

Honorable Speaker, esteemed parliamentarians

Today, I rise to propose a motion for the establishment of a comprehensive social media regulatory framework for Namibia. This framework aims to strike a delicate balance between safeguarding freedom of expression, as enshrined in Chapter 3 of the Namibian Constitution, and protecting the right to privacy of our citizens. Furthermore, this motion explores how the recently enacted Access to Information Act, Act 8 of 2022, can contribute to achieving these objectives.

As technology advances, the influence and impact of social media platforms have grown exponentially. While these platforms have provided a platform for sharing ideas, facilitating free expression, and connecting communities, they have also raised concerns regarding the misuse of personal data, the spread of hate speech, misinformation, and cyberbullying. It is our duty as members of Parliament to address these concerns and establish a regulatory framework that ensures responsible use of social media, without unduly infringing on the fundamental rights of Namibian citizens.

In order to protect the freedom of expression, it is crucial that any regulatory framework respects the provisions of Chapter 3 of the Namibian Constitution, which guarantees the right to express opinions and seek, receive, and impart information freely. There is a need for a contextual framework, we must ensure that any regulations pertaining to social media are carefully crafted to strike a balance between safeguarding freedom of expression and addressing legitimate concerns related to public safety, security, and individual rights. This framework should provide clear guidelines and mechanisms to address harmful content while preserving the essence of open dialogue and diverse opinions.

Furthermore, we must recognize the pivotal role played by the recently enacted Access to Information Act, Act 8 of 2022, in fostering transparency and accountability. This act provides the legal basis for citizens to access information

held by public bodies, ensuring greater transparency and informed decision-making. Honorable speaker, the potential of this act in relation to social media regulation, by allowing citizens to access information about social media platforms' policies, procedures, and content moderation practices, the Access to Information Act empowers individuals to make informed choices and contributes to holding these platforms accountable. By incorporating the principles of the Access to Information Act within the social media regulatory framework, we can ensure that citizens have access to critical information and a voice in shaping social media policies.

Central to the effective implementation of this proposed framework is the need to strike a balance between freedom of expression and the right to privacy. Article 13 of the Namibian Constitution guarantees the right to privacy, and as such, any regulatory measures should not infringe upon this fundamental right.

Moreover, the regulatory framework should establish mechanisms to address and combat hate speech, misinformation, and cyberbullying. While freedom of expression is paramount, these issues pose significant threats to societal harmony and individual well-being. The framework should require social media platforms to adopt robust content moderation policies, reinforced by transparent reporting mechanisms and swift response to reported cases. Additionally, partnerships with law enforcement agencies and relevant stakeholders will enhance the effectiveness of combating these digital challenges in the era where Namibia is moving into the fourth industrial revolution.

Honourable Speaker and members of Parliament, while there is recourse that affected individuals can take currently, when their reputation is tarnished and they are stripped of their dignity on social media through bullying, hate speech, victimization, and so forth. We must however be mindful that when their constitutional rights enshrined in Chapter 3, particularly, Article 8, Article 10, Article 13, Article 19, Article 21 and Article 23 in the Namibian Constitution

are not effectively protected, the recourse which is a civil lawsuit are both cumbersome and costly for the average Namibian to undertake.

It is to that end, that the establishment of a comprehensive social media regulatory framework is vital for Namibia in this digital age. For it will a balance between freedom of expression and rights to privacy, leveraging the Access to Information Act, and implementing mechanisms to address hate speech, misinformation, and cyberbullying.

We can empower Namibians to engage responsibly on social media platforms while safeguarding their rights and well-being. It is our duty as members of Parliament to create an environment that fosters open dialogue, protects the vulnerable, and ensures a vibrant digital landscape for our nation's progress.

I so submit.