https://www.lac.org.na/laws/annoSTAT/Security%20Commission%20Act%2018%20of%202001.pdf>

82 <https://www.lac.org.na/laws/annoSTAT/Defence%20Act%201%20of%202002.pdf>

83 <https://rsf.org/en/country/namibia>

serious concern, one that was prominently flagged by participants in the last iteration of the African Media Barometer for Namibia⁸⁴. Journalists and media practitioners noted that the requirement for mandatory SIM card registration could have a chilling-effect on the news landscape as a result of anonymous sources, especially in the context of investigative journalism, drying up over fear of being traced and exposed⁸⁵. This concern was articulated by Links (2021), a few months after the gazetting of the SIM card registration regulations who stated that: “In practical terms the regulatory conditions mean that it will be near impossible for a journalist to maintain the secrecy of sources, or to set up confidential engagements or drops with sources. Similarly, the regulations could stoke the fear of surveillance among the general public, which could have the effect of silencing society for fear of being singled out for retaliation, thereby drying up journalistic sources of information of all kinds.”⁸⁶

This was in response to a media release, from October 2021, by the then executive director in the Ministry of Information, Communication and Technology (MICT), in which he clearly emphasised that the aim of mandatory SIM card registration was to eradicate anonymity, stating: “The benefits of SIM card registration are that it eradicates anonymity of communications, which aids in legal surveillance and interception.”⁸⁷ It should be noted that it is not only the state surveillance framework that is already created in law which stands as threatening in this regard, but also elements still in the legislative pipeline that could further expand such surveillance powers and activities. Since about 2017, Namibian authorities

have been attempting to craft cybercrime-related legislation, with the initial draft being criticised for potentially violating human rights by civil society.⁸⁸ The current draft, from 2020-2021, according to an IPPR assessment in 2022, “introduces new interception powers, specifically to the Namibian police, which provide for both the use of communications interception and remote forensic tools”⁸⁹. Which way this legislation goes was still unclear by late August 2025, as indications were at the time that the drafting of the cybercrime bill had been stalled for a few years. Coupled with this, and with regard to social media regulation, over the last decade and especially since 2019-2020, there have been repeated calls from politicians and government officials for social media regulation, especially following online public outcry around the media’s exposure of political or corruption scandals⁹⁰. In 2020 the Namibian Cabinet resolved that the Ministry of Information, Communication and Technology (MICT) should come up with a social media regulatory framework, a call which has even been repeated by opposition politicians over recent years⁹¹.

Concerning the attempts to limit public protests and political expression, in August 2024, the **Public Gatherings and Public Processions Bill** was tabled in the Namibian parliament. The bill arguably enables the policing of political speech by restricting protests under certain conditions and at certain locations. The Access to Information in Namibia (ACTION) Coalition, a coalition of civil society and media organisations, noted that “the bill tabled in parliament applies to gatherings on the basis of their purpose rather than their size – and, for

84 <https://library.fes.de/pdf-files/bueros/africa-media/19645-20221114.pdf>

85 <https://economist.com.na/74594/general-news/local-media-environment-remains-free-to-a-larger-extent-report/>

86 <https://ispeak.africa/fearless-journalism-under-threat/>

87 https://drive.google.com/file/d/1bn9NaAgSyJoQgzm_kp4gNNrRobxw95QU/view

88 https://ippr.org.na/wp-content/uploads/2018/02/1_SpecialReport_Cyber_WEB.pdf

89 This is from an unpublished report compiled by ALT Advisory for the IPPR.

90 <https://cipesa.org/wp-content/files/Submission-to-the-38th-session-of-the-Universal-Periodic-Review-Namibia.pdf>

91 <https://www.namibian.com.na/new-push-in-parliament-to-regulate-social-media/>

the first time in Namibia, empowers the police to prohibit gatherings rather than just imposing conditions to protect public safety”⁹². The ACTION Coalition points out that the bill “regulates only public gatherings and processions that take place for one of three reasons: (1) to demonstrate support of or opposition to the policies or actions of any person or government; (b) to publicise a cause or a campaign; or (3) to hand over a petition”. The Coalition highlights that the way it comes across, the bill “seems to be aimed entirely at political speech and political protest”. At the time of writing, the status of the bill was unclear, but it was still up for debate in the Namibian parliament.

Against this backdrop, and viewed together, these (attempted or emergent) incursions into media and civic spaces are symptomatic of a perceptibly growing political intolerance to free expression, both online and offline, and the activities by civil society. This approach is exemplified in comments made by Namibia’s president Netumbo Nandi-Ndaitwah, at a summit of former Southern African liberation movements, in July 2025, when she exhorted the former liberation movements to “confront the rise of foreign-funded civil society organisations, NGOs, and economic warfare through sanctions and unjustified tariffs with a unified front. We must share strategies on confronting the calls for regime change in our respective countries by some foreign forces through opposition parties and civil society”⁹³.

ECONOMIC AND OWNERSHIP THREATS

Namibia’s media landscape has long been considered conducive to expanding media freedom and free expression because of its pluralism and diversity. However, owing to

the country’s small population and an even smaller market with disposable income, the economic security of the media is arguably fragile. By default, this scenario creates conditions which privilege state media as they are not profit oriented and receive financial support from the government. The advertising-revenue-based business model has almost completely collapsed in Namibia. News media organisations, especially private and community media in the country are struggling financially. A prolonged economic recession since 2016, along with the online and digital migration of advertisers, and the negative impact of the Covid-19 pandemic, have severely undermined news media viability across the legacy media landscape. Most privately owned journalistic media outlets in the country are struggling financially with repeated cost cutting and restructuring contributing to declining and deteriorating outputs and quality.⁹⁴ The economic conditions have contributed to high profile media outlets, such as Namibia’s once premier current affairs monthly magazine *Insight Namibia* and the weekly *The Patriot* newspaper closing down during the last decade, while others, such as the long-running and once popular weekly *Windhoek Observer*, migrated to an online-only format. The private radio sector has shared the same fate as the private print news media sector, with community media especially finding it hard to remain on air.⁹⁵

This is in stark contrast to the state-owned media sector, which is heavily subsidised by annual allocations from the national budget via the Ministry of Information, Communication and Technology (MICT). Not only that, the already publicly-funded state-owned media are also prioritised in terms of government advertising, which

92 <https://action-namibia.org/peaceful-political-protest-is-it-under-threat/>

93 <https://nbcnews.na/node/112082>

94 <https://ippr.org.na/wp-content/uploads/2023/10/Dark-Clouds-Silver-Linings-Media-Viability-and-Growth-in-Namibia-web.pdf>

95 <https://www.cran.na/the-namibian-government-paving-the-path-for-future-broadcasting-12-nov-2024/#:~:text=The%20rapid%20proliferation%20of%20digital,the%20quality%20of%20media%20produced.>

has had the effect of distorting the political economy of the news media landscape.⁹⁶ The heavy reliance on state-funding has had the impact of exposing state-owned media to political influence and manipulation over the last 35 years, as successive African Media Barometers have shown over the years. Recent examples of a journalist being harassed and reprimanded for questioning the state president⁹⁷ or an editor suspended for daring to publish content critical of the government⁹⁸, speak to a relationship in which state-owned media are expected to tow the official line. During the 2024 election, coverage of ruling party campaign events accounted for over 55% of election-related coverage in the state-owned media sector.⁹⁹

DIGITAL AND TECHNOLOGICAL THREATS

The proliferation of social media platforms once thought to democratise the media sphere by lowering operational costs and barriers of entry into the media industry, are now acknowledged to be a threat to the media on account of oligarchic platform capitalism¹⁰⁰. In Namibia there is an ambivalence regarding the extent to which platform dominance is a threat to the media. Civil society reports and academics highlight the migration of advertising to social media platforms as inimical to the financial sustainability of print-based media. A 2019 study by Remmert found that media practitioners cited the 2016 economic downturn as responsible for the folding of print media and the shift to digital

only editions¹⁰¹. State linked newspapers *The New Era* and *The Southern Times* saw their advertising revenue shrink by 40 percent because of government austerity. The privately owned Network Media Hub saw its advertising revenue grow by 10 percent over the same period. While the economic crunch cannot be discounted, a multifactorial analysis cannot ignore how Big Tech platforms have disrupted journalism's traditional business model. The shift to online editions and the use of paywalls for online content attests to this reality. The digital turn requires a critical appreciation of the implications of platform capitalism for news media. Notably the deprioritisation of news on the Facebook News Feed, means journalism is less visible and visibility is currency in the platform economy. Of greater significance are the lessons learned from the 2021 Google and Facebook Australian News Media and Digital Platforms Mandatory Bargaining Code, as well as the Canadian C-18 Bill. Australian media lobbied their government to legislatively direct the tech giants to share platform advertising revenue with the journalism outlets whose content was driving traffic to their platforms. In defiance, Facebook instituted a blanket news ban on all Australian news media¹⁰². Google threatened the withdrawal of its search engine from the Australian market. The same dynamics played out in the Canadian context. What is instructive from these cases "is a growing international consensus around funding journalism through platform payments and an increasing appetite amongst governments, policymakers and regulators to

96 <https://library.fes.de/pdf-files/bueros/africa-media/19645-20221114.pdf>

97 <https://allafrica.com/view/group/main/main/id/00074219.html>

98 <https://www.nmt.africa/News/87/Editor’s-suspension-a-chilling-blow-to-media-freedom>

99 <https://neweralive.na/public-media-accused-of-political-bias/>

100 Munoriyarwa et al., 'The Philanthrocapitalism of Google News Initiative in Africa, Latin America, and the Middle East – Empirical Reflections'.

101 Remmert, *Facing the Digital Challenge*.

102 Bossio et al., 'A Different Playbook for the Same Outcome?'

introduce mechanisms that can secure this outcome¹⁰³. This intentional consensus must be extrapolated to the Namibian context as it seeks to correct the extractivist behaviour of platform capitalism that threatens media viability in digital ecosystems. Given that media futures are digital, this reality must be factored into emergent online media business models and not naively dismissed using analogue reasoning. At the very least, these global lessons must enable recognition of the potentiality of this digital threat.

Successive Afrobarometers show that increasing numbers of Namibians are primarily getting their news and information online and via social media, while the Namibian news media sector has generally struggled to adapt in the digital era. At the same time, as with online audiences everywhere, Namibians appear to be increasingly exposed to digital mis- and disinformation.¹⁰⁴ There have been no cyber-attacks, significant or otherwise, reported on Namibian newsrooms, even though Namibia appears to be under constant and increasing cyber-attack.¹⁰⁵ This suggests that it is probably only a matter of time before a major Namibian newsroom is targeted in a significant cyber-attack. Namibia does not have any meaningful or robust cybersecurity or cybercrime law or policy framework in place, with the latest draft of the long-in-coming cybercrime bill still not having appeared in public at the time

when this report was authored. Similarly, Namibia does not have data and online privacy protections on the statute books, even though a data protection bill had been in the pipeline for over a decade at the time of writing this report. A draft bill that had been circulated for comment in 2022-2023 failed the best-practice-standard test by not affording adequate protections to online privacy, according to an Institute for Public Policy Research (IPPR) assessment.¹⁰⁶ Given this legal void, state digital surveillance of the media and civil society in Namibia has become a serious concern. This follows the operationalisation of the mandatory SIM card registration and data retention regulations, under the **Communications Act of 2009** framework on 1 April 2024. At the same time, artificial intelligence (AI) has entered Namibian newsroom practices and fears have been expressed that not only will widespread AI adoption lead to job losses in news and production rooms, but could also further undermine already declining public trust in the journalistic media sector, as perceptions of pervasive plagiarism, AI authorship and hallucinations further impact the quality of news media output.¹⁰⁷

SOCIETAL AND EXTRA-LEGAL THREATS

While Namibia boasts a predominantly free, plural and liberal environment, its media are coloured by a patriarchal social

103 Bossio et al., 'Australia's News Media Bargaining Code and the Global Turn towards Platform Regulation'. In 2021, it enacted the Australian News Media and Digital Platforms Mandatory Bargaining Code. The furore surrounding the introduction of the legislation, and Facebook's subsequent Australian 'news ban' exposed the limits of a regulatory model that has previously left the tech industry to moderate itself. In this paper, we argue the introduction of the Code is a leading example of a global trajectory towards regulatory change, which sees governments move from a reactive regulation model to specific interventions around the governance of digital media spaces. We discuss how best to measure the successes and failures around this more interventionist model through a case study of the implementation of the Code in Australia. More broadly we consider how global platforms have responded, and whether the reform is an effective regulatory model for other national governments to emulate.", "container-title": "Policy & Internet", "DOI": "10.1002/poi3.284", "ISSN": "1944-2866", "1944-2866", "issue": "1", "journalAbbreviation": "Policy & Internet", "language": "en", "page": "136-150", "source": "DOI.org (Crossref

104 <https://ippr.org.na/wp-content/uploads/2025/06/Countering-Elections2024-mis-disinformation.pdf>

105 <https://www.namibian.com.na/over-1-1-million-cyberattacks-on-namibia/>

106 <https://ippr.org.na/publication/data-protection-bill-not-fit-for-purpose/>

107 <https://drive.google.com/file/d/1vGJZd-PHZv5smwJWGAdNVGfiU1r3EnOU/view?usp=sharing>

environment. Sexism is both a cultural and professional challenge. Studies confirm that female journalists are sexually objectified by their male sources and colleagues in newsrooms.¹⁰⁸ Sexual objectification manifests as the violation of bodily autonomy through inappropriate touching, voyeuristic comments about their beauty and invasion of privacy via sharing of unsolicited sexually explicit content on WhatsApp. Female journalists have documented that they have no recourse as sourcing requirements mean they have to endure these intrusions or risk ostracising sources which they need for expert information and institutional access. This gendered violence is exacerbated by the pseudonymity and anonymity of social media where female journalists are trolled as prostitutes when they publish stories that rattle powerful men. Journalists are threatened with being stalked or being beaten by faceless perpetrators. This “triple vulnerability”¹⁰⁹ which is simultaneously cultural, gendered and professional predisposes female journalists to self-censor by toning down stories they perceive to be politically incorrect and limit their interactions on social media. Thus, the chilling effect of online misogyny compromises journalistic freedom in an environment that is always celebrated as being the most liberal in Africa. Journalists resort to blocking

offenders on social media as a self-protection mechanism. Currently, no legal remedies exist for the digital gendered attacks on female media practitioners. The same obtains at an institutional and industry level where there are no explicit gender-based violence policies and interventions. Given the above, the observation that online GBV in Namibia is not as rife as in other jurisdictions, can be attributed to underreporting as female journalists resign themselves to the patriarchal status quo.

Consistent with global trends, information disorders have inflicted collateral damage on people’s trust in the media. The popularisation of the label “fake news” engenders a general skepticism towards all news. Media academics have insisted that normatively, if it is fake, it is not news but media audiences do not care much for intellectual hair splitting. The perceptions engendered by such language has a bearing on their perception of media credibility. A converged and social media dominated media environment makes trust in media a genuine concern. The Afrobarometer report¹¹⁰ documents that 50% of surveyed reports source their news from social media. The foregoing statistics demonstrate that social media has overtaken television (44%), the internet (43%), newspapers (35%) as

108 Zviyita and Mare, ‘Same Threats, Different Platforms?’ body shaming, trolling, verbal abuse, sextortion, non-consensual sharing of intimate images, manipulation of photos, cyberstalking, doxing, hacking, receiving unwanted, offensive sexually explicit emails or messages, and inappropriate advances on social media platforms, in the line of duty. Although these findings are true in some of the newsrooms in the global North, there is a disconcerting absence of systematic studies looking at the experiences of female journalists in selected newsrooms in Africa in general and Namibia in particular. This article seeks to fill this lacuna by empirically investigating the extent to which online gender-based violence is deep-seated social problem in selected Namibian newsrooms. It deploys the intersectional approach to analyze the online gender-based violence experienced by female journalists in Namibia. Drawing our data from interviews with female journalists in selected Namibian newsrooms, overall, our findings suggest that cases of online gender-based violence against female journalists are still negligible when compared to other contexts, it is happening, nonetheless. This emerging phenomenon is largely underreported. Furthermore, it is occurring in an environment devoid of legislative, institutional, and newsroom-specific mechanisms aimed at ensuring the safety of female journalists. Namibian female journalists are facing unique online gender-based violence, which contributes immensely towards self-censorship and retreating from the public sphere.”, container-title: "Journalism", DOI: "10.1177/14648849231183815", ISSN: "1464-8849, 1741-3001", issue: "4", journalAbbreviation: "Journalism", language: "en", page: "779-799", source: "DOI.org (Crossref

109 Zviyita and Mare, ‘Same Threats, Different Platforms?’

110 Afrobarometer, *Namibians Confident in Freedom of Their Press*.

the go to news source. Only radio (77%) remains to be dislodged by social media. This finding presents a paradox. The same social media that has been found to expedite the authoring and distribution of misinformation, is the media of first instance for some Namibians¹¹¹. In the absence of data that proves whether social media users always triangulate social media with mainstream media, it is plausible that audiences take misinformation as authoritative. Journalists also concede that the digital environment characterised by virality, immediacy, the 24hr news cycle of online news severely diminishes the feasibility of fact checking and language proofing of stories¹¹². The diligence of 'slow journalism' means other media outlets might break the news while you are working on it. The study by Zviyita and Mare shows that plagiarism of online content by journalists compromises victims' trust in mainstream media (ibid).

Concerted violent threats or physical violence against journalists are not phenomena that can be claimed to be common on the Namibian media landscape, despite isolated incidents here and there over the last few years or last three decades. However, it appears that online gender-based violence is something female journalists are increasingly having to contend with in the course of their work.¹¹³ A study suggests that while the frequency of online gender-based violence experienced by Namibian female journalists is still relatively low, compared to experiences across the southern African region, indications are that the phenomenon remains under-reported and that many female journalists suffer in silence.¹¹⁴ Similarly,

it has been anecdotally alleged over the years that Namibian newsrooms are predominantly male spaces, rife with sexual harassment and sexism, with a recent alleged assault incident lifting the lid slightly on and underscoring such goings-on¹¹⁵. The prevalence of sexism and misogyny as concerning work-place issues have also repeatedly come out in interviews for the African Media Barometer over the years.

Aside from this, and exacerbating internal matters, Namibian journalists and newsrooms suffer from a dramatic loss of trust over the last decade especially. Afrobarometer Round 8, from 2019, indicates that over 60% of Namibians distrusted journalists and regarded them as primary spreaders of false information¹¹⁶. Afrobarometer Round 10, from 2024, shows that the public is especially distrusting of state-owned media, but also that public skepticism affects all corners of the news media landscape¹¹⁷. Persistently bad journalistic practices and conduct and media mistakes, symptoms of declining editorial standards, stoke these perceptions of poor quality and fuel beliefs that the news media are misleading the public¹¹⁸. The issue of the visibly declining quality of journalism is something that has also been repeatedly flagged by African Media Barometer respondents. Newsroom managers and editors have admitted over the years that the quality of journalism across the news media landscape is a matter of concern but appear not to be doing much about it. This despite the quality-of-journalism issue appearing to stand prominently as a serious media viability threat on the Namibian news media landscape.¹¹⁹

111 Lister, 'Thoughts About the State of the Media Freest Press, Best Journalism?'

112 Zviyita and Mare, 'Ethical Issues Confronting Namibian Hybrid Media Organizations in the Digital Age'.

113 <https://www.observer24.com.na/women-journalists-most-vulnerable-to-cyber-attacks-titus/>

114 <https://journals.sagepub.com/doi/10.1177/14648849231183815>

115 <https://neweralive.na/uproar-over-assaulted-female-journalist-2/>

116 https://www.afrobarometer.org/wp-content/uploads/2022/02/ab_r8_dispatchno342_namibias_changing_media_presents_tough_choices.pdf

117 <https://www.afrobarometer.org/countries/namibia/>

118 <https://ippr.org.na/publication/poor-journalism-fuels-election-disinformation/>

119 <https://ippr.org.na/wp-content/uploads/2023/10/Dark-Clouds-Silver-Linings-Media-Viability-and-Growth-in-Namibia-web.pdf>

IMPACT ANALYSIS

It is imperative to provide a more pointed analysis of the impact of the threats highlighted above on the role of news media in creating and sustaining democratic societies.

As highlighted above, it must be acknowledged that Namibia has been consistently ranked very highly in terms of press freedom and its broader democratic political environment. As acknowledged by both its own journalists and Reporters Without Borders, journalists in the country go about their work largely unencumbered. Nonetheless, this report is not about actual restrictions experienced by news media, but the threats that can potentially limit their operation as independent, diverse and plural entities. Regarding the legal and regulatory framework, the above has shown that despite a robust Bill of Rights in the Namibian Constitution, the claw-back provision in Article 21(2), undermines the supremacy of the Constitution through the veneration of laws that may 'reasonably' limit such freedoms. Also as shown above, it is also evident that there are a number of laws which when invoked, at worst, may outrightly undermine the operations of news media and at best, may create a chilling effect thereby limiting the agency of the media in performing its normative roles. This can also result in the depletion of public trust in news media and subsequently constrict revenue generation.

Regarding the political environment, the discussion above broadly highlights the enabling democratic environment in the country. Nonetheless, the government's influence on the scope and tone of content in state funded media can be a limiting factor as this promotes the official perspective on the political, cultural and socio-economic issues covered by such media. This narrows public discourse and can potentially exclude

issues and social groups otherised on one basis or the other, from public discourse in the country. While there have been cases of journalists being harassed at press briefings or other such events, Namibia's democratic dividend has largely enabled the free operation of journalists in the country. Nonetheless, the simmering intolerance by some politicians of journalistic oversight on their activities remains a point of concern.

On the question of threats posed by economic and ownership dynamics in the country's media landscape a number of issues arise. Firstly, the significant migration of revenue from legacy media to digital platforms has meant that traditional media are now severely underfunded. This has resulted in the following major outcomes: the juniorisation of newsrooms, the dearth of investigative journalism, the neglect of stories about distant/peripheral and marginalised communities, the migration of some media to digital online publication and the closing down of some news media. This limits the media's ability to inform audiences, represent a wide range of issues and people as well as provide a space for public interaction. While the phenomenon of juniorisation has not been subjected to a systematic scientific study in Namibia, it has become a topical issue especially in the post COVID-19 period. For instance, the *Namibia Sun* published two editorials acknowledging the challenge of retaining experienced journalists in a context of dwindling revenues and the consequent juniorisation of newsrooms in the country which is associated with declining standards of journalism.¹²⁰ The poor working conditions

120 <https://www.namibiansun.com/local-news/editorial-the-juniorisation-of-the-newsroom2024-10-17-137425>

<https://www.namibiansun.com/opinion/editorial-juniorisation-of-the-namibian-newsroom2024-12-16143669>

and remuneration of journalists was highlighted as one of the factors contributing to the exodus of senior journalists from newsrooms by the African media Barometer for Namibia published in 2022.¹²¹ Secondly, the concentration of the media under the state and a few media conglomerates such as NMH and Future Media Holdings also limits the diversity of voices represented in the media despite a seemingly plural landscape. The state is one of the biggest advertisers in the country. As such, where the state chooses to advertise matters. Historically, the Namibian government has used advertising to influence media content by withdrawing such advertising from critical media such as *The Namibian*. Although, such overt measures have not been repeated since, this remains a potential threat to the viability of non-state media.

As with many media environments across the world, the digital and emergent technologies such as Artificial Intelligence have proven to be a source of multifaceted challenges for legacy media. These challenges include, among others, the shrinking of offline audience numbers and the resultant reduction in revenue, the harassment of journalists online and the enhanced vulnerability of journalists to surveillance and

reluctance by sources to share information with journalists. These developments limit the capacity of the media to cover a wide range of issues including stories about indigenous communities in Namibia and they also stunt investigative journalism.

At a social level, the enduring prevalence of patriarchal practices and values has meant that women remain under-represented in leadership positions in the newsroom and that they also continue to experience misogynistic treatment by both the sources they interact with and audience members who engage with them online. This is despite Namibia's sterling showing as the world's 8th best country in addressing the gender gap, according to the World Economic Forum (WEF). The country's democracy is also threatened by the digitally induced challenges of dis- and misinformation. This was evident in the 2024 elections and remains a problem going forward. However, the country's democratic dividend has also meant that threats posed by organised crime, terrorism and audience hostility towards media workers are hardly experienced. Nonetheless, given Namibia's growing extractive economic sector, it is necessary to be vigilant and obviate any potential for such threats.

121 Fesmedia Africa. (2022). *African Media Barometer: Namibia*. Friedrich Ebert Stiftung.

RESPONSES

Namibia has a robust civil society which plays a critical role in reviewing Bills and suggesting revisions that enhance democratic practices, systems and processes.

Think tanks such as the IPPR and civic society entities such as the NMT Media Foundation, the now closed Fesmedia Africa, international bodies such as UNESCO, Freedom House, Reporters with Borders, Afrobarometer, the Media Ombudsman, among others, largely operate freely and contribute meaningfully to analysing the country's media landscape and suggesting progressive institutional and legal reforms. A key example is the contribution of the NMT Foundation to the development and promulgation of the **Access to Information Act of 2022**.

The NMT Media Foundation, Action Namibia and Namibia Fact Check are also actively involved in training media workers such competences as fact checking, elections reporting and reporting the energy industry. Furthermore, the NMT Foundation has also created through its programme, YouthQuake, a platform which enhances youth participation in public discourse and socio-political processes. Another, civil society organisation, MILLI, engages in media and information literacy activities to capacitate young people and community members, to deal with the twin vices of dis- and

misinformation. Such interventions have the potential to enhance the quality of Namibian democracy by promoting informed decision making especially during election seasons.

Namibia has also played a key role in enhancing press freedom and pluralism through its contributions to the Windhoek Declaration and its revision 30 years later in 2021. The country is signatory to key international instruments which opens it up for constant evaluation by international actors. This provides guardrails which put public officials in check and limit the potential for excessive controlling behaviour by the state.

In addition, the Editors' Forum of Namibia also developed a Code of Ethics and created the Office of the Media Ombudsman as measures for promoting ethical and truthful media which report on issues accurately and objectively. In addition, in response to the challenges faced by community media in the country, the Ministry of Information and Communication Technology is working on a policy that is expected to enhance the sustainability of such media which in turn will expand the broader national public sphere.

RECOMMENDATIONS

GOVERNMENT AND POLICYMAKERS

- Government, through legislature, must align laws that threaten the media with the national Constitution giving priority to the protection of fundamental rights as highlighted in the Bill of Rights.
- Furthermore, the state should constitute independent regulatory bodies within the framework of the Constitution. Such bodies must be financially, administratively and institutionally independent to cushion them from interference.
- The government must organise and collaborate with the rest of the region, if not continent, in developing strategies to engage with Big Tech companies for revenue sharing with local media.
- African governments must also incorporate subjects about both civic education and media and information literacy in primary and high school curricula as a basis for nurturing informed and active citizenship in this age of dis- and misinformation.

CIVIL SOCIETY AND THE MEDIA

- Civil society must advocate for enabling legislation which does not impede media freedom and promote the independence of regulatory bodies.
- They must also exercise an oversight function on powerful public officials and bodies, to monitor what is happening with a view of improving the democratic character of public space.

• TECHNOLOGICAL COMPANIES

- While it is difficult for a country of 3 million people to bargain with trillion-dollar Big Tech companies which own and control social media, it is necessary for Namibia to engage other countries in the region if not the continent and use this leverage of numbers to negotiate either a tax system or profit-sharing arrangement that transfers a portion of the profits made by Big Tech to news media.
- Given that Africa is seen as the next frontier of economic growth, it is prudent for Big Tech to build strategic alliances with content producers on the continent including news media which include mutually beneficial financial arrangements.
- African governments, regional blocs such as SADC and the AU, must support software development and programming programmes in universities and Tech Start-Ups for home grown technological innovations that create functional platforms for democratic communicative activity.

DONORS AND INTERNATIONAL BODIES

- Given the shrinking financial resources of news media, local news media organisations, civil society and the Editors' Forum of Namibia can create a national entity that engages international humanitarian financiers to support public interest journalism.
- There is also need for the local private sector to support public interest journalism as it also benefits them by obviating such vices as corruption through investigative, monitorial and solutions journalism.

CONCLUSION

This report draws on a range of documentary evidence to provide an appraisal of threats to news media in contemporary Namibia. Five thematic areas were used to analyse the nature and manner of threats confronted by news media in the country. Focus was directed at legal and regulatory threats, political and institutional threats, threats posed by economic and ownership dynamics, digital and technological threats as well as societal and extra-legal threats.

The report does not provide an exhaustive analysis of these threats but highlights those which are most conspicuous and whose impact is most perceptible and consequential. Despite Namibia's sterling showing in continental and global rankings on the state of freedom of the media, a largely democratic Constitution and enabling political environment, there remains a number of laws with provisions that can potentially restrict the operations of the media or at the very least create a chilling effect which can potentially paralyse journalistic agency. The report also highlights that the surveillance framework in the country, which is enabled by a number of security-oriented legislation, is imbued with a cocktail of threats and inexactitudes that can also create a chilling effect and put Namibia's security apparatus beyond the scrutiny of the media thereby opening up space for potential abuse of office, human rights and unaccountability. The concentration of the media around the State and largely media organisations such as Network Media Hub and Futuremedia limits diversity despite the patent pluralism manifested in the range of offerings by the three media owners.

Furthermore, legacy media in Namibia, which provide an antidote to the dis- and misinformation rampant on social media, are confronted by a range of challenges owing to the democratisation, omnipotence and ubiquity of social media platforms. The most significant of these is the flight of advertising revenue to the digital domain. Concomitant threats include the abuse and trolling of female journalists and audience apathy towards news content. Patriarchal practices and attitudes such as misogyny also remain a significant limitation to the full democratisation and representational profile of news media. Democracy in Namibia is also significantly threatened by the proliferation of dis- and misinformation. Nonetheless, the report also acknowledges the contribution of an open and democratic environment to contestations over how best to organise the country's public sphere by civil society, the government, general citizenry and various think tanks, among others. The continuous contestations over the condition of democratic institutions in Namibia is perfectly in harmony with democratic practices in broader society.



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