Notes for the Panel on Government Channels and Information Flows at the Seminar on the Commonwealth and Challenges to Media Freedom hosted by the Institute of Commonwealth Studies in London from April 4-5 2017

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Listening to the panelists on this important topic, it seems clear that there is a deteriorating media environment across the Commonwealth, with largely blocked government channels and impeded information flows, with few exceptions.

Perhaps most concerning of all is the apparent lack of concern about this situation on the part of the Commonwealth itself, which has come under increasing criticism from Commonwealth Journalists Association (CJA), Commonwealth Centre on Media, and others for failure to put media freedom and safety of journalists front and centre on the agenda. It would seem that the Commonwealth's emphasis on good governance, human rights and free expression is meaningless without a stronger commitment to media freedom.

I'm fortunate to hail from one of the Commonwealth countries, Namibia, which is regarded as one of the best in Africa for media freedom. Nevertheless democracy is fragile, and many of the problems apparent in less free Commonwealth environments are mirrored in our own.

A high number have very depressing records on media freedom, and they include huge attrition rates on journos and bloggers in Pakistan, India, Nigeria, Bangladesh and Uganda, among others, which have seen a high rate of impunity. It is depressing to note that Unesco says that in only 1 of 103 cases of journalists killed in Africa from 2006 to 2015, was the killer convicted.

Draconian working conditions for journos are evident in several Commonwealth countries in some of the 'kingdoms' such as Swaziland and Lesotho, and also in places like Cameroon, and there are increasing physical attacks on journos across the African continent. Adding to this bleak picture, are setbacks to freedoms which have taken place in countries deemed to be more progressive, such as South Africa and Botswana.

All of the above scenarios have serious implications for both the free flow as well as access to information for the citizens of those countries, and ultimately, democracy and good governance.

I think it is significant to note that criticisms of the Commonwealth's poor record on

media freedom have been prevalent for years now. Yet calls for a "fresh start" in this regard have not necessarily been heeded by many of the governments in question.

The Commonwealth Charter of 2013, in both my view and those of others, doesn't go far enough to redress the situation. "We are committed to the free flow of information … and free and responsible media", is a rather lukewarm statement that is not going to spur governments to change their stance. 'Responsible to whom', would be the question in any case. Surely not governments themselves.

William Horsley of the Centre for Freedom of the Media has said there is a "need for effective mechanisms to assess and help deliver remedies for violations". It is important to state in unequivocal and strong language that media is a vital watchdog against corruption and bad governance, most especially in many of the developing countries where political opposition is fragmented and civil society weak.

Some call for government to input far more into training of journalists and support for media but I believe this is a wrong approach. Government's duty and responsibility is instead to facilitate an enabling environment for 'free, independent and pluralistic media', to borrow a phrase from the Windhoek Declaration, to exist.

This would require a number of undertakings:

1. Firstly for government to improve information flows to the people, there is a need for a strong commitment to an access to information regime. We've heard that Botswana for example, are dragging their feet on this issue, and in the case of Namibia, civil society organisations such as Action Namibia, of which the NMT is a member, have pushed and even assisted government to draw up an ATI law, but the draft is still on the desk of the Minister. With some 19 countries in Africa already with ATI legislation, with varying degrees of success, it is important that such laws are not simple window-dressing. Political will and commitment is necessary to ensure that they are effective in providing access to citizens and media alike.

2. It is also vital that the Commonwealth lends its voice to the eradication of laws which both inhibit and have a chilling effect on the work of free and independent media, and laws of criminal defamation surely top this list. In countries like Nigeria these stand in stark contrast to that country's commitment to ATI.

3. The Commonwealth also needs to insist that the authorities in member states reject impunity and relentlessly pursue those responsible for the killing & physical attacks on journalists.

4. Controversially, I'm sure, I also venture to suggest that the Commonwealth encourages government & ruling parties get out of media themselves. They are unlikely to improve the flow of information in cases where they dominate the media environment. In too many African countries, governments continue to control state broadcasters, and resist calls to transform them into public broadcasters. They also own print media, and in Namibia, the official news agency as well. Even in my own country, regarded as one of the 'most free', Cabinet recently put out a directive that state-owned media should receive the lion's share of both advertising and information. An outcry from media,

including the NMT, on this move, has shifted this off the agenda, but only for now.

In an era when mostly traditional media, although still vibrant in many development parts of the Commonwealth, is increasingly at risk, such directives from government to prioritise and benefit state media, would have disastrous consequences for the survival of independent voices.

5. One of the most worrying signs on the African continent has been the tendency of governments to 'shut off the internet' and thereby silence a broad spectrum of society. In Cameroon, there's been a persistent and ongoing denial of access to about 20% of the English speaking section of the population; in Uganda and other countries governments have claimed the shutdowns have been motivated by spurious 'security' concerns.

6. Added to this, while there are legitimate concerns about cybersecurity, this often provides excuse for governments to threaten the online rights and social media presence of both citizens and media. Socalled model laws on cybersecurity, developed by govenments through regional economic blocs, do not consider the human rights perspective of internet governance, and thus issues such as online free speech are increasingly at risk.

Overall, the adverse and deteriorating environment for media freedom in general across the Commonwealth, has restricted rather than enhanced, information flows and strengthened the voices of government rather than the people. It is imperative that increased pressure be applied to the Commonwealth to take a strong stance on media freedom and journalists safety before all confidence is lost in this institution.

There's no need for Commonwealth to reinvent the wheel if it is to – hopefully - put media freedom high on their agenda. There are enough strong declarations on media in which Africa took the lead, and these include the Windhoek and similar declarations adopted after this in other parts of the world, as well as African Charter on Broadcasting and African Declaration on Internet Rights and Freedoms, which give guidelines on the topic under discussion on this panel, and can provide framework for similar initiatives elsewhere.

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