



A research paper commissioned and facilitated by MISA Namibia

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Windhoek, Namibia
June 2007

This research paper could not have been finalized without great help and contributions from people I have come across during my period of researching and writing. In particular I would like to thank Viktoria Hango and Tuhafeni Ausiku, from *MISA Namibia*, who have contributed substantially to the initial chapters on international legislation as well as to the chapters on legislation applying to the print media and the broadcasting media.

Although I could mention dozens of people that I owe my gratitude, I would like to express my appreciation for the initial input provided by Robin Tyson, *University of Namibia*, Gwen Lister, *The Namibian*, William Heuva, *Ministry of Information and Broadcasting*, Willie Olivier, *Polytechnic of Namibia*, Eberhard Hofmann, *AZ & The Editors Forum*, Jan Kruger, *The Communications Commission* and David Lush from *Shirumbu Consulting*.

These are the names of only a few of the helpful and open minded media practitioners that have contributed to the research for this paper, and my much needed initial orientation in media ownership and legislation in Namibia.

With regards to the inputs on media ownership, I have generally enjoyed great feedback and exchange of views and opinions from almost all the different media owners, directors, managers and editors representing the media establishments investigated in this paper. Thank you all for your time and contributions.

Finally, I would like to express my appreciation for the lively company of Viktoria Hango, Marbeline/Goagoses, Matthew Haikali and everybody else assisting and facilitating me at *MISA Namibia* and the *MISA Regional Secretariat*.

Without your great company, be it on social or work related basis, the period in which the research took place would not have been the same.

Once again, I would like to formally thank all who have contributed to the realisation of this paper

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The media environment in Namibia continues to grow and develop with time. Many positive and depressing events have taken place within the Namibian media environment since independence in 1990 – luckily more positive than negative. New media laws have been drafted, old ones amended or repealed while new documents have been implemented with the aim of sustaining and promoting a diverse and strong media landscape in the country. In line with this, the various media sectors, counting **the press and print media, the printing & publishing industry, radio and TV broadcasting, the telecommunication industry and the film and video media**, have all experienced the rise and fall of a number of media establishments since independence. While some die a natural death, some have closed down due to legal challenges, some due to endless competition from well established media houses and some due to lack of experience and economic accountability to mention a few.

In order to get a clear picture of the dynamics impacting on the present and future advance of the Namibian media environment - *MISA Namibia* has with the assistance of Martin Buch Larsen embarked on a comprehensive research to gather information on media ownership and legislation in The Republic of Namibia from 1990 to 2007

Legislation applying to the Namibian media

Among the crucial indicators for media development is the legal framework that is to ensure the future advancement of the various media sectors in the country. The study therefore includes a substantial chapter on all the various legal documents that apply to the Namibian media. The study also includes a number of pre-independence acts that are still in place as well as international protocols and frameworks which apply to the Namibian media environment.

In order to get a clear and comparable understanding of the various documents, the author has analysed the acts, policies and protocol according to the following categories, such as, if the documents provide for and/or promote ***independent regulation, independent media, media diversity, content diversity, freedom of expression, access to information*** and lastly if the documents conform to international protocols/frameworks and standards.

Among the crucial conclusions reached is that Namibia still hosts a number of extremely outdated acts formulated prior to independence, which eventually entails that Namibia is falling incredibly short on conforming its laws to international protocols and frameworks. While numerous acts and policies are in the process of being (re-)drafted, this is certainly a vital obstacle for the development of a healthy Namibian media environment. This added with many other legal shortcomings, such as the lack of access to information legislation and uncertain independence of the 'national' media regulator, give substantial space for concern for the future advancement of the Namibian media.

Media ownership development 1990-2007

The issue of media ownership development is also a vital component for understanding how dynamics of the media environment in Namibia has changed over time. The study therefore includes a substantial chapter on media ownership development since 1990, and outlines trends which seem to determine and challenge the economic sustainability of the different media establishments investigated. The chapter includes brief presentations of the currently operating media establishments within the press and print media, the printing & publishing industry, radio & TV broadcasting, the telecommunication industry and the film and video media. Each chapter sums up trends and conclusions reached within each of these mentioned media sectors and gives room for suggestions to overcome some of the major challenges and issues exposed in the study.

Media ownership and diversity 2007

Lastly, the study also includes a chapter with vast amounts of statistical data on the various media sectors. This chapter gives an easily comparable overview of the various sectors that regards the various content, services, coverage and geographical diversity offered within the different sectors. Of utmost importance, the chapter also includes names of the major shareholders and owners of the various media establishments. These are conclusively divided into a number of categories such as ***religious/political ownerships, multi ownerships, cross ownerships*** and lastly ***international and conglomerate ownerships***.

Conclusions and recommendations

At the very end, the study includes summarizing comments and recommendations from the three chapters – and puts forth ideas to address some of the issues and challenges related to legislation and media ownership exposed throughout the study.

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1. METHODOLOGICAL CONSIDERATION

1.1 Readers guide

This report deals with media development in Namibia since 1990. The following will serve to guide the reader in understanding the order of and linkages between chapters. In general, the report is divided into three major sections – media legislation since 1990, media ownership development since 1990 and media ownership in 2007.

The report is divided into six chapters, with **chapter one** (of which this readers guide forms part) being a short introduction on the methodology and theoretical framework of this research.

Chapter two deals thoroughly with international and Namibian legislation related to media (including ownership). Furthermore, the chapter gives an indication of how legislation, policies, acts and other regulatory mechanisms related to media have developed and been put into practice since 1990.

This provides a basis for **chapter three**, which deals with media ownership trends from 1990 to 2007. This chapter includes a broad historical overview of how the media landscape in Namibia has changed since independence with a focus on ownership and economic sustainability.

Chapter four deals with the media ownership situation in 2007 and includes a wide-ranging overview of quantitative data documenting current trends within the different media sectors of Namibia.

Chapter five provides as a summation of the key areas of discussion of the preceding chapters and lastly **chapter six** provides a summation of all the findings and contains suggestions on the way forward with regard to media legislation and media ownership trends in Namibia.

1.2 Shortcomings of the study

- As no similar research on the development of media ownership has been conducted previously, a limited body of published material, documenting trends within the Namibian media for the investigated period, exists. As a result, the bibliography contains a diverse list of academic publications (books and reports), smaller printed publications, private documents, newspaper articles, personal speeches and the like. Most of the information for this report was gained through personal interviews because so little has been documented for the period 1990 – 2007. Because of this, some data may therefore appear slightly subjective. Where possible, such statements have been cross-checked in order to validate and verify the factualness of the information.

- It should be noted that the author does not hold a degree in law and as his insights and experience with media development in various African countries cannot fully compensate for this lack of legal ‘expertise’, some legal provisions and regulations could have been overlooked, especially in the initial phase. The author has, however, tried to include comments from various legal experts and specialists in the various chapters. Furthermore, as the Namibian media environment was fairly new to the author, shortcomings may appear, as comments from experts and advisors on media legislation were scarce in the initial phase of the research

- The research was complicated by the fact that Namibian legislation is only partly digitised and the process of locating all the relevant legal documentation has been incredibly trying. Furthermore, the new digitised system is only to be managed by (selected) librarians - slowing the process tremendously. As a result, not all legal documents (including some amendments and regulations as well as policies and political frameworks) were obtainable from the various institutions and libraries visited. Furthermore, a number of legal documents (not directly) related to the media, but which nevertheless have an impact on freedom of expression and access to information, have not been included in this study. Lastly, due to time constraints various policies, especially related to telecommunications, have not been incorporated in the study.

- Due to lack of access to relevant information (including registrations, statistics and archives), this discourse does not include media establishments closed down between 1990 and 2007 and thus does not give a completely accurate picture of development trends over the given period. It does, however, in the various introductory chapters, try to give a broad overview of ownership development during this period, also referring to the most notable establishments in the given sectors that closed down. Given again the lack of published material on Namibian media development, a lot of the facts and details of media development included in the chapter on media ownership development relies very much on subjective statements gained through interviews.

- Lastly, obtaining information about the companies investigated (including names, registration, owners etc.) from institutions like the Ministry of Trade and Industry proved to be a strenuous process. This eventually led the author to

contact all the media establishments directly - an approach not always positively embraced by the media managers and owners. Most notably, the state and politically affiliated media establishments, such as those owned by the SWAPO Party and *Kalahari Holdings* were very hesitant to disclose or provide information for this research.

1.3 Data collection

The research process included numerous personal visits to various archives and libraries, as well as visits to the media houses and organisations and selected government institutions.

Policies, acts, amendments, regulations and other relevant texts were collected and compiled from NamLex, The National Archives of Namibia, The Parliament Library, as well as MISA Regional and MISA Namibia's comprehensive archives

These inquiries and visits were later followed up with interviews of officials from the Ministry of Information and Broadcasting as well as interviews with a number of legal experts and prominent figures within the Namibian media. These interviews provided valuable information and a greater understanding of legislation related to Namibian media.

Media houses investigated in this study were presented with a questionnaire in order to collect data for chapters **three** and **four**. As not all questionnaires were returned accordingly, media houses were later contacted for a shorter interview to collect the most relevant information. Where time allowed, the questionnaire and telephone interviews were followed by more in depth interviews to gain better insight and understanding of the particular media house.

1.4 Terms and categories

This section gives a brief explanation of the terms and categories used throughout the study. It contains an introduction to the key areas investigated and a categorisation of the different media sectors investigated. It furthermore provides precise definitions of various media ownership forms – mainly state, private and/or community ownership as well as concluding ownership categories used throughout the study.

1.4.1 Key areas investigated

The following categories apply throughout the report as they are the main areas researched. The following terms are contained mainly in the chapter on media legislation since 1990, as some of them apply to legislative issues only, but they also feature in the summaries and conclusions in most of the other chapters. The definitions therefore apply throughout and not only in the chapter on media legislation. The definitions and terms are:

- ***Independent regulation***
This refers to the degree of independent regulation provided for in media laws and policies investigated, as well as the present state of independent regulation within the Namibian media. The issue of independent regulation is closely related to the one of independent media, which relates to the principles of the *Windhoek Declaration of 1991* calls for a pluralistic media landscape independent from any governmental, political or economic interference and control.
- ***Independent media***
This refers to the degree of media independence provided for or stipulated in media laws and policies investigated, as well as the present state of independent media in Namibia. The issue of an independent media is related to the principles of the *Windhoek Declaration of 1991*, which calls for a pluralistic media landscape independent from any governmental, political or economic interference and control.
- ***Ownership & Diversity***
This refers to the degree of media ownership diversity provided for in media laws and policies investigated, as well as the current state of media ownership diversity in Namibia. The issue of ownership and diversity is related to the principles of the *Windhoek Declaration of 1991*, which calls for a diverse and pluralistic media landscape with multiple independent media owners.
- ***Content & Diversity***
This refers to the degree of media content diversity provided for in media laws and policies investigated, as well as the degree of media content diversity within the various media houses. This issue also flows from the *Windhoek Declaration of 1991*, which calls for a diverse and pluralistic media landscape, including diversity of content.
- ***Freedom of Expression***
This refers to the degree of freedom of expression provided for in media laws and policies, as well as the degree

of freedom of expression experienced in different media houses. The term freedom of expression refers to the definition provided for in Article 19 of the *Universal Declaration of Human and Peoples Rights*.

- ***Access to Information***

This refers to the degree of access to information provided for in media laws and policies as well as the level of access to information in general, including whether the different media establishments reach/cover all of Namibia. *Access to Information* should be ensured in order to enhance transparency and citizen participation in government, judiciary issues as well as to ensure the rural population access to media/information to the same degree as the urban population, as called for in the *Windhoek Declaration of 1991*.

1.4.2 Media categories

Throughout the study a number of categorisations are used to differentiate between the various media sectors/types. Although the press and print media and the print and publishing categories are closely related as are radio and TV broadcasting, they are treated as separate entities. The categories listed below are all treated in separate sub-chapters. These categorisations apply throughout the study.

- ***Press & Print Media***

This category refers to all regularly appearing publications, including daily and weekly newspapers, magazines and the like. All sorts of publications covering different cultural, political, economic and social issues are included as well.

- ***Print & Publishing industry***

This category refers to all establishments publishing (not writing) and printing various forms of print products. This includes everything from newspaper, magazine, poster and banner printing to commercial printing for various business entities.

- ***Radio Broadcasting***

This category refers to all media establishments involved in radio broadcasting in Namibia. It includes para-statal, private, community and conglomerate media houses that employ different radio broadcast formats, such as commercial, religious and community broadcasting.

- ***TV Broadcasting***

The TV broadcasting category refers to media establishments involved in television broadcasting. It includes para-statal, private and conglomerate media houses that broadcast on either local net and/or via satellite.

- ***Telecommunications industry***

This category includes all institutions, both private and government subsidised media establishments that deal with telecommunications. This refers to both land-line and mobile telephony operators. It also refers to internet service providers (ISPs) operating on the Namibian market.

- ***Film & Video Media***

The film and video production category includes media establishments that produce educational, documentary, fictional and current affairs films, as well as music videos and/or audiovisual clips/slots for either public or commercial purposes.

1.4.3 Media sub-categories

Within each of the above media categories a number of sub categories have been included, in order to give an easy, streamlined and comparable overview of the different categories. The categories below are used to categorise some of the collected data quantitatively, thus adding a statistical perspective to a number of topics related to media ownership. The following sub categories and data all contribute to the key areas investigated in this paper which are presented on the following pages.

- ***Type of media house and content***

This specifies the 'type' of media house concerned as well as the main scope/area of work and media content. This could involve magazines, newspapers, leaflets, commercial or political radio broadcasting etc.

- ***Geographic location of media house***

This refers to the geographical location and position of the particular media house, and where applicable refers to local branches of the media house.

- ***Ownership structure***

This refers to the actual economic and governing structure of the media house.

- **Methods of sustainability**
This sub category refers to the particular media house's methods of economic and organisational sustainability, whether through government subsidy, advertising revenue, sales or other.
- **Target groups / language**
This refers to the particular media house's main operational language and their target audience, including the particular age-group, language used, whether male or female, as well as other segmentation data.
- **Geographic coverage/reach**
This category refers to the regions and number of people covered by the particular establishment, in terms of media distribution, broadcasting, etc.

1.4.3 Media ownership categories

Apart from these main categories, a number of other categories and terms are used in specific chapters only. The following media ownership categories, namely the privately owned, the government owned and the community 'owned' appear in the chapters on media ownership between 1990 and 2007 as well as in the chapter on media ownership in 2007. The three ownership categories are distinguished by the following definitions:

- **Privately owned**
The privately owned category includes all media establishments that are run and/or owned by individuals or a group of people with profit making as the primary objective. A number of these also serve the public interest in terms of providing news and information to the public as well as facilitating community activities. The profit generated is usually either channelled back into the institution and/or to the main shareholders.
- **State/Government owned**
This category refers to media establishments and institutions which by law are subsidised by government. The category covers all media houses whose institutional structure is defined by a leading board, of which the members are appointed partly or solely by the Ministry of Information and Broadcasting. The profit generated is usually channelled either back to the institution or to government. This form of ownership is often referred to as *para-statal ownership*.
- **Community 'owned'**
This category refers to media establishments and organisations that are generally non-profitable and are usually run by volunteers and cater to/for a specific local community. A number of these media organisations are owned or have been initiated by non-profit trusts, whose primary aim is developing and empowering community media. If income is generated, it is channelled back into the organisation to purchase equipment and pay for other capacity building means. It should be noted, however, that private individuals also appear to be owners of some community media establishments. Recent developments show that most community and non-profit based media either register themselves as an Article 21 company or set up a trust to manage and govern the media establishment.

1.4.4 Summarising media ownership categories

When summarising all the data from the mentioned categories and their respective sub categories, all the data was collected and compiled to give a quantitative overview of the various main-categories. In order to distinguish and separate a number of the different types/forms of ownership and their impact on various issues the following categories have been employed:

- **Single ownership**
This category refers to most of the owners presented in this report, and refers to private, government and community owners who have economic interest/shares in only one particular media house.
- **Religious/Political ownership**
This category refers to the few establishments that are managed and owned by either religious or political organisations/bodies.
- **Multiple ownership**
This category refers to owners who own or hold a majority shareholding in two or more media establishments within one of the six media sectors identified (**Press & Print Media, Printing & Publishing industry, Radio Broadcasting, TV Broadcasting, Telecommunications industry and the Film & Video Media**). An example of a multiple ownership could be one individual owning two daily newspapers.
- **Cross media sector ownership**
This category refers to owners who own or hold a majority shareholding in two (or more) media establishments

that operate in different media sectors. An example of this could be one individual owning a daily newspaper (the **Press & Print Media**), two radio stations (the **Radio Broadcasting Media**) and one film company (**the Film & Video Media**).

- ***International/conglomerate ownership***

This category refers to multinational ownership of media organisations in Namibia as well as in other countries.





2. Legislation applying to the Namibian media

2.1 Introduction

During the days of South African occupation, almost all forms of media were restricted. Various laws, such as the ubiquitous *Internal Security Act* and those governing defence, prisons, the police, as well as emergency regulations, severely restricted what journalists could report, publish, photograph, or record. They could not report on the prisons, police or military or anything about unrest or guerrilla activities or anything related to the liberation movements¹. Anything considered likely to undermine the Pretoria administration was also off-limits as far as journalists were concerned. The Pretoria administration deliberately tried to use and control the print media, just as it did with radio and television, as part of a general policy of segregation and division of Namibians. This also involved legislative limitations and restrictions on media organisations that were not owned or controlled directly by the South African administration. Amongst these was the independent and critical *The Namibian*, which was harassed, threatened and eventually arsoned in 1988 (Heuva. 2001: 66).

In 1990 when Namibia finally gained independence and the constitution of the country was drafted, it was hailed as an exemplary document, especially with regards to media. As an example, *The Constitution of the Republic of Namibia* was amongst the first on the continent to provide for freedom of expression and freedom of the media (Lush & Kandjii, 1997). However, the present legal framework still provides the government with the power to restrict certain freedoms in the interest of the state, such as when issues of decency, morality, national security, contempt of court and/or defamation arise. While these clauses are fairly common, they continue to pose a possible threat to the media, as the existence of possible restrictions might invite the state to (mis-)use these when and if it decides.

Even though corporate media ownership and legislative means have developed greatly since Namibian independence in 1990, a number of legal practices (and limitations), many dating back to the time of South African occupation, are still in force or are practiced as if they were.

A large number of the limitations and restrictions imposed on Namibian (then South West African) media were already repealed in 1989, when UN Security Council Resolution 435 was passed. Resolution 435 provided for the repeal of discriminatory and repressive laws before the holding of the first democratic elections (Kandjii et al. 2004: 53). Unfortunately, Article 140 of the Namibian constitution reads that all laws and acts that were in force immediately prior to independence (not already repealed) shall remain in force until repealed or amended by an act of parliament or declared unconstitutional by a court (Ministry of Information and Broadcasting 1992: 2).

Because of this, several outdated laws are still in place and force (or at least sections of them) long after independence, even though the *Information Policy of 1992* mentions this arrangement and emphasises the need to repeal these laws. This state of affairs necessitated that a few of these pre-independence laws – or sections of them - be included in this paper, as some of them give a broader historical understanding of the laws and policies that have been formulated since.

Even though media ownership is the major focus of this paper, policies and laws have also been looked at in the context of a number of other issues that relate to media ownership and media development. The major areas of interest to be investigated are *independent regulation, independent media, ownership and diversity, content and diversity* and *freedom of expression & access to information*, which are all dealt with in separate sections following the presentation of the acts and policies.

The coming chapters deal with most of the policies and laws related to various media, such as the press and print media, the broadcasting media, telecommunications and the film and video media. It should be noted that several policies and acts deal with more than one media sector; therefore these have been put in a category called **media in general**. On the following page the policies and acts investigated are briefly presented and summarised before they are further investigated and analysed in the chapters 2.2 to 2.6.

International media legislation:

SADC Protocol on Transport, Communication and Meteorology (of 1996)

This Protocol outlines a number of actions within the telecommunications sector to be followed. Among the most important is the need to build sustainable and far-sighted telecommunications infrastructure.

SADC Protocol on Culture, Information and Sport (of 2000)

¹ Input for the introductory chapter was gathered from several interviews with Mrs. G. Lister (*The Namibian*) & Mr. E. Hofmann (*The Editors Forum*) and interviews with Mrs. W. Deetlefs & Mrs. R. Selle from the Ministry of Information and Broadcasting

This Protocol outlines conditions and standards related to culture, information and sport, to be adopted and implemented by SADC member states. It furthermore sets down guidelines that should be followed in order to harmonise the various member states' policies on culture, information and sport.

SADC Declaration on Information and Communication Technology (ICT) (of 2001)

This non-binding Declaration incorporates numerous initiatives and issues to be addressed by SADC member states to develop a diverse, competitive and far-sighted ICT sector.

African Commission Declaration of Principles of Freedom of Expression in Africa (of 2002)

The principles of this Declaration refer to Article 9 of the *African Charter of Human and Peoples' Rights*, which states that every individual has the right to receive information and every individual has the right to express and disseminate opinions within the limits of the law.

Legislation on media in general:

Protection of Information Act (Act 84 of 1982)

This pre-independence act (still in force) prohibits any person from disclosing any information obtained by virtue of his/her employment in government – thus prohibiting media practitioners from disclosing any information obtained from former or current government employees.

Information Policy of 1992

This policy provides the overall framework for issues related to traditional media, namely broadcast and print media in Namibia. As it provides a general framework, the majority of the following policies and acts should be seen in the context of this initial policy.

Namibian Communications Commission Act of 1992 (Act 4 of 1992)

This act establishes the Namibian Communications Commission and sets forth its powers, duties and functions, including the issuing of broadcast licenses and the control of certain broadcast activities and programme content.

Namibia Press Agency Act of 1992 (Act 3 of 1992)

This act provides for the establishment of a national news agency and sets forth its powers, duties and functions, including its function as a subscription service.

Legislation on press & print media:

Indecent or Obscene Photographic Matter Act of 1967 (Act 37 of 1967)

This act prohibits the possession of indecent or obscene photographic matter and provides for other incidental matters.

Newspaper and Imprint Registration Act of 1972 (Act 63 of 1971)

This act provides for the registration of newspapers and printer's imprints and requires that the printer of all printed material be identified.

Publications Act of 1974 (Act 42 of 1974)

This act provides for the establishment of a Directorate of Publications and provides for the regulation of certain publications, films and public entertainment.

New Era Publication Corporation Act of 1992 (Act 1 of 1992)

This act provides for the establishment of a state-owned newspaper and sets forth its powers, duties and functions.

Legislation on broadcasting:

Radio Act of 1952 (Act 3 of 1952)

This act consolidates and amends the laws related to the regulation of radio broadcasting.

Namibian Broadcasting Act of 1991 (Act 9 of 1991)

This act provides for the establishment of a national broadcasting corporation and sets forth its objectives, powers, duties and functions, including operational procedures and licenses.

Legislation on telecommunications:

Namibian Post & Telecommunications companies Establishment Act of 1992 (Act 17 of 1992)

This act provides for the incorporation of a postal company, a telecommunications company and a holding company and for the transfer of Namibia's postal and telecommunications services to the new postal and telecommunications companies.

Namibian Post & Telecommunications Act of 1992 (Act 19 of 1992)

This act provides for the regulation and control of Namibia's postal and telecommunications services and sets forth the powers, duties and functions of Namibia Post Limited and Telecom Namibian Limited as well as the holding company – Namibia Post and Telecom Holdings (NPTH).

Legislation on film & video productions:

Namibian Film Commission Act of 2000 (Act 6 of 2000)

This act establishes the Namibia Film Commission to facilitate the development and regulation of a local film and video industry and to regulate foreign film production in Namibia. The act also establishes the Film and Video Development Fund.

2.2 International media legislation

Introduction

Since independence, the Namibian government has, in line with its national policy of creating greater social and political cohesion in Namibia, been committed to various regional integration initiatives within the Southern Africa Development Community (SADC), as well as being committed to the principles of the African Union (AU).

Namibia has accordingly ratified the vast majority of SADC and African Union (AU) Protocols and Declarations of the last decade. The overall purpose of these Protocols and Declarations is aimed at strengthening integration and unity and to set certain standards of conduct and compliance for member states (Lush et. al, 2005).

In general, the Namibian government has been regarded a 'model country' as the newly independent country's constitution protects the fundamental human rights and freedoms of citizens under Article 21 (Fundamental Freedoms). In addition, and of even greater importance for the purposes of this paper, *The Constitution of the Republic of Namibia* provides for the automatic application of international treaties in the domestic legal system, once these have been ratified by Parliament.

Article 144 of the Namibian constitution states: "*Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international law and international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia*" (Namibian Constitution, Art. 144, 1991).

Among the SADC protocols adopted by the Namibian Government was the *SADC Protocol on Transport, Communication and Meteorology* in 1997. This Protocol outlines a number of guidelines for the establishment of sustainable and far-sighted telecommunications sectors and infrastructure.

SADC Heads of State (among them Namibia's first president Dr Sam Nujoma) approved the *SADC Protocol on Culture, Information and Sport* in 2000, which was later ratified by the Namibian Parliament in 2002. Read in the context of Article 144 of the Namibian constitution, this meant the coming into legal force of the Protocol's provisions. However, as the Protocol (as of 2005) had not yet been ratified by the required nine member states, the Protocol is not legally binding or required to be adopted in the Namibian legal system (Lush et. Al, 2005). The Protocol will automatically form part of the law of Namibia once it becomes operational in SADC.

The Heads of State and Governments also adopted the *SADC Declaration on Information and Communications Technology (ICT)* in Malawi in 2001, but as this is a mere 'declaration' of great intentions, it is not enforceable in Namibian courts.

Lastly, the *African Commission Declaration of Principles of Freedom of Expression in Africa* was signed in Gambia in October 2002. The Declaration serves to define and elaborate on the right to free expression as guaranteed in Article 9 of the *African Charter on Human and Peoples' Rights*, which has already been ratified by the Namibian Parliament.

2.2.1 Acts and policies formulated after 1990

2.2.1.2 SADC Protocol on Transport, Communication and Meteorology of 1996 ²

This fairly older SADC Protocol from the mid-1990s was ratified by the Namibian Parliament in 1997 and has become law in Namibia. Of major importance to this study, the Protocol consists of various sections and articles on telecommunications and broadcasting. As already stated, the major issue the Protocol addresses is the need for developing (and harmonising) a sustainable and far-sighted infrastructure for transport, communication and meteorology. In addition to this, it addresses the technical dimensions of information and communication development in the region and calls for information and media (content) to be dealt with separately from the means that regulate and govern infrastructure.

It furthermore promotes the development of regional 'universal service' with regard to telecommunications and regional universal access to advanced information services. Lastly, it also promotes greater interconnectivity and service exchange on a regional and global level.

2.2.1.1 SADC Protocol on Culture, Information and Sport of 2000 ³

One of the main objectives of the Protocol is to harmonise domestic policies on Culture, Information and Sports within the SADC region, and thus achieve more efficient and far-sighted integration and cooperation between the different SADC member states. In order to achieve such integration and cooperation, the Protocol contains a number of explicit principles to guide the member states to harmonise their policies with SADC protocols.

Among the core matters addressed in the Protocol is:

- Policy harmonisation; training, capacity-building and research; resource mobilization and utilization;
- Production, flow, exchange and use of information products; regional interaction amongst stakeholders;
- Gender equality and equity; persons with disabilities.

The Protocol furthermore defines certain concepts and definitions which are sometimes loosely used and interpreted by member states. Some of the most important concepts/definitions are presented in the below:

- **Broadcasting** - Dissemination of information through electronic media, such as radio, television, film and new information technologies (ICTs);
- **Communication** - The process of relaying or imparting information;
- **Community media** - Non-profit and community-based media which serve a geographically founded community or any group of people or sector of the public having an ascertainable common interest;
- **Independent media** - Media which are editorially independent of their owners, be they private, public or community based;
- **Media** - All forms of communication such as the print media, broadcast media, film, video and new information technologies;
- **Media Freedom** - An environment in which the media operates without restraint and in accordance with the law;
- **Pluralistic media** - Diversified media in terms of ownership, control and content;
- **Print media** - Printed and published materials such as newspapers, periodicals and books.

Main provisions:

If ratified, member states are obliged to:

- Ensure the development of media that are editorially independent and conscious of their obligations to the public and greater society;
- Strengthen codes of ethics to boost public confidence and professionalism in the information sector;
- Establish a regionally and internationally recognised SADC accreditation system for media practitioners with precise guidelines in order to facilitate the work of such personnel in the rest of the world.

What regards the harmonisation of policies in the region, the Protocol states that:

- Member states shall formulate and harmonise policies with substantial input from experts and civil society;
- Member states shall publicise and implement information policies in line with the principles of the *SADC Declaration on the Role of Information in Building the Community*;
- Member states shall establish and strengthen the local institutional framework to ensure the implementation of information policies.

² The vast majority of information for the chapter on the *SADC Protocol on Transport, Communication and Meteorology* was gathered from a yet unpublished media law audit facilitated by the Frederich Ebert Stiftung (2005).

³ The vast majority of information for the chapter on the *SADC Protocol on Culture, Information and Sports* was gathered from a yet unpublished media law audit facilitated by the Frederich Ebert Stiftung (2005).

The protocol further lays down some specific objectives for states to achieve at a national level – some listed here:

- Cooperate on the promotion, establishment and growth of community, commercial, public, regional and global media for the free flow of information;
- Strengthen public information institutions to be effective gatherers and disseminators of information and news;
- Place communication at the disposal of communities, nation-states and SADC for the articulation and development of a tolerant, multicultural, multi-ethnic and multilingual regional culture in the global context;
- Utilise communication to build and strengthen solidarity and understanding with other communities, especially those from the developing world;
- Cooperate in the protection of children from harmful information and cultural products, as well as in strengthening children's self-expression and access to the means of communication.

In order to upgrade the information and communication infrastructure in the region, the Protocol sets out a number of core issues to address if systematic and comprehensive development is to take place. Among the most important issues, the Protocol states that communication (services & infrastructure) must be properly developed in both urban and rural areas to ensure access to more stakeholders. Lastly, the Protocol also emphasises the importance of archives, libraries, museums, cultural villages and similar services and highlights the function of such as crucial information providers in a modern society.

2.2.1.3 SADC Declaration on Information and Communications Technology of 2001⁴

The *SADC Declaration on Information and Communication Technology (ICT)* was adopted by the Heads of State and Government in Malawi in August 2001, but as it is not a 'legal' document none of the guidelines or principles it incorporates can be legally tested in domestic courts in member states. Nor can any of the member states be held accountable for failing to meet the goals put forth in the Declaration. Nevertheless, member states acknowledged that there was an urgent need for implementing a sustainable ICT policy in the region. While the Declaration is not legally binding, there is presently nothing preventing the Namibian government from implementing the standards and initiatives put forth in the Declaration.

In general, the Declaration calls for the creation of a three-tier separation of powers in each country. It furthermore encourages member states to create a healthy national policy framework (to which they are accountable), develop a structure of independent regulation of license-granting and lastly it calls for a variety of service providers in a competitive ICT environment. The following are identified as priority areas:

(a) *The Regulatory Environment for Information and Communications Technology:*

- Create a favourable regulatory environment and accelerated liberalisation of the telecommunications sector – including a healthy national policy framework, independent regulators responsible for licensing and a diverse and competitive environment for service providers;
- Eliminate restrictive licence fees and other costly and time-consuming bureaucratic barriers;
- Develop a regional policy on ICT to help with the harmonisation of national policies and legislation related to the ICT sector;
- Remove international trade barriers depressing domestic economic feasibility of ICT service providers.

(b) *Infrastructure for ICT Development:*

Develop national and regional information and communication infrastructure to facilitate efficient communication and information exchange within SADC and between the region and the rest of the world. It furthermore focuses on rural and remote areas, under-privileged urban areas, institutions of learning, health, women's organisations, community media groups and other key stakeholders, the information needs of all of which should be incorporated in the infrastructure development.

(c) *Community Participation and Governance in ICT Development:*

Ensure that the continuous development of ICTs in the region does not increase already existing disparities between men and women, the rich and poor and between the rural and urban populations.

(d) *ICT in Business Development:*

Remove barriers to electronic commerce in SADC in order to gain benefits, such as to increased access to markets; reduce administrative costs and the improvement of public services.

(e) *Human Resource Capacity for ICT Development:*

Develop a human resource development plan in the area of ICT to enable the countries in the region to meet their needs and enable them to participate in the new technologically informed global economy.

⁴ The majority of information for the chapter on the *SADC Declaration on Information and Communications Technology* was gathered from a yet unpublished media law audit facilitated by the Frederich Ebert Stiftung (2005).

2.2.1.4 African Commission Declaration of Principles of Freedom of Expression in Africa ⁵

The principles of this Declaration, which was adopted by the *African Commission on Human and Peoples' Rights* in 2002, flow Article 9 of the *African Charter of Human and Peoples' Rights*, which states that every individual has the right to receive information and every individual has the right to free expression and to disseminate their opinions within the limits of the law.

The Declaration consists of sixteen articles, including principles on various issues related to a free, independent and diverse media environment (and development here of) in Africa. Of major importance, it specifies and guarantees freedom of expression and equal opportunity to access information as a fundamental human right to be enjoyed at a global level.

As this Declaration refers to Article 9 of the *African Charter of Human and Peoples' Rights*, which has already been ratified by the Namibian Government, it already forms part of the law of Namibia.

2.2.2 Conclusions and future challenges

2.2.2.1 MISA Namibia's concluding comments ⁶

It should be noted that the Protocols and Declarations presented in the previous sections are regional instruments to be adopted by member states. They, therefore, constitute crucial regional initiatives and undertakings. These instruments will be discussed in greater detail in ensuing chapters and sections.

Of major importance, the mentioned Protocols and Declarations require a proactive approach from African governments to create a favourable environment for freedom of expression and access to information. Among the 'modern' provisions and recommendations put forward in these documents concern the contradiction in terms of communication and access to information between urban and rural people, and especially marginalised groups. The Protocols and Declarations, furthermore, substantially address the need for fully independent regulators of the various media sectors as well as the need for a diverse and competitive media environment throughout the SADC region. The documents furthermore promote the development of greater cooperation between the various media sectors in the region, including exchange of information, knowledge and expertise. Lastly, the SADC Protocols and Declarations put forth the idea of harmonising future policies and legal frameworks in order to promote greater and more effective cooperation and exchange between member states.

According to a yet unpublished media audit facilitated by the Frederich Ebert Stiftung in 2005, many Namibian policies and laws are not in compliance with the provisions and guidelines of SADC Protocols and Declarations. Among the most important issues addressed are the ones concerning independent media, independent regulators, media diversity and content diversity. Lastly and most importantly, a number of pre-independence laws (which will be presented and analysed in the following chapters), are still in the books 17 years after independence. This issue will be dealt with individually.

2.3 Legislation on media in general

Introduction

As stated above, a number of laws from the period of South African occupation are still in force today, as *The Constitution of the Republic of Namibia* reads that all laws not repealed immediately before independence shall remain in force until repealed in parliament. Some policies and laws concern several media sectors - such as the print media, broadcasting, telecommunications and others - and are therefore compiled in this sub chapter. Among the laws promulgated prior to independence, which relate to media in general is the *Protection of Information Act of 1982*, which is still in force in 2007. Other laws and policies discussed in this sub-chapter are Article 21 (Fundamental Freedoms) of the Namibian constitution, the *Information Policy of 1992*, the *Namibian Communications Commission Act of 1992* and the *Namibian Press Agency Act of 1992*, all of which were passed after independence.

⁵ The majority of information for the chapter on the *African Commission Declaration of Principle for Freedom of Expression in Africa* was gathered from a yet unpublished media law audit facilitated by the Frederich Ebert Stiftung (2005).

⁶ The majority of information for the *MISA's concluding comments* chapter was gathered from a yet unpublished media law audit facilitated by the Frederich Ebert Stiftung (2005).

2.3.1 Acts and policies formulated prior to 1990

2.3.1.1 Protection of Information Act of 1982 (Act 84 of 1982)

This Act, which was promulgated under the Republic of South Africa, is amongst the pre-independence laws still in force (applying to all media) and which possibly infringes on media freedoms, as this provides the state with the power to operationalize certain restrictions and exceptions to Article 21 of the Namibian Constitution, which provides for freedom of expression.

Prohibition of disclosure of certain information:

Of main interest in this Act is section four (4) which forbids a person from disclosing any information obtained by virtue of his/her employment in government. As this stipulates *any* person, it includes media practitioners as well. The clause mentioned here refers to the *Public Service Act* which grants the Public Service Commission the exclusive right to announce or inform about government activities.

MISA Namibia's Comments:

Freedom of expression and access to information:

While the rationale behind this law is national security, it can easily be argued that it provides a (too) wide ranging framework, restricting media access to official government documents – even on issues of no relevance to national security. It could thus easily be (mis-)used for the wrong purposes, such as censoring the media.

2.3.2 Acts and policies formulated after 1990

2.3.2.1 Article 21 – Fundamental Freedoms (1990)

Among the first legal documents written in independent Namibia is *The Constitution of the Republic of Namibia*. Article 21 of chapter three (*Fundamental human rights and freedoms*) reads.

(1) All persons shall have the right to

a) Freedom of speech and expression, which shall include freedom of the press and other media (...)

As mentioned in the introduction, Article 21 of the Namibian constitution provides for freedom of expression, and is thus among *the* most important documents related to media freedom in the country. Having said this, the article is still subject to regulations and limitations according to section (2) of the article, as well as Article 22 of the constitution, which enables the state to formulate limitations and restrictions on fundamental rights and freedoms. It furthermore does not mention access to information as a fundamental right or freedom.

2.3.2.2 Namibian Information Policy of 1992

As this policy is among the very first official documents presented on media following independence, it includes a brief description of the legislative framework, including some of the restrictions enforced on the (then Southwest African) media during the time of South African occupation. It gives a short historical background of the framework from which the newly independent nation of Namibia now has to establish and create its future media environment. The policy is characterised very much by the 'newly independent' mindset, continuously referring to the need for nation-building, common values, fighting divisions in society, while not looking further ahead. What is vital is that, all laws and policies that have been passed subsequently should be seen not only in the context of this initial policy, but also the particular environment that characterized this post independence era. The main purpose of the policy was:

"(...) to ensure that the country's media are free and able to fulfil their traditional roles of public enlightenment, education and information and entertainment, and also to imbue the Namibian people (...) towards the building of a healthy democracy; for unless the population as a whole share a common field of reference in terms of news and information (...), there cannot be a meaningful sharing of ideas and national ideas.

Freedom of Press:

The policy recognises the key elements of press freedom, including the right to put forth ideas, the right not to disclose one's sources of information, as well as the right of access to information, especially on public affairs, though the latter is not legislated for. The policy refers to Article 21 of the constitution, which stipulates that all persons shall have the right to freedom of speech and expression, which shall include freedom of the press and other media. It is noted, though, that the policy emphasises that it is necessary to: *'ensure that accountability is not sacrificed in the practice of the freedom of the press'* and that to enjoy these privileges of press freedom, media practitioners are encouraged to conform their practices to the values of Namibian society, indirectly putting forth restrictions to make sure journalistic practices are not disturbing and/or contravening any societal 'values'. This formulation does appear very vague, and could possibly be interpreted and used/misused by government or others, according to their desires.

Access to Information & Access to the Media:

The policy points out the need for ‘activities’ that can guarantee and provide free and equal access to the media to all citizens, but argues that, as the vast majority of private media are urban-orientated, only catering for the urban elite, thus marginalising rural areas, such an ‘activity’ necessitates the participation of the state in media ownership. What is interesting to note is that the policy does not mention any legal framework or call for such to be established to ensure ‘equal and free access to information’. The policy furthermore emphasises the need for integrating rural communities into the mainstream of the nation’s mass communication network and that apart from ‘removing’ a number of previous restrictions regarding ownership of the media, the government is establishing the *Namibian Broadcasting Corporation*, the *Namibia Press Agency* and other institutions to pursue this objective. Though the policy addresses the need for integrating rural communities into mainstream mass communication, no provisions to encourage community media establishments are mentioned.

Ownership & Diversity:

Regarding media ownership, the policy argues that government will stipulate and allow a pattern of mixed ownership of the media, allowing for both privately owned and para-statal media establishments. The policy justifies state ownership of the media, by referring to other ‘modern’ countries that do the same, as well as by emphasising that private media do not have a monopoly on information. The policy furthermore argues that it is an outdated myth that the private media, as opposed to state-owned media, are objective, but rather are:

(...) subject to controls and ‘censorship’ by the owners, advertisers, and, of course, the clientele which the particular publication or film intends to hold (...) There is no doubt that the media in Namibia have tended to be partisan, (...) not always balanced in their approach and coverage”.

The policy refers to these ‘facts’ when justifying the establishment of the para-statal newspaper later to be named *New Era*, claiming it will be a complementary establishment that is balanced and national in character and content. The policy furthermore explains that the State must have at its disposal the necessary delivery channels to be able to transfer its messages to the public without having always to depend on the intermediation of the private media. Interestingly, the policy does not mention anything about the independence or sustainability of such an establishment.

Print Media:

By continuously referring to the private print media as ‘partisan’ as well as arguing that some of these to be solidifying ethnic, racial and political antagonisms, the policy reads that government finds it necessary to establish a state-owned newspaper to act as a unifying force in the nation. It continues, explaining that government will also engage in publishing periodicals, magazines and books, as well as establishing a state-owned printer, referring to the responsibility of the state to educate and stimulate Namibian citizens.

Broadcasting:

The policy recognises that radio and television are fundamental institutions of mass communication which have great potential for educating and entertaining the population. At the time the policy was formulated, radio was the only medium that had an actual mass audience, and the policy contends that further attention must be given to rural areas, involving more mobile NBC (*Namibian Broadcasting Corporation*) units, and by government involving itself in broadcasting ownership, as well as by encouraging and empowering local/rural film businesses through joint ventures or exclusive private initiatives. The policy recognises the potential of film, arguing that it has the potential to rise above the limitations of language and other cultural barriers, with the potential to be a unifying platform. Even though the policy does mention the importance of rural and regional coverage, no mention is made of the role community media can play in unifying Namibians.

Information distribution:

The policy states that government had decided to establish the *Namibia Press Agency* (NAMPA) as a publicly funded news service, owned or subsidised by the state, and argues that both public and private newspapers and broadcasting services in Namibia are financially incapable of extensive gathering of news. The policy emphasises that the *Namibian Press Agency* must adhere to the highest ideals of journalistic accuracy and objectivity.

MISA Namibia’s comments:

Independent media:

This policy mostly provides for a number of state-owned media to be established, though it also recognises independent media houses. It does, however, state that a number of these private establishments are ‘partisan’ and contribute to fuelling ethnic and social divisions. Taken in consideration, the policy does not seem to approve nor encourage independence. The policy does not provide detail of how the state-owned/subsidized media should operate, therefore their level of independence remains obscure.

Ownership & Diversity:

The policy reads that the government will support a mixed and diverse media landscape in Namibia, but at the same

time the policy also approves of and encourages a great deal of state-involvement in broadcasting, print media, news agencies, print and publishing, as well as in the film industry. The policy states that this is encouraged to create more pluralism which will eventually contribute to a more diverse, objective and non-partisan media environment, which the policy claims the private print media cannot foster.

In light of this, it should be noted that, even though the policy recognises the potential and importance of the media it does not encourage or stipulate the establishment of new private media enterprises (apart from mentioning the film industry), but focuses instead on the state-owned media, emphasising the need for unifying and accountable media establishments. Achieving a more balanced and diverse media environment seems only to refer to state-owned media establishments, instead of helping and supporting new players in the market that could help balance and diversify the Namibian media landscape in the post independence era.

Content & Diversity:

As already mentioned, the policy was among the first after independence, drafted as a non-legally binding framework for the media. The policy therefore appears greatly influenced by the government's immediate objective of unifying Namibians. The policy refers to the necessity for 'national unity' numerous times when explaining the need for establishing the state-owned media houses, as well as the need for a 'direct' channel to announce the work and accomplishments of the government. This objective is undoubtedly understandable, especially given the tumultuous history of Namibia, but as some statements in the policy are rather vague or airy some of these could easily be misused by government. For instance, the so-called 'partisan' or government critical media, which is mentioned in the policy could easily be targeted and accused of disseminating divisionistic or anti-nationalistic or anti-unifying messages to the public.

Freedom of expression and access to information:

In general the policy does lay down some main principles and guidelines for professional practices and operations of Namibian media. Of major importance is that the policy recognises Article 21 of constitution, which legally provides for freedom of the press and freedom of the media as encouraged by international conventions and treaties. On the other hand, even though the policy does encourage free and equal access to information for everybody, it does not address the need for a legal framework to ensure this.

2.3.2.3 Namibian Communications Commission Act of 1992 (Act 4 of 1992)

This Act was among the first acts to be passed in 1992 and it provides for the establishment of the Namibian Communication Commission. The act itself follows the main principles of the first *Information Policy of 1992*, but gives substantial attention to the services of the (non-state-owned) broadcasters, encouraging them to be diverse and multi-cultural, but with a substantial national foundation in their services. A number of the Commission's functions, including the licensing procedures, were previously carried out by Telecom Namibia. In 1995 the Act was amended, empowering the Commission to issue postal and telecommunications licenses. It should be made clear that this Act does not apply to the Namibian Broadcasting Corporation which is provided for separately by the *Namibian Broadcasting Act of 1991* (Act 9 of 1991).

Independence of Commission:

Of major importance, regarding the independence of the Commission is that it is the Minister of Information and Broadcasting, who appoints all members of the Commission (3-5 people). The appointment of members incorporates numerous restrictions, among them that they must not be members of parliament or a local authority or actively involved in party politics as a regular organiser. If the Commission is to appoint external experts, these have to be approved by the Minister of Information and Broadcasting prior to appointment.

Main function and duties of the Commission:

The main functions of the Commission are to -

- (a) *Exercise control over and to supervise (...) broadcasting activities, including but not limited to, the relaying of sound radio and television programmes from places in Namibia to places outside Namibia (...)*
- (b) *Issue –*
 - (i) *Broadcasting licenses*
 - (ii) *Postal service licenses*
 - (iii) *Telecommunication service licenses*
- (c) *to be responsible for the standardisation, planning and management of the frequency spectrum and to allocate such (...) to ensure the widest possible diversity (...) and give priority to broadcasters transmitting the maximum number of hours per day and to community-based broadcasters.*

Broadcasting Licenses:

The Act describes under which conditions licenses are issued, as well as provides the Commission with the possibility

of interfering and adding other conditions when and if found necessary. It furthermore states in section 16 of the Act that:

“No person shall transmit or otherwise operate a broadcasting service or do or permit anything to be done for which a broadcasting license is required (...)

Thereby requiring all operators (already existing or newcomers) to apply and pay for a broadcasting license and frequency. The Act furthermore applies a number of restrictions to the process of issuing licenses, including that licenses must only be issued to Namibian citizens and to companies at least 51% Namibian owned, thus stimulating and giving priority to national companies.

Furthermore, the Commission is subject to consider the character of the applicant, the character of its directors, the adequacy of expertise and whether the applicant already holds/owns media establishments as well as other issues when granting the license. It also addresses the desirability of giving priority to community/community-based broadcasters, though the Act does not provide any definitions on what shall be regarded as ‘community based broadcasting’, leaving this open to subjective interpretation.

Duties of broadcasting license holder:

Once the license is granted, the holder is subject to a number of conditions, including incorporating much local and national content in its programming. The Act also encourages programmes that stimulate a shared national consciousness and identity and also encourages the employment of local entrepreneurs/professionals where possible, though the Act does not provide for any mechanism to monitor adherence nor does it specify any quotas/percentages of national and/or local content to be met.

Another condition of importance is the one discouraging any programmes that directly promote political parties and their interests, except during election periods. Another section states that the Commission should continuously be provided with thorough records of all political speeches broadcast by particular stations.

Restrictions/limitations:

If the mentioned conditions are not adhered to, the Commission may warn, fine or eventually withdraw the license. Furthermore any person accredited by the Commission shall be allowed to access any station and request to view the license or investigate any station suspected of illegal activity.

If the broadcaster aired a programme containing false information, the station is obliged to air a new programme correcting the facts, unless the individual or organisation concerned does not have any interest in a counter version or if the counter version is not of reasonable length. Eventually it is the Commission that rules on any complaints laid against a station.

Of greater interest, the Act reads that these provisions: *“(...) shall not apply to broadcasts on public meetings of the National Assembly”*, which protects members of parliament or other government officials who may have uttered false allegations or accusations in the National Assembly. The state-owned NBC does, however, air edited versions/reports of National Assembly deliberations.

Postal service licences & telecommunication services:

Apart from issuing broadcast licenses, the Commission also (re-)issues licenses for postal services and licenses for communication services. The Act reads that the Commission may warn, fine, suspend or later withdraw the license of a particular postal or communication service if the Commission finds that the service provider has breached any of the conditions mentioned in the license. The Commission may refuse to issue a license on the following grounds:

- (a) National defence or public security;*
- (b) Technical constraints due to the limited availability of radio frequencies; or*
- (c) The lack of technical and financial capability to substantially meet the obligations arising.*

As is the case with broadcasting, the Commission may take into consideration matters such as the nature of the coverage, the operating hours, the condition of neutrality of the service, the standard of networks, matters relating to fair competition and other issues when considering granting a telecommunications license, though not specifying any certain criteria or quotas that should be followed.

Duties of license holder:

The Commission may impose specific obligations and conditions, such as providing universal services throughout Namibia, as well as facilitation of emergency calls for free, allocation of individual telephone numbers, equitable treatment of users, duration of the license and its procedures, as well as a number of other issues.

Restrictions & regulations:

Upon the recommendation of the Commission, the Ministry of Information and Broadcasting may formulate regulations with regard to applications for licenses, various conditions and obligations for license holders, the fees and procedures, as well as numerous other matters related to the licensing process.

MISA Namibia's Comments:

Independent regulation:

Even though the Commission could be regarded as an independent body, the appointment of its members is still exclusively done by the Minister concerned, raising questions around the Commission's objectivity and independence. Under this Act, the Commission is empowered to fine broadcasters and eventually revoke their licenses. As the law stands, the independence of the Commission remains questionable.

Independent media:

In terms of independence, the Act does provide for private broadcasters to be established, though numerous restrictions or conditions may apply when and if found necessary by the Commission. Another interesting aspect is that the Act empowers the Minister to interfere with licensing procedures, which undoubtedly compromises the independence of the Commission.

Ownership & Diversity:

The Act states that broadcasting licenses will only be issued to Namibian citizens and/or companies with at least 51% Namibian shareholding. It should be noted that even though the companies must be primarily Namibian owned, no mention is made of the spread or division of ownership to include rural or non-urban areas through the reserving of frequencies/slots. Ownership and frequency distribution continue to be conducted on a 'first come, first served' basis. It furthermore states that the Commission will consider fair and free competition when issuing licenses to broadcasters, as well as to postal and telecommunications service providers, but as the state owns the NBC and Namibia Post and Telecom Holdings, and as the Minister of Information and Broadcasting has the power to interfere in the procedures and operations of the Commission, the issue of conflict of interest arises.

Content & Diversity:

As already stated, the issue of fostering national unity is highly prioritised, whereas local/regional broadcasters covering local/community issues are not. Even though national content and patriotism are strongly encouraged by the Act, it does not specify what percentage of content and programming should be locally produced, thus not legally binding any broadcaster to comply with this stipulation.

Freedom of Expression & Access to information

Of greatest concern regarding freedom of expression in this Act is that the Commission is empowered to obstruct the broadcast of any programme if complaints of false statements are reported. The Act empowers the Commission to demand that programmes/slots are aired again with the 'correct' information included. Of even greater curiosity is that the Act states that utterances in the National Assembly are not subject to this clause, even though *The National Agenda for Change* states otherwise. In addition, the *Namibian Communications Commission Act* does not provide any legal framework to pursue the objective of universal access to information for all, as mentioned in the *Information Policy of 1992*.

2.3.2.4 Namibia Press Agency Act of 1992 (Act 3 of 1992)

The Government-owned Namibia Press Agency is the country's only domestic news agency. It was legally founded in 1991 through the *Namibia Press Agency Act of 1992*.

Main objective:

The principal objectives of the Agency are to be customer-need driven and improve the quality of services to customers, be they in the public or private sector. Other objectives are to compile annual financial statements and achieve efficiency and quality of service targets as set by the Minister.

Independence of Press Agency:

The Act stipulates in Section 6 (1) that: "*There shall be a board of directors of not more than five and not less than three members appointed by the Minister, which shall be responsible for the policy and control of the Agency*".

This gives the Minister of Information and Broadcasting the mandate to appoint the governing board.

It further states in Section 7 (3) of the Act that, "*The Minister may remove a member from office-*

(b) *On account of misconduct;*

(c) *On account of unfitness for the duties of his or her office or incapacity to carry them out efficiently.*

Section 7 (4) of the Act explains the procedures the Minister follows when appointing a new board member if obliged to do so. It states: "*If a member ceases to hold office the Minister may appoint any person to act in the place of such a member for the unexpired portion of his or her term of office*".

MISA Namibia's Comments:

Independent Regulation:

In November 1987, SWAPO set up a news agency, the Namibia Press Association (NAMPA) This was dictated by the need to 'lift the veil of secrecy' under which South African activities were conducted within the country. After independence NAMPA was re-launched as the national/public news agency and to become a fully fledged commercialised para-statal. However, the financial viability and competitiveness of the Agency leaves much to be desired as the latest available Auditor General's report, for 2004/2005, shows that the Agency received N\$ 7.9 million from the state, but ended the financial year with a net loss of N\$ 1.7 million.

Independent Media:

Given the fact that the board members of the Namibian Press Agency (Nampa) are appointed by discretion of the Minister of Information and Broadcasting and that the Agency continues to rely mainly on state funding (though subscribers also create income), government interference in editorial processes is highly likely. These and other factors can potentially lead to self-censorship by journalists employed by the Agency. As NAMPA remains state funded and controlled, it cannot be regarded as independent, though NAMPA itself also relies on other international news agencies, therefore a great deal of international copy is produced elsewhere. At time of writing there are no other local and fully operational independent news agencies in Namibia, therefore a great number of the Namibian medias, primarily newspapers and broadcasting institutions rely on the services NAMPA provide – be they independent or not.

Ownership & Content & Diversity:

Pluralism of media ownership, diversity of content and editorial independence from all undue influences is indispensable in a democratic society like Namibia. What is of great concern is that the Act does not stipulate or mention the need for the news agency to become economically self-sustainable, but leaves this subject to the discretion of the editor-in-chief. As mentioned above, NAMPA has yet to prove itself economically viable. Furthermore, much of Nampa's content is not local. The law does not specify what percentage of content should be local or what the operational language should be, once again leaving these issues to the discretion of the editor-in-chief.

2.3.3 Conclusions and future challenges for media in general

2.3.3.1 MISA Namibia's concluding comments

Independent Regulation & Independent Media:

The legal frameworks investigated in this sub chapter show that private and independent media enterprises have been encouraged through legislation, but as the state remains in control of regulatory bodies, such as the *Namibian Communications Commission*, which issues licenses for broadcasting, telecommunications and postal services, such practices remain non-transparent. Furthermore, the fact that legislation allows the Minister of Information and Broadcasting to appoint board members undermines independence at state-owned media and regulatory bodies. For this reason the media environment in general cannot be regarded as fully independent. This practice was also employed by the South African administration before independence and it was severely criticised for it.

Ownership & Content Diversity:

As the policies and laws treated here concern several media sectors, a general comment should be made on the lack of legal framework that ensures a diverse and pluralistic media landscape in terms of both ownership and content. Even though policies and laws researched in this chapter state the importance of local, independent and community owned media, no provisions expressly stipulate the formation of these media. Furthermore, no locally produced content load is specified, meaning an opportunity has been missed to ensure more diverse and pluralistic media content. Once again, the most troubling feature of the legal framework is the power vested in the Minister to appoint board members at state-owned media and regulatory bodies, which raises questions around the independence of these entities.

Parallel to this, content diversity is by no means provided for despite the policies and laws actually mentioning the importance of local, regional and national content. As with media ownership, no quotas or percentages that should be complied with are stated.

Freedom of expression & access to information:

The Namibian constitution does provide for freedom of expression and freedom of the media, though this freedom is subject to various restrictions and limitations. As an example, the *Information Policy of 1992* reads that this freedom must not be sacrificed in the name of this freedom, although without explaining what this implies. Of major concern is the fact that access to information or right to information legislation has not been put in place yet, leaving government transparency and accountability somewhat limited. As long as journalists or ordinary citizens find themselves denied access to documents and archives, of interest to the public, much is left to be desired.

2.3.3.2 Future challenges related to legislation applying to media in general

– *Input from the Namibian Communications Commission and the Ministry of Information and Broadcasting*⁷

Who is regulating who?

As the *Namibian Communication Commission* issues licenses to both radio and television broadcasters as well as to post and telecommunications, Deputy Director of the *Namibian Communications Commission* (NCC) Jan Kruger said the legal framework providing for the NCC's establishments and procedures contradicts a number of the more specific Acts and procedures applying to other Namibian media. Amongst them, Kruger pointed out the problem of the NCC failing to fulfil its role as a national regulator because it does not regulate any of the procedures or activities of the *Namibian Broadcasting Corporation*, which is provided for separately by the *Namibian Broadcasting Act of 1991*.

In addition to this, he said the NCC was also subject to cross ministerial disputes and procedures and that this will continue as long as telecommunications and postal services fall under the Ministry of Works, Transport and Communications, while the NCC falls under the Ministry of Information and Broadcasting. According to Kruger, putting the telecommunications and postal services under the Ministry of Information and Broadcasting would enhance communication, procedures and operations remarkably.

The lack of access to information legislation:

Wilma Deetlefs, Director: Media Liaison in the Ministry of Information and Broadcasting said the number one priority of the Ministry in the near future was the drafting and finalising of an access to information legal framework – be it in policy, Act or amendment form. She said the issue has been discussed for a very long time and stated that the Prime Minister's Office had been designated task of drafting the legislation. According to Deetlefs the issue has been discussed and put under review numerous times as a great many officials do not understand the need for and importance of sharing information even when it does not concern defence, security or other issues deemed sensitive. According to Deetlefs it will take some time before a new culture of transparency and access to information will be fully understood and practiced in the Namibian society. She said this might be due to the fact that the culture of obscuring information, which was practiced during the apartheid period, was still fresh in people's minds.

The long awaited *Communications Authority Bill*:

Both Deetlefs and Kruger agreed that another major challenge for media in Namibia was the passing of the long awaited *Communication Authority Bill (the CAN Bill)* which should provide new and clear definitions, regulations and provisions for media in general. While a recent Cabinet decision (April 2007) stated that the *Communications Authority Bill* was to be passed within the next three months, Kruger doubted this would happen within specified time frame. According to Kruger it was most likely to be passed towards the end of 2007 or early 2008.

According to various sources, delays in the drafting process were due to considerable political interference. Deetlefs said the drafting of the Bill started already in 2000 and has till now included 50-60 consultancies as well as numerous hearings involving stakeholders from various media sectors. The (draft) *Communications Authority Bill* was only finalised in July 2006, only to be once again halted for further consultation. According to various sources, initially the Namibian security services commented and stopped the process only to be followed by numerous comments/complaints from MultiChoice Namibia. And just recently legal issues around Telecom Namibia's *Switch* delayed the process once again.

While the procedure of 'consultancies' was introduced after independence to ensure a democratic and transparent legal drafting process, Deetlefs admitted this particular process seemed to have involved way too many players. Deetlefs concluded that the process was indeed a very sad story for the media in general, underlining the fact that while Namibia used to be *the* trendsetter on media in the SADC region, it was now lagging in terms of media development.

While the legal framework of the *Communications Authority Bill* may clarify many issues, Kruger emphasised the need for more regulations and policies to regulate and guide the various media sectors. Deetlefs emphasised the need for a legally binding framework as a basis for various media sectors. On the other hand, the telecommunications sector and incredibly developing sector in Namibia therefore Kruger's statement is understandable, given that laws take a long time to process.

The future Information (and Media) Policy:

Another future challenge, mentioned by Wilma Deetlefs, of the Ministry of Information and Broadcasting, will be to address the *Draft Information Policy*, which is also still being processed, having been discussed and revised numerous times. The ideas and issues put forth in this policy are definitely contemporary and democratic. It is not yet legally binding and considering that numerous suggestions put forth in the old *Information Policy* were never fully operationalized, the question arises whether a future Information Policy will be implemented appropriately.

⁷ The input for this chapter was mainly gathered from interviews with Mr. J. Kruger from the *Namibian Communication Commission* and Mrs. W. Deetlefs from the Ministry of Information and Broadcasting.

Bringing information to rural areas:

Another issue mentioned by Deetlefs as of relevance to Namibian media, was the issue of information outreach. Currently the vast majority of Namibian media operate in English, with a few using Afrikaans and Oshiwambo. It should be emphasised that a large proportion of Namibians still do not speak English, Afrikaans or Oshiwambo and are therefore left out of the mass information stream. These people have to rely on NBC's language services as their only source of information. Even the government, when recently deciding to publish and distribute a government news bulletin to the populace, faced this reality when numerous complaints were received because all the information was in English only.

2.4 Legislation on the press and print media

Introduction

Most of the restrictive and repressive laws related to press and print media have already been repealed, either prior to independence or in the years following. However, as mentioned in the previous sub chapter, the *Protection of Information Act* still applies to media in general and therefore also to the press and print media. Apart from this, few other restrictive and regulating Acts are still in place when it comes to the print media. These include the *Indecent or Obscene Photographic Matter Act of 1967*, the *Newspaper and Imprint Registration Act of 1971* and the *Publications Act of 1974*, which have not yet been fully repealed even though they are hardly in use. Since independence, the only Act passed that addresses the print media directly is the *New Era Publications Act of 1992*. A number of others, such as the *National Defence Act* and the *Protection of Information Act* also apply to print media, but are not included in this chapter.

2.4.1 Acts and policies formulated prior to 1990

2.4.1.1 Indecent or Obscene Photographic Matter Act of 1967 (Act 37 of 1967)

This Act prohibits the possession of any indecent or obscene photographic material, such as films, photos, publications or other items that contain photographic material depicting or representing sexual intercourse, lust, homosexuality, masochism, sadism or anything else of a sexual nature.

Limitations/limitations:

Organisations, companies or individuals may be exempted from this clause in case a specific permit/license has been issued under the *Publications Act of 1974* to enable such to print or possess such material.

MISA Namibia Comments:

Content, Diversity and Freedom of Expression:

Despite dating back to 1967, this Act is still in place and infringes seriously not only on freedom of expression, which is provided for in the Constitution, but also the freedom of owning and possessing any item. This Act applies to society in general and not only the media. In terms of media, it could be argued that such limitations are constitutionally challengeable in terms of freedom of expression, though others may argue that sub-section (2) of Article 21 provides for exceptions. Furthermore, this law challenges the free flow of content in general, impacting the operations of media establishments. Such limitations seriously defy government's aim and policy of fostering a diverse media landscape.

2.4.1.2 Newspaper and Imprint Registration Act of 1971 (Act 63 of 1971)

The *Newspaper and Imprint Registration Act 63 of 1971* of South Africa requires registration of all new newspapers and magazines and the Act is still applicable in Namibia today. The Act applies to all publications except those that are not for sale or for public dissemination, or which are published less than once a month.

Main purpose of Act:

The purpose of the Act was to: "Provide for the registration of newspapers and imprints; to regulate matters in connection with printed matter; and to provide for matters connected therewith."

Restrictions & limitations:

The Act states that the Interior Minister (then responsible) may refuse to register a newspaper if its title too closely resembles the name of another registered newspaper. More specific, chapter II 4 (1) states that:

"Upon the receipt by the Secretary of any application the Minister shall register the newspaper concerned and issue to the applicant an appropriate certificate of registration: Provided that a newspaper shall not be so registered if it bears the same name as a newspaper already registered or if the Minister is of opinion that the name thereof so closely resembles the name of any newspaper so registered as to be calculated to deceive".

The Act also requires the editor or acting editor to be a Namibian resident as stipulated in Chapter II (8), which states: “No person shall print and publish in the Republic any newspaper unless the editor or acting editor or, in the event of there being more than one editor, the responsible or chief editor thereof is resident in the Republic”.

MISA Namibia’s Comments:

Independent Regulation:

The Act has described ways in which one can register newspapers and also provided ways that can lead to penalties and fines. As it is presently the Ministry of Information and Broadcasting that oversees the registration of newspapers this process cannot be regarded as self-regulating. Prior to independence various restrictions applied – such as exorbitant registration fees.

Ownership & Diversity:

The Act does not mention any specifics related to which companies should be prioritised, thus it does not directly restrict nor stipulate any specific sort of media diversity. The Act fails to ensure a balanced print media environment. In addition to this, the legal framework remains way out of date and the people enforcing the legislation can hardly be recognised as a proper registrar and regulator. This is due to the fact that the framework does not set any specific (economic or operational) criteria for establishing a newspaper or magazine. Thus no operational liability or professionalism can be guaranteed.

Content & Diversity:

The Act does not say anything about content other than that the proprietor of a newspaper shall provide the secretary or Minister with copies of the newspaper. After which the Minister decides whether the newspaper should come into existence or not. Thus no content diversity is ensured.

2.4.1.3 Publications Act of 1974 (Act 42 of 1974)

This piece of legislation by the Pretoria administration remains in force, though it was never really put into practice. It was passed in order to provide for the control of certain publications or objects, films and public entertainment. Even though the Act was never really put in practice it is among the few pre-independence laws which can still apply if found necessary. Its main provisions are as follows:

Chapter I:

This first chapter deals with the appointment of the directorates and committees that are to direct publications. The appointment of the director as well as his deputy is to be done by the Minister to whom the administration of this Act is assigned. The Act reads that:

There shall be a directorate to be known as the Directorate of Publications (...) which shall perform the functions entrusted to under this Act. The directorate shall consist of a director (...), a deputy director and the number of assistant director (...) determined by the Minister. (...) The members of the directorate shall be appointed by the Minister and shall be persons who in his opinion are by reason of their educational qualifications and knowledge fit to perform the functions entrusted to the directorate under this Act.

Chapter II:

This chapter deals with publications or objects, their production, distribution, importation or possession and the most important part reads that:

(1) No person shall –

- (a) Produce an undesirable publication or object; or*
- (b) Distribute a publication or object, if that publication or objects is in terms of a decision of a committee undesirable and that decision has been made known by notice in the Gazette;*

It also further elaborates on the Powers of committees relating to publications or objects, by stating that:

. (1) (a) A committee may, if –

- (i) any edition of a publication or object which is published periodically in the Republic is in its opinion undesirable; and*
- (ii) in its opinion, every subsequent edition of that publication or object is likely to be undesirable, declare every edition of such publication or object to be undesirable.*

The Director shall without delay submit a decision imposing a prohibition and the appeals board shall confirm or set aside that decision. Section 18 deals with the duties of the publishers, pointing out that a publisher should ensure that his name and business address are printed fully and correctly in a conspicuous place on or in every copy of every publication published by him. However, in part 18 (2) the Act shows who is exempted from the act.

- (2) *The provisions of this section shall not apply in respect of –*
- (a) *any publication registered as a newspaper under the Newspaper and Imprint Registration Act 1971;*
 - (b) *any publisher who is a member of the Newspaper Press Union of South Africa and who does not publish any publication other than a newspaper.*

Chapter III

This chapter deals with film, including the prohibition of exhibition or publication of films that have not been approved:

- (1) *No person shall –*
- (a) *exhibit to any person any film intended to be exhibit in public;*
 - (b) *exhibit any film in public;*
 - (c) *publish any film.*

It furthermore reads that the approval of a film under this Act shall be made known by means of a certificate furnished by the director in the form and manner prescribed. In section 24 it states that if a committee approves a film, then -

- (a) *the Directorate may, within a period of seven days from the date upon which the director was informed of the decision in question, appeal to the appeals board against that decision.*
- (b) *The Minister may at any time direct the appeals board to reconsider the decision in question.*

Chapter IV:

Chapter IV deals with public entertainment. The chapter states that the committee may prohibit the staging of certain forms of public entertainment or may impose conditions and section 30 reads that:

A committee shall in relation to any public entertainment or intended public entertainment brought to its notice under subsection (1), make such enquiries as it may deem necessary, and decide –

- (i) *Whether the giving of that entertainment or any part thereof is or will be undesirable in its opinion;*
- (ii) *Whether in its opinion any of the conditions referred to in subsection (5) should be imposed.*

Such restrictions/limitations remain questionable and leave the definitions and criteria of “undesirable” public entertainment purely in the hands of a committee:

Chapter V:

This chapter deals with the *Publications Appeal Board*. Though never constituted or put in practice, the legal framework to do this still remains. Section 35 of the Act reads:

(1) As often as may be necessary an appeal board, (...) it shall be constituted in accordance with the provisions of subsection (2), to perform the functions entrusted to the appeal board under this Act.

MISA Namibia’s Comments:

Independent Regulation:

The Act says that publications shall be regulated by a publications board elected by the Minister responsible. However, a publications board and the publication appeal board have never been appointed in Namibia, leaving a host of questions still to be answered. One may wonder why such Acts have never been fully repealed, as it has not served any purpose for years. The wide-ranging provisions in this Act should be noted though, as they could possibly be enforced if found necessary. Of major concern is that the Act provides the Directorate and Minister responsible with the power to overturn decisions made by the committee that approves publications, leaving the independence of the regulatory body somewhat questionable. As with a number of other institutions, the Minister also appoints the various members of the committees and boards, leaving the independence questionable.

Ownership & Diversity:

Even though the Act has only been put partially in practice over the years, it should be noted that the Act does not stipulate any specific kind of print media to be prioritised when approving publications. On the other hand, nor does it ensure that community newspapers or the like are treated and approved on the same grounds as private and state owned publications.

Content & Diversity:

As with ownership diversity, the Act does not restrict nor ensure variety in content. Furthermore, in relation to freedom of expression, the committees are empowered to denounce and prohibit certain publications if the content is found to be of offensive or indecent nature, but as such provisions are vaguely defined in the Act, it leaves them open to personal interpretation.

Freedom of Expression:

In continuation of the above, Article 21 (2) of the Constitution does make reference to a restriction upon the right of freedom of expression on the grounds of decency and morality, but such limitations could again easily be used and/or misused. As long as the wide-ranging scope of the provisions of this Act remains on the books, an eye should be kept on these.

2.4.2 Acts and policies formulated after 1990

2.4.2.1 New Era Publication Corporation Act of 1992 (Act 1 of 1992)

When the Act was enacted in 1992, its primary objectives as stated in Section (3) were to:

“Provide an objective and factual information service by compiling and publishing a newspaper, the New Era, in the English language as well as in the different indigenous languages of Namibia;”

With regard to the extent of independence of New Era, section 5 (3) of the Act states:

“The Minister shall appoint the members of the board for their ability and experience in the administration or management of public affairs and the political, socio-economic and communication fields or their suitability otherwise as directors”

Thereby the Minister is entitled to appoint the full board of directors and in this regard the Minister holds responsibility for their capabilities and professionalism, leaving the independence of the board questionable.

In terms of economics, New Era is funded by government and like all the other state-funded organisations; the Act describes ways by which the corporation shall submit annually its estimates of revenues and expenditures for the ensuing financial year:

MISA Namibia’s Comments

Independent Regulation:

As the Minister in place is empowered to appoint the entire board, the independence and level of self-regulation within New Era is questionable, as it is still answerable to the Minister or the government of the day.

Independent Media:

One thing that is normally said of state media is that they cannot practice editorial independence because government funds them and *New Era* could possibly be subject to this as well. Furthermore, the most recent annual report showed that *New Era* was in the red, leaving government to bail it out. Thus *New Era* continues to rely on government funds, leaving editorial independence questionable. A trend of parliamentarians and politicians seeing themselves as ‘owners’ and ‘editors’ of *New Era* seems to continue to have an impact on the level of editorial independence of the publication.

Ownership & Diversity:

In the case of *New Era*, Ministers and parliamentarians from the ruling party have tended to regard themselves as ‘owners’ and therefore righteously capable of calling the editors regularly. While the newspaper is pursuing independence and objectivity when it comes to news coverage, its editorials (comments) continue to reflect the positions of its owner – the government. It should be noted that this practice has been challenged recently, as a number of journalists have written slightly critical articles, which have brought these journalists into trouble.

Content & Diversity:

The Act does not specify as to how the content in the newspaper should be spread, but does say that the newspaper should place special emphasis on community-related issues, particularly issues in the rural areas of Namibia and issues of national interest and government related matters, which may concern the community. This is a positive step towards a diversifying content, but as long as there are no specific quotas or percentages mentioned or a mechanism to monitor these, this intention remains only intent.

Freedom of Expression:

As already stated the Constitution provides for freedom of speech and of the press, though state ownership could eventually lead to infringements of editorial processes.

2.4.3 Conclusions and future challenges for the press and print media

2.4.3.1 MISA Namibia’s concluding comments

Before independence in 1990, the media environment in Namibia was mostly government controlled. The media operated

within a legal environment deliberately aimed at curtailing and controlling freedom of expression and free access to gathering and disseminating information. For its part, the independent press that existed was subjected to continuous harassment. It was not until independence that this situation changed. Under Constitution, hailed as revolutionary, freedom of expression and freedom of the media were guaranteed. However, not much has been done about repealing of old laws. And today these laws and Acts, although sometimes not applicable, are still in place. This sometimes makes it difficult for people and journalists when seeking legal guidance. While things have indeed developed since independence, a number of issues remain to be addressed.

Independent Regulation & Independent Media:

Media houses that are partly or wholly owned by government are regulated by the Ministry of Information and Broadcasting, therefore answerable to government. It can get hard sometimes for government owned newspapers, specifically New Era in this instance, to regulate itself, taking into consideration its financial state. Recent annual reports show that New Era is still in the red, leaving the majority of funding to government. Until the newspaper can become financially capable and learn to survive on its own, government influence remains visible, although it should be stated that there is a degree of independence in editorials.

Ownership Diversity & Content Diversity:

With regards to the *Indecent or Obscene Photographic Matter Act*, the Act challenges the free flow of content in general, with limitations that defy the government's idea and policy of creating a diverse media landscape. At the same time, the *Publications Act* provides the Directorate and Minister responsible with the power to influence decisions made by the committee that approves publications, leaving the independence of this regulatory body questionable. Furthermore, the *Newspaper and Imprint Registration Act* states that the owner of a newspaper shall transmit to the secretary or Minister certain copies of the newspaper for the Minister to decide if the newspaper is eligible for production, - potentially undermining content diversity.

Freedom of Expression & Access to Information:

In continuation, with regard to state ownership and the lack of independence, the level of freedom of expression remains dubious. The practice of self-censorship is very likely when it comes to government owned media establishments.

2.4.3.2 Future challenges related to legislation applying to the press and print media

*- Input from the Namibian Editors Forum & The Ministry of Information and Broadcasting*⁸

Eberhard Hofmann, former editor of *Allgemeine Zeitung* and current chairperson of the Namibian Editors Forum, argues that when it comes to the print media, the Constitution is a fine legal framework, which provides for freedom of expression and freedom of the (print) media as well. Hofmann argues that history, taken in consideration, the print media in the country has not suffered dangerous or draconian interference from either political or economic stakeholders since Namibian independence.

Curtailling information – the lack of public access to information:

This said, Hofmann argues that government does continue, from time to time, to hamper the free flow of information in Namibia. He continues that this is disturbing in a modern democracy, but states that this hopefully is to change once the information bill (which is currently being processed) is passed. He emphasises that this practice forms part of a continuous process (especially history taken in consideration) of unhealthy cultural practices involving the curtailing of information in the region. In order to completely get rid of restrictive practices of the past, a new transparent practice must take root in practices and institutions, if Namibia is to consider itself serious as an open-minded and transparent democracy.

The long lasting government ban on *The Namibian*:

Another issue raised by Hofmann is the continued government ban on *The Namibian*, which forbids all government institutions from buying *The Namibian*, instituted allegedly due the newspaper's occasional critical reporting on government. This was later followed by a ban on government advertisement in the newspaper, giving such tenders and advertisements only to state owned publications. Hofmann argues that it constitutes discrimination, made more disturbing by the fact that taxpayers finance the ministries responsible for such practices. He suggests that in the future such matters should/could be discussed by the various media stakeholders in a common forum. Ideally it could/should be addressed and discussed by the Namibian Editors Forum, which should be an ideal forum and/or body to complain to and raise other important issues related to the media. According to Hofmann, the problem is that till now draconian measures (the ban of *The Namibian* not considered) have been put in place that requires the creation of a media self-regulator.

The need for a proper media regulator/media council:

The initial attempt to establish a media council just after independence failed to prove itself economically and operationally sustainable, probably due to lack of interest and involvement by the different media houses. Hofmann stated that the

⁸ The input for this chapter was mainly gathered from interviews with Mr. E. Hofmann from the *Editors Forum* and Mrs. R. Selle from the Ministry of Information and Broadcasting.

Namibian Editors Forum was about to get itself properly established as a formal body. However, to be sustainable in the future will require economic support from strong donors or support from the various media establishments over a continuous period so that the regulatory establishment does not fade away shortly after its inception. He furthermore emphasized the need for true commitment from all the various media houses in the country (through memberships), so that the Namibian Editors Forum / Media Council can be recognised as a body and/or forum speaking on behalf of both private, community and state owned media houses.

The questions around the Namibian Editors Forum/Media Council are: Which functions and duties shall the Editors Forum perform? Shall it serve as a platform for discussions only? Or shall it be a public (but not legally binding) regulator of media content? Should it serve also as a policy commentator, opinion maker or something completely different? As the body is still in its initiating and establishing phase, many challenges and decisions await to be addressed in future.

The lack of print media regulation:

In addition to this, Rianne Selle, Director of Print Media in the Ministry of Information and Broadcasting emphasised the sad but true scenario that till now *no* legal achievements have since 1990 taken place when it comes to a legal framework applying to the print media in Namibia. She said that just about any person can set up a newspaper or magazine without *any* prior experience, knowledge or long lasting insurance of economic sustainability. In line with Hofmann's comments, she added that without regulation and control of quality of print media, Namibia may be blessed with an extremely diverse and dynamic print media environment, but unfortunately it will in the long run be at the expense of quality and sustainability.

She furthermore added that currently the print media operate completely independent and without a common established body around which to rally. Unfortunately, Selle said there was no planning of such an arrangement (from the Ministry's side that is) in the near future either, but added that the various media establishments were looking into independent options like the Namibian Editors Forum to form such a platform (which could eventually become a regulator over time).

2.5 Legislation on the broadcasting media

Introduction

As radio is amongst the oldest media in Namibia, the legislation related to broadcasting dates all the way back to the time of the German occupation, though laws on radio from this era have since been repealed and replaced by more modern ones. This said, sections of the *Radio Act*, dating all the way back to 1952, are still in force, though the passing of the *Namibian Broadcasting Act of 1991* repealed the majority of it. Furthermore, it repealed the whole *Broadcasting Act of 1974*, which provided for the then *South African Broadcasting Corporation* to broadcast in Namibia. The legislation still affecting the broadcasting environment in Namibia is mainly the *Namibian Broadcasting Act of 1991* and the *Namibian Communications Commission Act of 1991* (the latter is discussed in chapter 2.3).

2.5.1 Acts and policies formulated prior to 1990

2.5.1.1 Radio Act of 1952 (Act 3 of 1952)

This Act, which was formulated by the South African administration, provides for the consolidation and amendment of laws relating to the control of radio activities in the Republic (including Namibia – then South West Africa) as well as matters incidental thereto. It is an important document, as it provides the license to the public/national broadcaster.

Appointment Procedures:

The Minister appoints a board to be known as the *Radio Advisory Board* to advise a Commission on matters relating to the control of radio activities within the Republic. The board consists of members that are solely appointed by the Minister.

Procedures & operation of Act:

Of major importance to the independence of radio, the Act empowers the Minister to impose regulations relating to almost all aspects of this Act. Most importantly, the Minister is empowered to regulate;

- a. *The licenses, certificates of proficiency, which are issued for the use of stations for, specified purposes, they may be issued for the maintenance of station;*
- b. *The fees payable for any licence, certificate or authority;*
- c. *The Commission may conduct examinations to determine the proficiency of any person to use a station for any purpose.*

Furthermore the Act provides for issuing licenses and certificates – most importantly the Commissioner is to-

1. Issue to any person approved by him a license conferring such person the right to use a station for any purpose...
2. Issue to any person a radio dealer's registration certificate conferring upon such person the right to follow a trade or carry on business in a shop store or any other place whereby radio apparatus is bought, sold, leased or exchanged or is offered or displayed for sale, lease or exchange or is repaired (...)
3. Issue a certificate of proficiency to any person who passes the examinations or who qualifies under the regulations to use a station for any purpose (...)

Restrictions/limitations:

The Act reads that no person shall transmit by radio any sound, image, sign or signal for doing of which a license, certificate or authority is required, unless he is in possession of the appropriate license, certificate or authority as required for the transmission undertaken by him. It also reads that no person shall have in his possession any radio apparatus unless he is in possession of a permit or of the appropriate license required or of a radio dealer's registration certificate. Lastly, no person shall sell, give or in any manner whatever supply any radio transmitting set to any other person unless he is the holder of a radio dealer's certificate or unless he is in possession of a permit issued by the Commission.

If the Commissioner is satisfied that radio apparatus other than a sound radio set or a television set found in any person's possession is in the possession of such person in contravention of the provisions of this Act, he may seize and detain such radio apparatus. Any person who is aggrieved as a result of such seizure shall have the right to appeal to the Minister against any such seizure and the Minister may either confirm the seizure or order that the apparatus that has been seized be returned to the person concerned.

Economic matters:

The fees, if any, payable to the Commission in respect of any license, certificate or authority referred to in section 7 shall be prescribed by the following regulation. The Commission may from time to time levy on the licensee an annual fee over and above the prescribed license fees which fee shall be based upon the average amount which according to the Commission's estimate would have paid for normal telecommunications services if the licensee had made use of such services. All moneys collected under this Act shall be paid into the state revenue fund.

MISA Namibia's comments:

Independent Regulation:

The Act establishes a national government controlled of radio. The national radio is to be managed and controlled by a board appointed by the Minister responsible for broadcasting activities, thus the radio can not be regarded as free and independent. It also empowers the Minister to prescribe terms and conditions on which services are provided. As government controls its activities, the radio cannot be viewed as being independent.

Media ownership & Diversity:

The Act does not provide for media diversity or pluralism. The radio service is fully owned and controlled by the state. Any money collected is to be paid into state coffers.

Content & Diversity:

This Act does not mention anything about the content and languages or services. The Act empowers the Minister to determine terms and conditions on which services are provided, including the content. In general, the main language then was Afrikaans, followed by English as the second language.

2.5.2 Acts and policies formulated after 1990

2.5.2.1 Namibian Broadcasting Act of 1991 (Act 9 of 1991)

This Act provides for the establishment of a national broadcasting corporation for Namibia and includes its objectives, powers, duties and functions and provides for all matters incidental hereto. As independence came in 1990, the idea was to ensure that the Namibian people would have a free and independent public broadcaster, contrary to the old South Africa regulated SWABC (South West Africa Broadcasting Corporation). The main legal challenge was therefore to ensure that the philosophy behind the new Namibian Broadcasting Corporation was to adhere to the principles and values stated in the Constitution, drafted shortly before this Act. Before mentioning any of its objectives, the Act defines broadcasting as:

'Broadcasting service' means a telecommunications service of transmissions carried out in Namibia consisting of sounds, images, signs or signals which takes place by means of radio or of cables or wires, and to acquire or erect within or (...)outside Namibia broadcasting stations and any installations and facilities in connection therewith and acquire any equipment therefore or rights in connection therewith.

Main objectives:

The objectives of the NBC are to carry on a broadcasting service in order to-

- *Inform and entertain the public of Namibia*
- *To contribute to the education and unity of the nation and peace in Namibia*
- *To provide and disseminate information relevant to the socio-economic development of Namibia*
- *To promote the use and understanding of the English language*

Appointment procedures and independence of the NBC:

The Minister responsible for broadcasting services shall appoint three to five members which together will constitute the board of the *Namibian Broadcasting Corporation*. Among them the Minister is to designate one of the members as chairperson of the board. The board shall between themselves later appoint a Director-General as chief executive officer of the corporation. It furthermore reads that the board shall consist of persons having knowledge of, or experience in administration, management, public affairs, socio-economic issues or the communication field, but shall not be a person;

- (a) *Who is not a Namibian citizen*
- (b) *Who is a member of the National Assembly*

Procedures & operation of Act:

Apart from the overall objectives, the Act provides for the corporation to enter into agreements with various government bodies to provide information or news on particular issues, if approved by the Minister responsible. The Act furthermore provides the Minister with the powers to influence and/or regulate various subjects and conditions, such the content of programmes, the company duties, and the protection of privacy of the individual if deemed necessary.

Licenses restrictions:

The Act also contains a number of other restrictions, such as no person shall use any television set for the reception of any broadcasting service, unless he/she is in possession of a license or entitled to use a television set by virtue of an exemption granted under any regulation. Moreover, no owner or manager of any business or institution shall in connection with that business or institution use or grant permission to any other person to use any television set for the reception of any broadcast. In addition, no radio dealer shall sell or in any manner supply any television set to any person or effect any repair to any television set for any person unless that person is in terms of this section entitled to possess or to use that television.

Ownership:

The Namibian Broadcasting Corporation is fully owned by the state and the Corporation shall maintain a general fund into which shall be paid all appropriate moneys received by the Corporation. The Act furthermore reads that section 16 (2) shall not apply in relation to any person who manufactures television sets as a business or who acts in the execution of use of any television set manufactured to receive for the purpose of testing such television set in or on the premises where it is manufactured or on any other premises approved by the Corporation anything broadcast in a broadcasting service.

MISA Namibia's comments:

Independent Regulation & Independent Media:

As the Act does not provide the national broadcaster with editorial independence, it makes the corporation vulnerable to manipulation and abuse by the government for political reasons. The involvement of a government Minister in the appointment of the chairperson of the board as well as to influence programme content and other broadcasting activities, seriously compromises the independence of the broadcaster.

Ownership & Diversity:

The public broadcaster is fully owned and funded by the state and the Act solely provides for this establishment, thus no ownership diversity is at stake. In terms of section 5 of the Act the *Namibian Broadcasting Corporation* is managed and controlled by a board appointed by the Minister responsible for broadcasting and information, leaving the issues of ownership and independence highly questionable.

Content & Diversity:

The corporation carries on broadcasting services in order to inform and entertain the public of Namibia, as well as contributing to the education, socio-economic development and to promote the use and understanding of the English language. As the Act states that it should predominantly promote the English language, speculation could also arise whether language diversity is being overlooked. Currently the national broadcaster attempts to reach the whole of Namibia, through numerous language services catering for all major language groups of the country. In terms of legal provisions, the Act does not ensure that a certain percentage of rural/regional news/information produced in the Corporation be presented alongside 'urban' news/information to ensure balanced content diversity.

Freedom of Expression & Access to Information:

Since the national broadcaster is fully state-owned, with a board appointed by the Minister, freedom of expression could be threatened. As the board of the *Namibian Broadcasting Corporation* reports directly to the Minister of Information and Broadcasting, it is doubtful it will allow the Corporation to broadcast programmes that are against the government or ruling party, thus possibly encouraging self censorship by the employees at the NBC.

2.5.3 Conclusions and future challenges for the broadcasting media

2.5.3.1 MISA Namibia's concluding comments

The above investigated Acts define the legal framework that governs national/public broadcasting in Namibia. With the liberalisation of the airwaves through the *Namibian Communications Commission Act of 1991*, a host of independent radio stations were created. These range from commercial and religious to community and rural radio stations which altogether have broken the monopoly held by the state-owned Namibian Broadcasting Corporation and its predecessor the South West Africa Broadcasting Corporation. Despite this positive step, the above investigated Acts are still in force and provide the national/public broadcaster with specific powers, duties, privileges and objectives different to the ones of the private and community owned broadcasters in Namibia. This said, a number of important issues to be addressed are mentioned below.

Independent Regulation & Independent Media:

As already mentioned, according to the *Namibian Broadcasting Act*, the Minister not only appoints the members of the board, but is also to designate one of the members as chairperson of the board. As the government owns the national broadcaster, and so regulates it, this could at times create conflict between what should be aired and the government's actual wishes. This refers to the fact that the Minister is provided with the powers to influence and/or regulate issues related to programme content, broadcasting procedures etc. In all, regulations safeguarding fair competition and guaranteed commitment to editorial independence need still to be put in place.

Furthermore, one may wonder why the national broadcaster continues to be licensed – and legally provided for – by the *Radio Act of 1952*, when all other broadcasters are licensed and regulated through the *Namibian Communications Commission*.

Ownership Diversity & Content Diversity:

As read in the Acts investigated in this chapter, no ownership diversity is provided for, leaving the ownership of the national broadcasting solely to the state. In terms of content diversity, social and national responsibility could be ensured by imposing a quota of local content on broadcasting programming, but the Act does not explain how much local content needs to be included. In terms of language, the last of the Acts encourages the implementation and use of the English language, thus possibly neglecting the numerous indigenous languages, though the various NBC language services seek to overcome this issue.

Freedom of Expression & Access to Information:

As the level of freedom of expression seems to very much correlate with the level of independent regulation and the independence of the media house, it should be noted that the national broadcaster is fully state-owned, with a board appointed by the Minister, so freedom of expression could easily be threatened.

2.5.3.2 Future challenges related to legislation applying to the broadcasting media

– *Input from the Namibian Broadcasting Corporation (NBC) & the Namibian Communications Commission*⁹

Contradictory legal framework:

As mentioned in the conclusion in the chapter 2.3 on media in general, the Deputy Director of the NCC, Jan Kruger pointed out the contradictory legal framework related to broadcasting in Namibia. Of greatest interest is the fact that the Namibian Broadcasting Corporation, contrary to all other broadcasters in Namibia is not regulated or licensed by the NCC. The DG of the Namibian Broadcasting Corporation Bob Kandetu said the reason for this is that the NBC was already established in 1991, by the *Namibian Broadcasting Corporation Act of 1991*, at a time when the NCC had not yet been thought of. While this may be true, the NCC has been operational for more than 15 years now, and the reason for such arrangement is therefore probably not to be found in the fact that the NBC was established prior to the NCC. Kruger stated that some political issues must be at stake since no proper comprehensive solution has been passed or accepted up to the present. When faced with this, Kandetu argued that Kruger should know why the NBC is not being regulated by the NCC, accusing the NCC of having a particular interest in this arrangement. Either way, Kruger concluded that as long as the NBC was not subject to the regulations or guidelines imposed on all other broadcasters, set by the NCC, the NCC's functions and authority as a national regulator will remain challenged.

The need for the long awaited *Communications Bill*:

⁹ The input for this chapter was mainly gathered from interviews with Mr. B. Kandetu from the Namibian Broadcasting Corporation (NBC) and Mr. J. Kruger from the *Namibian Communication Commission* (NCC).

Furthermore, both Kandetu and Kruger mentioned the need to repeal and revise a number of Acts (or sections of these) as a number of legal provisions are still in place which should have been repealed a long time ago. Kruger hoped this would change when the passing of the *Communications Authority Bill*. Unfortunately the Bill has been in process for several years. Both Kandetu and Kruger expressed concern over the processing of the *Communications Authority Bill*. While a recent Cabinet decision (April 2007) stated that the *Communications Authority Bill* was to be passed within the next three months, both Kandetu and Kruger doubted this would happen within the time frame specified.

The digital challenge:

A part from these challenges, Kandetu and Kruger both mentioned the need to address the digital era of media, as most media in Namibia (broadcasting included) will have to meet international standards and procedures when transmitting and broadcasting in the future. Kandetu mentioned that the soccer World Cup in South Africa in 2010 will be the first real digital challenge, as the organisers of the World Cup have demanded international transmissions to be purely digital.

Kruger concluded that the a digital revolution will have a huge impact on especially radio broadcasting in Namibia, as digital broadcasting will open up the airwaves in Namibia and give room to more private and community broadcasters. At present the NCC refuses to issue any more licenses, as all frequencies are occupied or reserved for current stations to go stereo.

2.6 Legislation on the telecommunications industry

Introduction

The legal framework for telecommunications has been challenged dramatically over the last decades as new telecommunications forms have emerged. During the period of the South African occupation, the management of the telecommunications sector fell under the South African administration. Initially the telecommunications industry was subject to provisions and clauses of the *Radio Act of 1952* and also the *Post Office Service Act of 1958*. Following the passing of the *Broadcasting Act of 1976*, telecommunications also became subject to selected clauses of this Act. The old department of post and telecommunications remained based in the Ministry of Works, Transport and Communication up till 1992 when the department was transformed into a public company and obtained the status of a para-statal. As the telecommunications industry in Namibian is amongst the fastest expanding, the legal provisions for such have been eagerly debated, altered and challenged over the last couple of years. Following independence the most important laws passed related directly to telecommunications are the *Post and Telecommunication Companies Establishment Act of 1992*, the *Post and Telecommunications Act of 1992* as well as the *Telecommunications Policy and Regulatory Framework for Namibia of 1999*. Due to time constraints, the mentioned policy has not been included in the study. The telecommunications sector is also subject to various clauses and provisions included in the cross-media *Namibian Communications Commission Act of 1992*, but this is discussed separately in chapter 2.3.

2.6.1 Acts and policies formulated after 1990

2.6.1.1 Post and Telecommunications Companies Establishment Act of 1992 (Act 17 of 1992)

The Post and Telecommunications Companies Establishment Act follows some of the outlines and objectives presented in the *Namibian Communication Commission Act* (though without being legally subject to its provisions), as it deals mainly with the incorporation of the state-owned post and telecommunications services.

Main purpose of Act:

The Act provides for the establishment and incorporation of a postal company, a telecommunications company and a holding company. It furthermore provides for the transfer of Namibia's postal and telecommunications enterprises to postal and telecommunications companies, as well the transfer of conditions and services related to the persons transferred. Lastly, the Act provides for the control of the Post Office Savings Bank.

The successor companies and their functions:

The Act reads that the following three corporate bodies have been established, namely –

- (a) a postal company to conduct a postal service and the supplementary services, and which shall be known as *Namibia Post Limited*;
- (b) a telecommunications company to conduct a telecommunications service, and which shall be known as *Telecom Namibia Limited*; and
- (c) a holding company which shall hold the shares in the postal company and the telecommunications company, and which shall be known as *Namibia Post and Telecom Holdings Limited*

The mentioned companies are to enter into performance contracts with the Ministry of Works, Transport and

Communications to perform specific functions. The Act furthermore reads that the companies shall exercise their power with a view to enhance corporate profit and shareholder gain. Any shareholder gain achieved in the holding company shall be paid into the State Revenue Fund.

Restrictions:

The Act restricts the companies from doing any financial alterations, regarding shareholders, objectives and procedures without the direct approval of the Minister. And with regards the holdings company, no person except the state shall, whether directly or indirectly, hold any shares in the company.

Transferring the enterprises to successor companies:

The Act provides for the transfer of postal enterprise and telecommunications enterprise to successor companies, and provides these with the framework to establish subsidiary companies if necessary. It furthermore states in details how the new establishments and their legal and economic framework are provided for, as well as addresses staff transfer to the new companies.

MISA Namibia's comments:

Independent Regulation & Independent media (the successor companies):

As the state owns all shares in Namibia Post and Telecom Holdings, the state of independence of these companies seems obvious. Adding to this, the Act does contain the appointment procedures of the Postmaster General and the directors of the board and therefore independence remains limited. Lastly, as the companies are to enter into performance contracts with the Minister of Work, Transport and Communication, independent regulation is hardly possible.

Ownership, Content & Diversity:

As this Act solely provides for the establishment of Namibia Post Limited, Telecom Namibia Limited and the holding company, Namibia Post and Telecom Holdings Limited, nothing can really be commented on in terms of diversity. As the companies are not programme service providers as some of the other media companies, the issue of content is not of relevant.

2.6.1.2 Post and Telecommunications Act of 1992 (Act 19 of 1992)

The *Post and Telecommunications Act* follows some of the objectives presented in the *Post and Telecommunication Companies Establishment Act of 1992* and relates and refers to the *Namibian Communications Commission Act of 1992*, albeit without being subject to clauses mentioned in the latter.

Main purpose of Act:

This Act provides for the regulation of and exercise of control over the conduct of postal and telecommunications services in Namibia. It establishes certain powers, duties and functions of Namibia Post Limited and Telecom Namibia Limited.

General Restrictions on licensing post and telecommunication businesses:

The Act reads that no other person or company but the postal company is allowed to conduct postal services, except where a license has been granted (as mentioned in the *Namibian Communications Commission Act of 1992*), and the same conditions apply to telecommunications, as no other person or company but the telecommunications company shall conduct telecommunications services, unless a license has been granted by the Namibian Communication Commission. It states that any such license may be subject to restrictions and conditions imposed by the Commission.

Postal Services – including money transfers:

The Act sets out a number of practicalities and procedures to be followed when posting letters and packages, such as stamps, sizes, delivery procedures etc. The Act addresses the normal postal system as well as money transfers and services related to the Post Office Savings Bank. It incorporates a number of fines and actions to be taken by the postal service if the procedures mentioned in this act are not followed.

Restrictions:

The Act does provide for the postal company to detain or delay any letter, circular, advertisement or the like, if the postal company suspects the sender of conducting a lottery, sports pool or any other indecent or blasphemous business. The Act allows the postal company to refuse to issue or pay any money order related to such businesses. The postal services are furthermore allowed to detain any postal article or telegram which is reasonably suspected of containing anything which has the immediate objective of public offence.

Telecommunication Services:

The Act sets out a number of practicalities and procedures related to the telecommunications company. It includes fees, rates and rentals payable in respect of the services. It furthermore provides for the company to construct (and remove) lines across the country as well as in business compounds and private buildings if their facilities do not meet the requirements of the telecommunications company. The Act also incorporates a large number of fines, fees and (legal)

actions to be enacted if the procedures mentioned in this Act are not followed as prescribed.

Restrictions:

The Act prohibits any person from using telecommunications lines for the purpose of transmitting telephonic communication to the public, unless this has been specially provided for by the telecommunications company. If such service is provided for, the telecommunications company is authorised to inspect any such offices/locations.

MISA Namibia's Comments:

Independent Regulation & Independent Media:

The regulation of telecommunications can hardly be seen as independent, as this Act provides for and stipulates the regulation and control over these companies. However, the conditions and working regulations mentioned in this Act are not necessarily in line with the specific conditions and terms which the Namibian Communications Commission usually prescribes when they issue the licenses to postal and telecommunications service providers. According to the Act, the national/public telecommunications provider is directly 'licensed' and has its conditions set in this Act, contrary to all other private telecommunications service providers in the country, which are to be licensed and have their conditions prescribed by the Namibian Communications Commission.

Ownership & Diversity:

The Act prohibits any other postal and telecommunications service providers to conduct their business, unless a specific license has been issued separately by the Namibian Communications Commission. In terms of ownership and diversity, there may be another conflict of interest, as it is the Minister of Information and Broadcasting who appoints the members of the Namibian Communications Commission that grants licenses to private postal and telecommunications service providers. The challenge includes the fact that any future telecommunications or postal services may challenge the state-owned media businesses, opening once again the debate around independent regulation and fair/unfair competition.

Freedom of Expression & Access to information:

The only restriction that deserves attention concerning freedom of expression is that the Act states that the postal service is allowed to retain any articles, packages, circulations or the like if the postal service deems these articles to be either of blasphemous or indecent character. The Act furthermore prohibits any use of the telecommunications lines for the purpose of transmitting telephonic communication to the public, unless a license has been granted for this purpose.

2.6.2 Conclusion and future challenges for the telecommunications industry

2.6.2.1 MISA Namibia's concluding comments

In general, a lot has happened since independence, but most disturbingly the state-owned postal and telecommunications companies remain the largest and most powerful establishments in the telecommunications sector. Even though smaller players are joining the market, a legal framework to ensure a healthy, pluralistic and competitive telecommunications environment has still to be drawn up and implemented. In the following, the most important observations and issues are presented and discussed.

Independent Regulation & Independent Media:

A lot is still to be said in terms of the lack of independent regulation when it comes to private postal and telecommunications companies. None of the mentioned Acts or policies directly encourages new private companies to join the market, leaving the state-owned postal and telecommunications companies with a hold over the market. It should be noted, that *The Telecommunications Policy and Regulatory Framework* of 1999 (and 2004) - which are not included in this study, do mention and emphasise the importance of creating a greater diverse and competitive telecommunications market.

Ownership & Diversity:

The issue of ownership diversity provided for in the investigated Acts and Policies, remains unclear as the Acts passed are mostly related to the state owned companies within the postal and telecommunications sectors, thus not directly encouraging a more diverse and pluralist telecommunications landscape. As mentioned, the Namibian Communications Commission, which issues licenses for private establishments, falls under the Ministry of Information and Broadcasting, contrary to the para-statal postal and telecommunications (companies) which fall under the Ministry of Works, Transport and Communication, leaving the ground open for possible conflicting interests between Ministries. It should be added that the issue of ownership diversity is closely linked to the one of independent regulation (or the lack thereof), as the Namibian Communications Commission, which issues the licenses to private (and competing) postal and telecommunications service providers, continues to have its members elected by the Minister of Information and Broadcasting. Of great importance is that the issuing of licenses to new postal or telecommunications service providers inevitably will challenge the already existing state-owned companies within the telecommunications sector, testing the impartiality and independence of the Commission.

2.6.2.2 Future challenges related legislation applying to the telecommunications industry

- *Input from Telecom Namibia, the Namibian Communication Commission (NCC) and The Ministry of Information and Broadcasting*¹⁰

As the telecommunication industry is undergoing numerous changes and developing at a rapid pace, numerous stakeholders have been consulted for inputs on the challenges faced. Stanley Shanapinda, Acting Head of Legal Services at Telecom Namibia stated that initially Telecom Namibia was the only telecommunications provider allowed to operate in the country. Referring to the *Post and Telecommunications Companies Establishment Act of 1992*, the legal framework did emphasise that others are welcome to enter the market but have to be licensed (contrary to Telecom Namibia which was directly licensed through the Act).

Even though the *Post and Telecommunications Act of 1992* provides for other companies to enter the market (after obtaining a license), this provision has never been challenged or implemented. The next step to open the market was the *NCC Amendment Act of 1995*, which empowered the *Namibian Communications Commission* to issue licenses to other telecommunication service providers, albeit without providing for exact procedures, criteria or other issues to be considered.

The long awaited liberalisation of the telecommunications industry:

Shanapinda stated that in the late 1990s the World Trade Organisation (WTO) urged all member states to ensure the opening up / liberalisation of their internal markets (including telecommunications) before 2004. As Namibia signed the WTO agreement, it led to the drafting of the *Policy and Regulatory Framework of Telecommunications of 1999* which calls for the Namibian telecommunication market to open up fully by 2004. Unfortunately, the policy remained a policy and was not put into an Act form prior to 2004. While it was processed to a draft bill on telecommunications, this process later came to include numerous other media sectors eventually to be named the draft *Communications Authority Bill*. While this cross-media framework is comprehensive and long-sighted, this has also led to numerous halts in the process – which are among the reasons the Bill has been in process for more than seven years now.

Neither Stanley Shanapinda nor Jan Kruger of the NCC had a clear answer to this, but they both argued that various stakeholders could have incited deliberate attempts to stall the process in order to secure their own economic interests. Another issue mentioned was that the Bill could have become a political issue involving internal political divergence. While the Bill, which was to put forth precise and binding regulations for telecommunication liberalisation, didn't materialise in 2004, the *Namibia Communications Commission Act of 1992* was instead amended in 2004 (Act no. 4 of 2004) to allow the NCC to prescribe procedures and criteria for issuing licenses to other telecommunications service providers.

In this respect, another important issue is the one of the Namibian Communication Commission (NCC) failing to meet its immediate target to be a fully recognised and fully operational regulator of the telecommunication industry. The problem remains the same as the one the NCC faces regarding broadcasting regulation - as NCC is still not able to regulate or prescribe conditions to the para-statal Telecom Namibia, which until recently has held the de-facto monopoly on telecommunications in the country. In August 2006, however, the NCC issued the second license to the second mobile communication operator *Cell One*, finally breaking the mobile telecommunication monopoly held by MTC (owned by Namibia Post and Telecom Holdings).

While the opening up or liberalising of the market (fixed-line and mobile telecommunications) usually involves the imposing of certain restrictions and regulations on the previous 'monopoly' institution, the NCC is at this point not able to do so, as the regulation of Telecom Namibia falls outside the mandate of the Namibian Communications Commission. For such proper and legally binding regulations, the telecommunications sector will have to await the new framework and guidelines prescribed in the *Communications Authority Bill* which hopefully is to be passed later this year (2007).

Conforming to the SADC Protocols:

As with a number of the other media sectors, the present legal framework for telecommunications in Namibia falls very short in terms of conforming to the *SADC Protocol on Culture, Information and Sport* and the related *SADC Protocol on Transport, Communication and Meteorology*. In this regard, Shanapinda argued that this will be among the greatest legal challenges for the Ministry of Works, Transport and Communication as well as the telecommunication sector itself in the near and distant future.

Among the crucial issues of compliance, according to Shanapinda, was the fact that the Namibian Communications Commission (NCC) remains tied to government, contradicting the SADC Protocol which encourages independent media/communication regulators. Shanapinda argued that a completely independent and legally competent regulator is a prerequisite for a nurturing and growing the telecommunications industry in Namibia, a scenario he believes is not present in Namibia today.

¹⁰ The input for this chapter was mainly gathered from interviews with, Mr. S. Shinapinda (*Telecom Namibia Ltd.*), Mr. J. Kruger (the *Namibian Communication Commission*) and Mrs. W. Deetlefs from the Ministry of Information and Broadcasting.

He argued that the NCC presently relies heavily on government funds and that “small thing” like NCC personnel driving GRN cars (Government) and that the NCC logo still incorporates the government seal adds to speculation around the independence of the Commission. In addition to this, he mentioned that the board of the Commission is still fully appointed by the Ministry of Information and Broadcasting.

Jan Kruger of the Namibia Communication Commission (NCC) argued the opposite, claiming the NCC to be fully independent – not subject to economic or political interference, which Kruger on the other hand accused the para-statals (NBC and Telecom Namibia Limited) to suffer from.

The issue of uncertainty and the *Communications Authority Bill*:

The greatest challenge of all is without question the present uncertainty related to media regulation in the country. The uncertainty is due to the long awaited *Communications Authority Bill* which is to be passed later this year – having been in the process for more than seven years. While it does appear to be in its final phase, the long delay, according to Wilma Deetlefs, Jan Kruger and Stanley Shanapinda, has led to Namibia missing out on substantial development opportunities within the media sectors as technological development tends not to wait for the legal and regulatory framework to materialise.

Another issue of concern, according to Shanapinda, from Telecom Namibia, is that the draft *Communications Authority Bill*, which is being processed in its present form, will restrict Telecom Namibia from various sectors, services and activities rather than nurturing future growth in Namibia. It furthermore continues to fail to take into account the fact that the telecommunications sector is moving extremely fast. The Bill in its present form fails to provide a neutral legal framework (especially regarding licenses) that provides for such changes to occur. Shanapinda hopes such issues are being taken care of while there is still time and a chance to alter the Bill before it is passed.

Kruger on the other hand discourages this, as this will delay the Bill yet again, eventually leaving the regulators (the NCC) temporarily without power and the operators in absolute uncertainty. Instead, Kruger argues that legal regulations and amendments will be a lot easier to manage and operate, as policies, regulations and amendments are much easier to process and modify if found wanting.

2.7 Legislation on the film & video media

Introduction

As the film business is a somewhat new player on the Namibian media market, legal provisions for it are also new. Previously, film production was subject to the *Publications Act* as well as a others, although the *Namibian Film Commission Act* does not make clear whether it repeals the *Publications Act of 1974* or whether the film industry continues to be subject to the conditions prescribed in the *Indecent and Obscene Photographic Matter Act of 1967*. Following independence, issues related to film were regulated by the Ministry of Information and Broadcasting, in the Directorate of Print Media, as well as in the Directorate of Audiovisual Media and Copyright Services. Following an increased focus on the film industry, the first Act directly applying to film and video production in Namibia, the *Namibian Film Commission Act* was passed in 2000 to ensure and encourage the future development of a local film industry.

2.7.1 Acts and policies formulated after 1990

2.7.1.1 Namibian Film Commission Act of 2000 (Act 6 of 2000)

The *Namibian Film Commission Act* was passed in 2000 and provides for the establishment of the Namibian Film Commission as well as its objectives, powers, duties and functions. It furthermore provides for the establishment of the Film and Video Development Fund, as well as serves to regulate and authorise activities relating to film production and the development and promotion of a film industry in Namibia.

Appointment procedures:

The five members of the Commission are appointed by the Minister and –

- (a) one shall be a staff member in the Ministry;
- (b) one shall be a person nominated by the Minister of Home Affairs;
- (c) one shall be a person nominated by the Minister of Environment and Tourism
- (d) two shall be persons nominated by a body recognised by the Minister as representing film producers.

If no submission has been done by any independent body (as noted in section (d)), the Minister can appoint two alternate members found suitable by the Minister. This means that the majority of the members are either staff members of the Ministry, or appointed by the above mentioned Ministries. The appointment of members is only restricted to not include

members of parliament. The Minister is furthermore to designate a staff member in the Ministry as the secretary of the Commission, who is to handle the administrative issues. The Act furthermore provides for the Commission to make use of staff members of the Ministry whenever needed.

It should be noted that the Minister may remove any member from his or her office, if the Minister finds that any member is either physically or mentally incapable of acting as a member, or if they are guilty of participating in certain meetings and discussions where they may have economic or political interests.

Main functions and duties of the Commission:

The main function of the Commission is to support, encourage and promote the development of film production, the film industry and film marketing in Namibia, by –

- (a) promoting Namibia as a location for film production on the international market
- (b) attracting film producers and facilitating their initiatives to carry out film production in Namibia
- (c) encouraging film producers to employ or make use of Namibian personnel and facilities for film production; and
- (d) establishing relationships with any local or international person who may contribute to the development and promotion of the film industry in Namibia.

Among the Commission's responsibilities is to administer the Film and Video Development Fund and grant authorisation and assistance to any international film production taking place in Namibia, with regard to transport, visas, work permits, legislation, customs procedures etc.

Film and Video Development Fund:

The Act provides for the establishment of the Film and Video Development Fund, which shall be credited with-

- (a) Moneys appropriated by Parliament for purposes of the Fund and paid for the benefit of the Fund.
- (b) Moneys accruing to the Fund from any other source, including donations or grants (...)
- (c) Prescribed fees received by the Commission for granting, renewing or transferring any authorisation (...)
- (d) Moneys, received by means of, or in respect of the repayment of any loan granted from the Fund
- (e) Interest derived from the investment of moneys standing to the credit of the Fund.

The money available in the Fund shall be utilised to –

- (a) Establish a film industry in Namibia;
- (b) To financially assist Namibian film producers; and
- (c) To develop, produce and distribute Namibian film, video and television production projects.

The Fund creates a great opportunity to develop and encourage film producers, companies, individuals and other people engaged in the film industry to establish new and/or develop and expand already existing film production companies.

Management of the Fund:

In general, the Commission controls and manages the Fund in accordance with an estimate of revenue approved by the Minister. The secretary shall be the accounting officer and the Commission may with the approval of the Minister invest any moneys standing available not to be used immediately. Apart from the already stated, the Fund may provide financial assistance to facilitate training courses and training facilities in respect of film, video or television production and cover various expenses participants and tutors may incur during the training.

Authorisation to produce films:

The Act provides the legal framework, which prohibits any foreign individuals or professional film companies, to conduct film productions in Namibia, unless a specific written authorization has been granted beforehand. All such businesses or individuals must apply to the Commission to obtain such authorisation. Before such authorisation is granted the Commission has to determine whether the application meets the interests of the Namibian film industry, without stating or specifying what this actually implies, leaving this to the interpretation of the members of the Commission. It also states that an application shall not be refused only on the basis of the content of the particular film, unless the content is in violation of the Namibian Constitution or any other law passed.

Limitations and restrictions:

The Commission may withdraw an authorisation granted if it is ascertained that the holder thereof has failed to comply with any of the terms or conditions mentioned in their authorisation papers. The Act states that it provides for a limitation of a fundamental freedom contained in Article 21 of the Namibian Constitution, by authorising a limitation upon a person's right to carry on any occupation, trade or business, but states that sub-article (2) of Article 21 provides for such limitation.

Regulations:

What is of great interest is that the Act provides for the Minister, after consulting with the Commission, to make

regulations in relation to–

- (a) *The terms and conditions subject to which authorisation may be issued, renewed or transferred:*
- (b) *The fees payable for the application, issue, transfer or renewal of an authorisation*
- (c) *The administration of the Fund.*

This subsection of the Act provides the Minister with somewhat unlimited power as it authorises him/her to regulate all sections and subsections mentioned in this Act if found necessary.

2.7.2 Conclusions and future challenges for the film & video media

2.7.2.1 MISA Namibia’s concluding comments

In general, the film industry is trying hard to make its entry into the media environment, but the lack of an exact legal framework for the industry leaves Namibian film and video production with lots to catch up on. In the ensuing discussion a number of issues have been pointed out in relation to the legal framework provided for the film industry. The following issues and conclusions primarily apply to the above discussed *Namibian Film Commissions Act*, as it is the only legal framework directly affecting film and video production in Namibia.

Independent Regulation & Independent Media:

With regard to the Namibian Film Commission, the Minister is empowered to appoint the members, although the inclusion of members nominated by various ministries and independent bodies could hopefully result in a more diverse and balanced composition of members. This could hopefully create a greater sense of diversity and independence within this regulator and its procedures. What should be noted though is that the above Act explicitly provides the Minister with almost absolute power to regulate and interfere with the procedures of the Commission, if found necessary. Unfortunately the Namibian Film Commission is thereby subject to government interference in its so-called independent practices.

As the Film and Video Development Fund is designated to help develop the (private) Namibian film industry and the Commission set up to regulate it is (co)-financed by the government, speculation arises as to whether the companies and/or individuals who receive money from the Fund are subject to certain conditions or restrictions, though the Act does not mention such arrangements.

Ownership Diversity & Content Diversity:

Unlike the majority of the Acts related to media in Namibia, the *Namibian Film Commission Act of 2000* does not provide for any state-owned or state-regulated media establishment within the film industry, but on the contrary subsidises private companies within the industry, thus helping the private film sector to develop. Despite this positive step, the Act does not contain any procedures that ensure that the money from the Fund is distributed to different types of companies/individuals which could stimulate a more diverse and pluralistic film industry. In other words, the above mentioned Act does not provide any legal framework that will ensure that a certain amount or percentage of the money in the Fund is to be distributed to rural film initiatives, educational and other non-commercial film companies that could complement the (already promising) commercial film industry, but leaves the disbursement procedures entirely in the hands of the members of the Commission.

As was the case of ownership and diversity, there is still no legal framework for the Commission to distribute the money in the Film and Video Development Fund according to certain quotas/percentages. Thus the distribution of the money does not take into the consideration the need for diversifying content, as the discussed Act does not ensure that companies that produce documentary and non-fiction films are subsidised/receive funding on a similar basis as (popular) fiction films and the companies behind these.

Freedom of Expression & Access to Information:

Of minor (but important) relevance to the issue of independent regulation and freedom of expression, the Act states that the Commission may refuse to authorise a foreign film production if it is not in the interest of the Namibian film industry. It states furthermore that such refusal must not be based only on content alone, except if the content is in violation with of fundamental rights enshrined in the Namibian Constitution or any other law. In terms of ‘disturbing’ content, this somewhat airy term does not specify the exact terms on which the Film Commission may refuse to authorise a given film production in Namibia, thereby leaving this possibility of refusal subject to the Commission’s interpretation of violating content, possibly limiting freedom of speech and freedom of the media.

2.7.2.2 Future challenges related to legislation applying to the film & video media

– *Input from the Namibian Film Commission*¹¹

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Yet to be fully operational:

¹¹ The input for this chapter was mainly gathered from interviews with Mr. E. Kanguatjivi from the *Namibian Film Commission*.

According to the Acting Secretary of the Namibian Film Commission, Edwin Kanguatjivi, a number of legal and operational issues should be looked at in addition to those discussed above. Apart from the somewhat dubious appointment procedures of the board, the Acting Secretary points out that full autonomy has yet not been granted to the Commission or its permanent employees. Kanguatjivi emphasised that the Commission, despite being operational for a number of years, still has to appoint a permanent secretary, as all major decisions still have to be cleared by the Ministry of Information and Broadcasting. This is not only slowing development in general, it may also violate the independence of the Namibian Film Commission.

Subject to political and economic interference:

Kanguatjivi stated that the Commission is still subject to political and economic interference and control, as the Commission still relies entirely on government funds to operate. He explains how the supposedly independently regulated Film and Video Development Fund, has been subject to direct political instruction from the Ministry of Information and Broadcasting when the Commission granted money to various film projects, rendering the already drafted disbursement criteria useless.

He hopes this will change as the Commission in the future intends to institute a fee or payment system for services the Commission renders to the growing number of foreign film companies. He believes such an arrangement could contribute to greater economic independence – eventually leading to lesser political interference from its current financier, the Ministry of Information and Broadcasting.

Kanguatjivi said the Commission has not yet fully met the legislated standards and operations and he sees this as an overall indicator of the challenges the Namibian film industry is facing.

2.8 Conclusions and future challenges for the Namibian media

2.8.1 MISA Namibia's concluding comments

The previous chapters have shown that a great many challenges and issues are still to be discussed and overcome within the various media sectors in Namibia. The most important of these are summarised and presented in the ensuing section, focussing mainly on the legal framework guaranteeing independent regulation and independent media, as well as ownership diversity, content diversity and the important issues of freedom of expression and access to information. In addition to these important issues, a number of other areas of interest also arise, such as conflicting interests and procedures between various ministries.

The investigated Acts and policies reveal that a large number of pre-independence Acts remain in force, despite the fact that several have never been put in practice and have been proven unconstitutional in court. In addition to this, an unhealthy tradition of producing imprecise and vague policies and legal formulations seems to have taken root in the drafting of Namibian legislation related to the media.

Independent Regulation & Independent Media:

The Acts and policies applying to the Namibian media investigated in this paper leave much to be desired in terms of independent governance of the various Commissions which regulate, license and manage the various media sectors. In particular, the Namibian Communications Commission and the Namibian Film Commission still have their managing boards either fully or partly appointed by the Minister responsible for these, leaving the otherwise independent procedures and activities extremely vulnerable to government influence. The legal framework presented furthermore empowers the Minister of Information and Broadcasting with wide-ranging power to influence not only the Commissions mentioned, but also the indirect control of the (editorial) practices of the state-owned newspaper New Era and the Namibian Broadcasting Corporation (NBC). New Era and the Namibian Broadcasting Corporation are furthermore subject to have their boards of directors fully appointed and approved by the Ministry of Information and Broadcasting.

Of great importance (and irony), is that this unhealthy practice of letting the Minister concerned appoint the board members of the various state-owned media houses and allowing him/her to interfere in the para-statal's editorial practices, were among the extremely unhealthy practices the South African administration was severely criticised for prior to independence.

Another crucial issue related to regulation of the media in Namibia, is that all the prominent media para-statals continue to be subject to regulations and conditions different from the ones applying to private establishments. This inevitably jeopardises the Namibian Communications Commission's reputation and ability to prescribe standards and conditions on a national level. As the Namibian Communications Commission continues to resort under the Ministry of Information and Broadcasting (to which two of the major media para-statals also are reporting) any licensing of new broadcasters and telecommunications providers is inevitably to challenge the already existing state-owned companies.

This issue is furthermore related to the fact (and problem) that the national regulator – the Namibian Communications Commission is based within the Ministry of Information and Broadcasting - contrary to national/public

telecommunications companies that fall under the Ministry of Works, Transport and Communication - which over time has resulted in various operational and legal disputes between the mentioned ministries.

Ownership & Diversity:

In terms of ownership diversity, great concern and attention should be brought to the fact that the legal framework applying to various media sectors not only allow for, but also encourages state ownership, referring to the need for a pluralistic and diverse media environment. While this may be a good intention, the idea of state owned media establishments does not comply with the principles of the *Windhoek Declaration of 1991*, which highlights the need for independent media free from government and economic control. While various policies and Acts do encourage and emphasise the need for private media establishments and community radio broadcasters, the licensing of such media establishment continues to be in the hands of the Namibian Communications Commission, whose regulatory independence remains uncertain.

With the liberalisation of the airwaves through the *Namibian Communication Commission Act of 1991*, a host of independent radio stations were established. These range from commercial and religious to community and rural radio stations, which altogether have broken the monopoly held by the state owned Namibian Broadcasting Corporation and its predecessor the South West Africa Broadcasting Corporation. While this is a vital step in the process of creating a diverse and competitive media environment, no quotas or percentages which should be followed when issuing licenses to media houses are stated in any of the Acts, missing the chance to completely ensure a more diverse and pluralistic media ownership environment with a variety of private, state and community owned media houses.

This also counts for the *Film and Video Development Fund* which faces similar problems, as the *Namibian Film Commission Act of 2000* does not provide any procedures that ensure that the money from the Fund is disbursed to different types of companies/individuals which could stimulate a more diverse and pluralistic film industry, but leave the disbursement procedures regarding diversity entirely in the hands of the members of the Commission.

Content & Diversity:

No legal provisions have yet been passed which ensure a balanced diversity of content and even though the *Information Policy of 1992* and the *Namibian Broadcasting Act of 1991* emphasise the need for rural, regional and national coverage, no quotas or percentages to be followed are mentioned. As long as no new legal provisions are passed, the matter of content diversity remains in the hands of the managers and editors only. In addition, most media establishments are based in the urban centre of Windhoek, which means that rural coverage is highly likely to be neglected. Furthermore, the matter of content diversity (or lack thereof) also relates to the issue of independent regulation and freedom of expression as certain information/coverage tends to be obscured in some media houses for various reasons as described in below.

In addition to the public broadcaster, the social and national responsibility of ensuring diversity of content (and language) could be ensured if the Namibian Communications Commission also imposed a quota on local content (and local languages) when issuing licenses for commercial or community broadcasters.

As was the case of ownership and diversity, the *Film and Video Development Fund* is not provided with quotas or guidelines that ensure that the process of disbursing money takes into consideration the need for diversity of content produced by the production companies that receives funds. It thereby fails to ensure a much needed diverse production of fiction films, series, documentary films, educational films and other non-fiction films.

Freedom of Expression & Access to Information:

While Freedom of Expression is provided for in the Constitution, this freedom is subject to various restrictions and limitations mentioned in section two (2) as well as in Article 22. In the meantime, the uncertainty of independent regulations and editorial independence (and lack thereof), affecting especially the state-owned media, does put this freedom in jeopardy. The powers vested in the Minister to regulate and control various practices (including content) could over time most possibly instil self-censorship in the state-owned media. While not actually infringing on the legal framework, such practices seriously opposes the Government's objective of creating a healthy media environment.

Furthermore, some of the older acts, such as the one prohibiting the possession and dissemination of indecent material, while rarely enforced, does indeed provide for a climate in which the law could be enforced if deemed necessary.

Even though the legislative means developed since independence has included numerous efforts to develop a healthy media environment, no legal provisions have yet been passed to ensure public access to information. The importance of access to information must not be underestimated, as this is a vital step in the process of democratisation. Such provisions will enhance transparency and possibly greater citizen participation in public affairs. As long as journalists or ordinary citizens find themselves denied access to documents and archives which could be in the interest of the public, much is left to be desired.

2.8.2 Future challenges related to legislation applying to the Namibian media

- *Input from the Ministry of Information and Broadcasting, Namibian Communication Commission, Namibian Broadcasting Corporation, Telecom Namibia Ltd., the Namibian Editors Forum and the Namibian Film Commission*

This section deals with a number of future legal and operational challenges (as presented in the conclusions in the previous chapters). The research - and the input from the various stakeholders - found the following issues of greatest importance for the nurturing of a healthy and sustainable media environment. As they have already been mentioned and discussed in the previous chapters, the most important issues addressed will only be presented in a brief summary in the following.

Transforming NBC into a genuine independent public broadcaster:

Among the most common issues raised in the various interviews was the need to transform the national broadcaster (NBC) into a public independent broadcaster. In line with a number of other para-statals, the Namibian Broadcasting Corporation has shown the tendency of reporting only positively on government, leading to speculation whether NBC is nothing but a mouthpiece of the ruling SWAPO party. It has, furthermore, since 1990 proved it self economically unstable and vulnerable to poor and mismanagement.

The need for a self-regulatory media body:

The first initial attempt to establish a media council which could handle complaints as well as serve as a platform for discussion related to media issues unfortunately fell short of its objectives in the first years after independence. Among the reasons for this failure was a lack of interest and economic support and lack of true commitment from the various media houses then present in Namibia. While the Ministry of Information and Broadcasting encourages the formation of such an institution (without economic support from government though), no serious attempts to get a media council of the ground can be seen. Once again economic issues and lack of commitment seems to be the issues delaying the creation of this body. While private media are eager and quick to criticise shortcomings of the Ministry of Information and Broadcasting, one wonders why the various (private) media houses are not setting their own 'house' in order. Currently, the majority of the Namibian media houses continue to operate extremely independently, without a properly established body to rally around.

The Communications Authority Bill:

Media organisations, media practitioners and public employees in the Ministry of Information and Broadcasting await the passing of the *Communications Authority Bill* with great anticipations. The Bill, which is to compensate for the outdated regulator, the Namibian Communications Commission, should provide definitions, conditions and standards to be complied with by the future regulator, has now been in the drafting process for more than six years. Over this period, it has involved more than 50 consultancies to ensure a transparent and open process, but obviously too many 'players' have been involved and have slowed it down. The question this raises is whether, when eventually passed, the law might not by then be outdated again.

The lack of access to information legislation:

Ministries, official media regulators as well as private media organisations all emphasise the need to draw up a legally binding access to information framework. While such an arrangement is currently being processed, the passing of such a bill will not come easily. Implementing access to information legislation in country which has faced extremely suppressive legislation and administrations for more than a century is inevitably going to be a time consuming (yet worthwhile) process.

Conforming Namibian media legislation to international standards:

Amongst the greatest challenges ahead is the one of conforming Namibian media laws, policies and regulatory frameworks to the internationally ratified protocols and declarations of the Southern African Development Community (SADC), the African Union (AU) and other international bodies. A yet unpublished media law audit, facilitated by the Frederick Ebert Stiftung in 2005, found that a number of the legislation applying to media and communication in Namibia were completely out of sync with provisions of SADC and AU Protocols and Declarations. Unfortunately, measures to address this issue have been limited so far. However, great attention should be devoted to this issue if Namibia is to become a truly committed member of the SADC and the African Union (AU).





3. Media ownership development 1990-2007

3.1 Introduction

Amidst the euphoria and enthusiasm of the immediate days, weeks and months after independence, new media establishments popped up and started altering what had till then been an extremely restricted and limited media environment. Much has however happened since those immediate days following independence, when everything seemed possible. Many establishments have subsequently fallen short of their objectives and visions and have therefore closed down. Some establishments have however managed to stay on the market, despite the fact that they have faced various political, social and economic difficulties over the years.

This chapter looks at how the existing media landscape in the country has developed since 1990. The chapter focuses on how the various media sectors have developed over time and looks into the individual establishments to uncover how they have remained economically and operationally sustainable. It furthermore addresses the issue of ownership and whether the particular establishments have changed hands since 1990. It accordingly tries to point out general trends on how and why the various establishments are performing in the market and whether they are economically viable to address the future.

The study continues to look into all the major media sectors in the country - the press & print media, the printing & publishing industry, radio & TV broadcasting, the telecommunications industry and lastly the film and video media. It should however be emphasized that while the author has strived to balance the focus across the various media sectors, the process and eventually also the outcome has been influenced by the fact that information on the various establishments and the various media sectors have varied not only in quantity but also in reliability and quality.

As this study mainly focuses on the period from 1990 to 2007, it should be noted that all the different media establishments that were started up and closed down prior to 1990 have not been given particular attention. However, in order to fully comprehend media development from 1990 till now, the most notable media development and ownership trends prior to 1990 have been included to provide a historical background of the current media environment.

3.2 Ownership development of the press and print media

Introduction

Among the first major players in the press and printing industry in Namibia was John Meinert, who in 1917 bought up the nearly bankrupt printing press, *Windhoek Druckerei*, which during WW1 was already publishing and printing *Die Allgemeine Zeitung* (then under the name *Der Kriegsbote*) for the German speaking population. Meinert eventually developed a comprehensive and strong media empire, comprising a number of printing houses while he also set the path for *Allgemeine Zeitung* and from 1919 also *The Windhoek Advertiser* (an English newspaper which only stopped circulating in 1998), for a substantial number of years. Mr. Meinert's descendents eventually sold off the entire media empire (called *John Meinert (Pty) Ltd.*) to the Westphalian German, Dr Dieter Lauenstein, in 1978, after half a century in business. Dr Lauenstein proved to be a politically aware and determined publisher who started his publishing career in Namibia by dismissing the editors of *The Windhoek Advertiser* (Hannes Smith) and *Allgemeine Zeitung* (Kurt Dahlmann) over political and operational disagreements. Smith's dismissal led to the establishment of *The Windhoek Observer* in 1978. Today it remains the second longest standing newspaper in the country.

In the meantime, a large number of what has later been termed 'alternative' publications saw the light in what had by then become apartheid South West Africa. The 'alternative press' from 1960 onwards included numerous religious, political and community publications all fighting and documenting the atrocities and violations committed by the South African administration. Many of these alternative publications received economic support from overseas, either from Namibians in exile, human rights organisation or international NGO's.

In the mid to late eighties when independence talks were on everybody's lips, large amounts of donor monies fuelled the alternative press and print media in the country to support as many views as possible in the media. Among the crucial publications set up during this time was the community newspaper *Bricks* as well as *The Namibian* which was to experience all forms of harassment by the South African administration in its early years. By 1990, when Namibia finally gained independence, Namibians saw the press and print media environment 'blessed' with six daily newspapers plus many weeklies and irregular publications catering for a small population.

Independence sparked new trends on the media landscape and Dr Lauenstein (owner of *John Meinert (Pty) Ltd*) passed away shortly after independence. Following his death in 1991, his widow sold off the entire media empire to *Die Republikein*, which since the late 1970s had been the major Afrikaans newspaper in the country. *Die Republikein*, which

throughout the 1980s had been economically supported by the political party *Democratic Turnhalle Alliance* (DTA), was flush with 'left-over' DTA campaign money after independence and this money was used to buy up *John Meinert (Pty) Ltd* and subsequently establish a new media empire, *Democratic Media Holdings* (DMH).

The alternative and donor-supported press which had struggled incredibly to get their voices heard prior to independence soon died out, as did a number of new magazines and newspapers such as the *Namibian Nachtrichten*, *The Times of Namibia*, *Tempo*, *Abacus* to mention a few. Among the few (not part of the DMH media empire) that managed to remain sustainable long after independence is the weekly *The Windhoek Observer*; *The Namibian* and the monthly women's and community magazine *Sister Namibia*.

The latest development on the ownership front in Namibia saw the entry of South African print media conglomerate *MEDIA 24* (part of the international media conglomerate *Naspers*) taking a 50% stake in *Democratic Media Holdings* (DMH), which has sparked a measure of alarm within the print media establishment in Namibia.

In the following chapters, all currently operating publications (including daily, weekly, bi-weekly, monthly and other publications) are listed with a short summary of its development. It also includes details about how the various publications manage to sustain themselves – be it through sales, advertisements, public funding or other means.

3.2.1 National daily publications

Allgemeine Zeitung¹

PO Box 86695
11 Omuramba road, Eros
Windhoek

Year of establishment: 1916 (1919)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The German language newspaper was founded during WWI under the name *Der Kriegsbote*, but following the end of the war, the publication changed name to *Allgemeine Zeitung*. The publication was initially published by *Die Windhoek Druckerei* (part of the *John Meinert* printing empire). The publication was owned by *John Meinert (Pty) Ltd* until 1991. It should be noted, that the Meinert family sold off the business already in 1978 to Dr. Dieter Lauenstein, who started his era of ownership of the newspaper by firing the editor. In 1991, *John Meinert (Pty) Ltd* (including the printing facilities and the *Allgemeine Zeitung*) merged with *Die Republikein* to form *Democratic Media Holdings (DMH)* which under the management of Dirk Mudge (formerly strongly affiliated with the *Democratic Turnhalle Alliance (DTA)*) was to steer the *Allgemeine Zeitung* into the next millennium. During the 1990s DMH and the DTA were embroiled in a dispute over ownership of the media group, with the DTA claiming to have supported *Democratic Media Holdings* financially in its initial phase.

Present ownership structure (structure and name of the main stakeholders in %)

Presently owned by *Democratic Media Holdings* (through the *Democratic Media Trust*)
(South African *MEDIA 24* under the international conglomerate *Naspers* holds 50% of the shares in DMH)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The *Allgemeine Zeitung* is presently self-sustainable, albeit the German language publication is challenged by numerous English language publications on the market. AZ is presently relying on advertisement and sales of approximately 6.000 copies sold daily. AZ also publishes the monthly *Turismus* supplement, which is a glossy and popular tourism publication with a print run of approximately 12.000 copies. As it is owned by DMH which also owns *Die Republikein* and the printing facility *Newsprint Namibia*, the newspaper benefits from a common advertising catalogue, news-exchange as well as shared printing costs.

Die Republikein ²

PO Box 3436
Omuramba Road, Eros
Windhoek

Year of establishment: 1977

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Die Republikein was initiated and funded by the *Republican Party* (RP) in 1977. As the political structures changed, *Die Republikein* was later to be funded by the political party *Democratic Turnhalle Alliance* (DTA). After independence *Die Republikein* was incorporated into the *Democratic Media Holdings* (initiated, owned and governed by former DTA Chairman Dirk Mudge). During the 1990s the DTA and *Democratic Media Holdings* had numerous disputes over the ownership of the media empire. Since 1997, when the media house officially cut its political ties with the DTA, *Die Republikein* has sought to pursue greater editorial independence and strived to get rid of the publications previous political affiliations.

Ownership structure (structure and name of the main stakeholders in %)

Presently owned by *Democratic Media Holdings* (through the *Democratic Media Trust*)
(South African *MEDIA 24* under the international conglomerate *Naspers* holds 50% of the shares in DMH)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Die Republikein is presently self-sustainable and the only daily Afrikaans newspaper in Namibia. As it is owned by DMH which also owns *Allgemeine Zeitung* and the printing facility *Newsprint Namibia*, the newspaper benefits from a common advertising catalogue, news-exchange as well as shared printing costs.

New Era ³

Private Bag 13364
Maerua Mall
Windhoek

Year of establishment: 1992 (By Act 1. of 1992)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State-owned (operating as a para-statal)

Initial ownership/funding (subsidised by individual(s), government, private or other)

New Era was set up under the *New Era Publications Corporation Act of 1992* and benefits from continued state funding.

Present ownership structure (structure and name of the main stakeholders in %)

New Era is fully owned by the *New Era Publications Corporation* (state-owned)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

New Era is currently facing serious economic problems, even though improvement in sales and advertisements has resulted in greater income. *New Era* receives approximately N\$4 million annually in government subsidies, but continues to face severe economic problems. In 2006, the paper showed a phenomenal loss of N\$3.57 million (488 per cent more than the loss of N\$731.183 which was budgeted for). Last year *New Era* saw a number of new staff members, including a marketing and management shift, added to steer it into the black. A long history of financial mismanagement seems to be hard to overcome for the new management team and it may be quite some time before the publication becomes economically viable.

² Information for *Die Republikein* was primarily gathered from interview with Mr. J. Boolmann (06.06.07)

³ Information for *New Era* was gathered from public information, annual reports etc.

The Namibian⁴

PO Box 20783
42 John Meinert Street
Windhoek-West

Year of establishment: 1985

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Trust (Private)

Initial ownership/funding (subsidised by individual(s), government, private or other)

Initially funded by international donor agencies and EU funds, among them contributions from IBIS (Danish NGO) and SIDA (Swedish International Development Agency) with the aim of 'opening' and challenging the then extremely restricted and oppressive media environment in Namibia (then South West Africa). International donor funding dried up around 1991, when Namibia finally gained its full independence. This challenged *The Namibian* to become self-sustainable. *The Namibian* is amongst the very few publications established in the 1980s that has managed to continue operating after independence in 1990.

Present ownership structure (structure and name of the main stakeholders in %)

The Namibian is owned by *Free Press of Namibia (Pty) Ltd.*, which is owned by the *Free Press of Namibia Trust*. The founding and current editor Gwen Lister also manages the trust. Gwen Lister is presently working on re-arranging the Trust structure to include a number of trustees etc.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

At present, *The Namibian* is the country's most popular newspaper and has proved itself to be a profitable and fully self-sustainable newspaper. As *The Namibian* is owned and governed by a trust, in theory all profit is to be channelled back into community projects, such as the annual soccer competition organised by the newspaper, as well as the weekly youth supplement included in the newspaper. In 2006 the newspaper, through *Free Press of Namibia (Pty) Ltd.*, entered into a commercial joint venture with *Trustco Group International* to establish its own printing press, *Free Press Printers*.

3.2.2 Weekly & bi-weekly publications

Caprivi Vision⁵

P.O. Box. 2011, Ngweze
Katima Mulilo
Caprivi

Year of establishment: 2002 (stopped in 2006)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private (community publication)

Initial ownership/ funding (subsidised by individual(s), government, private or other)

The idea of the publication was born in 2000 amongst a group of students at the Polytechnic of Namibia. Once they finished their studies, they started up the community publication, but the paper has since its inception not been able to sustain itself fully. The newspaper initially relied on advertisers and sponsors, but has to large extent also depended on monetary injections from its founders.

Present ownership structure (structure and name of the main stakeholders in %)

The publication is presently not registered as a company, so ownership and management remains solely with the founders.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication is presently dormant due to lack of finances. Despite efforts to incorporate an advertising leaflet in the paper, advertising revenues could not sustain the paper alone. Printing costs eventually exceeded the income generated from advertising, sponsors and private funds. Some of the initiators have lately been involved in government funded workshops and panels where the future of a Caprivian community newspaper was discussed.

4 Information for *The Namibian* was primarily gathered from interview with G. Lister 19.02.07

5 Information for *Caprivi Vision* was primarily gathered from interview with Mr. R. Lumamezi (30.05.07)

Emancipation ⁶

P.O. Box 20410
Windhoek

Year of establishment: 2007

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Emancipation was launched as a free weekly advertising paper in January 2007 in order to accommodate a growing job-advertisement market. The paper does not report, nor does it facilitate contact between readers and advertisers. A local businesswoman, Soini Nampala, was the publication's initial financier.

Present ownership structure (structure and name of the main stakeholders in %)

Soini Nampala currently owns the publication.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication is distributed free weekly across the country. The main source of revenue is job advertisements.

Informante ⁷

P.O Box. 11363
140 Robert Mugabe Ave.
Trustco Building
Windhoek

Year of establishment: 2001

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Informante is fully owned by *Trustco Group International*.

Present ownership structure (structure and name of the main stakeholders in %)

Trustco Group International is the sole owner.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Informante's decision to remain a free paper puts pressure on the publication, as it has to have a heavy advertising load to continue publishing approximately 260.000 copies monthly. The publication has expanded its offices to Swakopmund, with a special coastal section, putting yet more pressure on the publication's finances. As its owner, *Trustco Group International* is among the biggest and most profitable companies in the country with numerous other subsidiaries, the issue of economic sustainability seems to be of less importance than would otherwise be expected.

⁶ Information for *Emancipation* was primarily gathered from interview with Mr. E. Mboya (30.05.07)

⁷ Information for *Informante* was primarily gathered from public information, annual reports and figures.

Namib Times ⁸

P.O. Box 706
8 Sam Nujoma Avenue
Walvis Bay

Year of establishment: 1958

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The newspaper was established in 1958 by Paul Vincent who remained the owner until 2002, when the establishment was sold to two individuals, D. Kock and Desmond Frankfurt. The newspaper was initially published in Swakopmund, but has since 1961 been printed by its own printing press in Walvis Bay.

Present ownership structure (structure and name of the main stakeholders in %)

The publication is presently owned by the two individuals, D. Kock and Desmond Frankfurt

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The main source of income is advertising in the newspaper. The majority of the advertisements are placed by local/regional businesses, but some national advertisements are also carried.

The Namibia Economist ⁹

P.O. Box 49
Schuster Street
Windhoek

Year of establishment: 1986 (1991)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The Namibia Economist was established under the Afrikaans name *SWEkonom*, as a free monthly trade publication back in 1986. The paper was launched with private financing. The publication went bust in 1990. Following independence in 1991, Daniel Steinmann and partners re-launched the paper as *The Namibia Economist*, under the company *Graphis Printing, Publishing & Advertising CC*. As of 1996, Steinmann changed the paper to a weekly specialist publication that is sold conventionally.

Present ownership structure (structure and name of the main stakeholders in %)

The newspaper is owned by *Graphis Printing, Publishing & Advertising CC*, of which the majority shareholder is the editor of *The Namibia Economist*, Daniel Steinmann (also owner of *Web Offset Printing*).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Presently advertising is the paper's main source of revenue. The publication remains fairly successful and profitable.

8

Information for *Namib Times* was primarily gathered from interview with Mrs. E. Frankfurt. (30.05.07)

9

Information for *The Namibia Economist* was primarily gathered from interview with Mr. D. Steinmann (06.06.07)

The Namibia Today ¹⁰

P.O. Box 1071
Department of Information,
Publicity and Mobilisation
5 Gutenberg St. Ausspanplatz
Windhoek

Year of establishment: (early 1970s)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The publication was initiated with SWAPO funds in the early 1970s. The paper was initially published as a monthly political newspaper, but the management and economic structure has changed numerous times and by 2007, *The Namibia Today* is a newspaper published weekly with various news items on national and international political affairs.

Present ownership structure (structure and name of the main stakeholders in %)

The Namibia Today is presently owned by *Kalahari Holdings* (the business arm of the SWAPO Party).

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The Namibia Today is presently funded by the ruling SWAPO Party through its business arm *Kalahari Holdings* but the publication also generates its own income through advertisements and sales. As the paper remains owned and controlled by SWAPO, the publication necessarily strives to reflect and promote the views of its owner.

Plus Weekly ¹¹

P.O. Box 21506
80 Dr Frans Indongo Str.
Windhoek / Namibia

Year of establishment: 1995

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Formerly employed at the German newspaper *Allgemeine Zeitung*, Hans Feddersen published the first edition of *PLUS Weekly* in 1995 in Swakopmund, with support from his partner Steve Gardthausen. *PLUS Weekly* was the first ever free newspaper in the country and therefore relied heavily on private funding and adverts in its initial phase. Later *PLUS Weekly* moved its main office to Windhoek and started distribution from here.

Present ownership structure (structure and name of the main stakeholders in %)

The newspaper is registered under the company *Feddersen Publications CC* and continues under the ownership and management of Hans Feddersen.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication presently relies on advertisements from businesses and enterprises throughout the country. As it continues as a free newspaper, the printing run changes weekly, depending on the amount of revenue generated from adverts. The average circulation hovers between 8.000 and 11.000 copies weekly.

¹⁰ Information for *Namibia Today* was primarily gathered from interview with Mr. A. Ntinda (30.05.07)

¹¹ Information for *PLUS Weekly* was primarily gathered from interview with Mr. H. Feddersen (05.06.07).

The Southern Times ¹²

Private Bag 13364
Maerua Mall
Windhoek

Year of establishment: 2004

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State (Two para-statal)

Initial ownership/funding (subsidised by individual(s), government, private or other)

The regional newspaper *The Southern Times* was established in 2004, as a joint venture between *New Era Publications Corporation* and *Zimbabwe Newspapers (1980) Ltd.* The publisher is *NamZim Newspaper (Pty) Ltd.* All initial funding came from the mentioned para-statal.

Present ownership structure (structure and name of the main stakeholders in %)

The Southern Times is presently owned by *NamZim Newspapers (Pty) Ltd.* It is in practice a joint ownership between the Namibian and Zimbabwean governments.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Apart from the substantial funds channelled from the owners, the newspaper generates some income through various advertorials and articles on specific institutions. *The Southern Times* is distributed and sold in most of the SADC countries (albeit in limited numbers). The vision is to strengthen and develop regional news coverage and distribution. In addition to this, the newspaper is distributed in Namibia to various institutions and libraries etc. Due to the limited circulation, sales as yet do not contribute much to revenue.

The Windhoek Observer ¹³

PO Box 2255
Windhoek

Year of establishment: 1978

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The Windhoek Observer was founded by Hannes Smith in May 1978, after he was fired from the *Windhoek Advertiser*. The publication was launched with very limited private funds. From 1978 to 1981, when the newspaper was still struggling to establish itself on the market, Smith succeeded in running the publication through sales and private donations from local and foreign individuals (and a few corporates). Once properly established, the newspaper was 51% owned by a local broker – Mr. Salt, who played a crucial role in helping the newspaper to sustain itself when challenges (either economic or political) arose in the early and mid 1980s. Since 1997 Ester Smith (ex-wife of founder and current editor Hannes Smith) has held a controlling 100% stake in the publication.

Present ownership structure (structure and name of the main stakeholders in %)

The publication is owned by Ester Smith (also owner of SPACE Magazine), former wife of Hannes Smith who started the newspaper in 1978.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The Windhoek Observer has been sustaining itself for many years through advertising and remains a popular weekend newspaper.

¹² Information for *The Southern Times* was primarily gathered from interview with Mr. M. Magadza (30.05.07).

¹³ Information for *The Windhoek Observer* was primarily gathered from interview with Mr. H. Smith (01.06.07)

Weekly Advertiser ¹⁴

Zambia House 1.st floor (room no. 1)
22 Sam Nujoma Drive
Windhoek

Year of establishment: 2006

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)
The Weekly Advertiser was established in 2006 by present manager and owner, Togarepi Mutangi. His initial vision was to create a platform for job adverts - and thereby create more jobs for Namibian citizens

Present ownership structure (structure and name of the main stakeholders in %)
The Weekly Advertiser is currently published by *Toti Consultants CC*, under the ownership and management of Togarepi Mutangi.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
The Weekly Advertiser generates revenue through its *Zimbabwe school exchange initiative*, which facilitates school/ education exchanges to Zimbabwe for Namibian students. It is hoped that advertising will in future cover printing costs.

3.2.3 Monthly publications

Buchter News ¹⁵

6 Troost Street
Luderitz

Year of establishment: 1987

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private (community publication)

Initial ownership/ funding (subsidised by individual(s), government, private or other)
The Buchter News is among the oldest publications in the country and was started in 1987 by David Wadham, a British citizen, who in line with a literacy campaign saw the need for 'teaching' materials in English. The publication has ever since its inception been a non-profit publication and although management, finances and format have changed over time (the first edition was only one A4 page), the main objective continues to be one of community reporting in the coastal town of Luderitz and its surrounds.

Present ownership structure (structure and name of the main stakeholders in %)
The publication is presently registered as a non-profit publication.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
The community newspaper/newsletter is published monthly, and operates with help from British and Dutch volunteers (the majority through the UK based NGO *Project Trust*). Printing costs and additional expenditures are financed through sponsorships from especially Namdeb, Scorpion Zinc and Barloworld as well as other smaller local enterprises. A small advertising income is also generated. Printing is presently done in Oranjemund at Namdeb's printing facilities.

¹⁴ Information for *Weekly Advertiser* was primarily gathered from interview with Mr. T. Mutangi (05.06.07)

¹⁵ Information for *Buchter News* was primarily gathered from interview with Ms. L. Hayes (01.06.07)

Family Life ¹⁶

P.O. Box 96366
Windhoek

Year of establishment: 2006

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Family Life magazine was launched in August 2006 by a group of individuals who invested private funds to get the magazine off the ground.

Present ownership structure (structure and name of the main stakeholders in %)

Family Life magazine is presently owned and managed by the same group that started the publication.
(Ownership details not disclosed)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The magazine is presently facing severe financial problems. Due to the fact that the magazine is still new, substantial advertising and sponsored articles/columns have still to materialise. For now, the magazine has an irregular print run and circulation. All writers/editors work on a commission/volunteer basis (no full time employees). In the future the magazine is hoping to expand its distribution to all major towns in the country, but due to economic constraints it is currently only sold in Windhoek and Okahandja.

Government Information Bulletin ¹⁷

Private Bag, 13344
Ministry of Information
and Broadcasting.
Windhoek

Year of establishment: 2006 (by cabinet decision)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

State

Initial ownership/funding (subsidised by individual(s), government, private or other)

The publication was established through a Cabinet decision in 2006 and serves as an official information bulletin to publicise the government programmes, policies and activities. All ministries contribute towards the bulletin. It was initiated with financial support from the Ministry of Information and Broadcasting.

Present ownership structure (Structure and name of the main stakeholders in %)

It is presently owned and managed by the Ministry of Information and Broadcasting (Directorate of Media Affairs).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication is fully funded by the Ministry of Information and Broadcasting.

16

Information for *Family Life* was primarily gathered from interview with Mr. T. Bett (05.06.07)

17

Information for *Government Information Bulletin* was primarily gathered from interview with Mr. R. Mutambo(04.06.07)

Insight Namibia¹⁸

PO Box 40738
Windhoek

Year of establishment: 2004

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The magazine was initiated by R. Sherbourne, T. Amupadhi and D. Lush, who also put in the finances to establish the magazine. The monthly magazine was initiated to provide coverage of Namibian current affairs.

Present ownership structure (Structure and name of the main stakeholders in %)

Insight Namibia CC is owned and managed by R. Sherbourne (37.5%), T. Amupadhi (20%), D. Lush (12.5%), I. Shovaleka (12.5%), G.Hopwood (12.5%) and K. Siteketa (5%).

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The magazine is currently sustaining itself through income from advertising, sales and subscriptions.

Namibia Review¹⁹

Private Bag, 13344
Ministry of Information
and Broadcasting.
Windhoek

Year of establishment: 1992

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

State

Initial ownership/funding (subsidised by individual(s), government, private or other)

Namibia Review was first published in 1992 to serve as a monthly policy review publication in which the legislative drafts, political initiatives and bills are analysed. All initial funding came from the Ministry of Information and Broadcasting.

Present ownership structure (Structure and name of the main stakeholders in %)

The publication is fully owned and managed by the Ministry of Information and Broadcasting.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication is fully funded by the Ministry of Information and Broadcasting but recent changes in management have left the publication somewhat understaffed, resulting in the publication failing to appear regularly. The magazine is currently distributed to subscribers, bookstores, libraries, higher education institutions as well as to numerous policy research/consultancy institutions.

¹⁸ Information for *Insight Namibia* was primarily gathered from mail-correspondence with Mr. G. Hopwood (May 2007)

¹⁹ Information for *Namibia Review* was primarily gathered from interview with Mrs. R. Selle (05.06.07)

Namibia Sport ²⁰

P.O. Box 1246
Windhoek

Year of establishment: 2002

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The magazine was initiated by Henry Fernandes (also owner of *Solitaire Press*) and Helge Schutz, the editor of *Namibia Sport*. Fernandes is the main financier of the magazine.

Present ownership structure (structure and name of the main stakeholders in %)

Namibia Sport is presently owned and managed by Henry Fernandes, with 51% of shares, while Helge Schutz holds the remaining 49%. At present Fernandes acts as the publisher and Schultz as the editor.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication's main source of revenue is advertising, with sales making a minor contribution to income generation.

NCCI Business Journal ²¹

P.O. Box 9355
NCCI House
2 Jenner Street
Windhoek

Year of establishment: -

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

State/Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The NCCI Business Journal was established by the Namibia Chamber of Commerce and Industry to create a common-interest platform for national enterprises and industries. The funding and management was (and still is) under the control of the NCCI.

Ownership structure (structure and name of the main stakeholders in %)

NCCI Business Journal is entirely managed and owned by the Namibia Chamber of Commerce and Industry.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The publication is presently trying to sustain itself through advertising and various advertorials promoting businesses and industries in Namibia. It is looking into different funding/sustainability options in order to avoid relying on certain enterprises for adverts. It is distributed in major towns and through partner institutions in the country and internationally. As of June 2007, the magazine is not available through commercial outlets, but this is among the future challenges/initiatives the management of the *NCCI Business Journal* is looking into.

20 Information for *Namibia Sport* was primarily gathered from interview with Mr. H. Schutz (30.05.07)

21 Information for *NCCI Business Journal* was primarily gathered from interview with Ms. C. Mwiya (04.06.07)

Sister Namibia ²²

P.O. Box 40092
Windhoek

Year of establishment: 1989

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Non-profit trust

Initial ownership/funding (subsidised by individual(s), government, private or other)

Sister Namibia magazine was established by a diverse group of people, such as feminists, lesbians, media workers, community activists and others with the aim of creating an alternative and open platform. Initially the publication was produced with extremely limited private funds. Since 1992 the magazine has received financial support from the *Heinrich Boll Stiftung*, which has supported *Sister Namibia* (and the *Sister Community*).

Present ownership structure (structure and name of the main stakeholders in %)

The *Sister Namibia Trust* governs and owns the magazine.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Sister Namibia magazine is mainly funded by the *Heinrich Boll Stiftung* (sponsoring three out of six annual publications). The remaining funds come from international donors such as *HIVOS* (Dutch NGO), *OXFAM Canada* and the *Open Society for Southern Africa* (OSISA), which are core donors of the *Sister Community* (under which *Sister Namibia* magazine falls).

SPACE Magazine ²³

Yang Tze Building
OP/20 Nelson Mandela Av.
Klein Windhoek

Year of establishment: 2004

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Initially the magazine was financed by owner Esther Smith, who also owns the long lasting *Windhoek Observer*.

Present ownership structure (structure and name of the main stakeholders in %)

The publication is owned by Esther Smith (also owner of *The Windhoek Observer*)

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The magazine is fully self sustainable. All income and profit is generated through advertising and sales.

²² Information for *Sister Namibia* was primarily gathered from interview with Mrs. L. Frank (04.06.07)

²³ Information for *Space Magazine* was primarily gathered from mail-correspondence with Mrs. Y. Smith (May 2007)

The African ²⁴

P.O Box 1770
NCCI House
2 Jenner Street,
Windhoek West

Year of establishment: 2003

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The magazine was initiated by Dr Francis Nyathi of the University of Namibia (UNAM), who provided the initial financing to get the magazine established.

Present ownership structure (structure and name of the main stakeholders in %)

The magazine is registered under *The African Publishers CC*, managed and owned by Dr Francis Nyathi.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The African is published monthly in Windhoek and is distributed mainly in Windhoek, as well as in other centres and neighbouring countries from time to time, depending on income generated from adverting. The magazine relies entirely on advertising to generate revenue.

The Big Issue (Namibia) ²⁵

P O Box 97140
Maerua Park
37 Bahnhof Street
Windhoek

Year of establishment: 2002

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Non-profit trust

Initial ownership/funding (subsidised by individual(s), government, private or other)

The Big Issue was initiated in 2002 with help from various donors and sponsors.

Present ownership structure (structure and name of the main stakeholders in %)

The Big issue is owned and governed by a non-profit trust – *The Namibia Magazine Trust*.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The magazine operates through sponsorships, advertisements and income generated through sales across the country. The print run is approximately 2 000 copies per month. Apart from street-sales, *The Big Issue* also generates income through subscriptions. A subsidiary business, *The Big Squeeze*, also generates some income by doing graphic design for various external clients. Among its main sponsors are The Finish Embassy in Windhoek, the Netherlands Institute of Southern Africa (NIZA), STER Kinekor and others. As the *Big Issue Namibia* operates as a non-profit project, profits from the magazine go toward helping (poor and often homeless) vendors through the *Big Step* vendor support programme, which assists the vendors with counselling, skills training and art and literacy classes. The *Big Issue Namibia* is a member of the international network of street papers (INSP) that includes 55 street papers in 28 countries.

²⁴ Information for *The African* was primarily gathered from interview with Dr. F. S. Nyathi (04.06.07)

²⁵ Information for *The Big Issue* was primarily gathered from interview with Mr. M. Ruhoro (30.05.07)

3.2.4 Other publications

Campus Echoes ²⁶

Department of Media Technology
Polytechnic of Namibia
Windhoek

Year of establishment: (2004)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private/Public

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Campus Echoes was initiated as a six-month pilot project at the Polytechnic of Namibia in which local media and communication students were to develop skills and gain practical experience. The Finish Embassy in Windhoek assisted with substantial financial support that enabled the newspaper to buy equipment. Additional economic support came from NIZA, which provided the newspaper with the initial means to build (operative and administrative) capacity at the publication. By 2006, *Campus Echoes* became a regular campus newspaper with fixed publishing dates.

Present ownership structure (structure and name of the main stakeholders in %)

Campus Echoes is published by *Echoes Student News Service*, which falls within the Media Technology Department of the Polytechnic of Namibia.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Currently, *Campus Echoes* is financed entirely by the income generated through *Echoes Student News Service*. *Echoes Student News Service* commercially produces various publications, including the quarterly newsletter of MISA Namibia, *MISA News*. At the time of writing, the newspaper carried no advertising, despite a print run of 5.000 copies. One reason for this may be that the student/youth market is not rated as economically viable.

Shambuka Magazine ²⁷

P.O. Box 6203, Ausspannplatz
Eluwa Building (Unit 12)
104 - 108 Carl List Str.
Windhoek

Year of establishment: 2007

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Shambuka Magazine was started by two sisters, Nangula Shejvali and Selma Kaulinge, who with financial and administrative support from Ndeulipula Hamutumwa and Olavi Go Hamutumwa (under *Tuitengepo Solutions CC*) managed to publish the first issue of *Shambuka* in April 2007. The Hamutumwas financed the launch of the magazine.

Present ownership structure (structure and name of the main stakeholders in %)

Tuitengepo Solutions CC is presently registered as the publisher of the magazine. Ndeulipula and Olavi Go Hamutumwa are registered as the owners, but once the magazine is properly established ownership and management is to be distributed equally with 25% to each of the four founding members.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The magazine continues to rely on financial support from *Tuitengepo Solutions CC*. Over time, when the magazine has expanded its distribution, sales and advertising load, these will constitute its main income generators.

²⁶ Information for *Echoes Campus* was primarily gathered from interview with Mr. W. Olivier (01.06.07)

²⁷ Information for *Shambuka Magazine* was primarily gathered from interview with Ms. N. Shejvali (04.06.07)

Zula Connector Post ²⁸

Dr. Frans Indongo/Kasch Str. A205
Windhoek

Year of establishment: 2004/2005 (stopped running in early 2007)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Zula Connector Post was set up by a group of young people with limited private funds. Due to lack of interest and funds, the publication stopped appearing in early 2007.

Present ownership structure (structure and name of the main stakeholders in %)

-

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

-

Flamingo ²⁹

P.O. Box 21593
5. Storch St.
Venture Publications
Windhoek

Year of establishment: -

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

State/Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Flamingo is published by privately owned *Venture Publications* on behalf of Air Namibia and the Ministry of Environment and Tourism, with financing coming from these to state institutions.

Present ownership structure (structure and name of the main stakeholders in %)

Flamingo is the in-flight magazine of Air Namibia, and the production of the magazine has been outsourced to Venture Publications. The magazine is owned and managed by Venture Publications, under the management of Rieth van Schalkwyk, - wife of Paul van Schalkwyk, who also owns *INTV Film and Video Productions* and substantial amounts of shares in One Africa Television.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

-

28

The limited information for *Zula Connector Post* was gathered from public information, reports, newspapers etc.

29

Information for *Flamingo* was gathered from public information, reports, newspapers, official homepage of *Venture Publications* etc.

Travel News Namibia ³⁰

P.O. Box 21593
5. Storch St.
Venture Publications
Windhoek

Year of establishment: -

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State/Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

The magazine is published seven times annually (in English) by *Venture Publications* on behalf of the Ministry of Environment and Tourism, with the publication being financed by these entities.

Present ownership structure (structure and name of the main stakeholders in %)

Travel News Namibia is produced by Venture Publications CC, which refers directly to the Ministry of Environments and Tourism. The magazine is owned and managed by Venture Publications, under the management of Rieth van Schalkwyk, - wife of Paul van Schalkwyk, who also owns INTV Film and Video Productions and substantial amounts of shares in One Africa Television.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

-

3.2.5 Conclusions and future challenges for the press and print media

With four daily newspapers, numerous weekly newspapers and a large number of monthlies the Namibian print media market has become fairly packed in comparison with most of its neighbouring countries. Since independence many publications have been launched and many have been closed down again. While this may be a normal occurrence, the Namibian print media sector has developed an unhealthy trend of launching somewhat unsustainable publications. This added with the lack of a proper print media regulator, does not seem to hinder new publications coming and going nearly every month. At the moment just about anybody can set up a newspaper/magazine without any prior knowledge, experience or economic support, which eventually leads to numerous failed attempts, and only few successes.

Only four newspapers have effectively stood the test of time, namely *The Namibian*, *Die Republikein*, *Allgemeine Zeitung* and *New Era*.

In terms of sustainability *The Namibian* has proven it self to be among the few papers established in the 80'ies, still sustaining it self with a daily circulation of close to 35.000 copies. The Namibian is the only independent daily published in the official language, namely English.

Meanwhile, state-owned *New Era* continues to face economic constraints despite substantial financial support from government. *New Era* has now been in the red for 16 consecutive years.

The German newspaper *Allgemeine Zeitung* (operating since 1916) and the Afrikaans newspaper *Republikein* (since 1978) remain sustainable most probably due to the fact that they are strongly affiliated to financially strong partners/advertisers.

The weekly and twice monthly newspapers remain economically and financially viable because of their narrow or specific focus. This includes *The Windhoek Observer*, *The Namibia Economist* and *Namib Times*. The bi-lingual and free *PLUS Weekly* attracts a mixture of English and German readers and hence a fair amount of advertisers aiming to reach this market. All these paper are aimed at a relatively small segment of the newspaper reading public and can thus keep costs down by focussing on that market.

With regard to magazines, those that have stood the test of time seem to have done so with continuous donor support, such as *Sister Namibia* and *The Big Issue*, or because of sustainable and fixed arrangements with commercial partners, such as *Flamingo* and *Travel News Namibia*. The few other publications that fall outside these categories (like *Space Magazine* and *Insight Namibia*) are mostly specialist magazines with a limited (yet financially strong) readership. These publications generate revenue through advertising and sales.

³⁰ Information for *Travel News Namibia* was gathered from public information, reports and the official homepage of *Venture Publications*

Comments for the future:

For all intents and purposes, community newspapers and/or printed publications do not exist in Namibia. Since 1990, there have been a few, but these quickly folded due to lack of funds or mismanagement. There are a number of initiatives being employed by the Ministry of Information and Broadcasting to kick start community publications.

On the commercial front, the pool of advertisers in Namibia remains small and this influences the feasibility of newspapers and publications, especially those trying to break into a field of a few established titles.

3.3 Ownership development of the printing & publishing industry

Introduction

The publishing and printing industry in Namibia dates back to the beginning of the 20th century, with the establishment of *Windhoek Druckerei*. After this, John Meinert was to become the major press and printing ‘owner’ and publisher in the country for more than 50 years.

For the purposes of this document, the years after independence in 1990 saw a mushrooming of printing businesses. At the same time, existing printers experienced changes in ownership and some even closed down. In post-independence Namibia, even the ruling SWAPO Party, through *Nam Print*, had a stake in the industry.

However, while a few printers have emerged as major players and have come to dominate the local market, the industry remains fragile, especially for the medium and smaller sized operations.

The following chapter lists all the major printing companies in the country that are still operating. Closed down printers for the period 1990-2007 are unfortunately not included in the study.

3.3.1 Printing & publishing houses

Angelus Printing Press ³¹

P.O. Box 8315
Bachbrecht
Windhoek

Year of establishment: 1967

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)
The *Angelus Printing Press* was initiated by the Catholic Church of Namibia, by a Father Uberhart and Brother Manfred.

Present ownership structure (structure and name of the main stakeholders in %)
The *Angelus Printing Press* is owned by the Catholic Church of Namibia.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
The *Angelus Printing Press* generates income through printing various religious books, magazines, papers, pamphlets and other smaller publications.

Capital Press ³²

P.O. Box 6248, Ausspannplatz
18 Bismarck Street
Windhoek

Year of establishment: 1990

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Capital Press was established by Dudley Munn in 1990. *Capital Press* was sold of to R. September and G. September in 2005-2006.

Present ownership structure (structure and name of the main stakeholders in %)

Capital Press is presently owned by the two brothers – R. September and G. September.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The printing press is presently sustaining itself by printing various business newsletters, books, magazines, posters and other smaller publications.

Free Press Printers ³³

Lafrenz Industrial area
Windhoek

Year of establishment: 2006

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Free Press Printers was launched in 2006 as a joint venture between *The Free Press of Namibia* and Trustco Group International, with each company owning 50%.

Present ownership structure (structure and name of the main stakeholders in %)

Free Press Printers is owned by Trustco Group International and the *Free Press of Namibia (Pty) Ltd.* Trustco Group International is responsible for the management of the printing press.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The Free Press Printers has quickly become one of the most popular newspaper printers in the country. *Free Press Printers* is currently printing *The Namibian*, *Informante* as well as *PLUS Weekly*, *Weekly Advertiser*, *Southern Times*, *Campus Echoes* and *Emancipation*.

³² Information for *Capital Press* was primarily gathered from interview with Mrs. C. Stuurman (05.06.07)

³³ Information for *Free Press Printers* was primarily gathered from interviews with Mrs. E. van Rooyen (05.06.07) and mail correspondence with Mrs. G. Lister (June 2007)

John Meinert Printing ³⁴

P.O. Box 56
17 Hochland Rd, Snyman's Circle
Windhoek

Year of establishment: 1910 (approx.)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

John Meinert Printing was initially owned by John Meinert, which also owned the German Newspaper *Allgemeine Zeitung* as well as the long standing *Windhoek Advertiser*. Dr Dieter Lauenstein owned the press from 1978 to 1991. In that year it merged with *Die Republikein* to form part of *Democratic Media Holdings (DMH)*. In 1999 it was sold off again.

Present ownership structure (structure and name of the main stakeholders in %)

The *John Meinert Printing* is currently owned and managed by a Mr Sievers.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The company is presently sustaining itself through the printing of books (in particular school books) as well as numerous smaller periodicals, reports and directories.

Nam Print ³⁵

P.O. Box 24153, Ausspannplatz
7 Gutenberg St.
Windhoek

Year of establishment: 1990

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

'Private'

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Nam Print was started in 1990 by SWAPO.

Present ownership structure (structure and name of the main stakeholders in %)

Nam Print owned by SWAPO through its business arm *Kalahari Holdings*.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Nam Print currently prints various materials, including educational books, journals, magazines and reports for various para-statal and government institutions. Educational books and other school related material is a major source of income.

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Information for *John Meinert Printing* gathered from interviews with Mr. E. Hofmann (06.06.07) & Mr. Sievers (05.06.07)

35

Information for *Nam Print* was primarily gathered from interview with Mr. K. Shalukeni (06.06.07)

Newsprint Namibia ³⁶

11 Omuramba Rd. Eros
Windhoek

Year of establishment: (1992)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

The *Newsprint Namibia* was established in 1992 and is owned by *Democratic Media Holdings*.

Present ownership structure (structure and name of the main stakeholders in %)

Newsprint Namibia is owned by *Democratic Media Holdings* (through the *Democratic Media Trust*) (South African *MEDIA 24* holds 50% of the shares in DMH).

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Newsprint Namibia presently prints three out of four of the national dailies – *Allgemeine Zeitung*, *Die Republikein* and the state owned *New Era*. Until last year, *Newsprint Namibia* also printed *The Namibian*.

Printech ³⁷

P.O. Box 10482
65 Hosea Kutako
Windhoek

Year of establishment: 1995

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Printech founded by Mr. W. Ockhuisen in 1995 and has remained under his ownership ever since.

Present ownership structure (structure and name of the main stakeholders in %)

Mr. W. Ockhuisen is the sole owner of *Printech*..

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Printech generates the majority of its income by printing various public and private annual reports, directories, study guides, manuals as well as the *Family Life* magazine, the *Property News* and occasionally *The African* magazine.

³⁶ Information for *Newsprint Namibia* was primarily gathered from interview with Mr. E. Hofmann (06.06.07)

³⁷ Information for *Printech* was primarily gathered from interview with Mr. C. Brandt (30.05.07)

Solitaire Press ³⁸

P.O. Box 1155
16-20 Braham Street
Northern Industrial
Windhoek

Year of establishment: 1995

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Solitaire Press was established by Henry Fernandes in 1995. He has continued as the owner and manager of the business ever since.

Present ownership structure (structure and name the main stakeholders in %)

Solitaire Press is owned by Henry Fernandes (also co-owner of the sports magazine *Namibia Sport*).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Solitaire Press prints various popular magazines, such as *Namibia Sport*, *Shambuka Magazine*, *Space Magazine*, *Government Information Bulletin*, *Namibia Review*, as well as smaller publications for businesses, including reports, journals, notepads etc.

Web Offset Printers ³⁹

P.O. Box 40371,
Ausspannplatz
30 Hochland Park
Windhoek

Year of establishment: 1996

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

Web Offset Printers was established by Daniel Steinmann (also owner of *The Namibia Economist*) in 1996.

Present ownership structure (structure and name of the main stakeholders in %)

Web Offset Printers is registered under *Web Offset Printing (Pty) Ltd*, in which Steinmann is the major shareholder.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Web Offset Printers currently prints *The Windhoek Observer* and *The Namibia Economist*. It furthermore prints minor publications during election periods and facilitates smaller ad-hoc printing projects.

3.3.2 Conclusions and future challenges for the printing & publishing industry

Prior to 1990, most printing in Namibia was done by *John Meinert (Pty) Ltd*, while the vast majority of religious publications were handled by the *Angelus Printing Press*. Following independence, new (and smaller) printing companies popped up on the market to challenge the existing industry. With regard to size and financial sustainability, one may distinguish between the major newspaper printing presses (mainly *Free Press Printers* and *Newsprint Namibia*) and the medium sized printing presses, that print magazines, and the smaller enterprises that do smaller 'commercial' printing, such as *Nam Print* and *Printech*.

Up to 2006, *Newsprint Namibia* printed all four the daily newspapers in Namibia. The arrival of *Free Press Printers* changed this, with *The Namibian* and *Informante* taking their business to *Free Press Printers*, which also attracted business away from the medium sized and smaller printers. This has forced smaller printers to diversify their client

³⁸ Information for *Solitaire Press* was primarily gathered from interview with Mrs. D. Nortje (06.06.07)

³⁹ Information for *Web Offset Printers* was primarily gathered from interview with Mr. D. Steinmann (04.06.07)

base. *Newsprint Namibia* continues to print three of the four dailies and is most likely to continue doing so.

Solitaire Press and *Web Offset Printers* are among the smaller printing operations that have been operating for quite a while. While *Solitaire Press* prints (glossy) magazines for a number of companies (including the owners own magazine – *Namibia Sport*), *Web Offset Printers* remains viable due to smaller ad-hoc projects as well as the weekly and monthly printing of a number of publications (including *The Windhoek Observer* and the owners own publication – *The Namibia Economist*).

Capital Press, *John Meinert Printing*, *Printech* and *Nam Print* are all catering to a wide-ranging market, including books, reports and other smaller publications for government and corporates. They also do occasional magazine printing, albeit in limited numbers. Lastly, *Angelus Printing Press* has retained the monopoly over the printing of religious publications.

Comments for the future:

Among the future challenges ahead in the printing industry of Namibia is the fact that a lot of printing jobs continue to be done in South Africa, supposedly due to the fact that high-quality printing facilities in Namibia are scarce. In order to avoid this scenario in the future, the fragmented group of smaller printing establishments might look into the option of setting up joint-ventures in order to compete with the South African printers. Because of their size, smaller printing business face an up hill task when competing for print jobs and the survival of some is already being challenged. Discussions or workshops to address challenges would be an ideal platform for the various printing managers/owners to exchange ideas on future possibilities of cooperation.

3.4 Ownership development of the radio broadcasting media

Introduction

Prior to independence, the state-owned *South West African Broadcasting Corporation* (SWABC) (a subsidiary of the *South African Broadcasting Corporation*), was the sole broadcaster in the country and effectively served as the local mouthpiece of the apartheid administration in Pretoria. SWABC was reborn as NBC shortly after independence.

The years after independence saw the drafting of broadcast legislation and creation of regulatory bodies, such as the *Namibian Communications Commission*.

The 1990s also saw the emergence of private commercial broadcasting, with the arrival of a number of commercial radio stations. However, while commercial broadcasting has taken off, community broadcasting has failed to take flight and remains largely a dream.

While it can be said that broadcasting is alive and well in Namibia, the industry does face its challenges.

The ensuing chapters provide details on the national broadcaster (NBC), commercial broadcasters and lastly, community broadcasters. All include details of ownership development and details on how the various stations sustain themselves. The issue of economic and operational sustainability for the three different types of broadcasters is addressed in the concluding comments following these chapters.

3.4.1 The National broadcaster

NBC Radio ⁴⁰

P.O. Box 321
Pettenkopfer Street,
Windhoek-West

Year of establishment: 1991 (by Act 9 of 1991)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State

Initial ownership/funding (subsidised by individual(s), government, private or other)

The *Namibian Broadcasting Corporation* (NBC) was founded in 1991. The NBC falls under the Ministry of Information and Broadcasting, which at the time NBC was established was aware of the potential economic problems the corporation would face in its transitional phase, but was sure this would change within time.

Present ownership structure (structure and name of the main stakeholders in %)

NBC is fully state-owned.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The *Namibian Broadcasting Corporation* has been facing severe economic and administrative problems since its inception. The last audit of 2007 showed that NBC had an operational debt of N\$35.2 million – with approx. N\$7.4 million spent annually on interest payments alone. Over time the NBC has accumulated a debt book of no less than N\$ 206.886.005 million. Because of the financial and administrative difficulties, the NBC has seen most of its more skilled and experienced staffers leave.

3.4.2 Commercial radio broadcasters

Cosmos Digital Namibia Ltd. ⁴¹

PO Box 9639, Eros
Wernhill shopping centre
Windhoek

Year of establishment: 2001

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Cosmos Radio was launched by Kolie van Coller, Barny Barnes and Helmy Hitula in 2001, which initially put in a substantial amount of private funds to get the station off the ground. Since then the ownership structure has changed somewhat - with Kolie van Coller and Helmy Hitula (with a few minor investors) holding a controlling 77% of the station, while the remaining 23% is held by South African investors.

Present ownership structure (structure and name of the main stakeholders in %)

Kolie van Coller (present MD of *Cosmos Radio*) and Helmy Hitula are the main shareholders.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

The radio claims to attract more than 8 000 advertisements per month – an unusually high amount for Namibia, and is therefore likely to generate most of its income from advertising. The station was the first to broadcast via DSTV, reaching listeners across the SADC region. The management is currently negotiating with NBC Television to launch a daily Afrikaans news bulletin to complement the other language services.

Radio 99 ⁴²

PO Box 11849
6 Teinert street
Windhoek

Year of establishment: 1994 (1993)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Namibia's longest running commercial radio station, *Radio 99*, was initially established and owned through a partnership of two German citizens (M. Aita and R. Lange) who owned 49 %, with the remaining 51% owned by Namibian parliamentarian P. Moongo and local business woman E. van Wyk.

Present ownership structure (structure and name of the main stakeholders in %)

Radio 99 is presently owned by *Democratic Media Holdings* (through the *Democratic Media Trust*).
(South African *MEDIA 24* owns 50% of DMH)

⁴¹ Information for *Radio Cosmos* was primarily gathered from interview with Mr. K. van Trooder (06.06.07)

⁴² Information for *Radio 99* was primarily gathered from interviews with Mr. G. Jacobie & DMH (06.06.07)

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
Advertisements are the major revenue source.

Radio Energy (100 FM) ⁴³

PO Box 676
17 Bismarck Street
Windhoek

Year of establishment: 1996/1997

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
The station was established in 1996 with financial input from M. Aita and R. Lange. The two German citizens initially owned 49% of *Radio Energy*, while *Kalahari Holdings* (the investment arm of SWAPO) owned the remaining 51%. Aita and Lange were later bought out by *Kalahari Holdings* in 2002-2003 and the station is now wholly Namibian owned.

Present ownership structure (structure and name of the main stakeholders in %)
Kalahari Holdings is the sole shareholder.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
Advertising is the major revenue source.

Radio Kudu ⁴⁴

P.O Box 5369
158 Jan Jonker Rd.
Windhoek

Year of establishment: 1998

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
Norman Kotze established *Radio Kudu* in 1999. His initial economic partners were David brown and Gunnar Jensen who have stayed as shareholders since the inception.

Present ownership structure (structure and name of the main stakeholders in %)
Norman Kotze, David Brown and Gunnar Jensen each hold an equal 33.3 % of the shares in the radio station.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
Advertising is the major revenue source.

43 Information for *Radio Energy* was primarily gathered from interview with Mr. J. Walenga (07.06.07)

44 Information for *Radio Kudu* was primarily gathered from interview with Mr. N. Kotze (06.06.07)

Radio Omulunga ⁴⁵

PO Box 40789
Windhoek

Year of establishment: 2002

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Norman Kotze, David Brown and Gunnar Jensen launched the country's only Oshiwambo language station in 2002. The three shareholders used funds generated through *Radio Kudu* to launch *Omulunga*.

Present ownership structure (structure and name of the main stakeholders in %)

Norman Kotze, David Brown and Gunnar Jensen each hold an equal 25% of the shares in the station (a total of 75%)
The remaining 25% is held by other local investors.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Advertising is the major revenue source. As the station caters mainly for the Oshiwambo speaking population, advertisements and sales are generally aimed at the Oshiwambo speaking population and areas. *Omulunga Radio* has (as the only Oshiwambo speaking commercial station) proven to be a commercial success.

Radio Wave ⁴⁶

P.O. Box 9953, Eros
30 Simpson Street
Windhoek

Year of establishment: 1998

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The *Radio Wave* was initiated with private funds by Rob Thompson in 1998.

Present ownership structure (structure and name of the main stakeholders in %)

Rob Thompson has since the inception of the radio station remained the main shareholder.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The station is currently a profitable business relying on advertisements, which make up the main source of income.

⁴⁵ Information for *Radio Omulunga* was primarily gathered from interview with Mr. N. Kotze (06.06.07)

⁴⁶ Information for *Radio Wave* was primarily gathered from interview with Mrs. C. Thompson (07.06.07)

West Coast FM ⁴⁷

P.O. Box 1464
Stadt Mitte Shopping Centre
Swakopmund

Year of establishment: 2006

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

WestCoast FM was started by Ernie Erdmann, who had just been awarded a commercial radio license when he died in a car accident. The license was bought by Scharl Moller in 2006 and the station was launched with private funds. *WestCoast FM* went 'on air' in November 2006.

Present ownership structure (structure and name of the main stakeholders in %)

WestCoast FM is owned and managed by Scharl Moller.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

As of June 2007, *WestCoast FM* operates as the only fully tri-lingual station in the country, with three different 4-hour slots in English, Afrikaans and German respectively. Such a platform should inevitably attract a diverse and broad range of advertisers to make the station a profitable establishment in the future. Unfortunately, the station is still partly relying on private economic support from Moller as the station is still incapable of sustaining itself from advertisements. One major challenge is the fact that *WestCoast FM* operates with only one 50Watt transmitter (due to license conditions) and its coverage is therefore limited to Swakopmund only. The management has recently started negotiations with the coastal newspaper *Namib Times* and the national press agency *NAMPA* in order to get a proper and professional news-exchange established. Over time, *WestCoast FM* intends to enter into the same coastal niche (albeit on airwaves) which has kept the coastal newspaper *Namib Times* running since 1958, but until then *WestCoast FM* remains an economically unstable entity.

3.4.3 Community radio broadcasters

Channel 7 ⁴⁸

PO Box 20500
Ara Street
Windhoek

Year of establishment: 1993

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private/Religious (Article 21 Company)

Initial ownership/funding (subsidised by individual(s), government, private or other)

The religious video and information production company *Media for Christ* is the 'mother company' and financier behind *Channel 7* since 1993. *Channel 7* was established and registered as an Article 21 company – in practice a non-profit company. Since its inception, *Media for Christ* has only been slightly involved in *Channel 7*'s management.

Present ownership structure (structure and name the main stakeholders in %)

Channel 7 is presently managed as an Article 21 company under *Media for Christ*.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Even though *Channel 7* is a non-profit operation, it continues to rely on sponsorships as well as private and corporate donations and smaller income generated from advertisements. However, in line with its religious nature, only certain advertisements are allowed on air.

⁴⁷ Information for *WestCoast FM* was primarily gathered from interview with Mr. S. Moller (06.06.07)

⁴⁸ Information for *Channel 7* was primarily gathered from interview with Mr. A. Henning (06.06.07)

Katutura Community Radio ⁴⁹

PO Box 70448, KHD
Clemence Kapuuo Street
Katutura

Year of establishment: 1994 (1995)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Non-profit Trust (community ownership)

Initial ownership/funding (subsidised by individual(s), government, private or other)

The station was established in 1994-1995, but was from the beginning completely reliant on external donors and contributions, as it operated with a community broadcasting license. The station was closed down in 2001 after numerous disputes between management, volunteers and the board. The station was revived in October 2003 by a consortium of NGOs and the *Katutura Community Radio Trust* was established.

Present ownership structure (structure and name of the main stakeholders in %)

The Katutura Community Radio Trust owns and governs the station.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The station continues to rely on sponsorship and donations in order to survive. The station is presently run by a manager and a number of young community volunteers.

Ohangwena Community Radio ⁵⁰

P O Box 13185,
Eenhana

Year of establishment: 1997 (stopped operating in 2006)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
(Not defined)

Initial ownership/funding (subsidised by individual(s), government, private or other)

UNESCO funded and facilitated the establishment of the station in cooperation with the Ohangwena regional council. Unfortunately the administration never managed to set up the radio station or register it as an Article 21 company. When UNESCO pulled out the station (as it was not properly established) the regional council failed to establish a sustainable structure which could administrate economic issues (including sponsors and donors etc.), making it difficult for the station to sustain itself in the long run.

Present ownership structure (structure and name of the main stakeholders in %)

The station has been out of operation for more than 6 months, which meant the station losing its broadcast license, according to the rules of the Namibian Communications Commission.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The station is not operational.

Radio Ecclesia ⁵¹

PO Box 11525
17 Jan Jonker Road
Klein Windhoek

Year of establishment: 2000

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Community/Religious

Initial funding (subsidised by individual(s), government, private or other)
Initially the station was funded and owned by the Namibian Catholic Bishop's Conference (NCBC). The station is currently owned by a group of individuals also interested in religious broadcasting. (names and details not listed).

Present ownership structure (structure and name of the main stakeholders in %)
-

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
-

Radio Live FM ⁵²

P.O Box 3363
253 Bahnhof Street (Block A)
Rehoboth

Year of establishment: 2002

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private (with community commitment)

Initial ownership/funding (subsidised by individual(s), government, private or other)
The station was launched by Eren Heinrich Erdmann and Niklas Muuso on a community broadcasting license. The two individuals also provided the initial funding to get the station off the ground.

Present ownership structure (structure and name of the main stakeholders in %)
Peter Olivier presently owns and manages the station as a community radio station.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
The small community broadcaster is facing economic constraints, as income from advertisements remains somewhat limited. It is currently operating with only three full time employees and as many as twelve (12) volunteers from the local community. The station remains highly dependent on donor funding in order to pursue a greater level of community reporting.

⁵¹ The limited information for *Radio Ecclesia* was gathered from public information, annual reports, newspapers etc.

⁵² Information for *Radio Live FM* was primarily gathered from interview with Mr. P. Olivier (11.06.07)

UNAM Radio ⁵³

Private bag 13301
University of Namibia
Windhoek

Year of establishment: 2001 (1999)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private/Public (University of Namibia)

Initial ownership/funding (subsidised by individual(s), government, private or other)

The station was initiated in 1999 with the assistance of UNESCO to serve as a training facility for UNAM media students as well as establish a local radio service for the campus and its surrounding areas. The station was officially launched in September 2001. As it was launched as a community radio station (with a community radio license) the immediate purpose was not one of generating income, but rather to inform and educate students on campus as well as people within the transmitter's range. Money generated by the station goes into a fund used to upgrade and develop the station.

Present ownership structure (structure and name of the main stakeholders in %)
The University of Namibia owns the station.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

UNAM Radio is presently operating as a commercial radio station, even though it still operates on a community broadcasting license. The station is operating solely with the help of media students and volunteers and UNAM covers all overheads (including electricity, facilities etc.).

3.4.4 Others

Windhoek-Paris FM (RFI & NBC) ⁵⁴

Year of establishment: 2002

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private/State

Initial ownership/funding (subsidised by individual(s), government, private or other)

Radio France International (RFI) was launched under the name *Windhoek-Paris FM* as a joint venture between the state-owned NBC (owning 51%) and Radio France International (owning 49%). RFI applied for a frequency already in 1999, but as the station didn't meet the Namibian Communications Commission ownership requirements (that 51% of the shares must be on Namibian hands), the initial application was refused. When a 'new structure' was outlined and presented in an application in 2002 (with NBC owning 51% of the shares), the station was granted the last open frequency available in Windhoek.

Present ownership structure (structure and name of the main stakeholders in %)

Windhoek-Paris FM is owned by the NBC (51%) and *Radio France International* (RFI) (49%).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

-

⁵³ Information for *UNAM Radio* was primarily gathered from interview with Mr. R. Tyson (06.06.07)

⁵⁴ Information for *Windhoek-Paris FM* was primarily gathered from public information & interview with Mr. J. Kruger (May 2007)

3.4.5 Conclusions and future challenges for the radio broadcasting media

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

Within the commercial broadcasting sector, the years since 1990 have seen a number of ownership changes and the establishment of new stations. Most notable have been the ownership changes at *Radio 99* and *Radio Energy*, both set up by the same pair of M. Aita and R. Lange and now belonging to *Democratic Media Holdings* and *Kalahari Holdings* respectively. However, some stations continue to see a number of their shares held by mainly South African (and other foreign) citizens. Most station owners and managers are from the 'white and well-established' community in Namibia and South Africa, meaning the exploitation of the commercial airwaves is in the hands of a small minority. The question is how to engage and increase black ownership of radio stations.

With regard to community broadcasters, there are very few such stations operational in Namibia. Concerning ownership, the non-profit and/or 'Trust' ownership of such stations seem to be the best options. Community broadcasters have failed to materialise en masse due to a lack of financial support and proper planning.

Comments for the future:

The Ministry of Information and Broadcasting has raised the idea of forcing local or regional authorities to fund community broadcasters, in order to avoid future failures like that of *Ohangwena Community Radio*. While such an arrangement might be feasible, this could make the community broadcasters extremely vulnerable to political and operational interference from local and regional authorities. Apart from the above mentioned issue, the future (draft) *Information Policy* also emphasises the need for a community media fund which can help community media get off the ground. While such an initiative must be warmly welcomed by the community broadcasters, it does not ensure the future economic sustainability of community broadcasters. However, this fund would tide broadcasters over when donor funding ends. Something else to look into could be the drafting of a proper plan/policy addressing the issue of economic sustainability, which can help guide newly (and already) established community broadcasters in the country.

3.5 Ownership development of the television broadcasting media

Introduction

The television broadcasting environment in Namibia prior to independence was limited to the extremely restrictive *South West African Broadcasting Corporation* (SWABC), which was widely regarded as nothing but a mouthpiece of the repressive South African administration then governing Namibia. Following independence, SWABC was replaced by the *Namibian Broadcasting Corporation* (NBC), which took over just about everything from its predecessor, including some of the staff members which had until then been employed at SWABC.

The NBC's television broadcasting monopoly only lasted for a few years, as *MultiChoice* launched its first international subsidiary, *MultiChoice Namibia*, in 1993 in a joint venture with *Kalahari Holdings*. While not a broadcasting station itself, the subscriber management service *MultiChoice* launched its comprehensive DSTV package, with dozens of international satellite broadcasted channels in 1996, which immediately attracted the consumer strong crowd of the population. While the NBC Television has suffered from economic constraints ever since its inception, the *MultiChoice Namibia* has proven itself to be extremely profitable.

Namibia saw its first 'community television license' issued in 2001 to the religious *Trinity Broadcasting Network* (later to form part of the world wide ranging *Trinity Broadcasting Network*), which has expanded its transmitter network considerably since then.

Latest and most interesting development in the television broadcasting industry in Namibia includes the entry of *One Africa Television* in 2003, which is the first 'free-to-air' commercial station ever to broadcast in the country. Some other television broadcasters have also emerged over the years and this chapter lists and gives details of all the players in the sector.

3.5.1 Licensed public television broadcaster

NBC Television ⁵⁵

PO Box 321,
Cullinan Street
Northern Industrial
Windhoek

Year of establishment: 1991 (by Act 9. of 1991)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State

Initial ownership/funding (subsidised by individual(s), government, private or other)

The *Namibian Broadcasting Corporation* (NBC) was founded in 1991. The NBC falls under the Ministry of Information and Broadcasting, which at the time NBC was established was aware of the potential economic problems the corporation would face in its transitional phase, but was sure this would change within time.

Present ownership structure (structure and name of the main stakeholders in %)

NBC is state-owned.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The *Namibian Broadcasting Corporation* has been facing severe economic and administrative problems since its inception. The last audit of 2007 showed that NBC had an operational debt of N\$35.2 million – with approx. N\$7.4 million spent annually on interest payments alone. Over time the NBC has accumulated a debt book of no less than N\$ 206.886.005 million. Because of the financial and administrative difficulties, the NBC has seen most of its more skilled and experienced staffers leave.

3.5.2 Licensed commercial television broadcasters

Downlink Namibia ⁵⁶

Year of establishment: -

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

-

Present ownership structure (structure and name of the main stakeholders in %)

-

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Downlink Namibia broadcasts various sports channels to *MultiChoice* (to be part of the DSTV bouquet).

⁵⁵
(24.04.07)

Information for *NBC Television* was primarily gathered from public information and interview with Mr. B. Kandetu

⁵⁶

Information for *Downlink Namibia* was unfortunately not obtainable.

MultiChoice Namibia ⁵⁷

P O Box 2662
Nelson Mandela Av.
Windhoek

Year of establishment: 1991-1993

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

MultiChoice Africa (which is one of the two main share holders of *MultiChoice Namibia*) was one of the first pay-TV subscription management services to launch outside the US. It started in South Africa in 1985 when *Naspers* and several other South African media companies formed an electronic subscription television service that was to be named *M-Net*. At this stage, a division (later to be called *MultiChoice*) was incorporated to handle the subscriber management services for *M-Net*. The company *MultiChoice* became a reality in 1992, when the customer service divisions split from *M-Net* and established *MultiChoice Ltd.*

In 1993 *MultiChoice* established its first joint venture in Namibia together with Namibian owned *Kalahari Holdings* (the business arm of SWAPO Party) and established *MultiChoice Namibia Ltd.* In 1995, *MultiChoice* (the mother company) completely de-linked itself from its originator *M-Net* and in that same year *MultiChoice* launched its DSTV bouquet on a newly constructed digital platform, which by 2007 has grown to cover more than 40 countries in Africa. In 1996, *MultiChoice Ltd.* was renamed *MIH Holdings Limited* which subsequently founded the subsidiary *MultiChoice Africa*, which is one of the present main shareholders in *MultiChoice Namibia Ltd.*

Present ownership structure (structure and name of the main stakeholders in %)

MultiChoice Namibia Ltd is a joint venture between South African based *MultiChoice Africa* and Namibia's *Kalahari Holdings*, which is the business arm of the ruling SWAPO party.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

MultiChoice Namibia is a very profitable business, generating revenue through its DSTV bouquet subscription service. It is among the few media businesses that have fully established sub-offices in Otjiwarongo and Swakopmund.

One Africa Television ⁵⁸

Storch House
6 Storch Street
Windhoek

Year of establishment: 2003

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

One Africa Television was launched in November 2003 by Paul van Schalkwyk, Madryn Cosburn and Waldheim Sheluwa. The three have since the inception of *One Africa Television* held the controlling 51% stake in the company, leaving the remaining 49% of the shares to local 'empowerment' initiatives. In October/November 2006 *One Africa Television* saw 46% of shares sold off to the local empowerment companies *Stimulus Investments and Aantu Investments and Consulting*. The three founders continue to hold 51% of the shares through *Picture Investments*.

Present ownership structure (structure and name of the main stakeholders in %)

The station is 51% owned by *Picture Investments* (owned by the company founders) while the remaining 49% is held by *One Namibia Investments Ltd* as well as *Stimulus Investments and Aantu Investments and Consulting*.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

One Africa Television relies heavily on advertising. Despite tight finances, the station has succeeded in broadening its

⁵⁷ Information for *MultiChoice Namibia* was primarily gathered from interview with Mrs. W. Greyling Howard (07.06.07)

⁵⁸ Information for *One Africa Television* was primarily gathered from interviews with Mr. W. Sheluwa & Mrs. C. Uys (06.06.07)

coverage to nearly 90% of the country's urban population with transmitters in all major centres in the country (except Katima Mulilo). In April 2007, the station launched its own news bulletin, to finally challenge the television news-monopoly held by NBC since 1991. Despite this positive step, the station continues to broadcast very little Namibian produced programming.

3.5.3 Licensed community television broadcasters

Trinity Broadcasting Network ⁵⁹

TBN Bible Village
P.O. Box: 1587
Swakopmund

Year of establishment: 2002 (2000)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Article 21 Company (religious)

Initial ownership/funding (subsidised by individual(s), government, private or other)

Trinity Broadcasting Network (TBN) was launched by Coenie Botha and his wife Edna in 2000. The Botha's launched the station with money from their own pockets. In 2001 *Trinity Broadcasting Network* got a community broadcasting license and went on air in May 2002. TBN is linked to *International Trinity Broadcasting Network*, of the United States. This link has enabled TBN to receive funding from abroad to buy transmitters to expand the station's coverage in Namibia.

Present ownership structure (structure and name of the main stakeholders in %)

Trinity Broadcasting Network is presently registered as an Article 21 Company under the management of Coenie Botha.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Trinity Broadcasting Network is a non-profit company, but as it is presently employing 17 people, the station relies on air-time bought by various churches in Namibia (sign up for a minimum of six months), as well as numerous private and institutional donations from all parts of the country.

Municipality of Tsumeb Community Broadcasting ⁶⁰

P.O. Box
Tsumeb

Year of establishment: -

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Public/Private

Initial ownership/ funding (subsidised by individual(s), government, private or other)

-

Present ownership structure (structure and name of the main stakeholders in %)

-

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

-

⁵⁹

Information for *Trinity Broadcasting Network* was primarily gathered from interview with Mr. C. Botha (07.06.07)

⁶⁰

Information for the *Municipality of Tsumeb Community Broadcasting* was unfortunately not obtainable.

3.5.4 Conclusions and future challenges for the television broadcasting media

National broadcaster:

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

Commercial broadcasters:

While the liberalisation of the broadcasting environment in the country was highly needed and much welcomed, the first major 'player' to enter the market, *MultiChoice Namibia*, might have contributed variety and diversity in terms of channels and content, it should be noted that *MultiChoice Namibia* is only a subscriber management service and does not produce local programming. *One Africa Television* which was launched as the first privately owned Namibian free-to-air station in 2003, also contributed variety and diversity in terms of viewing fare, but for now the station only produces two programmes itself. Therefore it seems that while the commercial broadcasters are economically sustainable, it is very much at the expense of local (quality) production, leaving the vast majority of programmes and channels to be re-lays of already produced international shows and programmes.

Community broadcasters:

As for now, the only properly established community television broadcaster is the religious *Trinity Broadcasting Network* based in Swakopmund. While the channel is operating on a non-profit basis, it is currently employing 17 people, which inevitably requires substantial private contributions. In addition to this, the station sells 'airtime' to various religious organisations and is linked to the international *Trinity Broadcasting Network*. In case the station was to face severe economic difficulties in the future, its 'mother-company' is most likely to support the channel in its mission of getting back on track.

3.6 Ownership development of the telecommunications industry

Introduction

The post-independence telecoms sector has been especially vibrant. The period from 1990 saw the establishment of national fixed-line operator *Telecom Namibia* and its holding company, *Namibia Post and Telecom Holdings* (NPTH).

Since then the sector has expanded to include not just one but two mobile service providers, albeit one long before the other. The 1990s also saw the emergence of a host of internet service providers in the country, as well as industries related to this sector.

This chapter lists and provides details, ownership and otherwise, of the major telecoms players operating in Namibia at the present and summarises the situation of the sector in the conclusions section.

3.6.1 Licensed land-line operators

Telecom Namibia Ltd.⁶¹

P.O. Box 297
Windhoek

Year of establishment: 1992 (By act 17. of 1992)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State

Initial ownership/funding (subsidised by individual(s), government, private or other)

Prior to independence, the national/public telecommunication service operator in Namibia fell under the Department of Post and Telecommunications. In 1992, *Telecom Namibia Ltd* was legally established as an independent para-statal. In order to ensure a successful transition, the company received major economic support from the state and ministries concerned. *Telecom Namibia* falls under *Namibia Post and Telecom Holdings*.

61 Information for *Telecom Namibia* was gathered from public information and interview with Mr. S. Shinapinda (10.05.07)

Present ownership structure (structure and name the main stakeholders in %)

Telecom Namibia Limited is owned by *Namibia Post and Telecom Holding*, which is wholly state-owned.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Telecom Namibia Ltd is a profitable company with various services, including land-line services (still the only provider in the country), internet services and recently a non-licensed mobile communications service. State interference seems minimal.

3.6.2 Licensed mobile communication providers

MTC ⁶²

C/O Malcolm Spence
& Reginald Walker Street
Windhoek

Year of establishment: 1995

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

State/Private (major share holder is the Namibian State)

Initial ownership/funding (subsidised by individual(s), government, private or other)

MTC (Mobile Telecommunications Limited) was established in 1995 as a joint venture between *Namibia Post and Telecom Holdings* (NPTH) and the Swedish companies *Telia Overseas AB* and *Swedfund International AB*. In 2004, NPTH concluded a deal that saw it hold 100 % of the shares in MTC by acquiring the 49 per cent held by *Telia Overseas AB* and *Swedfund International AB*. In 2006 the NPTH sold 34% of MTC's shares to *Portugal Telecom* and an additional 15% was made available (reserved) to local investors (in particular black economic empowerment initiatives), while the holding company retained a 51% stake in the company.

Present Ownership structure (structure and name the main stakeholders in %)

At present, 66% of shares are held by *Namibia Post and Telecom Holdings*, with 15% of this reserved for a future BEE initiative/investment. The remaining 34 % is owned by *Portugal Telecom*.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

MTC has been the only player on the mobile telephony market for more than 10 years now. This has catapulted it to high profitability. The emergence of *Cell One* could influence MTC's profitability in the long run.

Cell One ⁶³

Robert Mugabe Av.
Windhoek

Year of establishment: 2006/2007

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private (with State ownership)

Initial ownership/funding (subsidised by individual(s), government, private or other)

Cell One was launched in 2006/2007 by *PowerCom (Pty) Limited*.

Present ownership structure (structure and name of the main stakeholders in %)

PowerCom (Pty) Limited, which is the company behind *Cell One*. *PowerCom* is a joint venture between state- owned utility *NamPower* (37%) and *Telecom Management Partner Holdings* (a subsidiary of Norway's *Telenor*) (39%). The remaining shareholders are *Nam-mic* (12%), *Old Mutual* (10%) and *Educational Trust* (2%).

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

⁶² Information for *MTC* was gathered from public information (*MTC* corporate profile), annual reports, and homepage of *MTC* etc. (May 2007).

⁶³ Information for *Cell One* was gathered from public information (*PowerCom* corporate profile), homepage of *CellOne* etc. (May 2007)

As *Cell One* is completely new on the market, its services are still limited. *CellOne* is at present offering 'contract' and 'pre-paid' subscription services and is to launch different business services within the near future. Economically, *Cell One* has quite a challenge ahead of it self, being the first player on the market to challenge MTC for market share.

3.6.3 Non-licensed mobile communication providers

Telecom 'Switch'⁶⁴

P.O. Box 297
Windhoek

Year of establishment: 2006

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State

Initial ownership/funding (subsidised by individual(s), government, private or other)
Switch was launched and is owned by *Telecom Namibia Ltd*. *Telecom Namibia* is state-owned through *Namibia Post and Telecom Holdings*.

Present ownership structure (structure and name of the main stakeholders in %)
As the 'service' falls under *Telecom Namibia Ltd*, it is owned by *Namibia Post and Telecom Holdings*, in which the state is the only shareholder.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
Switch is facing major economic and legal challenges following a recent Cabinet decision restricting it from offering roaming on neighbouring networks (those of *MTC* and *Cell One*). This decision was passed because *Telecom Namibia Ltd* does not hold a license to operate a mobile telecommunication service. According to the draft *Communications Bill* (in its present form), *Telecom Namibia Ltd*, in the future, is to stay completely out of the mobile telecommunication market. Whether this decision will stand in the future will be up to the people drafting the *Communications Authority Bill*.

3.6.4 Licensed internet service providers

M-Web⁶⁵

P.O. Box 2662
Kenya House (Gr. Floor)
Robert Mugabe Av.
Windhoek

Year of establishment: 1999 (2001)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
M-Web Namibia was established in August 1999, following *M-Web South Africa's* acquisition of local internet service provider *Internet World Wide Namibia..* *M-Web Namibia* is thus a subsidiary of *M-Web Africa* which is part of *MIH Limited* (a unit of South Africa's *Naspers*). *M-Web Namibia* was initiated as a joint venture with *Kalahari Holdings* (owned by the political SWAPO Party) which initially owned 25% of the business.

Present ownership structure (structure and name of the main stakeholders in %)
M-WEB Namibia is a subsidiary of South African based *M-Web* (which is a wholly-owned subsidiary of the South African conglomerate *Naspers*). The other main shareholder is the business arm of SWAPO - *Kalahari Holdings* (shares not listed).

⁶⁴ Information for *Telecom 'Switch'* was gathered from public information (product profile) & interview with Mr. S. Shinapinda (May 2007)

⁶⁵ Information for *M-web* was gathered from public information, homepage of M-Web and from interview with Mr. G. Golombowski (07.06.07)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Since 1999, *M-Web Namibia* has established itself as the leading Namibian internet service provider with the biggest market share in the home and dial-up market, offering wide-ranging services and high standards. As new players are entering the market its position as market leader will be challenged.

Internet Technologies Namibia ⁶⁶

P.O. Box 90140,
Huvest Building
522 Sam Nujoma Drive
Windhoek

Year of establishment: 2005

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
Internet Technologies Namibia was founded and established by Barney Harmse (also founder of UUNet Africa) and Schalk Erasmus and Quintin Kotze in 2005. All the initial financing came from these individuals.

Present ownership structure (structure and name of the main stakeholders in %)
Internet Technologies Namibia is currently owned and managed by Barney Harmse (present MD.), Schalk Erasmus (Technical Director) and a number of other Namibian investors (shares and names not listed/disclosed)

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
Internet Technologies Namibia has launched its 'wide (private) area network' solution, which provides connections between businesses and institutions spread out across Namibia, which might be the future income-generator. Other services include wireless ADSL broadband and smaller business/corporate solutions and a few limited 'private' services.

3.6.5 Non-licensed internet service providers

Africa Online Namibia ⁶⁷

P.O. Box 22740
NAU Building
John Meinert Str.
Windhoek

Year of establishment: 2000-2001

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
Africa Online Namibia was established by *Africa Online Holdings* in 2000/2001. *Africa Online Namibia* is currently in the process of finalising the sale of the majority of its shares to *Telkom SA*.

Present ownership structure (structure and name of the main stakeholders in %)
Africa Online Namibia presently sees the majority of its shares held by *Telkom SA*, while the remainder is owned by Namibian investors (shares/numbers not disclosed).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
Africa Online Namibia generates revenue by selling internet solutions to private and the corporate clients. It offers wireless connectivity, leased-line broadband, various ISDN and the older dial-up solutions.

⁶⁶ Information for *Internet Technologies Namibia* was primarily gathered from interview with Mr. J. Dalton (07.06.07)

⁶⁷ Information for *Africa Online Namibia* was primarily gathered from interview with Mr. H. Kistings (07.06.07)

Iway ⁶⁸

Private bag 13329
Jan Jonker Rd.
Ausspannplatz
Windhoek

Year of establishment: 2000

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
State

Initial ownership/funding (subsidised by individual(s), government, private or other)
Iway was launched by *Telecom Namibia* in 2000.

Present ownership structure (structure and name of the main stakeholders in %)
Iway is owned by *Telecom Namibia*, which is owned by *Namibia Post and Telecom Holdings* (NPTH), with the state as sole shareholder.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
Iway generates revenue through services sold to private internet customers.

Namib Net ⁶⁹

P.O. Box 3661
452 Independence Ave
Windhoek

Year of establishment: 1995

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
Namib Net was initiated by Brian Roos in 1995, as one of the first internet providers in the country. Under the management of Brian Roos, *Namib Net* eventually bought up *Club Internet* in 1997. *Namib Net* was also the first internet provider in Namibia to launch wireless broadband services in 2000.

Present ownership structure (structure and name of the main stakeholders in %)
Namib Net is owned by Brian Roos,

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
Namib Net is caters for a small private and corporate market, offering various solutions, including wireless broadband, dial-up internet, fixed-lines and other regular services.

Verizon Business Namibia ⁷⁰

P.O. Box 86472, Eros
NAU Building
Robert Mugabe Ave
Windhoek

Year of establishment: 2006 (1990)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

68 Information for *Iway* was primarily gathered from interview with Mr. P. Amupadhi (07.06.07)
69 Information for *Namib Net* was primarily gathered from interview with Mr. B. Roos (07.06.07)
70 Information for *Verizon Business Namibia* was primarily gathered from interview with Ms. C. Lingenselder (07.06.07)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Verizon Business Namibia was launched in January 2006, following the acquisition of *UUNet Namibia*.

Present ownership structure (structure and name of the main stakeholders in %)

Verizon Business Namibia is owned by US based international conglomerate *Verizon Business* (under *Verizon Communications Inc.*).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Verizon Business Namibia focuses on the corporate market only, as this has proven a more substantial source of income, and the staff of *Verizon* has particular skills to cater to the institutional and corporate market in particular. It offers standard broadband internet, internet security and various hosting services.

3.6.6 Conclusions and future challenges for the telecommunications industry

Fixed-line operations:

As long as no legal provisions ensure that *Telecom Namibia* can be challenged on fixed-line services, it is most likely to remain sustainable and economically viable. *Switch* has, however, cost the company thousands, if not millions of Namibia dollars, and the future of this CDMA based mobile communication service is only to become clear once the *Communications Authority Bill* is passed, hopefully by the end of the year. The regulations and conditions set forth in this document will eventually clarify how (and if) the *Telecom Switch* can continue operating.

Mobile service providers:

While some may regard the Namibian mobile communication market as being fairly liberalised, some challenges are still present. One of the main indicators that the Namibian mobile communication market is only slightly liberalised is the fact that the *Namibian Communications Commission* (which issues the licenses to telecommunication service providers) requires all applicants to have 51% Namibian shareholding. Given the amounts of money involved in setting up a network, few (if any) investors will favour this legal stipulation. While the idea of protecting the local market is understandable, it does, however, interfere with genuine and fair competition. Furthermore, while not necessarily damaging, attention should be given to the fact that the Namibian state (through *NPTH* and *NamPower*) is involved in both mobile operators. Add to this the fact that the third operator, *Telecom Switch*, is also fully owned by *NPTH*, and this state of affairs should give cause for concern.

Internet service providers:

When it comes to the Internet service providers in the country, Namibia is blessed with a small yet fairly diverse bulk of companies (including a variety of services). Some are purely local, some are joint ventures and a number of the companies are either fully or majority owned by foreign investors. Luckily, a number of local companies continue to prove themselves economically viable. These count the long standing *Namib Net* (since 1995) and *M-Web*, which is regarded as the main commercial internet provider for the private/home market. These are joined by newly established *Internet Technologies Namibia* which provides specialist solutions mainly to corporate clients. The foreign owned companies include *Verizon Business Solutions* (which belongs to international conglomerate *Verizon Communications Inc.*) and *Africa Online Namibia*, which has recently seen the majority of its shares bought up by *Telkom S.A.* While the field is fairly diverse, some of the local (and smaller) companies may want to look into joint-venture options in order to secure their future in the Namibian market.

3.7 Ownership development of the film & video media

Introduction

Prior to independence, the few operating film companies based in Namibia were mostly owned and/or managed by South African nationals, but the vast majority of these pulled out following independence in 1990. The few companies on local hands that have remained since pre-independence include *Busch Kino* (since 1986), run by Gert Kiding, and Paul van Schalkwyk's *INTV Film and Video Production* (since 1987). While the first of these is still operational, *INTV* is currently in the process of closing down.

At present, the Namibian film and video industry remains an industry controlled, influenced and often guided by professionals from overseas who have settled in Namibia.

While the film and video production industry is included in this report, it is the least investigated part of the study, hence the lack of thorough company details on ownership and financial sustainability in the following chapters. The following companies are, however, included as they together make up the small (and fragile) industry of film and video production companies in Namibia.

3.7.1 Commercial film producers

Busch Kino ⁷¹

PO Box 40105, Ausspannplatz
10 Avis Road, Avis
Windhoek

Year of establishment: 1986

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)
Busch Kino was started by Gert Kiding in 1986 and he has remained the manager and owner ever since.

Present ownership structure (structure and name of the main stakeholders in %)
Busch Kino is owned by Gert Kiding.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)
The media establishment is currently sustaining itself through production of various films and videos.

Fantom Film Productions ⁷²

-
Swakopmund

Year of establishment: 2005

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidized by individual(s), government, private or other)
-

Present ownership structure (structure and name of the main stakeholders in %)
-

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)
-

INTV Film and Video Production ⁷³

P.O. Box 21593
Storch House
Storch Street
Windhoek

Year of establishment: 1987

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

⁷¹ Information for Busch Kino was primarily gathered from interview with Mr. G. Kiding (14.06.07)

⁷² Information for *Fantom Film Productions* was unfortunately not obtainable.

⁷³ Information for *INTV Film and Video Production* was primarily gathered from interview with Ms. R. Venter (12.06.07)

Paul van Schalkwyk started the company in 1987.

Present ownership structure (structure and name of the main stakeholders in %)

The company is owned by Paul van Schalkwyk (also owner and shareholder in *One Africa TV*, *Venture Publications* and *Advantage McCann*).

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

INTV Productions (Pty) Ltd used to be Namibia's leading name in film and television production, but since Van Schalkwyk has also engaged himself in numerous other media businesses, INTV become somewhat dormant. At the time of writing, INTV was in the process of closing down.

Linda Louw Productions ⁷⁴

PO Box 24810
39 Brahms Street
Windhoek

Year of establishment: 1994

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Linda Louw, who is also the current managing director, started the company.

Present ownership structure (structure and name of the main stakeholders in %)

The company is owned and managed by Linda Louw herself.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The small company is currently sustaining itself through production of documentaries, features and corporate commercials.

Made In Namibia (M.I.N) Films ⁷⁵

P.O. Box 3211
61 Loop Street
Cape Town
South Africa

Year of establishment:

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

-

Present ownership structure (structure and name the main stakeholders in %)

-

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

-

74

Information for *Linda Louw Production* was primarily gathered from interview with Ms. L. Louw (12.06.07)

75

Information for *Made in Namibia (M.I.N.) Films* was gathered from public information, homepages etc. (June 2007)

Mubasen Film & Video Productions ⁷⁶

P.O. Box 4010
42 Best Street
Windhoek West

Year of establishment: 1997-1998

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

The company was started in 1997 by Carla Hofmann who was later joined by Simon Wilkie, Leo Phiri and Tom Minnie.

Present ownership structure (structure and name the main stakeholders in %)

Mubasen Film & Video Productions is presently owned and managed by Carla Hofmann, Simon Wilkie and Tom Minnie.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

A recent decrease in projects has lead the company into smaller projects, and currently undertakes various film and video documenting tasks for clients such as UNICEF among others. The company currently specialises in educational documentaries and factual films.

Namib Films ⁷⁷

P.O. Box 2209
Swakopmund

Year of establishment: 1999

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Namib Films was started by Guy Nockels, who boasts 33 years of experience in the international film industry. German producer Alexander Honisch and Paul van der Ploeg have joined Nockels in the business.

Present ownership structure (structure and name of the main stakeholders in %)

-

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Namib Films has been operating profitably for more than eight years now and mainly services international and regional film crews and productions. It has facilitated major film productions from all over the world, including major Hollywood productions.

⁷⁶ Information for *Mubasen Film & Video Productions* was primarily gathered from interview with Mr. S. Wilkie (14.06.07)

⁷⁷ The limited information for *Namib Films* was gathered from public information, homepages etc. (June 2007)

Optimedia/Kupila Productions ⁷⁸

P.O. Box 9928
142 Jan Jonker Road
Windhoek

Year of establishment:

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidized by individual(s), government, private or other)
-

Present ownership structure (structure and name of the main stakeholders in %)
-

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Optimedia has long been among the most renowned production companies in the country. They have produced various documentaries, dramas, commercials and training videos for private and government agencies.

Pilots Paradise ⁷⁹

P.O. Box 90705
Windhoek

Year of establishment: 1999-2000

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

Pilots Paradise was started in 1999 by Helga and Pommighaus Wolfgang, who have remained in charge of the small company since its inception.

Present ownership structure (structure and name of the main stakeholders in %)

Pilots Paradise is owned and managed by Helga and Pommighaus Wolfgang who each own 50% of the company.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

The company is currently sustaining itself through various projects and productions. Among them, *Pilots Paradise* works as a facilitator for international film crews and photo shoots. It specialises in aerial footage for video and film as well as smaller video productions for the local (tourism) market in Southern Africa.

Power and Glory Films ⁸⁰

PO Box 4258
25 Von Eckenbrecher Street
Windhoek

Year of establishment: 1994

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)
Private

Initial ownership/funding (subsidised by individual(s), government, private or other)

⁷⁸ The limited information for *Optimedia* was gathered from public information, homepages etc. (June 2007)

⁷⁹ Information for *Pilots Paradise* was primarily gathered from interview with Mr. P. Wolfgang (14.06.07)

⁸⁰ Information for *Power and Glory Film* was primarily gathered from interview with Ms. N. Bingel (12.06.07)

Power and Glory Films was started by Raphael Scriba.

Present ownership structure (structure and name of the main stakeholders in %)

The company is owned by Raphael Scriba.

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

Power and Glory Films is sustaining itself by producing a documentaries, features and corporate commercials.

3.7.2 Community film producers

Myndz Community ⁸¹

P.O. Box 31490
9 Rossini Street
Windhoek West

Year of establishment: 2004 (operating since 2002)

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private (community owned)

Initial ownership/funding (subsidised by individual(s), government, private or other)

Myndz Community was started under the name *Showbiz Enterprises CC* in 2004 by Boli Mootseng, Kiama Kariuki and Kiiru Wa Ngotho, with their own funds.

Present ownership structure (structure and name of the main stakeholders in %)

Myndz Community is 60% owned by the three founding members, with the remaining 40% owned by associates.

Present funding (subsidized, public taxes, advertising, revenues, sales etc.)

Myndz Community is mainly sustaining itself through its various partnerships/contracts with NGOs and various audio/graphics/literature projects with upcoming and established artists (mostly musicians). *Myndz Community* has limited experience with commercial clients.

Township Productions ⁸²

P.O. Box 7030
Katutura
Windhoek

Year of establishment: 2004

Financial support & level of (self-) sustainability

Type of owner (private, government, community owned or other)

Private/Community

Initial ownership/funding (subsidised by individual(s), government, private or other)

-

Present ownership structure (structure and name of the main stakeholders in %)

-

Present funding (subsidised, public taxes, advertising, revenues, sales etc.)

-

3.7.3 Conclusions and future challenges for film and video media

While the previous chapter may show that film and video production companies are operating in Namibia, the country continues to suffer from the fact that while having the most amazing scenery and being an extremely popular location,

⁸¹ Information for *Myndz Community* was primarily gathered from interview with Mr. K. Wa Ngotho (01.06.07)

⁸² Information for *Township Productions* was unfortunately not obtainable

the ones benefiting from and utilising these conditions are international film companies and producers who tend to use their own equipment and own crews. This inevitably impacts on local entrepreneurs, who do not have the resources to compete against big international productions.

This situation is further exacerbated by the fact that the industry is largely controlled by ex-pats. As long as the major players are either South African, German or from elsewhere, local entrepreneurs will struggle to compete. In the following section the strengths and challenges of and to the local industry are discussed.

Commercial film producers:

Apart from the above listed suggestions and inputs, the issue of economic sustainability is very much relevant and present for a number of the mentioned commercial film companies in the country. Because of its technical nature, film and video production requires substantial start up capital, which is something most locals do not have access to. Most of the local companies are one-man enterprises that do mostly jobs for NGOs, various associations, and/or smaller commercials. The few big local production companies make money out of facilitation services to big international productions.

Community film producers:

The small production companies face many hurdles, chief amongst them finances. *Myndz Community*, which is run by a group of ambitious young people, is trying to establish a platform for skilled individuals trying to enter the video/graphics and audio market. Initiatives like these are, however, dependent on clients willing to try less conventional (and less commercial) production companies. However, these enterprises are extremely vulnerable to skills and expertise drainage when the best people are lured to bigger and more commercial film and video producers.

The *Film and Video Development Fund*, which is administered by the *Namibian Film Commission*, was specifically set up to develop the local film-making industry. However, the Fund has mainly been used to channel funds to the feature film about former Namibian President, Dr Sam Nujoma, '*Where Others Wavered*'. If this Fund is to seriously live up to its stated aim, allocating money and empowering community-initiatives like *Myndz Community* and *Township Production* should be high on the agenda. A greater focus on training facilitation could also change some of the present negative trends in the film and video industry.

3.8 Conclusion on media ownership development 1990-2007

Namibia has seen a lot of changes and shifts taking place on the media landscape since 1990. The major ownership trends over this period from 1990 to the present are summarised in this section.

The press and print media

With four daily newspapers, numerous weekly newspapers and a large number of monthlies the Namibian print media market has become fairly packed in comparison with most of its neighbouring countries. Since independence many publications have been launched and many have been closed down again. While this may be a normal occurrence, the Namibian print media sector has developed an unhealthy trend of launching somewhat unsustainable publications. This added with the lack of a proper print media regulator, does not seem to hinder new publications coming and going nearly every month. At the moment just about anybody can set up a newspaper/magazine without any prior knowledge, experience or economic support, which eventually leads to numerous failed attempts, and only few successes.

Only four newspapers have effectively stood the test of time, namely *The Namibian*, *Die Republikein*, *Allgemeine Zeitung* and *New Era*.

In terms of sustainability *The Namibian* has proven it self to be among the few papers established in the 80'ies, still sustaining it self with a daily circulation of close to 35.000 copies. The *Namibian* is the only independent daily published in the official language, namely English.

Meanwhile, state-owned *New Era* continues to face economic constraints despite substantial financial support from government. *New Era* has now been in the red for 16 consecutive years.

The German newspaper *Allgemeine Zeitung* (operating since 1916) and the Afrikaans newspaper *Republikein* (since 1978) remain sustainable most probably due to the fact that they are strongly affiliated to financially strong partners/advertisers.

The weekly and twice monthly newspapers remain economically and financially viable because of their narrow or specific focus. This includes *The Windhoek Observer*, *The Namibia Economist* and *Namib Times*. The bi-lingual and free *PLUS Weekly* attracts a mixture of English and German readers and hence a fair amount of advertisers aiming to

reach this market. All these papers are aimed at a relatively small segment of the newspaper reading public and can thus keep costs down by focussing on that market.

With regard to magazines, those that have stood the test of time seem to have done so with continuous donor support, such as *Sister Namibia* and *The Big Issue*, or because of sustainable and fixed arrangements with commercial partners, such as *Flamingo* and *Travel News Namibia*. The few other publications that fall outside these categories (like *Space Magazine* and *Insight Namibia*) are mostly specialist magazines with a limited (yet financially strong) readership. These publications generate revenue through advertising and sales.

Comments for the future:

For all intents and purposes, community newspapers and/or printed publications do not exist in Namibia. Since 1990, there have been a few, but these quickly folded due to lack of funds or mismanagement. There are a number of initiatives being employed by the Ministry of Information and Broadcasting to kick start community publications.

On the commercial front, the pool of advertisers in Namibia remains small and this influences the feasibility of newspapers and publications, especially those trying to break into a field of a few established titles.

The printing & publishing industry

Prior to 1990, most printing in Namibia was done by *John Meinert (Pty) Ltd*, while the vast majority of religious publications were handled by the *Angelus Printing Press*. Following independence, new (and smaller) printing companies popped up on the market to challenge the existing industry. With regard to size and financial sustainability, one may distinguish between the major newspaper printing presses (mainly *Free Press Printers* and *Newsprint Namibia*) and the medium sized printing presses, that print magazines, and the smaller enterprises that do smaller 'commercial' printing, such as *Nam Print* and *Printech*.

Up to 2006, *Newsprint Namibia* printed all four the daily newspapers in Namibia. The arrival of *Free Press Printers* changed this, with *The Namibian* and *Informante* taking their business to *Free Press Printers*, which also attracted business away from the medium sized and smaller printers. This has forced smaller printers to diversify their client base. *Newsprint Namibia* continues to print three of the four dailies and is most likely to continue doing so.

Solitaire Press and *Web Offset Printers* are among the smaller printing operations that have been operating for quite a while. While *Solitaire Press* prints (glossy) magazines for a number of companies (including the owners own magazine – *Namibia Sport*), *Web Offset Printers* remains viable due to smaller ad-hoc projects as well as the weekly and monthly printing of a number of publications (including *The Windhoek Observer* and the owners own publication – *The Namibia Economist*).

Capital Press, *John Meinert Printing*, *Printech* and *Nam Print* are all catering to a wide-ranging market, including books, reports and other smaller publications for government and corporates. They also do occasional magazine printing, albeit in limited numbers. Lastly, *Angelus Printing Press* has retained the monopoly over the printing of religious publications.

Comments for the future:

Among the future challenges ahead in the printing industry of Namibia is the fact that a lot of printing jobs continue to be done in South Africa, supposedly due to the fact that high-quality printing facilities in Namibia are scarce. In order to avoid this scenario in the future, the fragmented group of smaller printing establishments might look into the option of setting up joint-ventures in order to compete with the South African printers. Because of their size, smaller printing business face an up hill task when competing for print jobs and the survival of some is already being challenged. Discussions or workshops to address challenges would be an ideal platform for the various printing managers/owners to exchange ideas on future possibilities of cooperation.

The radio broadcasting media

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

Within the commercial broadcasting sector, the years since 1990 have seen a number of ownership changes and the establishment of new stations. Most notable have been the ownership changes at *Radio 99* and *Radio Energy*, both set up by the same pair of M. Aita and R. Lange and now belonging to *Democratic Media Holdings* and *Kalahari Holdings* respectively. However, some stations continue to see a number of their shares held by mainly South African (and other

foreign) citizens. Most station owners and managers are from the 'white and well-established' community in Namibia and South Africa, meaning the exploitation of the commercial airwaves is in the hands of a small minority. The question is how to engage and increase black ownership of radio stations.

With regard to community broadcasters, there are very few such stations operational in Namibia. Concerning ownership, the non-profit and/or 'Trust' ownership of such stations seem to be the best options. Community broadcasters have failed to materialise en masse due to a lack of financial support and proper planning.

Comments for the future:

The Ministry of Information and Broadcasting has raised the idea of forcing local or regional authorities to fund community broadcasters, in order to avoid future failures like that of *Ohangwena Community Radio*. While such an arrangement might be feasible, this could make the community broadcasters extremely vulnerable to political and operational interference from local and regional authorities. Apart from the above mentioned issue, the future (draft) *Information Policy* also emphasises the need for a community media fund which can help community media get off the ground. While such an initiative must be warmly welcomed by the community broadcasters, it does not ensure the future economic sustainability of community broadcasters. However, this fund would tide broadcasters over when donor funding ends. Something else to look into could be the drafting of a proper plan/policy addressing the issue of economic sustainability, which can help guide newly (and already) established community broadcasters in the country.

The television broadcasting media

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

While the liberalisation of the broadcasting environment in the country was highly needed and much welcomed, the first major 'player' to enter the market, *MultiChoice Namibia*, might have contributed variety and diversity in terms of channels and content, it should be noted that *MultiChoice Namibia* is only a subscriber management service and does not produce local programming. *One Africa Television* which was launched as the first privately owned Namibian free-to-air station in 2003, also contributed variety and diversity in terms of viewing fare, but for now the station only produces two programmes itself. Therefore it seems that while the commercial broadcasters are economically sustainable, it is very much at the expense of local (quality) production, leaving the vast majority of programmes and channels to be re-lays of already produced international shows and programmes.

As for now, the only properly established community television broadcaster is the religious *Trinity Broadcasting Network* based in Swakopmund. While the channel is operating on a non-profit basis, it is currently employing 17 people, which inevitably requires substantial private contributions. In addition to this, the station sells 'airtime' to various religious organisations and is linked to the international *Trinity Broadcasting Network*. In case the station was to face severe economic difficulties in the future, its 'mother-company' is most likely to support the channel in its mission of getting back on track.

The telecommunications industry

As long as no legal provisions ensure that *Telecom Namibia* can be challenged on fixed-line services, it is most likely to remain sustainable and economically viable. *Switch* has, however, cost the company thousands, if not millions of Namibia dollars, and the future of this CDMA based mobile communication service is only to become clear once the *Communications Authority Bill* is passed, hopefully by the end of the year. The regulations and conditions set forth in this document will eventually clarify how (and if) the *Telecom Switch* can continue operating.

While some may regard the Namibian mobile communication market as being fairly liberalised, some challenges are still present. One of the main indicators that the Namibian mobile communication market is only slightly liberalised is the fact that the *Namibian Communications Commission* (which issues the licenses to telecommunication service providers) requires all applicants to have 51% Namibian shareholding. Given the amounts of money involved in setting up a network, few (if any) investors will favour this legal stipulation. While the idea of protecting the local market is understandable, it does, however, interfere with genuine and fair competition. Furthermore, while not necessarily damaging, attention should be given to the fact that the Namibian state (through *NPTH* and *NamPower*) is involved in both mobile operators. Add to this the fact that the third operator, *Telecom Switch*, is also fully owned by *NPTH*, and this state of affairs should give cause for concern.

When it comes to the Internet service providers in the country, Namibia is blessed with a small yet fairly diverse bulk of companies (including a variety of services). Some are purely local, some are joint ventures and a number of the

companies are either fully or majority owned by foreign investors. Luckily, a number of local companies continue to prove themselves economically viable. These count the long standing *Namib Net* (since 1995) and *M-Web*, which is regarded as the main commercial internet provider for the private/home market. These are joined by newly established *Internet Technologies Namibia* which provides specialist solutions mainly to corporate clients. The foreign owned companies include *Verizon Business Solutions* (which belongs to international conglomerate *Verizon Communications Inc.*) and *Africa Online Namibia*, which has recently seen the majority of its shares bought up by *Telkom S.A.* While the field is fairly diverse, some of the local (and smaller) companies may want to look into joint-venture options in order to secure their future in the Namibian market.

The film & video media

While the previous chapter may show that film and video production companies are operating in Namibia, the country continues to suffer from the fact that while having the most amazing scenery and being an extremely popular location, the ones benefiting from and utilising these conditions are international film companies and producers who tend to use their own equipment and own crews. This inevitably impacts on local entrepreneurs, who do not have the resources to compete against big international productions.

This situation is further exacerbated by the fact that the industry is largely controlled by ex-pats. As long as the major players are either South African, German or from elsewhere, local entrepreneurs will struggle to compete. In the following section the strengths and challenges of and to the local industry are discussed.

Apart from the above listed suggestions and inputs, the issue of economic sustainability is very much relevant and present for a number of the mentioned commercial film companies in the country. Because of its technical nature, film and video production requires substantial start up capital, which is something most locals do not have access to. Most of the local companies are one-man enterprises that do mostly jobs for NGOs, various associations, and/or smaller commercials. The few big local production companies make money out of facilitation services to big international productions.

The small production companies face many hurdles, chief amongst them finances. *Myndz Community*, which is run by a group of ambitious young people, is trying to establish a platform for skilled individuals trying to enter the video/graphics and audio market. Initiatives like these are, however, dependent on clients willing to try less conventional (and less commercial) production companies. However, these enterprises are extremely vulnerable to skills and expertise drainage when the best people are lured to bigger and more commercial film and video producers.

The *Film and Video Development Fund*, which is administered by the *Namibian Film Commission*, was specifically set up to develop the local film-making industry. However, the Fund has mainly been used to channel funds to the feature film about former Namibian President, Dr Sam Nujoma, '*Where Others Wavered*'. If this Fund is to seriously live up to its stated aim, allocating money and empowering community-initiatives like *Myndz Community* and *Township Production* should be high on the agenda. A greater focus on training facilitation could also change some of the present negative trends in the film and video industry.



4.

Media ownership & diversity 2007

4.1 Introduction

This chapter pays substantial attention to some of the present trends related to media ownership and media diversity in Namibia in the year 2007. The study continues to include chapters covering *the press & print media, the printing & publishing industry, radio & TV broadcasting, the telecommunications industry and lastly the film and video media.* Within each of the mentioned media sectors, all major (if not all) media house have been listed with their respective details on location of media house, content produced, language used, service coverage and media distribution – and most importantly the major shareholders and/or owner(s) of the particular establishment. All the various media sectors are subsequent summarized and viewed upon to analyse and reveal the degree of diversity materializing in the individual media sectors. Where found necessary, supplementary and clarifying comments have been added to the statistical data presented. Conclusively, the various media houses are divided into three types of ownerships – the state/government ownerships, the private ownerships and the community backed/funded ownerships. These are furthermore divided into four sub-categories, the *normal single ownerships, the multiple ownerships, the religious/political ownerships* and lastly *the international conglomerate ownerships.*

4.2 Press and print media

Introduction

The current press and print media environment in Namibia is rather diverse, comprising four major daily newspapers, approximately 10 weekly and bi-weekly publications. These are followed by another 10-12 monthlies and an unknown number of other more irregular publications. Unfortunately not all printed publications in Namibia have been included, but only the more prominent, longest standing, sustainable and relevant (in terms of printing figures, coverage etc.) titles have found their place in this study. While the ensuing charts may look impressive and comprehensive, attention should be brought to the fact that the charts reveal various (sometimes disturbing) trends in the present print media environment. The charts illustrate diversity; with regard the diversity of language, diversity of content, diversity of coverage, circulation numbers, diversity of the use of printing press facilities and lastly the issue of ownership diversity. However, it should be noted that the data provided for the ownership column should be regarded as an indicator and not a 100% accurate reflection of the (sometimes) complex composition of ownership. Thus a number of the mentioned owners should be regarded merely as the main (if not sole) shareholders of the CC's or the holding company that own the particular publication – and not necessarily the only person who is economically involved.

4.2.1 Daily publications

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	CIRCULATION (estimated)	OWNERSHIP	PRINTING PRESS
Allgemeine Zeitung	Windhoek	German	Daily newspaper: International and national news aimed at the German speaking population	All major and some medium size towns (with German population)	5.000 - 6.000 (12.000 copies of monthly tourism edition)	Private: Democratid Media Holdings (the Democratic Media Trust)	Newsprint Namibia
New Era	Windhoek	English (local languages)	Daily newspaper: International and national news	All major medium and some small size towns.	9.000 (11.000 copies of Friday edition)	State: New Era Publication Corporation	Newsprint Namibia
Die Republiekein	Windhoek	Afrikaans (English)	Daily newspaper: International and national news aimed at the Afrikaans speaking population	All major medium and some small size towns.	18.000 (approx)	Private: Democratid Media Holdings (the Democratic Media Trust)	Newsprint Namibia
The Namibian	Windhoek, (Oshakati, Keetmanshop, Swakopmund)	English (Oshiwambo)	Daily newspaper: International and national news	All major medium and small size towns.	32.000 – 35.000 (42.000 - 45.000 copies of Friday edition)	Trust: Free Press of Namibia Trust	Free Press Printers

Number of daily publications: 4

(In the following, the number '4' is a reference point for the total number of daily publications)

Location of media house diversity:

Windhoek: 4/4

While all the mentioned publications have their main offices in Windhoek, some of the media houses have sub-offices (and/or correspondents) spread throughout the country.

Ownership diversity

State owned: 1/4

Privately owned: 3/4

Multiple Ownerships: 1

It should be noted that two of the four dailies (*Allgemeine Zeitung & Die Republikein*) fall under the same owner – namely *Democratic Media Holdings* (through the *Democratic Media Trust*).

South African based - *MEDIA 24* (part of international conglomerate *Naspers*) holds 50% of the shares in DMH)

Language diversity:

Afrikaans: 1/4

English: 2/4

German: 1/4

Indigenous languages: 0(2)/4 –limited sections.

Content diversity:

What regard to newspaper content, it should be noted that the four daily newspapers *do* serve different readers, but the major distinction in terms of content is without doubt the language of the publications mentioned. While the international and national headlines are fairly similar (leave out politics) the German and Afrikaans newspapers do focus more on issues related to the German and Afrikaans speaking populations, whereas *New Era* and *The Namibian* pay more attention to issues affecting the population (including the rural) in general. Having said this, the four publications inevitably have their individual social and political standpoints. Currently, state-owned *New Era* is definitely pro-government, *The Namibian* remains fairly leftist and critical of the present political situation and *Allgemeine Zeitung* and *Republikein* continue (albeit not directly) to follow a fairly liberal and/or conservative path when it comes to Namibian politics.

Coverage diversity:

As of 2007, all the daily publications claim to have national coverage. While such a definition is somewhat vague, most publications do reach even the farthest and remote regions, albeit with substantial delay as all the daily newspapers are printed in Windhoek and distributed from here. As *The Namibian* and *New Era* pay substantial attention to local/rural issues, along with a vision of embracing and reaching Namibians across the country, these publications do make a greater effort in covering the rural population in terms of distribution.

Printing diversity:

Free Press Printers: 1/4

Newsprint Namibia: 3/4

4.2.2 Weekly & bi-weekly publications

* The Caprivi Vision is currently not publishing due to economic constraints.

Number of weekly & bi-weekly publications: 10

(In the following, the number '10' is a reference point for the total number of weekly & bi-weekly publications)

Location of media house diversity:

Katima Mulilo: 1/10

Swakopmund/Walvis Bay: 1/10

Windhoek: 8/10

Religious/political ownership: 1

While it could be argued that all the mentioned publications have somewhat of a political agenda, it is only the SWAPO owned publication *Namibia Today* that can be regarded as a 'genuine' politically owned newspaper.

Ownership diversity:

State/Government owned: 1/10

Privately owned: 8/10

Community publications: 1/10

Language diversity:

Afrikaans: 2 (3)/10 - only sections

English: 10/10

German: 2/10

Indigenous languages: (1)/10 – only sections.

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	CIRCULATION (estimated)	OWNERSHIP	PRINTING PRESS
Caprivi Vision *	Katima Mulilo	English (Silozi)	Community newspaper/leaflet. Mainly local and regional news.	Katima, Rundu, Grootfontein & Windhoek,	5.000 (approx)	Community/Private: Local individuals on a volunteer basis.	Web Offset Printers
Emanipation	Windhoek	English	Newsletter/Leaflet. Job-ads, business presentations, advertisement etc.	All major towns & (embassies abroad)	7.000 (free) (approx)	Private: Soini Nampala	Free Press Printers
Infomante	Windhoek (Swakopmund)	English/Afrikaans	Newspaper: Mostly national news with a great deal of tabloid stories on crime and dubious affairs.	All major medium and small size towns.	260.000 (monthly) (free)	Private: Trustco Group International	Free Press Printers
NamibTimes	Walvis Bay (Swakopmund)	English/German	Newspaper: Mostly coastal & community reports - but also national content.	Most coastal areas, Windhoek and subscribers in the North.	7.000 – 8.000 (approx.)	Private: D. Kock & D. Frankfurt	(Private printing press)
Namibia Today	Windhoek	English/ all local languages	Pol. newspaper: Mainly on SWAPO activities - political and economic issues.	All major medium and some small size towns	7.000 (approx.)	Private: (SWAPO Party)	Newsprint Namibia
PLUS Weekly	Windhoek (Swakopmund)	English/German (Afrikaans)	Newspaper: Fully bilingual covering regional & local news.	All major medium and some small size towns	8.000 – 11.000	Private: H. Feddersen	Free Press Printers
The Economist	Windhoek	English	Newspaper: Reports on international and national economics and finances.	All major and medium size towns.	7.000 (approx.)	Private: D. Steinman	Web Offset Printers
The Southern Times	Windhoek	English	SADC Regional Newspaper. Regional news on politics, economics, culture etc.	All major medium and some small size towns	2.000 (In Namibia approx.)	State: NamZim Newspapers (Pty.) Limited (Namibian state & Zimbabwean state)	Namibia: Free Press Printers Zimbabwe: Zimbabwe Newspapers Ltd.
The Windhoek Observer	Windhoek	English/Afrikaans	Newspaper: National news, reports on scandals, crime and a great deal of other tabloid stories.	All major medium and some small size towns.	12.000 – 13.000 (approx.)	Private: E. Schmidt	Web Offset Printers
Weekly Advertiser	Windhoek	English	Advertising paper: Purely adverts.	All major and medium size towns.	7.000 (approx)	Private: Toti Consultants CC. Togarepi Mutangi	Free Press Printers

Content diversity:

With regard to the mentioned publications, most of these are printed in newspaper-format and cover various smaller niches – or address particular and more narrowed readerships, such as the weekly *Namibia Economist*, the coastal *Namib Times* and the bi-lingual *PLUS Weekly*. In addition to these, there are smaller advertisement-papers like *Emancipation* and the *Weekly Advertiser*. The weeklies also include two rather ‘political’ newspapers – namely the state owned *Southern Times*, which produces international and national news from the SADC region, followed by the mouthpiece of SWAPO, the *Namibia Today*, which mainly covers governmental and institutional issues. Lastly, the long standing *Windhoek Observer* and the fairly new *Informante* spark up the market with a brand of sensational reporting on corruption, crime, scandals etc.

Coverage diversity:

While the national dailies have close to national coverage, the weeklies and bi-weeklies are nowhere as profitable thus not in the position to reach full coverage. Those that do manage to reach the vast majority of the towns in the country are *Informante* and *The Windhoek Observer*. These are followed by *The Economist*, *PLUS Weekly* and the *Weekly Advertiser* who also have substantial reach. Those that still have to expand and build up sustainable distribution are the *Southern Times*, *Namibia Today* and the newly established *Emancipation*. As newspapers like *Namib Times* and *Caprivi Vision* are mainly serving a geographically defined audience, their distribution remains limited.

Printing diversity:

Free Press Printers: 5/10

Newsprint Namibia: 1/10

Web Offset Printers: 3/10

Other: 1/10

4.2.3 Monthly & bi-monthly publications

Number of monthly publications: 11

(In the following, the number ‘11’ is a reference point for the total number of monthly & bi-monthly publications)

Location of media house diversity:

Luderitz: 1/11

Swakopmund 0(1)/11

Windhoek: 10/11

Ownership diversity

State/Government owned: 2(3)/11

Privately owned: 7(8)/11

Community publications: 1/11

Language diversity

Afrikaans: 1(2)/11 – only sections.

English: 11/11

German: 0/11

Indigenous languages: (1)/11 – only sections.

Content diversity:

The vast majority of monthly publications are printed/published in magazine (glossy or not) format. The monthly publications consists of a bunch of (semi-)government publications, which are mostly related to policies, frameworks and activities in government, a few independent current affairs magazines like *Insight Namibia* and *The African*, as well as a few non-profit publications like *Sister Namibia* and *Big Issue Namibia*, which carry articles on community issues like poverty, women’s empowerment, human rights etc. Lastly, there are a few thematic publications like *Namibia Sport* (content obvious) and *Space Magazine* and *Family Life* which covers family issues like health, food, relationships etc.

Coverage diversity:

The issue of circulation diversity for the monthly publications seems very much to be related to the sustainability and economic viability of the publications concerned. While the more ‘established’ and longer standing publications (including *Sister Namibia*, *Insight Namibia*, *Space Magazine* and *Namibia Sport*) have a fairly developed distribution network, some of the newer and not yet sustainable publications like *Family Life* and *The African* are limited to Windhoek and one or two other towns. A fair number of government funded publications are distributed throughout the country, but mainly to government institutions, partner companies and libraries.

Printing diversity:

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	CIRCULATION (estimated)	OWNERSHIP	PRINTING PRESS
Buchte News	Luderitz	English	Community Newsletter: Local issues and stories, calendar and reviews of local activities.	Luderitz	1.400	Private/community: (names not listed)	Namdeb printing facilities (Oranjemund)
FamilyLife	Windhoek	English	Family & Women's Magazine: Stories on lifestyle, children, family life, health and mental wellbeing etc.	Windhoek & Okahandja	1.000 - 3.000	Private: Namibian individuals (names not listed)	Printech
Government Information Bulletin	Windhoek	English	Government newsletter: Articles on government programmes, policies and more.	National	25.000	State: Ministry of Information and Broadcasting	Solitaire Press
Insight Namibia	Windhoek	English	Current Affairs magazine: Political, business, economic, social and cultural reporting + in depth analysis.	All major and medium size towns.	2.500 - 3.000	Private: Insight Namibia CC: R. Sherbourne 37.5%, T. Amupadhi 20%, D. Lush 12.5%, I. Shovaleka 12.5%, G. Hopwood 12.5%, K. Siteketa 5%	John Meinert Printing
Namibia Review	Windhoek	English	Magazine: Policy and current affairs articles on government activities.	Windhoek, regional inst., policymakers, higher learning institutions etc.	5.000	State: Ministry of Information and Broadcasting	Solitaire Press
Namibia Sport	Windhoek	English	Magazine: Sports magazine covering local sport activities as well as international features	All major towns + distribution to school libraries throughout the country.	2.500	Private: H. Fernandes, 51% H. Schutz 49%	Solitaire Press
NCCI Business Journal	Windhoek	English	Magazine: Financial and business reporting on local issues.	All major towns, embassies, institutions & partners.	5.000	State/Private: Namibia Chamber of Commerce (NCCI)	Printech
Sister Namibia	Windhoek	English/Afrikaans/Oshiwambo	Women's Community Magazine: Debating stories on gender, health, community issues, human rights, poverty etc.	All major and medium size towns.	10.000 (approx.)	Non-profit trust: Sister Namibia Trust	John Meinert Printing
Space Magazine	Windhoek	English (2 Afrikaans columns)	Women's & Family Magazine: Various stories on lifestyle, design, mental wellbeing.	All major and medium size towns.	2.500 (approx.)	Private: E. Schmidt	Solitaire Press
The African	Windhoek	English	Current Affairs Magazine: Various stories on social, political and human rights issues.	Windhoek & various high school libraries (occasionally to other towns + neighbouring ADC towns)	2.000 - 4.000 (approx)	Private: Dr. Francis S. Nyathi	Printed in S.A (occasionally at Printech)
The Big Issue	Windhoek (Swakopmund)	English	Magazine: Debating stories on community issues, human rights, the homeless and poverty.	Windhoek & Swakopmund	2.000 (approx)	Non-profit trust: The Namibia Magazine Trust	John Meinert Printing

John Meinert Printing: 3/11

Printech: 2(3)/11

Solitaire Press: 4/11

Other: 2/11

4.2.4 Other publications

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	CIRCULATION (estimated)	OWNERSHIP	PRINTING PRESS
Echoes Campus	Windhoek	English	Campus newspaper: Primarily articles on student issues incl. school, trends, sports etc.	Windhoek	5.000	Private/Public: Echoes News Service (The Polytechnic of Namibia)	Free Press Printers
Shambuka Magazine	Windhoek	English	Youth magazine: Stories on music, events, fashion, relationships and other issues aimed at 16-30 year olds.	Windhoek, Oshakati, Swakopmund, Walvis Bay, Luderitz, Rehoboth & Katima Mulilo	2.500	Private: Tuitengepo Solutions CC: N Hamutumwa & O G Hamutumwa	Solitaire Press
Zula Connector Post *	Windhoek	English	Student newspaper/ newsletter: Stories on student, and educational matters incl. entertainment.	Windhoek and limited distr. upcountry.	-	Private: (names not listed)	Free Press Printers
Flamingo	Windhoek	English	Air Namibia's monthly magazine: Tourism news, safari info, city life, and culture.	(airports, national and international flights on Air Namibia)	10.000	Private/ State Venture Publications (Mr. Schalkwyk) & Mind Environment & Tourism	John Meinert Printing
Travel News Namibia	Windhoek	English (German, Italian, French)	Official Tourism Magazine: Tourism news, safari info, hotel = camping info, city life, culture and other travel info.	Tourist offices, national and international tourist agents.	15.000	Private/ State Venture Publications (Mr. Schalkwyk) & Mind Environment & Tourism	John Meinert Printing

* The Zula Connector Post has recently stopped running due to unknown reasons.

Number of other publications: 5

(In the following the number '5' is a reference point for the total number of 'other' publications)

Location diversity:

Windhoek: 5/5

Ownership diversity:

State/Government owned: 3/5

Privately owned: 2 (4)/5

Community publications: 0/5

Language diversity:

Afrikaans: 0/5

English: 5/5

German: 1/5

Indigenous languages: 0/5

Other languages (2)/5

Content diversity:

The publications listed in the 'Other publications' category include not only the listed five publications, but all the remaining publications on the Namibian market. Two are (were) mainly focusing on student and youth issues, relationships etc. The newly established *Shambuka Magazine* falls in this category, but is much more professional in its set up and content. It is a magazine that focuses mainly on music, art and other performance sectors and is aimed at the younger generation. The last two publications, *Flamingo* and *Travel News Namibia*, are mainly PR publications promoting Namibia as a tourist destination.

Coverage diversity:

As seen in the chart above, the publications show great variety in distribution. The *Campus Echoes* is distributed in Windhoek only, while the newly established *Shambuka Magazine* is still in its initial phase of expanding its distribution network. The travel magazines mentioned are not distributed for sale, but are distributed for national and international promotion of Namibia as a tourist destination.

Printing diversity:

Free Press Printers: 2/5

John Meinert Printing: 2/5

Solitaire Press: 1/5

4.2.5 Summary of the press & print media

Number of major regular publications: 29

(In the following, the number '29' is a reference point for the total number of publications investigated)

Number of national dailies: 4/29

Number of weekly / bi-weekly publications: 10/29

Number of monthly publications: 11/29

Number of other publications: 5/29

Location of media house diversity:

Katima Mulilo: 1/29

Luderitz: 1/29

Swakopmund/Walvis Bay: 1/29

Windhoek: 26/29

While the vast majority of publications included in this study are based in Windhoek, a few of the bigger publications (mostly the dailies) have either 'correspondents' or reporters based in branch-offices spread throughout the country. Some of these branches may not appear in the study.

Religious/Political ownerships: 1

The only publication directly owned by a political party is the SWAPO owned *Namibia Today*. The state owned publications can somehow also be regarded 'political' as they mainly express the viewpoint of government.

Ownership diversity:

State/Government owned: 6(7)/29

Privately owned: 21(23)/29

Community publications: 2(3)/29

Multiple ownerships: 5

Democratic Media Holdings (through the *Democratic Media Trust*): *Allgemeine Zeitung + Die Republikein*

E. Schmidt: *The Windhoek Observer + SPACE Magazine*

Joint private + state ownership (through *Venture Publications & The Ministry of Environment and Tourism*): *Flamingo, Travel News Namibia (+ Hunting Namibia, Conservation and others)*

State ownership (through *New Era Publication Corporation*): *New Era and The Southern Times*

State ownership (through the *Ministry of Information and Broadcasting*): *Namibia Review and Government Information Bulletin*.

Language diversity:

Afrikaans: 4(6)/29

English: 27/29

German: 4/29

Indigenous languages: (4)/29 – Only limited pages, sections or columns.
Other languages (2)/29

There is absolutely no doubt that English is dominating language in the Namibian press and print media. However, Afrikaans is still used in a few publications, despite the fact that close to 60 % of the population can speak it. Interesting enough, the same amount of publications is published for the very small German speaking population in the country. While English continues to be the official language in Namibia, it is disturbing that so few publications are printed in any of the indigenous languages. As for now, none of the included publications are fully published in local languages – thus failing to serve a still existing part of the population that does not read any of the dominant print media languages English, Afrikaans and German. In doing so, the press and print media is failing to ensure the continuous stimulation of the many local languages that make up the diverse country of Namibia. Only the daily newspapers *The Namibian* and *New Era* carry regular sections written in local languages.

Content diversity:

Namibia is fairly lucky in terms of the diversity of content provided for in the numerous publications that find their way through to the Namibian people. With four dailies covering national and international news and a large bunch of weeklies and bi-weeklies in newspaper format, the landscape is also includes specialist publications on economic and financials news, coastal news and events as well as a few tabloid newspapers with sensational stories on corruption, crime, sex and scandals. Lastly, Namibia is blessed with sizable number of monthly thematic magazines covering sports, family life and current affairs respectively.

Coverage diversity:

The issue of coverage and distribution appears very much connected to the economic viability of the publication concerned. While all the dailies have distribution throughout the country, the weeklies and monthly publications are very much diverse and limited in their ability to distribute themselves, some due to lack of networks, others due to lack of economic resources.

Printing diversity:

Free Press Printers: 8/29
John Meinert Printing: 5/29
Newsprint Namibia: 4/29
Printech: 2(3)/29
Solitaire Press: 5/29
Web Offset Printers: 3/29
Other printing facilities: 2/29

4.3 Printing & Publishing industry

Introduction

The present publishing and printing industry in Namibia is limited to a small number of printing establishments, which all serve different clients and print different kinds of publications. While *Newsprint Namibia* and the newly established *Free Press Printers* remain the dominant players on the newspaper printing market, some of the other smaller establishments cater for a more diverse market. The remaining market is made up of various magazines, newsletters, annual reports, government publications and other smaller commercial clients.

4.3.1 Printing & Publishing houses

TITLE	CITY	CONTENT	OWNERSHIP
Anglius Printing	Windhoek	Mainly religious materials including books, pamphlets, brochures and other smaller paper material.	Private: The Catholic Church of Namibia
Capital Press	Windhoek	Smaller business pamphlets, books, magazines, corporate & official newsletters etc.	Private: R. September & G. September
Free Press Printers	Windhoek	The Namibian, Southern Times, Echoes Campus, Emancipation, Informante, The Weekly Advertiser, PLUS Weekly, (Zula Connector Post*)	Private: Free Press of Namibia Ltd & Trustco Group International
John Meinert Printing	Windhoek	Insight Namibia, Sister Namibia, The Big Issue	Private: Mr. Sievers
Nam Print	Windhoek	Smaller magazines, calendars, forms, notebooks, journals and other smaller publications.	'Private': SWAPO Party

Newsprint Namibia	Windhoek	Allgemeine Zeitung, Die Republikein, New Era & Namibia Today	Private: Democratic Media Holdings (the Democratic Media Trust)
Printech	Windhoek	NCCI Business Journal, FamilyLife,(TheAfrican),variousgovernmentreportsmanuals,study guides etc.	Private: W. Ockhuisen
Solitaire Press	Windhoek	ShambukaMagazine,SpaceMagazine,NamibiaSport,Government InformationBulletin,NamibiaReviewandothereportsandpublications.	Private: H. Fernandes
Web Offset Namibia	Windhoek	The Namibia Economist, The Windhoek Observer (Caprivi Vision*) and other occasional papers.	Private: D. Steinmann

4.3.2 Summary of the printing press media

Number of major operating printing houses: 9

(In the following, the number '9' is a reference point for the total number of 'printing' houses)

Location of media house diversity:

Windhoek: 9/9

Ownership diversity:

Privately owned: 9/9

Religious/Political ownership: 2

The long standing printing house *Angelus Printing Press* remains under the ownership and management of the Catholic Church in Namibia, whereas the smaller printing house *Nam Print* is owned and governed by the political party SWAPO.

Content diversity:

The content and publications printed by the various printing houses can be divided into a few categories, namely the *daily newspaper printers*, the *weekly newspaper printer*, *bigger glossy magazine printers*, *smaller magazine/publications printers*, *religious printers* and *commercial printers*. The various types of publications are mostly printed by particular printing houses – specialising in particular 'printing jobs'. The present situation can roughly be described as:

Daily newspapers: *Newsprint Namibia & Free Press Printers*

Weekly newspapers: *Web Offset & Free Press Printers*

Bigger Glossy magazines: *Solitaire press & John Meinert Printing*

Smaller magazines and newsletters: *Printech & Nam Print*

Religious materials: *Angelus Printing Press*

Other commercial materials: *Capital Press, Nam Print* and others.

4.4 Radio broadcasting media

Introduction

Namibia's present broadcasting environment may have its challenges, but the following charts prove that diversity and pluralism do exist in the Namibian broadcasting industry. While the National Broadcaster, the *Namibian Broadcasting Corporation* remains the main news and information provider, Namibia presently has eight commercial broadcasters and six community broadcasters. While the broadcasting landscape in Namibia may appear diverse and pluralistic with 24 stations/services operating, a number of figures prove that some challenges are still at stake. Of greatest importance is that the state owns and indirectly manages 10(11) of the 24 services, and that the vast majority of stations are based in Windhoek despite wishes and efforts to decentralise the broadcasting industry in Namibia.

4.4.1 National/public radio broadcasters

Even though the country only has one national/public broadcaster, the *Namibian Broadcasting Corporation*, it actually comprises nine different stations and several sub-offices. In the following chart all the different language stations/services have been included:

* All the stations are aired on different frequencies in major towns throughout the country.

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE *	OWNERSHIP
NBC National Service *	Windhoek	English	International+National News,Phone-in-shows,Music, Sports, Competitions (24 Hrs.)	90-95%(approx.)	State
NBC Afrikaans Service *	Windhoek	Afrikaans	International+National News,Phone-in-shows,Music, Sports, Competitions (10 Hrs. daily)	90-95%(approx.)	State
NBC Damara>Nama Service*	Windhoek (Keetmanshop Otjiwarongo)	Damara>Nama	Regional News,Phone in shows, Music, Sports (14 Hrs. daily)	90-95%(approx.)	State
NBC German Service *	Windhoek	German	International+National News,Phone-in-shows,Music, Sports, Competitions (15 Hrs. daily)	90-95%(approx.)	State
/Ha Radio (San language service)	Tsumkwe	Khoekhoegowab	Regional News,Music,Sports + NBC Relays	90-95%(approx.)	State
NBC Lozi Service *	Katima Mulilo	Silozi	Regional News,Phone in shows, Music,Sports+NBC Relays (10 Hrs. daily)	90-95%(approx.)	State
NBC Oshiwambo Service *	Oshakati	Oshiwambo	Regional News,Phone in shows, Music, Sports (10 Hrs. daily)	90-95%(approx.)	State
NBC Otjiherero Service *	Windhoek	Otjiherero	Regional News,Phone in shows, Music, Sports (10 Hrs. daily)	90-95%(approx.)	State
NBC Rukwangali Service *	Rundu	Kwangali	Regional News,Phone in shows, Music, Sports (10 Hrs. daily)	90-95%(approx.)	State
NBC Setswana Service *	Windhoek	Setswana	Regional News,Phone in shows, Music,Sports,NBC National Relays (14 Hrs. daily)	90-95%(approx.)	State

Number of national/public radio broadcasters: 1 (10 services)

(In the following, the number '10' is a reference point for the total number of National/Public broadcasting services)

Location of media house diversity:

Katima Mulilo 1/10

Oshakati: 1/10

Rundu: 1/10

Tsumkwe: 1/10

Windhoek: 6/10 (with various regional sub-offices)

Ownership diversity:

State/Government owned: 10/10

Language diversity:

Afrikaans: 1/10

English: 1/10

German: 1/10

Indigenous languages: 7/10

Content diversity:

While each of the language services/stations has their own shows and programmes with their own particular focus on 'regional' news, events and other issues, the local services/stations are still subject to the same programme setup, including approaches, practices and routines outlined by the NBC head office. The broadcaster gives substantial airtime to news bulletins on international, national and regional issues and the phone-in-shows are extremely popular. In addition to these, the station airs various thematic shows and music programmes.

Coverage diversity:

The latest statement from the Ministry of Information and Broadcasting pointed out that all NBC radio services/stations are now reaching approximately 94% of the Namibian population. As part of a national policy almost all the various services can now be heard in every region of the country, albeit on different frequencies. A few of the 'local' services have not yet reached full coverage, but latest official statements from the Ministry of Information and Broadcasting show that this will change during 2007-2008.

4.4.2 Commercial radio broadcasters

At present Namibia hosts eight licensed commercial stations. All but one are based in Windhoek and English continues to be the main language used. The following chart indicates licensed commercial stations in May 2007.

* All stations apart from *WestCoast FM* are aired on different frequencies in major towns throughout the country.

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE *	OWNERSHIP
Cosmos Radio *	Windhoek	Afrikaans (English)	Mostly music, competitions, adverts, announcements, news & information bulletins.	Radio: All major towns in central, coastal and northern regions DSTV: Rest of Namibia, SADC	Private: Kolie v. Coller, H. Hitula + minor investors 77% Foreign shareholders 23%
Omulunga Radio *	Windhoek	Oshiwambo (English)	Mostly music announcements, competitions and short news bulletins.	All major, medium and small size towns (focus at North)	Private: N. Kotze 25 % G. Jensen 25% D. Brown 25% Local inv. 25%
Radio 99 *	Windhoek	English (Afrikaans & Portuguese)	Mostly music announcements, adverts, competitions and short news bulletins.	All major towns in central, coastal and northern regions (% the south)	Private: Democratic Media Holdings (the Democratic Media Trust)
Radio Energy (100FM) *	Windhoek (Oshakati)	English	Mostly music (app. 80%), phone-in requests, competitions, sports announcements, short news bulletins.	All major, medium and small size towns 90% (approx.)	Private: Kalahari Holdings (SWAPO Party)
Radio Kudu *	Windhoek	English (Afrikaans & German)	Mostly music, Phone-in requests, sports, announcements, short news bulletins.	All major, medium and small size towns	Private: N. Kotze 33.3 % G. Jensen 33.3 % D. Brown 33.3 %
Radio Wave *	Windhoek	English	Mostly music announcements, sports, competitions and short news bulletins.	All major and medium size towns.	Private: Rob Thompson
West Coast FM	Swakopmund	English, German, Afrikaans	Mostly music announcements and different news bulletins.	Swakopmund and coastal towns.	Private: Schaarl Moller
Windhoek Paris FM *	Windhoek	French (English)	International and local news (relay) from RFI.	National	Private/State: NBC (State) 51% Radio France International 49%

Number of licensed commercial radio broadcasters: 8

(In the following, the number '8' is a reference point for the total number of commercial broadcasters)

Location of media house diversity:

Swakopmund/Walvis Bay: 1/8

Windhoek: 7/8

Ownership diversity:

State/Government owned: 1/8

Privately owned: 7/8

Multiple owners: 1

The three individuals – Norman Kotze, Gunnar Jensen and David Brown remain with the controlling shares in the two radios - *Kudu FM* and *Omulunga Radio*.

Language diversity:

Afrikaans: 2(3)/8
 English: 5(7)/8
 French: 1/8
 German: 1(3)/8
 Indigenous languages: 1/8

Content diversity:

It seems all the commercial stations have adopted the practice of mainly airing international and local music including request shows, as well as announcements and advertising by various businesses. Competitions and events also seem to be popular. Only a few of the stations carry substantial news bulletins, while a number of the stations do tend to cover sports events - national and international – intensively.

Coverage diversity:

As no overall coverage audit has been carried out on commercial radio broadcasters, it should be noted that the above are estimated coverage figures. The majority of the commercial radio stations cover all of the major towns while a few of them also cover medium and small sized towns.

4.4.3 Community radio broadcasters

The issue of community broadcasting has been ongoing for a long time in Namibia. The most critical challenge seems to be that of economic sustainability and operational viability. One of the longest standing community broadcasters, *Ohangwena Community Radio*, has recently lost its license due to the stations economic problems. Luckily a number of newcomers are about to enter the market, among them *Ocean Wave Community Radio* in Swakopmund, which will hopefully diversify the broadcasting landscape even more. It should be noted though that of the six operating community broadcasters five are based in Windhoek. At present the licensed community broadcasters are the following:

* Channel 7 is aired on different frequencies in all major towns/regions throughout the country.

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	OWNERSHIP
Channel 7 *	Windhoek	Afrikaans (Oshiwambo)	Religious programmes music, discussions etc.	All major, medium and small size towns	Article 21 comp. (department under Media for Christ)
Katutura Community Radio (KCR)	Windhoek	English	Community News, NGO-programmes on community issues, music and Phone-in requests announcements, Competitions etc.	Windhoek and suburbs	Trust: The Katutura Community Radio Trust
Live FM	Rehoboth	English, Afrikaans (Damara>Nama)	Community news coverage of local events and music shows.	Rehoboth and surroundings	Private: Peter Olivier
Radio Ecclesia	Windhoek	English/German	Religious (Catholic)	Windhoek and suburbs.	Private: (The Catholic Church)
UNAM Radio	Windhoek	English	Music student issues phone-in shows announcements and short news bulletins.	Windhoek and suburbs.	Private/Public: University of Namibia
W.U.M Properties	Windhoek sub.	English	NBC National Programme Relays	Windhoek and suburbs	-

Number of licensed community radio broadcasters: 6

(in the following the number 6 is a reference point for the total number of community broadcasters)

Location of media house diversity:

Rehoboth: 1/6
 Windhoek: 5/6

Ownership diversity:

Community broadcasters: 6/6

It should be noted that among the six broadcasters various (not always sustainable) ownership solutions have been put in place. In order for the stations to be economically and operationally viable in the future, community broadcasters have been encouraged to either register as an Article 21 company, a non-profit organisation, or to establish a trust.

Religious/Political ownerships: 2

Two of the broadcasters (*Channel 7* & *Radio Ecclesia*) are directly managed (if not owned) by religious establishments and institutions in Namibia.

Language diversity:

Afrikaans: 1/6

English: 5/6

German: 1/6

Indigenous languages: 1(2)/6

Content diversity:

Of the current stations with a community broadcasting license, two are purely airing religious programmes, including phone-in shows, debates and discussions. KCR is backed by local institutions and NGOs and have a variety of programmes on 'community' issues. *LIVE FM* is backed by Pieter Olivier who has turned his attention to 'community content' after a period of 'commercial content' under the previous management. While UNAM radio was initiated as a community radio, its content is at present very similar to that of the commercial stations and it might convert to a commercial station in future. This situation is due to the fact that there are no legally binding definitions that prescribe what kind of content or standards are required to obtain a community broadcasting license. Lastly, W.U.M is a special case as it broadcasts NBC- relays to a geographical area otherwise unreachable by the national broadcaster.

Coverage diversity:

All but one of the licensed community broadcasters broadcasts to a small/limited geographical area. At present five of the six stations are based in Windhoek, but initiatives are in place to establish a number of community broadcasters in various regions of the country. Initially the community stations were designated to cater for and cover particular local 'communities' but as no legal framework has set precise definitions, one of the present stations, the *Christian Channel 7* is at present covering the majority of the country despite being a community station. While it can be argued that *Channel 7* is catering for a 'Christian community' (without geographical limitations) this scenario highlights the need for precise and binding definitions of what community radio broadcasting is.

4.4.4 Summary of the radio broadcasting media

Number of operating and licensed radio broadcasters: 24

(In the following, the number '24' is a reference point for the total number of operating radio broadcasters/services)

Number of national/public radio broadcasters: 1 (10 services)/24

Number of licensed commercial radio broadcasters: 8/24

Number of licensed community radio broadcasters: 6/24

Location of media house diversity:

Rehoboth: 1/24

Swakopmund/Walvis Bay: 1/24

Windhoek: 17/24

Katima Mulilo (NBC): 1/24

Oshakati (NBC): 1/24

Rundu (NBC): 1/24

Tsumkwe (NBC): 1/24

Ownership diversity:

State/Government owned: 10/24

Privately/commercially owned: (7)/24

Community broadcaster: (6)/24

It should be noted that a number of the community broadcasters are owned and managed by private individuals or institutional and/or religious establishments.

Religious/Political ownerships: 2

While usually discouraged out of fear of political and religious propagandising, Namibia continues to have two community radio broadcasters either owned or managed directly by religious enterprises. *Channel 7* is registered as an Article 21 company, but falls directly under the management of *Media for Christ*. *Radio Ecclesia* also remains if not directly owned by the Catholic Church, then indirectly governed or managed by representatives from the Catholic community.

Multiple ownerships: 2

- **Private ownership:** Norman Kotze, G. Jensen and D. Brown: *Radio Kudu FM + Omulunga Radio*
- **State ownership** (through the *Namibian Broadcasting Corporation*): *NBC + Windhoek-Paris FM*

While numerous experts have discouraged multiple ownerships within the media environment (as it interferes with promoting a diverse and pluralistic media environment) Norman Kotze, G. Jensen and D. Brown continue to have the controlling stakes in the two commercial radio broadcasters - *Radio Kudu FM and Omulunga Radio*. The Namibian state (through the para-statal NBC) also owns two radio stations – the national broadcaster *NBC* and *Windhoek-Paris FM*.

Language diversity:

Afrikaans: 3/24
 English: 11(13)/24
 German: 2(3)/24
 Indigenous languages: 8(9)/24

Content diversity:

The various broadcasting licenses, and the nature of the station owner, seem very much to be determining the content of the various stations. As already mentioned there is a great difference between the content of the national broadcaster (NBC) and the commercial and community broadcasters. The issue of content diversity is very much connected to that of economic sustainability, which is the reason NBC continues to be able to air various entertaining, informing and debating programmes in order to fulfil its objective as a public ‘service’ broadcaster. On the other hand, the commercial broadcasters have seen the economic potential in airing a mixture of music, announcements, adverts and the like. The community-broadcasters continue to struggle as several of them are facing economic problems which eventually lead to poorly produced programmes, as the stations mainly have to rely on volunteers.

Coverage diversity:

While the national broadcaster and its various language services have reached an impressive coverage of approximately 94% of the country, most of the Windhoek based commercial broadcasters are now also covering all major and medium sized towns. At present many rural areas and small towns still have to rely on the national broadcaster as their only source of information. While the commercial broadcasters may not see the economic potential - or the social responsibility - in covering the rural areas and smaller settlements, the community broadcasters have an important task of bringing local and regional information to people. Unfortunately only one community broadcaster is operating outside Windhoek, as *Ohangwena Community Radio* recently failed to renew its license due to economic and operational difficulties. Luckily a number of new community initiatives are in the process of being established to ensure that the Namibian people outside the main information centres can be exposed to a variety of broadcasters.

4.5 Television broadcasting media

Introduction

Namibian is currently blessed with a number of television broadcasters. The present television environment is however limited to three local stations, namely the national broadcaster *NBC*, the fairly new commercial station *One Africa Television* and the religious community station, *Trinity Broadcasting Network*. While the national broadcaster is ahead in reaching close to 65% of the country, the two other stations are also in the process of expanding their transmitter networks to reach the whole of Namibia. These three local stations are complemented by the multinational *MultiChoice*, which is operating in Namibia through its local subsidiary *MultiChoice Namibia*. While not a media ‘establishment’ itself, the subscription management service allows a segment of viewers to enjoy close to a 100 different (satellite) channels through its DSTV package. With the launch of *One Africa Television* in 2003, the national broadcaster, NBC, has been challenged on not only airtime and broadcasting coverage, but also on the quality of programmes produced. The coming chapters include statistics on the various languages, broadcast content, coverage and most importantly, the issue of ownership.

4.5.1 National/public broadcaster

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	OWNERSHIP
Namibian Broadcasting Corporation (NBC)	Windhoek	English (+ local languages)	Local news, documentaries+foreign programmes	64 % of the country(approx)	State

Number of licensed national/public broadcasters: 1

(In the following, the number ‘1’ is a reference point for the total number of operating public TV broadcasters)

Location of media house diversity:

Windhoek: 1/1

Ownership diversity:

State/Government owned: 1/1

Language diversity:

English: 1/1

Indigenous languages: (1)/1

Content diversity:

Due to NBC's difficult economic situation, the station is producing very little content of its own. It is therefore currently relaying (older) programmes from other channels and broadcasters in order to compensate for the lack of home-produced programmes. The station is challenged to a degree that it has recently been re-broadcasting NBC programmes produced several years ago. The station however does continue to produce the evening news as well as occasional features, documentaries etc. The latest national budget saw a slight decrease in funds allocated to NBC, which will unfortunately adversely impact on the already troubled station.

4.5.2 Commercial television broadcasters

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	OWNERSHIP
Downlink Namibia	-	Dependsonchannel	Providessportschannels +moretoMultiChoice	-	-
MultiChoice Namibia (subscribermanagementservice)	Windhoek (Swakopmund, Otjiwarongo)	Dependsonchannel	Variousinternational channels,including Internationalnews, lifestyle,sports,movies and more. (via satellite)	AllNamibia&all SADC	Private: Kalahari Holdings (SWAPO Party) 51 % MultiChoiceAfrica49%
One Africa TV	Windhoek	English	Localandforeignnews, sports,andforeignseries and programmes.	Allmajorand medium size towns (approx.90%of urban pop.)	Private: Picture Invest (thecompanyinitiators)51% OneNamibialinvestments, Stimulusinvestments&Aantu InvestmentConsulting49%

Number of licensed commercial television broadcasters: 3

(In the following, the number '3' is a reference point for the total number of operating commercial TV broadcasters)

Location of media house diversity:

Windhoek: 3/3

Ownership diversity:

Privately owned: 3/3

Language diversity:

Afrikaans: (?)/3

English: 1/3

German: (?)/3

Content diversity:

The entry of *MultiChoice* meant that Namibians finally had access to programmes and channels of higher quality than that of NBC. The channels provided through *MultiChoice* are however all foreign based and thus do not include any programmes produced in Namibia. The arrival of *One Africa TV* in 2003 could change this in future, but at the moment the station also largely relays foreign content. The only locally produced programmes on *One Africa TV* are it's recently launched evening news and the soccer programme *Offside*.

4.5.3 Community television broadcasters

TITLE	CITY	LANGUAGE	CONTENT	COVERAGE	OWNERSHIP
Municipality of Tsumeb Community TV Broadcasting	Tsumeb	Dependsonchannel	Relayofchannels:CNN, DeutscheWelleandNBC	Tsumeb	Public/Private (names not listed)
Trinity Broadcasting Network	Swakopmund	English (Afrikaans&Oshiwambo)	MainlyreligiousSermons, debateseducationshows withcommunityand informativecontent.	Swakopmund+allmajortowns in Namibia	Article 21 company: M.D. Coenie Botha

Number of licensed community television broadcasters: 2

(In the following, the number '2' is a reference point for the total number of operating community TV broadcasters)

Location of media house diversity:

Swakopmund/Walvis Bay: 1/2

Tsumeb: 1/2

Ownership diversity:

Community broadcaster: 2/2

Religious/Political ownerships: 1

While not registered as a religious establishment (but as non-profit company) *Trinity Broadcasting Network* does form part of the world-wide religious *Trinity Broadcasting Network*, which has also supported the station substantially.

Language diversity:

Afrikaans: (1)/2

English: 1/2

Indigenous languages: (1)/2

Content diversity:

As the municipality broadcaster mainly relays a number of international news channels the local community is provided with some form of diversity of content. More important for the local market is the religious *Trinity Broadcasting Network* which is the only locally producing community broadcaster. The content on the later is however religious, relaying church sermons, religious debates and internationally produced programmes from its mother channel in the United States.

4.5.4 Summary of the television broadcasting media

Number of operating and licensed television broadcasters: 6

(In the following, the number '6' is a reference point for the total number of operating TV broadcasters/services)

Number of national/public television broadcasters: 1/6

Number of licensed commercial television broadcasters: 3/6

Number of licensed community television broadcasters: 2/6

Location of media house diversity:

Swakopmund/Walvis Bay: 1/6

Tsumeb: 1/6

Windhoek: 4/6

Religious/Political ownerships: (1)

While not registered as a religious establishment (but as non-profit company) *Trinity Broadcasting Network* does form part of the world-wide religious *Trinity Broadcasting Network*, which has also supported the station substantially. The broadcaster relies entirely on donations and sponsorships from religious communities throughout Namibia.

Ownership diversity:

State/Government owned: 1(2)/6

Privately owned: 3/6

Community broadcaster: (2)/6

Language diversity:

Afrikaans: (1)/6

English: 3/6
 German: 0/6
 Indigenous languages: 1(3)/6

Content diversity:

While Namibia does have a national broadcaster, a satellite broadcaster, a commercial broadcaster and a community broadcaster, it is exposed to very few quality locally produced programmes. While there is a great variety of programmes and channels, the only regular locally produced programmes at both *NBC* and *One Africa TV* are the daily news bulletins. *NBC* and *One Africa TV* fill the remaining hours with foreign productions. *Trinity Broadcasting Network* produces various shows and programmes, from a religious and faith-based perspective.

4.6 Telecommunications industry

Introduction

Namibia is blessed with a number of telecommunication service providers. The ones included in this study can be divided into three categories – *the fixed-line providers*, *the cell-phone providers* and lastly *the internet providers*. With regard to ownership, focus should be drawn to the substantial state ownership of the Namibian telecommunications sector. In the ensuing chapter, the categories of ‘licensed’ and ‘non-licensed’ providers doesn’t imply that the various establishments or services are operating ‘illegally’ but rather that some of the operators have been licensed by the *Namibian Communications Commission* to set up a telecommunication infrastructure in Namibia. The ‘non-licensed’ operators listed in the following are mere ‘service’ companies which lease and operate on *Telecom Namibia’s* infrastructure. The coming chapters include statistics on the various services offered, the service coverage and most importantly the issue of ownership.

4.6.1 National land-line providers

TITLE	CITY	SERVICES	COVERAGE	OWNERSHIP
TelecomNamibiaLtd.	Windhoek	Fixed-linetelecommunication,Internet-solutionsandothertelecommunication services	National	NamibiaPostandTelecommunication Holdings (NPTH) (State)

Number of licensed land-line providers: 1

(In the following, the number ‘1’ is a reference point for the total number of licensed land-line providers)

Location of media house diversity:

Windhoek: 1/1

Ownership diversity:

State/Government owned: 1/1

Coverage diversity:

National coverage.

Service diversity:

The national telecommunication company currently focuses its services on fixed-line telephony. This includes various value adding technologies and recently also internet solutions.

4.6.2 Licensed mobile communication providers

TITLE	CITY	SERVICES	COVERAGE	OWNERSHIP
MTC Mobile	Windhoek	Mobilecommunication(GSM Technology),GRPS,3Gtech,Mobile fax/data services etc.	90-95 % (approx)	51%NamibiaPostandTelecommunications Holding (State) 15 % (Reserved for B.E.E) 34% Portugal Telecom
Cell-One (PowerCom(Pty)Limited)	Windhoek	Mobilecommunication(GSMTechnology) SMS/voicemailBusinesssolutionsetc.	All major towns (to cover 90 % by the end of 2007)	37% NamPower (State) 39%TelecomManagementPartnerHoldings (Telenor) 12% Nammic 10% Old Mutual 2% Educational Trust

Number of licensed mobile communication providers: 2

(In the following, the number '2' is a reference point for the total number of licensed mobile service providers)

Location of media house diversity:

Windhoek: 2/2

Ownership diversity:

State/Government owned: 1 (2)/2

Privately owned: 1/2

Service diversity:

As *MTC* has been on the mobile communication market for more than 12 years now, it is well ahead of the newly established *CellOne*, both in terms of coverage and, more importantly, in terms of technological features offered by the operator. *MTC* is well ahead with *GRPS*, fax-modem features, 3G technology and a number of other offerings. The vision of *CellOne* is to follow suit once the expansion of transmitters once the set up of service outlets and other basic technical prerequisites have been completed.

4.6.3 Non-licensed mobile communication providers

TITLE	CITY	SERVICES	COVERAGE	OWNERSHIP
Telecom 'Switch'	Windhoek	Mobile communication (CDMA Technology) SMS, Voicemail etc.	Only major towns	Telecom Namibia Limited (State)

Number of non-licensed mobile communication providers: 1

(In the following, the number '1' is a reference point for the total number of non-licensed mobile comm. providers)

Location of media house diversity:

Windhoek: 1/1

Ownership diversity:

State/Government owned: 1/1

Service diversity:

The much debated and controversial *Telecom 'Switch'* mobile service is run on American CDMA technology, making it somewhat incompatible with the more common GSM networks. It does however offer the usual features and functions, such as SMS, voice mail and so forth. Whether this is to change in the future depends on whether the coming *Communications Authority Bill* will enable the operator to join the mobile communication market on equal terms with *MTC* and *CellOne*.

4.6.4 Licensed internet service providers

TITLE	CITY	SERVICES	COVERAGE	OWNERSHIP
M-web (Namibia)	Windhoek	Broadband (Wi-Max), Dial-up services, Web-hosting, Business solution setc.	All major and medium size towns in Namibia	Kalahari Holdings (SWAPO Party) (and M-Web Africa)
Internet Technologies Namibia	Windhoek	Wide area network for corporate/institutional market and smaller business/private solutions incl. hosting, internet security, Cisco cert. etc.	All major and medium size towns in Namibia (% Karaburg)	Major shareholders include: B Hamse & S Erasmus (company initiators) + other Namibian investors (names not listed)

Number of licensed internet service providers: 2

(In the following, the number '2' is a reference point for the total number of licensed internet service providers)

Location of media house diversity:

Windhoek: 2/2

Ownership diversity:

Privately owned: 2/2

Service diversity:

As seen above, the listed internet providers are catering for different markets, therefore the services offered are equally

different. While *M-Web* offers basic and professional internet solutions for smaller private and corporate clients, *Internet Technologies Namibia* offers more specialised IT and internet solutions (read: *wide area networks*) mainly for bigger corporates, institutions and government offices which are spread throughout the country.

4.6.5 Non-licensed internet service providers

TITLE	CITY	SERVICES	COVERAGE	OWNERSHIP
Africa Online (Namibia)	Windhoek	BroadbandInternet,Dial-upservices, Internetsecurity,private+corporate. (Uses Telecom Namibia's infrastructure)	Presentlycoveringallmajor centresinthecountry. (reachesnearly100%)	Private: Telkom SA. (main shareholder) Namibian investors (minor)
IWAY (TelecomNamibiaLtd.)	Windhoek	Dial-upservicesE-mailwebsite-hosting, Business solutions etc. (UsesTelecomNamibiainfrastructure)	Presentlycoveringallmajor centresinthecountry. (reachesnearly100%)	NamibiaPost&TelecommunicationHoldings (State)
Namib Net	Windhoek	Variousinternetsolutions,ind,wireless, fixed-line,dial-upserver-hostingetc.	Presentlycoveringallmajor centresinthecountry. (reachesnearly100%)	Private: B. Ross
VerizonBusinessNamibia (formerJUNETNamibia)	Windhoek	CatersforcorporatemarketBroadband internet,internetsecurity,business solutions,corporatehostingetc.	Presentlycoveringall centres in Namibia (dealswith70%ofthe corporate market)	PartofUSconglomerateVerizonBusiness (Verizon Communications Inc.)

Number of non-licensed internet service providers: 4

(In the following, the number '4' is a reference point for the total number of non-licensed internet service providers)

Location of media house diversity:

Windhoek: 4/4

Ownership diversity:

State/Government owned: 1/4

Privately owned: 3/4

Service diversity:

Apart from *Verizon Business Namibia*, which mainly caters for the professional corporate market, all the companies listed above, offer similar services. These companies are fairly diverse in size and business, but some of them may see their services expand and alter as *Africa Online* was recently sold of to *Telkom S.A.* The multinational owned *Verizon Business Namibia* is currently the strongest player on the corporate market, offering various business solutions including internet, server hosting, IT security, etc.

4.6.6 Summary of the telecommunications industry

Number of operating telecommunication providers: 10

(In the following, the number '10' is a reference point for the total number of telecommunication providers)

Number of licensed land-line providers: 1/10

Number of licensed mobile communication providers: 2/10

Number of non-licensed mobile communication providers: 1/10

Number of licensed internet service providers: 2/10

Number of non-licensed internet service providers: 4/10

Location of media house diversity:

Windhoek: 10/10

Ownership diversity:

State/Government owned: 4(5)/10

Privately owned: 6(5)/10

Multiple ownerships: 1

State ownership (through *Namibia Post & Telecommunication Holdings – NPTH*): *Telecom Namibia*, *Telecom Switch*, *IWAY* and *MTC*, as well as *CellOne* (through *NamPower*)

Most disturbing for the telecommunications industry is the substantial economic influence that rest with the Namibian

state. As of 2007, the state (through *NTPH & NamPower*) holds substantial - if not controlling - stakes in the fixed-line operator, an internet service provider (ISP) and all three mobile operators.

Service diversity:

In terms of service diversity, Namibia has one fairly standard fixed-line operator, three (if you include *Telecom Switch*) mobile operators, of which two are operating on GSM technology and one on CDMA technology. The newly established GSM operator *CellOne*, only offers the most basic services and technologies, leaving 3G and other more advanced services to MTC. With regards to internet service providers, Namibia has a host of fairly similar ISPs offering standard solutions including server hosting, email, dial-up connections and broadband. In addition to these, Namibia also has a few more specialised and internationally renowned IT companies catering only for the bigger professional and corporate institutions.

4.7 Film & video media

Introduction

As indicated below, the Namibian film industry is limited to only a few properly established production companies. Most interesting, however, is that there seems to be some diversity in terms of skills, production and languages used. While one group of companies mainly caters for and assists international film crews shooting in Namibia, others are tiny companies with one, two or three individuals producing smaller videos for NGOs, public institutions and smaller corporates. The latter includes the less profitable community production companies, which are empowering and involving young people with particular skills in video, graphics, audio and music production. Due to lack of information on this sector, a number of details have not been obtained. In the ensuing section the various companies have been divided into two categories: the commercial and experienced producers and those involving individuals at community level, the community producers.

4.7.1 Commercial film and video producers

TITLE	CITY	LANGUAGE	CONTENT	OWNERSHIP
Busch Kino	Windhoek	German & English	Production of smaller videos, films etc.	Private: G. Kiding
Fantom Film Productions	Swakopmund	-	-	Private: -
INTV Film and Video Production	Windhoek	Mostly English.	Production of various wildlife programmes, videos and corporate commercials	Private: P. van Schalkwyk
Linda Louw Production	Windhoek	Mostly English (clients preference)	Production of documentaries and corporate commercials	Private: Linda Louw
Made in Namibia Films	Cape Town	Mostly English (clients preference)	Production of various international wildlife programmes, feature videos and corporate commercials	Private: -
Mubasen Productions	Windhoek	English, Afrikaans and local languages	Production of smaller documentaries, cultural & factual programmes and educational films.	Private: C. Hoffman T. Minnie S. Wilkie (Managing Dir.)
Namib Films	Swakopmund	German & English mostly.	Production of international feature films, documentaries, nature & wild life, commercials and other major productions.	Private: G. Nockels (managing director)
Optimedia	Windhoek	Mostly English	Production of international documentaries, commercial features, education video and other big productions	Private: -
Pilots Paradise	Windhoek	English, German & French	Production local and international videos, films, commercials, tourism features.	Private: H. Wolfgang 50% P. Wolfgang 50%
Power and Glory Films	Windhoek	German & English	Production of documentaries, features and corporate commercials	Private: Raphael Scriba

Number of commercial film & video production companies: 10

(In the following, the number '10' is a reference point for the total number of commercial film & video production companies)

Location of media house diversity:

Windhoek: 7/10
 Swakopmund: 2/10
 Cape Town: 1/10

Ownership diversity:

Privately owned: 10/10

Language diversity:

Afrikaans 2(3)/10
 English 9(10)/10
 German 4(5)/10
 Indigenous languages 1(2)/10
 Other languages: 1/10

Content diversity:

As already mentioned, the commercial producers can roughly be divided into two groups, the very experienced companies dealing with international film companies, while the second group consists of smaller companies that produce smaller documentaries, educational films and commercials for the local market.

4.7.2 Community film and video producers

TITLE	CITY	LANGUAGE	CONTENT	OWNERSHIP
Myndz Community	Windhoek & Nairobi	All local languages (clients preference)	Audio and graphic production (video, documentaries, graphic design, literature and music.	Private/Community: Showbiz CC: Boli Mootseng, Kiama Kariuki & Kiiru Wa Ngotho : 60 % Remaining staff: 40 %
Township Productions	Windhoek	-	-	-

Number of community film & video production companies: 2

(In the following, the number '2' is a reference point for the total number of community film & video companies)

Location of media house diversity:

Windhoek: 2/2

Ownership diversity:

Privately owned: 2/2

Language diversity:

Afrikaans: 1/2
 English: 2/2
 Indigenous languages: 2/2
 Other languages: 1/2

Content diversity:

The community production companies mainly cater for NGOs and smaller organisations and institutions based throughout the country. They also shoot music videos, educational films and smaller documentaries, mainly on social and developmental issues.

4.7.3 Summary of the film & video media**Number of major film & video production companies: 12**

(In the following, the number '12' is a reference point for the total number of film & video production companies)

Number of commercial film & video production companies: 10/12

Number of community film & video production companies: 2/12.

Location of media house diversity:

Cape Town: 1/12
Swakopmund: 2/12
Windhoek: 9/12

Ownership diversity

Privately owned: 10/12
Community establishment: 2/12

While not all details are listed above, it should be noted that several of the companies included here are either owned and/or managed by foreigners who have settled in Namibia. While this could be important for technical and experiential development, a number of these companies mainly service international productions.

Language diversity:

Afrikaans: 2(3)/12
English: 11(12)/12
German: 4(5)/12
Indigenous languages: 3(4)/12
Other languages: 1(2)/12

The present film and video environment is, as a result of the substantial foreign influence, blessed with a range of productions in different languages.

Content diversity:

As Namibia has a number of different companies, there seems to be at least some diversity in terms of skills, production and languages used. In terms of content produced, the market is made up of one group of companies which mainly caters for and assists international film productions, documentaries and wildlife programmes in Namibia, while the other consists of tiny companies with one, two or three individuals producing smaller videos for NGOs, public institutions and smaller corporates. Lastly, are the more unconventional community production companies that mainly produce smaller videos, programmes and documentaries on social and developmental issues.

4.8 Concluding comments on media ownership & diversity 2007

Whereas the previous chapters have looked into the particular media sectors, this concluding chapter summarises the data presented in all the previous chapters. The sectors included are *press & print media, printing & publishing industry, Radio & TV broadcasting, the telecommunications industry* and *the film & video media*. As this study mainly focuses on ownership trends in Namibia, the following categories are used to help distinguish and differentiate between the various types of owners, be they religious, political, multiple owners or multinational and conglomerate owners operating within the Namibian media environment. Where found necessary, smaller clarifying comments have been added to the hard facts presented.

Number of major regular publications: 29 (28)
Number of major operating printing houses: 9
Number of operating and licensed radio broadcasters: 24
Number of operating and licensed television broadcasters: 6
Number of major operating telecommunication providers: 10
Number of major film & video production companies: 12

Religious/Political ownerships

While usually discouraged out of fear of political and religious propagandising, Namibia continues to have a number of media establishments that are owned or managed by religious or political organisations. These owners and their respective media establishments include:

- **SWAPO Party:** *Namibia Today*
- **The Catholic Church:** *Anglius Printing Press*
- **Media for Christ:** *Channel 7* (Article 21. company)
- **Private** (but funded by religious communities): *Radio Ecclesia*
- **Private** (but funded by religious communities): *Trinity Broadcasting Network*
- **SWAPO Party:** *Kalahari Holdings: Radio Energy, Nam Print, MultiChoice Namibia and M-Web Namibia.*

'Multiple' Ownerships

Within each of the investigated media sectors various interesting and some 'disturbing' ownership solutions have materialised. The most interesting ownership trends are found within the *press & print media*, *radio broadcasting* and *the telecommunication industry*, which all have companies owned by individuals or holding companies that hold shares in two or more media establishments within one particular media sector.

Multiple ownerships in the press & print media: (5)

- **Democratic Media Holdings** (through *Democratic Media Trust*): *Allgemeine Zeitung* and *Die Republikein*
- **E. Smith**: *The Windhoek Observer* + *SPACE Magazine*.
- **State ownership** (through the *New Era Publication Corporation*): *New Era* and *The Southern Times*
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- **Joint private & state ownership** (through *Venture Publications & Min. of Environment & Tourism*): *Flamingo*, *Travel News Namibia*, *Hunting Namibia*, *Conservation*, *Namibia Holiday & Travel* and others.

Multiple ownerships in the radio broadcasting media: 2

- **Norman Kotze, G. Jensen and D. Brown**: *Radio Kudu FM* and *Omulunga Radio*
- **State ownership** (through the *Namibian Broadcasting Corporation*): *Namibian Broadcasting Corporation* and *Windhoek-Paris FM*.

Multiple ownerships in the telecommunications industry: 1

State ownership (through *Namibia Post & Telecommunication Holdings & NamPower*): *Telecom Namibia* (through *NPTH*), *IWAY* (through *NPTH*), *MTC* (through *NPTH*) and *Cell-One* (through *NamPower*).

Cross ownerships

In direct opposition to a healthy and competitive media market, the Namibian media environment is challenged by a number of major media owners that have controlling shares in a number of media establishments in two or more media sectors. The 'cross' media ownerships are:

Kalahari Holdings (the business arm of SWAPO): *Radio Energy*, *Nam Print*, *MultiChoice Namibia* and *M-Web*

Democratic Media Holdings (through *Democratic Media Trust*): *Allgemeine Zeitung*, *Die Republikein*, *Newsprint Namibia* and *Radio 99*.

P. van Schalkwyk: *Venture Publications*, *INTV Film and Video Productions*, *One Africa TV* (via *Picture Investments*) and *Advantage McCann*.

H. Fernandes: *Namibia Sport* and *Solitaire Press*.

D. Steinmann: *Namibia Economist* and *Web Offset Printing*.

Trustco Group International: *Informante* and *Free Press Printers*.

Free Press of Namibia Pty. Ltd. (through the *Free Press of Namibia Trust*): *The Namibian* and *Free Press Printers*.

The Catholic Church: *Angelus Printing Press* and (*Radio Ecclesia??*).

State ownership: *NBC* and *Paris-Windhoek FM* (through *NBC*), *New Era* and *Southern Times* (through *New Era*), *Telecom Namibia* (through *NPTH*), *IWAY* (through *NPTH*), *MTC* (through *NPTH*) and *Cell-One* (through *NamPower*).

International & conglomerate ownerships

A larger number of establishments have turned out to be substantially funded, governed or even fully owned by international investors. While some owners are smaller and fairly ordinary shareholders, some establishments and investors are of such great importance for the future of the Namibian media environment that they should be mentioned here. Most notable is that a number of the commercial radio broadcasters are either partly owned or partly funded by South African nationals (or former South African nationals). Added to this, a large number of the film companies registered and operating in Namibia are run by German, South African or other ex-pat filmmakers. The most important recent developments are within the print media and telecommunication sectors, where multinational conglomerates have made their entry. The most notable being:

MEDIA 24 (part of international conglomerate *Naspers*) holds a 50% share in the *Democratic Media Holding* (DMH), owner of *Allgemeine Zeitung*, *Die Republikein*, *Newsprint Namibia* and *Radio 99*.

Telkom SA has recently (2006-2007) bought up the controlling shares in *Africa Online Namibia*

Verizon Business International (part of international conglomerate *Verizon Communications Inc.*) took over the long standing *UUNet Namibia* in 2006, and subsequently formed what has become the most important internet service provider for the corporate market – it is trading in Namibia under the name *Verizon Business Solutions*.



5. Summary of media legislation and media development 1990-2007

5.1 Summary of legislation applying to the Namibian media 1990-2007

The legal framework for the media investigated in this study has shown that a great many challenges and issues are still to be discussed and overcome within the various media sectors in Namibia. The most important of these are summarised and presented in the ensuing section, focussing mainly on the legal framework guaranteeing independent regulation and independent media, as well as ownership diversity, content diversity and the important issues of freedom of expression and access to information. In addition to these important issues, a number of other areas of interest also arise, such as conflicting interests and procedures between various ministries.

The investigated Acts and policies reveal that a large number of pre-independence Acts remain in force, despite the fact that several have never been put in practice and have been proven unconstitutional in court. In addition to this, an unhealthy tradition of producing imprecise and vague policies and legal formulations seems to have taken root in the drafting of Namibian legislation related to the media.

Independent Regulation & Independent Media

The Acts and policies applying to the Namibian media investigated in this paper leave much to be desired in terms of independent governance of the various Commissions which regulate, license and manage the various media sectors. In particular, the Namibian Communications Commission and the Namibian Film Commission still have their managing boards either fully or partly appointed by the Minister responsible for these, leaving the otherwise independent procedures and activities extremely vulnerable to government influence. The legal framework presented furthermore empowers the Minister of Information and Broadcasting with wide-ranging power to influence not only the Commissions mentioned, but also the indirect control of the (editorial) practices of the state-owned newspaper New Era and the Namibian Broadcasting Corporation (NBC). New Era and the Namibian Broadcasting Corporation are furthermore subject to have their boards of directors fully appointed and approved by the Ministry of Information and Broadcasting.

Of great importance (and irony), is that this unhealthy practice of letting the Minister concerned appoint the board members of the various state-owned media houses and allowing him/her to interfere in the para-statal's editorial practices, were among the extremely unhealthy practices the South African administration was severely criticised for prior to independence.

Another crucial issue related to regulation of the media in Namibia, is that all the prominent media para-statals continue to be subject to regulations and conditions different from the ones applying to private establishments. This inevitably jeopardises the Namibian Communications Commission's reputation and ability to prescribe standards and conditions on a national level. As the Namibian Communications Commission continues to resort under the Ministry of Information and Broadcasting (to which two of the major media para-statals also are reporting) any licensing of new broadcasters and telecommunications providers is inevitably to challenge the already existing state-owned companies.

This issue is furthermore related to the fact (and problem) that the national regulator – the Namibian Communications Commission is based within the Ministry of Information and Broadcasting - contrary to national/public telecommunications companies that fall under the Ministry of Works, Transport and Communication - which over time has resulted in various operational and legal disputes between the mentioned ministries.

Ownership & Diversity

In terms of ownership diversity, great concern and attention should be brought to the fact that the legal framework applying to various media sectors not only allow for, but also encourages state ownership, referring to the need for a pluralistic and diverse media environment. While this may be a good intention, the idea of state owned media establishments does not comply with the principles of the *Windhoek Declaration of 1991*, which highlights the need for independent media free from government and economic control. While various policies and Acts do encourage and emphasise the need for private media establishments and community radio broadcasters, the licensing of such media establishment continues to be in the hands of the Namibian Communications Commission, whose regulatory independence remains uncertain.

With the liberalisation of the airwaves through the *Namibian Communication Commission Act of 1991*, a host of independent radio stations were established. These range from commercial and religious to community and rural radio stations, which altogether have broken the monopoly held by the state owned Namibian Broadcasting Corporation and its predecessor the South West Africa Broadcasting Corporation. While this is a vital step in the process of creating a diverse and competitive media environment, no quotas or percentages which should be followed when issuing licenses to media houses are stated in any of the Acts, missing the chance to completely ensure a more diverse and pluralistic media ownership environment with a variety of private, state and community owned media houses.

This also counts for the *Film and Video Development Fund* which faces similar problems, as the *Namibian Film Commission Act of 2000* does not provide any procedures that ensure that the money from the Fund is disbursed to different types of companies/individuals which could stimulate a more diverse and pluralistic film industry, but leave the disbursement procedures regarding diversity entirely in the hands of the members of the Commission.

Content & Diversity

No legal provisions have yet been passed which ensure a balanced diversity of content and even though the *Information Policy of 1992* and the *Namibian Broadcasting Act of 1991* emphasise the need for rural, regional and national coverage, no quotas or percentages to be followed are mentioned. As long as no new legal provisions are passed, the matter of content diversity remains in the hands of the managers and editors only. In addition, most media establishments are based in the urban centre of Windhoek, which means that rural coverage is highly likely to be neglected. Furthermore, the matter of content diversity (or lack thereof) also relates to the issue of independent regulation and freedom of expression as certain information/coverage tends to be obscured in some media houses for various reasons as described in below.

In addition to the public broadcaster, the social and national responsibility of ensuring diversity of content (and language) could be ensured if the Namibian Communications Commission also imposed a quota on local content (and local languages) when issuing licenses for commercial or community broadcasters.

As was the case of ownership and diversity, the *Film and Video Development Fund* is not provided with quotas or guidelines that ensure that the process of disbursing money takes into consideration the need for diversity of content produced by the production companies that receives funds. It thereby fails to ensure a much needed diverse production of fiction films, series, documentary films, educational films and other non-fiction films.

Freedom of Expression & Access to Information

While Freedom of Expression is provided for in the Constitution, this freedom is subject to various restrictions and limitations mentioned in section two (2) as well as in Article 22. In the meantime, the uncertainty of independent regulations and editorial independence (and lack thereof), affecting especially the state-owned media, does put this freedom in jeopardy. The powers vested in the Minister to regulate and control various practices (including content) could over time most possibly instil self-censorship in the state-owned media. While not actually infringing on the legal framework, such practices seriously opposes the Government's objective of creating a healthy media environment.

Furthermore, some of the older acts, such as the one prohibiting the possession and dissemination of indecent material, while rarely enforced, does indeed provide for a climate in which the law could be enforced if deemed necessary.

Even though the legislative means developed since independence has included numerous efforts to develop a healthy media environment, no legal provisions have yet been passed to ensure public access to information. The importance of access to information must not be underestimated, as this is a vital step in the process of democratisation. Such provisions will enhance transparency and possibly greater citizen participation in public affairs. As long as journalists or ordinary citizens find themselves denied access to documents and archives which could be in the interest of the public, much is left to be desired.

5.2 Summary of media ownership development 1990-2007

Namibia has seen a lot of changes and shifts taking place on the media landscape since 1990. The major ownership trends over this period from 1990 to the present are summarised in this section.

The press and print media

With four daily newspapers, numerous weekly newspapers and a large number of monthlies the Namibian print media market has become fairly packed in comparison with most of its neighbouring countries. Since independence many publications have been launched and many have been closed down again. While this may be a normal occurrence, the Namibian print media sector has developed an unhealthy trend of launching somewhat unsustainable publications. This added with the lack of a proper print media regulator, does not seem to hinder new publications coming and going nearly every month. At the moment just about anybody can set up a newspaper/magazine without any prior knowledge, experience or economic support, which eventually leads to numerous failed attempts, and only few successes.

Only four newspapers have effectively stood the test of time, namely *The Namibian*, *Die Republikein*, *Allgemeine Zeitung* and *New Era*.

In terms of sustainability *The Namibian* has proven it self to be among the few papers established in the 80'ies, still sustaining it self with a daily circulation of close to 35.000 copies. The Namibian is the only independent daily published in the official language, namely English.

Meanwhile, state-owned *New Era* continues to face economic constraints despite substantial financial support from government. *New Era* has now been in the red for 16 consecutive years.

The German newspaper *Allgemeine Zeitung* (operating since 1916) and the Afrikaans newspaper *Republikein* (since 1978) remain sustainable most probably due to the fact that they are strongly affiliated to financially strong partners/advertisers.

The weekly and twice monthly newspapers remain economically and financially viable because of their narrow or specific focus. This includes *The Windhoek Observer*, *The Namibia Economist* and *Namib Times*. The bi-lingual and free *PLUS Weekly* attracts a mixture of English and German readers and hence a fair amount of advertisers aiming to reach this market. All these paper are aimed at a relatively small segment of the newspaper reading public and can thus keep costs down by focussing on that market.

With regard to magazines, those that have stood the test of time seem to have done so with continuous donor support, such as *Sister Namibia* and *The Big Issue*, or because of sustainable and fixed arrangements with commercial partners, such as *Flamingo* and *Travel News Namibia*. The few other publications that fall outside these categories (like *Space Magazine* and *Insight Namibia*) are mostly specialist magazines with a limited (yet financially strong) readership. These publications generate revenue through advertising and sales.

Comments for the future:

For all intents and purposes, community newspapers and/or printed publications do not exist in Namibia. Since 1990, there have been a few, but these quickly folded due to lack of funds or mismanagement. There are a number of initiatives being employed by the Ministry of Information and Broadcasting to kick start community publications.

On the commercial front, the pool of advertisers in Namibia remains small and this influences the feasibility of newspapers and publications, especially those trying to break into a field of a few established titles.

The printing & publishing industry

Prior to 1990, most printing in Namibia was done by *John Meinert (Pty) Ltd*, while the vast majority of religious publications were handled by the *Angelus Printing Press*. Following independence, new (and smaller) printing companies popped up on the market to challenge the existing industry. With regard to size and financial sustainability, one may distinguish between the major newspaper printing presses (mainly *Free Press Printers* and *Newsprint Namibia*) and the medium sized printing presses, that print magazines, and the smaller enterprises that do smaller 'commercial' printing, such as *Nam Print* and *Printech*.

Up to 2006, *Newsprint Namibia* printed all four the daily newspapers in Namibia. The arrival of *Free Press Printers* changed this, with *The Namibian* and *Informante* taking their business to *Free Press Printers*, which also attracted business away from the medium sized and smaller printers. This has forced smaller printers to diversify their client base. *Newsprint Namibia* continues to print three of the four dailies and is most likely to continue doing so.

Solitaire Press and *Web Offset Printers* are among the smaller printing operations that have been operating for quite a while. While *Solitaire Press* prints (glossy) magazines for a number of companies (including the owners own magazine – *Namibia Sport*), *Web Offset Printers* remains viable due to smaller ad-hoc projects as well as the weekly and monthly printing of a number of publications (including *The Windhoek Observer* and the owners own publication – *The Namibia Economist*).

Capital Press, *John Meinert Printing*, *Printech* and *Nam Print* are all catering to a wide-ranging market, including books, reports and other smaller publications for government and corporates. They also do occasional magazine printing, albeit in limited numbers. Lastly, *Angelus Printing Press* has retained the monopoly over the printing of religious publications.

Comments for the future:

Among the future challenges ahead in the printing industry of Namibia is the fact that a lot of printing jobs continue to be done in South Africa, supposedly due to the fact that high-quality printing facilities in Namibia are scarce. In order to avoid this scenario in the future, the fragmented group of smaller printing establishments might look into the option of setting up joint-ventures in order to compete with the South African printers. Because of their size, smaller printing business face an up hill task when competing for print jobs and the survival of some is already being challenged. Discussions or workshops to address challenges would be an ideal platform for the various printing managers/owners to exchange ideas on future possibilities of cooperation.

The radio broadcasting media

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

Within the commercial broadcasting sector, the years since 1990 have seen a number of ownership changes and the establishment of new stations. Most notable have been the ownership changes at *Radio 99* and *Radio Energy*, both set up by the same pair of M. Aita and R. Lange and now belonging to *Democratic Media Holdings* and *Kalahari Holdings* respectively. However, some stations continue to see a number of their shares held by mainly South African (and other foreign) citizens. Most station owners and managers are from the 'white and well-established' community in Namibia and South Africa, meaning the exploitation of the commercial airwaves is in the hands of a small minority. The question is how to engage and increase black ownership of radio stations.

With regard to community broadcasters, there are very few such stations operational in Namibia. Concerning ownership, the non-profit and/or 'Trust' ownership of such stations seem to be the best options. Community broadcasters have failed to materialise en masse due to a lack of financial support and proper planning.

Comments for the future:

The Ministry of Information and Broadcasting has raised the idea of forcing local or regional authorities to fund community broadcasters, in order to avoid future failures like that of *Ohangwena Community Radio*. While such an arrangement might be feasible, this could make the community broadcasters extremely vulnerable to political and operational interference from local and regional authorities. Apart from the above mentioned issue, the future (draft) *Information Policy* also emphasises the need for a community media fund which can help community media get off the ground. While such an initiative must be warmly welcomed by the community broadcasters, it does not ensure the future economic sustainability of community broadcasters. However, this fund would tide broadcasters over when donor funding ends. Something else to look into could be the drafting of a proper plan/policy addressing the issue of economic sustainability, which can help guide newly (and already) established community broadcasters in the country.

The television broadcasting media

While the *Namibian Broadcasting Corporation* (NBC) was inaugurated with much excitement in 1991, the state-owned broadcaster has been facing severe financial and administrative difficulties ever since. Despite various attempts at restructuring the management of the broadcaster, the NBC remains highly unstable. Despite large financial contributions from government, reaching an annual N\$60 million, the NBC remains in the red. While numerous debates, roundtables and panels have taken place where people from various media sectors have expressed their views on the future of the NBC (including the full transformation of the broadcaster into a 'public service' broadcaster) it will in the end be up to the Ministry of Information and Broadcasting (and the government) to decide on the future of the broadcaster.

While the liberalisation of the broadcasting environment in the country was highly needed and much welcomed, the first major 'player' to enter the market, *MultiChoice Namibia*, might have contributed variety and diversity in terms of channels and content, it should be noted that *MultiChoice Namibia* is only a subscriber management service and does not produce local programming. *One Africa Television* which was launched as the first privately owned Namibian free-to-air station in 2003, also contributed variety and diversity in terms of viewing fare, but for now the station only produces two programmes itself. Therefore it seems that while the commercial broadcasters are economically sustainable, it is very much at the expense of local (quality) production, leaving the vast majority of programmes and channels to be re-lays of already produced international shows and programmes.

As for now, the only properly established community television broadcaster is the religious *Trinity Broadcasting Network* based in Swakopmund. While the channel is operating on a non-profit basis, it is currently employing 17 people, which inevitably requires substantial private contributions. In addition to this, the station sells 'airtime' to various religious organisations and is linked to the international *Trinity Broadcasting Network*. In case the station was to face severe economic difficulties in the future, its 'mother-company' is most likely to support the channel in its mission of getting back on track.

The telecommunications industry

As long as no legal provisions ensure that *Telecom Namibia* can be challenged on fixed-line services, it is most likely to remain sustainable and economically viable. *Switch* has, however, cost the company thousands, if not millions of Namibia dollars, and the future of this CDMA based mobile communication service is only to become clear once the *Communications Authority Bill* is passed, hopefully by the end of the year. The regulations and conditions set forth in this document will eventually clarify how (and if) the *Telecom Switch* can continue operating.

While some may regard the Namibian mobile communication market as being fairly liberalised, some challenges are still present. One of the main indicators that the Namibian mobile communication market is only slightly liberalised is the fact that the *Namibian Communications Commission* (which issues the licenses to telecommunication service providers) requires all applicants to have 51% Namibian shareholding. Given the amounts of money involved in setting up a network, few (if any) investors will favour this legal stipulation. While the idea of protecting the local market is understandable, it does, however, interfere with genuine and fair competition. Furthermore, while not necessarily damaging, attention should be given to the fact that the Namibian state (through *NPTH* and *NamPower*) is involved in both mobile operators. Add to this the fact that the third operator, *Telecom Switch*, is also fully owned by *NPTH*, and this state of affairs should give cause for concern.

When it comes to the Internet service providers in the country, Namibia is blessed with a small yet fairly diverse bulk of companies (including a variety of services). Some are purely local, some are joint ventures and a number of the companies are either fully or majority owned by foreign investors. Luckily, a number of local companies continue to prove themselves economically viable. These count the long standing *Namib Net* (since 1995) and *M-Web*, which is regarded as the main commercial internet provider for the private/home market. These are joined by newly established *Internet Technologies Namibia* which provides specialist solutions mainly to corporate clients. The foreign owned companies include *Verizon Business Solutions* (which belongs to international conglomerate *Verizon Communications Inc.*) and *Africa Online Namibia*, which has recently seen the majority of its shares bought up by *Telkom S.A.* While the field is fairly diverse, some of the local (and smaller) companies may want to look into joint-venture options in order to secure their future in the Namibian market.

The film & video media

While the previous chapter may show that film and video production companies are operating in Namibia, the country continues to suffer from the fact that while having the most amazing scenery and being an extremely popular location, the ones benefiting from and utilising these conditions are international film companies and producers who tend to use their own equipment and own crews. This inevitably impacts on local entrepreneurs, who do not have the resources to compete against big international productions.

This situation is further exacerbated by the fact that the industry is largely controlled by ex-pats. As long as the major players are either South African, German or from elsewhere, local entrepreneurs will struggle to compete. In the following section the strengths and challenges of and to the local industry are discussed.

Apart from the above listed suggestions and inputs, the issue of economic sustainability is very much relevant and present for a number of the mentioned commercial film companies in the country. Because of its technical nature, film and video production requires substantial start up capital, which is something most locals do not have access to. Most of the local companies are one-man enterprises that do mostly jobs for NGOs, various associations, and/or smaller commercials. The few big local production companies make money out of facilitation services to big international productions.

The small production companies face many hurdles, chief amongst them finances. *Myndz Community*, which is run by a group of ambitious young people, is trying to establish a platform for skilled individuals trying to enter the video/graphics and audio market. Initiatives like these are, however, dependent on clients willing to try less conventional (and less commercial) production companies. However, these enterprises are extremely vulnerable to skills and expertise drainage when the best people are lured to bigger and more commercial film and video producers.

The *Film and Video Development Fund*, which is administered by the *Namibian Film Commission*, was specifically set up to develop the local film-making industry. However, the Fund has mainly been used to channel funds to the feature film about former Namibian President, Dr Sam Nujoma, '*Where Others Wavered*'. If this Fund is to seriously live up to its stated aim, allocating money and empowering community-initiatives like *Myndz Community* and *Township Production* should be high on the agenda. A greater focus on training facilitation could also change some of the present negative trends in the film and video industry.

5.3 Summary of media ownership & diversity 2007

Whereas the previous chapters have looked into the particular media sectors, this concluding chapter summarises the data presented in all the previous chapters. The sectors included are *press & print media*, *printing & publishing industry*, *Radio & TV broadcasting*, *the telecommunications industry* and *the film & video media*. As this study mainly focuses on ownership trends in Namibia, the following categories are used to help distinguish and differentiate between the various types of owners, be they religious, political, multiple owners or multinational and conglomerate owners operating within the Namibian media environment. Where found necessary, smaller clarifying comments have been added to the hard facts presented.

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- **Joint private & state ownership** (through *Venture Publications & Min. of Environment & Tourism*): *Flamingo, Travel News Namibia, Hunting Namibia, Conservation, Namibia Holiday & Travel* and others.

Multiple ownerships in the radio broadcasting media: 2

- **Norman Kotze, G. Jensen and D. Brown:** *Radio Kudu FM* and *Omulunga Radio*
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In direct opposition to a healthy and competitive media market, the Namibian media environment is challenged by a number of major media owners that have controlling shares in a number of media establishments in two or more media sectors. The ‘cross’ media ownerships are:

- Kalahari Holdings** (the business arm of SWAPO): *Radio Energy, Nam Print, MultiChoice Namibia and M-Web*
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Telecom Namibia (through *NPTH*), *IWAY* (through *NPTH*), *MTC* (through *NPTH*) and *Cell-One* (through *NamPower*).

International & conglomerate ownerships

A larger number of establishments have turned out to be substantially funded, governed or even fully owned by international investors. While some owners are smaller and fairly ordinary shareholders, some establishments and investors are of such great importance for the future of the Namibian media environment that they should be mentioned here. Most notable is that a number of the commercial radio broadcasters are either partly owned or partly funded by South African nationals (or former South African nationals). Added to this, a large number of the film companies registered and operating in Namibia are run by German, South African or other ex-pat filmmakers. The most important recent developments are within the print media and telecommunication sectors, where multinational conglomerates have made their entry. The most notable being:

MEDIA 24 (part of international conglomerate *Naspers*) holds a 50% share in the *Democratic Media Holding* (DMH), owner of *Allgemeine Zeitung*, *Die Republikein*, *Newsprint Namibia* and *Radio 99*.

Telkom SA has recently (2006-2007) bought up the controlling shares in *Africa Online Namibia*

Verizon Business International (part of international conglomerate *Verizon Communications Inc.*) took over the long standing *UUNet Namibia* in 2006, and subsequently formed what has become the most important internet service provider for the corporate market – it is trading in Namibia under the name *Verizon Business Solutions*.



6. Final comments and recommendations for the Namibian media

6.1 Final recommendations for addressing the media legislation

- Inputs from the Ministry of Information and Broadcasting, Namibian Communications Commission, Namibian Broadcasting Corporation, Telecom Namibia Ltd., the Namibian Editors Forum and the Namibian Film Commission

In this chapter, a number of the present and future legal challenges (as already presented in the conclusions in the previous chapters) are listed. The study of the legal documents applying to Namibian media, complemented by input from the various stakeholders interviewed, found the following legal issues of greatest importance for the nurturing of a healthy and sustainable media environment in Namibia. As they have already been mentioned and discussed in the previous chapters, the most important issues addressed will only be presented in a brief summary.

Transforming NBC into a genuine independent public broadcaster

Among the most common issues raised in the various interviews was the need to transform the national broadcaster (NBC) into an independent public broadcaster, including the drafting of new legislation to facilitate this. Amongst complaints and criticisms of the broadcaster was that it tended to favour government in its coverage and has been referred to as being nothing more than a SWAPO and government mouthpiece.

The need for a self-regulatory body

Initial attempts to get some sort of self regulatory body, such as a media council, off the ground have failed over the years. At the moment media houses operate without being accountable to each other and the journalistic profession. There seems to be no will or commitment within the industry to establish a self regulator. On the other hand, many within the industry, as well as the Ministry of Information and Broadcasting, continue calling for the creation of such a body in order to ensure an ethical and accountable media sector. Proponents of a media council believe it could become an important rallying point for media organisations and practitioners.

The Communications Authority Bill

Many media establishments, officials and public employees in the Ministry of Information and Broadcasting await the passing of the *Communications Authority Bill* with great anticipation. The Bill, which was to compensate for the outdated regulator - the *Namibian Communications Commission*, outlines definitions, conditions and standards to be followed by the future regulator. The bill has been in the drafting process for more than six years now. This process has seen more than 50 consultancies conducted around the issues the Bill is supposed to address. This has contributed to the inordinate delay in the passing of the Bill, something which remains an uncertainty. In the end, the delays in the drafting process could mean that the provisions of the Bill, when passed to law, could be out of date and thus irrelevant.

The lack of access to information legislation

Many in Namibia, not only the media, are calling for the passing of access to information legislation. They argue that Namibia has matured as a democracy and that such legislation would only strengthen the country's democratic culture. It goes without saying that access to information will go a long way in ensuring transparent and accountable governance. However, given the historical background of the country, this legislative process will probably be time consuming and laborious.

Outdated Acts and Policies

The investigated legal documents indicate that a number of pre-independence acts and regulations continue to apply to Namibia and in particular the Namibian media. While the constitution of 1990 states that all laws shall remain in place and force until repealed or revoked by parliament, the first *Information Policy of 1992* emphasised the need to repeal a number of these laws, especially those restricting the media from operating freely. Why such laws have not been repealed up till now remains a mystery, even though some have already been declared unconstitutional. The repeal process should definitely be speeded up in order to ensure that these laws can not at some future point be used to crackdown on the media.

Conforming Namibian media legislation to international standards

In straight continuation of the above, another challenge ahead is the one of conforming Namibian media laws, policies and regulatory frameworks to the internationally ratified protocols and declarations of SADC and the AU. An as yet unpublished audit of media laws in 2005 found that a number of the laws applying to media and communication in Namibia were completely out of sync with provisions of SADC and AU Protocols and Declarations. Unfortunately, attempts to address this issue have been limited so far. However, greater attention should be brought to this issue, if

Namibia is to become a truly committed member of SADC and the AU.

6.2 Final recommendations for addressing present ownership trends

- *Input from MISA Namibia, Ministry of Information and Broadcasting and other media stakeholders*

As already uncovered in the previous chapters, the media ownership structures are of greatest importance for the future advancement of Namibian media in general. While there is no doubt that Namibia is blessed with a diverse media environment, especially given the small population of the country, special attention must be brought to the fact that a large part of the Namibian media is dominated by a few giants. The smaller media establishments are mostly owned by a number of relatively affluent individuals and partners.

Of greatest importance to this study is that current and future media owners are made aware of the present structures and their potential impact on the media environment as a whole. Some of the following issues should be addressed if Namibia is to enjoy a healthy and competitive media environment in the future. The ensuing presentation consists of brief comments and recommendations, which may help to address the importance of ownership diversity in the future.

Ownership trends & media legislation

The media ownership diversity unearthed in this study inevitably calls for stronger and better regulation of the media environment in the country. While the *Namibian Communications Commission* does try to ensure that Namibians own the radio and telecommunications establishments, there seems also to be a need for a strong legal framework, which can ensure diversity in terms of ownership in the different media sectors. Future legal documents should therefore take into account not only the nationality of the owners, but also look into whether the various establishments are held by the state, by private companies or other institutions.

The idea of putting in place specific quotas and requirements for licenses and media accreditation could eventually help stimulate and regulate the industry. Some media owners are concealing their ownership interest through different businesses and holding companies in order to avoid scrutiny. In order to avoid such arrangements in the future, all companies and media institutions should be required to disclose ownership information when submitting license applications and/or registering their businesses. This would be in the interest of the whole media environment, which is already managed, owned and controlled by a few powerful individuals and companies. Letting such players enter the market would inevitably mean increased competition and possibly the ousting of some of the less qualified, less experienced and less economically viable operations already present on the market.

Regulation of ownership diversity is however a difficult issue to address, as it is hard to balance restriction and protection. It is moreover debatable who should formulate regulations and conditions and whether it should be a state or independent regulator. With regard to this, information about such matters should be accessible to the public.

Ownership trends' impact on 'independent' media

The previously described ownership structures show that a reasonable number of the media establishments are owned by so-called *multi-owners* (owners who have shares in two or more media establishments within the same media sector) or *cross owners* (spread across several media sectors). This study has not looked into the practical, commercial and political consequences of *multi* and/or *cross ownerships*, but such ownership practices could negatively impact on the independence and diversity of the various media sectors.

While many media outlets or products have been established since 1990, ownership has only slightly shifted. Whereas almost all media houses were dominated and controlled by the state prior to independence, the industry is today dominated by a few powerful owners. While there is no doubt that the country has suffered tremendously from state officials interfering in editorial practices prior to independence, no comprehensive research has been done with regards to the editorial interference practiced by the private media owners in the country since 1990.

The most important recent development with regard to ownership and the possible impact it may have on the media establishments concerned, was the purchase of 50% of the shares in the 'cross-owning' *Democratic Media Holdings* by the South African media giant *MEDIA 24*. What future impact it is going to have on the print media market and the media as a whole, has yet to materialize.

Ownership trends' impact on continued media diversity

Namibia has long been looked upon as a model country due to its fairly 'diverse' media landscape. While this may be true, this study indicates that quantity does not always translate into diversity in terms of language, content, coverage or quality, and most importantly it does not ensure a diversity of ownerships. As presented in the previous chapters, the Namibian media industry is dominated by a few influential media owners who have shares in the most powerful establishments. Some of these companies also tend to be the most dominating, trendsetting and important media players

in the country.

As already mentioned, media establishments in Namibia very rarely cooperate which has tended to foster a divided media landscape. This added to the fact that there is currently no independent regulator, such as a media council, implies that smaller establishments are effectively at the mercy of the larger media houses when it comes to competition.

Ownership trends' impact on possibilities for new players to enter the market

As already mentioned, the concentration of media ownership in the country has an impact on the particular media sectors, as economically viable establishments owned by multi-owners or cross-owners are most likely to oust new players trying to enter the market. Lack of financial resources and assets to compete against established media companies has proven to be amongst the difficulties faced by new entrants to the industry.

While this could be regarded as a natural outcome of free and fair competition on the market, it does require looking into. A regulatory body may yet prove necessary in order to ensure a vibrant and competitive future media industry and landscape.





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