

STATE OF THE MEDIA IN ZAMBIA

OCTOBER-DECEMBER 2020



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MEDIA ACTION

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STATE OF THE MEDIA REPORT

Fourth Quarter (October-December) 2020

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Chapter

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ACKNOWLEDGEMENTS

The researcher wishes to thank the various experts and media practitioners, some of whom chose to remain anonymous, for providing the necessary input that helped to shape this report. Your contributions helped to enrich this report and provide the necessary validation.

Also, special thanks go to the supporting partners, Friedrich Ebert Stiftung (FES) and the BBC Media Action Zambia who have been supporting the compilation and production of this report for the development of the media sector which in turn contributes to democratic governance in Zambia.

Finally, the staff and members of MISA Zambia and other cooperating partners who, through their input directly and indirectly provided the necessary direction for this report.

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LIST OF ACRONYMS

ATI	Access to Information
ECZ	Electoral Commission of Zambia
IBA	Independent Broadcasting Authority
ZICTA	Zambia Information and Communication Technology Authority
ZNBC	Zambia National Broadcasting Corporation

EXECUTIVE SUMMARY

The State of the Media Report is a quarterly assessment of the media environment in Zambia. This edition covers the fourth quarter of 2020 i.e. October-December. This assessment and record describes the media trends in Zambia during the period and was prepared under the auspices of MISA Zambia.

This report includes a number of interesting occurrences that added new developments, twists and opportunities alike for the overall media environment in Zambia.

The socio-political environment was relatively calm with fewer violations (of less intensity) in comparison to the other three quarters in which ferocious politically-motivated attacks were witnessed against media outlets, with property damaged and individuals harmed in some cases. The quarter witnessed some positive media developments with regard to the socio-political environment, including collaborative efforts between the IBA and other stakeholders. Meanwhile, the threat of a resurgence of the Coronavirus pandemic remains imminent and is likely to affect the operations of the media again going forward based on a spike in the number of cases recorded towards the close of the quarter.

In the legal environment, significant developments were noted with the potential to affect the media both positively and negatively. For example, the quarter witnessed the arrest of individuals on charges under the State Security Act Chapter 111 of the Laws of Zambia which is inimical to the freedom of expression and access to information. On a positive note, the quarter also witnessed the development of policies (Media Development and Government Communication) aimed at improving the media and communication environment as well as a positive Transparency assessment ranking for the country. However, the Access to Information Bill remains elusive as elucidated in the report.

The economic environment maintained similar trends noted in previous quarters given the poor performance of most economic fundamentals and the continued effect on the operations of the media in the form of increased cost of production and running of media outlets. Despite less severity of the economic downturn in the fourth quarter, the Coronavirus pandemic continued to negatively affect media houses in view of reduced economic activity which further impacted on the advertising revenue which is the economic mainstay of most media houses in Zambia.

The lack of a specific stimulus package targeted at media enterprises as key drivers of democracy and access to information remained an issue of concern throughout the quarter. Other factors such as continued electricity load shedding exacerbated the situation and overstretched the thin resources on which the media outlets relied.

Finally, the technological environment was relatively more positive than that recorded in the second and third quarters, particularly in view of the fewer number of violations and arrests with regard to freedom of expression online. The quarter witnessed positive developments and steps towards the enhancement of mobile and internet technology services as precursors for the possible introduction of 5G network in Zambia, a move that will further digitise media activities and improve citizen access to information. The quarter was, however, dented by allegations of possible deployment of spyware for the interception of calls, text messages and location data, a move which if not disproved is likely to have a chilling effect.

These findings among other data compiled in the course of the study formed the conclusion on the state of the media in the quarter under review. Overall, the state of the media featured trends similar to the previous quarter despite some marginal positive gains posted in certain variables in some of the key thematic areas under consideration.

1.0. INTRODUCTION

The *State of the Media* is a quarterly report of trends and developments in the media sector as compiled by MISA Zambia. The report serves as an advocacy tool for media policy reform as well as an archive of information which can be used for reference on media developments in Zambia.

The report has previously helped to shape policy formulation with regard to media freedom, freedom of expression and access to information in Zambia. The report, which has been published quarterly for over fifteen (15) years, serves as a tool for dialogue and action in the media fraternity, government and non-governmental sectors alike.

The rationale of the report is based on the corollary between media performance of certain cardinal functions and democratic governance. However, the media are affected by various trends and developments that could undermine their performance.

In this regard, the report is divided into various sections covering the socio-political, economic, legal and technological environment in which the media operated in the period under review.

The objectives of the report are, therefore, to:

- Report political, economic, legal and technological trends in the media sector in Zambia
- Assess the level of freedom of expression and media freedom.

2.0. METHODOLOGY

The report is exploratory and descriptive in nature as it mainly aims to present the general state of the media sector in the identified quarters.



In compiling the report, a desk review was conducted in which an analysis of various materials pertaining to freedom of expression and the welfare of the media within the quarters under consideration was undertaken. This was augmented by a content analysis of various media publications (electronic, print and online) as well as media violation alerts to establish the common themes with regard to the objectives of the study.

The report also employed the use of interviews with purposively selected participants on the basis of their known or presumed knowledge about issues related to or affecting the state of the media. The participants comprised media experts, statutory institutions as well as practising journalists to gain a deeper understanding and validation of some of the phenomena observed in the quarter.

3.0. FINDINGS

3.1. SOCIO-POLITICAL ENVIRONMENT

The Socio-political environment in the quarter under review was generally better than that witnessed in the previous quarters chiefly due to a reduction in instances of political violence and harassment of journalists and media houses.

One of the incidents witnessed in the fourth quarter, the blocking of Democratic Party president Harry Kalaba from featuring on a live programme on Mpika FM on 12th October, is notably reminiscent of the trends observed in the second and third quarters as a form of censorship and barring of political leaders from featuring on media outlets. Mr Kalaba who was scheduled to feature on a paid-for programme was allegedly barred following instructions from the District Commissioner and Police authorities in the area. The Station opted to feature Mr Kalaba on a recorded programme which was aired much later¹. A similar incident was again recorded on 21st December when Police summoned Mpika Radio management for hosting DP president Harry Kalaba without their permission, further threatening them with arrest if they did not submit a recording of the said programme. Allan Dumingo, Mpika Radio Station Manager said the following in some of the media excerpts monitored:

“Management was summoned, though I was out, but I was given a report that they were summoned yesterday (Monday). They were summoned by the officer in-charge. S, they went and they asked them why they hosted the programme without getting permission from the police. So they said they consulted the DC and the DC gave them a go ahead. The police said ‘the DC did not have any authority to give permission, it is the police who are supposed to give permission’. So when the guys from management called me, they were asked to submit the recording for the same programme. So when they tried to resist a bit, they were told that they would be locked up for five days if they didn’t submit the audio. So that is how they were taken to the station and they gave out the audio to the police... They gave them the flash and told them that every time they have a political programme hosting any politician, whether it is from the PF or from the opposition, they are supposed to first get permission from the police on whether to have that programme or not. If they don’t do that, they will be just coming to grab the whole management team and lock us up. According to them, that is the new regulation. So I don’t know whether it is emanating from that MOU that was signed between IBA, MISA and the police on getting permission from the police. So I even intend to call MISA and get guidance because a lot of media stakeholders expressed concern on that MOU.

¹ As reported on Diamond TV news on 13th October, 2020 and followed up at Mpika FM by MISA.

*According to media regulations, we are not supposed to get permission from the police to do any programming. So that is why we didn't follow it up with IBA and MISA... Going forward, we see this being a big problem because this police department has really embraced that issue of media houses getting permission from them to do anything. Us every time we have someone from the ruling party, there is no problem, they can come anytime and any day without announcing, they go on air, their programme will run. Nobody will even follow up with us to say 'why did you allow the Minister, the MP?', they won't. [But] somebody from the opposition, it will always be an issue. From our experience, whenever we want to host a political figure, when we go to the police which we have done in the past, they will always say we don't have man power, we can't provide enough security, so don't do the programme"*²

The action of Police and District Commissioners interfering in the operations of media houses whenever they host opposition party leaders has been recorded in all the quarters of the year and remains an issue of concern, despite reduced occurrence in the fourth quarter.

Firstly, the rightful institution charged with the mandate of regulating the operations of broadcast media houses is the Independent Broadcasting Authority which enjoys such powers vested on it by the IBA Act No. 17 of 2002 as amended by Act 26 of 2010. These statutes empower the Authority to regulate the broadcasting industry, promulgate standards and codes of practice, issue, suspend and cancel licences as well as investigate and preside over complaints against a broadcast media house inter alia. It is therefore trite that officials such as District Commissioners continue to interfere in the operations of media houses, further assuming regulatory powers over such media outlets.

The spirit behind the establishment of the Authority is to set out an independent process that accords pluralism and diversity of media outlets while safeguarding the public and other stakeholders without bias or undue interference. As such, if such officers as the DC (a government official and civil servant) have any grievances with the operations of a media house, they must be in the fore-front to uphold the provisions of the law as opposed to taking matters in their hands. This is against the directive and counsel given in the second quarter by Chief Government Spokesperson and Minister of Information and Broadcasting Services, Dora Siliya, after an incident at Mpika and Chinsali Radio Stations. It is, therefore, prudent that government takes decisive action against such erring officers if its pronouncements and

² According to a report carried in News Diggers Newspaper of 23rd December, 2020. See <https://diggers.news/local/2020/12/23/police-summon-mpika-radio-staff-for-hosting-kalaba/>

commitment to media freedom are to mean anything, especially that the incident keeps recurring at Mpika Radio.



Secondly, the action of police and other authorities interfering in the operations of the media has the potential of instilling a chilling effect and leading to the marginalisation of certain actors for fear of political and legal retribution.

The media, according to Norris (2000:9) have three significant functions under normative assumptions of a representative democracy³. The media are expected to facilitate pluralistic competition by acting as some civic fora for debate. The media also facilitate public participation and encourage political learning and interest. Finally, the media preserve the conditions for civil liberties and political rights. These functions can only be fulfilled if a safe and conducive environment is created. The interference in the operations of media houses is clearly a sign of a high level of intolerance of dissenting views, a situation that can influence media performance⁴.

Thirdly, the action of blocking political guests from featuring on radio stations also has an economic effect because it reduces the revenue generated by media outlets, most of which are grappling with the reality of a harsh economic environment as shown in the economic section

³ Norris, P. (2000). *A virtuous cycle: political communications in post-industrial societies*. New York: Cambridge University Press.

⁴ According to findings in Manchishi, K. (2017). *Defamation of the President and the law's effect on media performance: a study of the Post and Zambia Daily Mail Newspaper*. Unpublished master's dissertation. Lusaka: UNZA.

of this and previous quarters under review. Many of these media outlets rely on advertising and sponsored programmes to generate revenue. This is even more critical in rural districts like Mpika where there is little commercial activity that can sustain advertising for a media house.

It is no wonder, therefore, that stakeholders condemned the action by police and the District Commissioner. Surprisingly and rightly so, Muchinga Province Police Commissioner, Joel Njase castigated the police in Mpika for summoning the management at Mpika FM:

MUCHINGA Province police commissioner Joel Njase says the summoning of Mpika radio staff by officers for hosting Democratic Party president Harry Kalaba is wrong and unprofessional.

And Media Institute of Southern Africa (MISA) chairperson Helen Mwale has described the summoning of the Mpika Radio staff as a hindrance to the free flow of information.

In an interview, Njase said he did not have any information on what had transpired in Mpika, but hastened to add that police had no mandate to regulate the media.

“I don’t have that report but will follow up. Police have no mandate in any media related programmes because we don’t supervise or regulate the media. If that happened, then that is wrong and unprofessional on part of the officers. We shall endeavour to uphold the bill of rights,” said Njase.

And Mwale said there was no law that mandated media institutions to get permission from police in order to host any citizen.

“Where is it written in the law that hosting a Zambian on radio station permission should be obtained from the police? It is not in the powers of the police to summon the radio station when they host a Zambian citizen or anyone. The duty of the police is to provide security and protect us and not to be dealing with issues of running of media houses. That is why we have the regulator, IBA. Only IBA has the power to request for a recording and not the police. If it is a criminal offence, we challenge the Zambian Police to tell us when it became a criminal offence for any radio station in this country to host someone? What are the issues that the police are looking for? If Mr Harry Kalaba is a criminal let them deal with him as a criminal and not as a person that is going to speak on the radio,” Mwale said.

“One thing that the police should know is that, maybe I need to educate them a bit, media houses are there to provide a platform for exchange of views. They are there to ensure that citizens have access to information. When Mpika radio featured Mr Kalaba they allowed for freedom of expression; (ii) they ensured that the people of Mpika had access to information; (iii) they provided a space for citizens to debate so that they can make informed decisions or make better choices on whatever decision they want in their lives. So what is wrong with that? If Mr Harry Kalaba committed an offence, if Mr Harry Kalaba insulted, can they deal with Mr Kalaba as a criminal outside the radio station and not to interfere in the operations of the radio station.”

Mwale said it was unlawful for police to threaten Mpika radio staff if they had failed to provide the recording of the programme.

“So we would like to challenge the police, when did it become law that the radio station should not feature opposition party leaders? When did it become law that when a radio station features someone then they should provide a recording for them? What is it they are investigating? So we challenge them to take Mpika Radio to the courts of law, if Mpika Radio committed an offence,” said Mwale.

“We do not see any sense in them summoning the radio station or asking for the provision of the recording. We would have understood if it was IBA because IBA is the regulator and IBA do sometimes ask for [any recording]. So we cannot in our own way agree with the police that Mpika Radio must provide the recording, that is not fair and that is injustice and a hindrance to free flow of information. It is interference with the operations of the radio station and we would like to ask the police to desist from such behaviours.”

Other stakeholders, such as US Embassy Charge D’Affaires raised concerns on the need for a level playing field and guarantee of rights, freedoms and liberties of all citizens such as the freedom of expression. US Charge D’Affaires David Young noted in part that:

“As we look ahead at the elections next August, we know that is a very important thing. Elections are important, elections have consequences. I want to say that we the United States, like other donors, our fellow democracies, we support the will of the Zambian people and the democratic process. So we want a level playing field, we want all parties and all candidates to be able to campaign fairly and equally with a level playing field.

If you have listened to my statements before I talked about the number of concerns that we have particularly been about the issues of a level playing field. The use of the public order act is very concerning because it is applied unequally between parties, freedom of speech, freedom of assembly, freedom of press, freedom of radio stations not to be harassed by party cadres. Cadres violence is a huge problem for intimidation of people in a democratic space. So we want to support a level playing field, equal treatment for different parties, freedom through the press. Certainly I would say we have some concerns.”⁵

On a positive note, however, the quarter under review witnessed steps towards addressing political attacks on media outlets. This was in the form of workshops held by four major

⁵The remarks were issued at a press conference held on Wednesday, 14th October, 2020.

stakeholders namely the IBA, Media Owners Association of Zambia, BBC Media Action and MISA Zambia with a view to promote the safety of journalists in Zambia by building the capacity of stakeholders to understand the role of the media, strengthening the capacity of journalists to be professional in election reporting and building the capacity of stakeholders to take practical steps in promoting the safety of journalists.



Stakeholders during the workshop: Picture courtesy of IBA

Among the resolutions arising from the workshops held with various institutions from 10th-13th November were:

- i) The need for continued collaboration by stakeholders to ensure that cases of harassment and violence against journalists are not withdrawn so that perpetrators are brought to book.
- ii) Media owners and institutions should always engage the Zambia police Service whenever they conduct high risk programmes or host politically exposed persons.
- iii) IBA and ECZ should work together in ensuring fair coverage of all political parties during elections

- iv) Political parties and related stakeholders should engage with the media for them to have adequate knowledge about their programmes
- v) Police should apply the law fairly

Through such engagements, it hoped that strides will be made in curbing violence against journalists and media outlets alike, especially that the country goes to the polls in 2021. However, all stakeholders must be alive to the role the media play in facilitating enjoyment of certain civil and political rights as enshrined in the Bill of Rights. This should be the overriding factor and such actions as notifying the police whenever a programme is being hosted must only be for administrative purposes as police already have the duty to serve and protect all members of society-the media inclusive without bias. This is so because in certain incidents recorded in the previous quarter, police were present during some attacks but dragged their feet in dealing with perpetrators of violence against media outlets.

Additionally, the IBA (in partnership with other relevant statutory bodies) must take extra steps in safeguarding the broadcast media which falls under its charge. The Authority is obligated to promote a pluralistic and diverse broadcasting industry and such attacks on media houses undermine this aim as stipulated in the Authority's Act, among others.

It is no wonder some stakeholders, such as US Embassy Charge D'Affaires raised concerns

On the social front the quarter witnessed a general downward trend in the number of cases of COVID-19 as well as the easing of restrictions, which made journalistic operations much easier. This is in contrast to the previous quarter in which heightened measures were put in place as well as restrictions which affected the media with regard to news gathering, hosting of sources and rotational work schedules to meet preventive guidelines. These had both social and economic effect on the media as elucidated in the economic environment in this and previous reports. Notably though, the quarter closed with a significant spike in cases and the possible resurgence of a second wave of the Corona Virus a situation which could lead to reintroduction of restrictive measures.



A graph depicting the trends with regard to COVID-19⁶

Another issue worth noting in the quarter under review is the continued humiliation and unfair portrayal of women in the media. This was evidenced by a widely condemned incident in which Socialist Party Spokesperson, Rehoboth Kafwabulula was reportedly humiliated by a Sun FM journalist during a live programme dubbed “The Public Forum”. Ms Kafwabulula was allegedly asked questions with varied sexual insinuations which most stakeholders considered to be victimisation of the Spokesperson on account of her gender. MISA Zambia issued the following:

MISA Zambia has strongly condemned the intimidation and humiliation of Socialist Party national spokesperson Rehoboth Kafwabulula by a Sun FM journalist.

Last Thursday, Sun FM’s Kausa Mbasela hosted Ms. Kafwabulula from Socialist Party on the station’s flagship current affairs programme dubbed Public Forum.

During the programme, Mr Mbasela humiliated Ms. Kafwabulula by asking her personal questions such as; “who are you sleeping with?” and “are you still a virgin in the political space?”.

“MISA Zambia has received with sadness the intimidation of Socialist Party National Spokesperson by Sun FM journalist during a live call in radio programme. MISA Zambia strongly condemns such interview tactics that are not only unprofessional, but also unfair and a clear breach of media ethics,” MISA Zambia chairperson Hellen Mwale stated.

“We therefore, urge all media houses in the country to treat both female and male politicians with equal respect, prominence, and avoid asking them demeaning questions that attack their persona”. The interview tactic was not only unprofessional but also an insult to the female folk as it insinuates that females can only be successful if the

⁶ Source: Zambia National Public Health Institute. See <https://rtc-planning.maps.arcgis.com/apps/opsdashboard/index.html#/3b3a01c1d8444932ba075fb44b119b63>

slept with men in higher position. We therefore call upon Sun FM management to serious look into this matter and take appropriate action.”

She stated that Zambia is a signatory to the SADC the Gender Protocol Agreement which calls for 50/50 gender representation.

“Therefore, MISA Zambia expects all media institutions to align their political programmes in line with this protocol. As we approach the 2021 general elections, we call on all media houses to treat all political players equally, regardless of their political affiliation, race, tribe or gender,” Ms Mwale stated. “MISA Zambia also expects journalists and talk show hosts to be non-partisan, independent, gender sensitive, and objective while moderating their political programmes in order to give every political party a platform to explain its manifesto. MISA Zambia is also appealing to media houses and journalists in particular to promote female participation in political governance of this country.”

The trend of gender humiliation and victimisation of women in the media has been an issue of concern to many stakeholders especially in view of the desired 50-50 gender representation. As such, there is need for media to put in place deliberate measures aimed at creating a safe environment for women to participate in politics and aspire for public office. Such incidents as the one recorded at Sun FM have the risk of discouraging women from aspiring for leadership positions for fear of humiliation on account of their gender and cultural stereotypes⁷. Media houses must thus undertake gender audits as well as put in place deliberate guidelines as part of their editorial policies.

Some studies on gender portrayal and participation of women in Zambian media spaces have shown that the media spaces are generally hostile towards women, often victimising them as compared to their male counterparts. An excerpt from a study dubbed “Women and interactive broadcasting in Zambia”⁸ exemplifies this, among many other observations:

Female politicians reported that they do not necessarily feel targeted by the audiences since their male participants are equally heckled. However, their view is that the comments from the audience are sometimes about their private lives which is often not

⁷ According to a study by Dr Alice Evans titled “‘For a change we want women!’: Closing the gender gap in Zambian politics”, women’s encroachment into historically male-dominated political domains and growing popular support for them as independent political actors are primarily due to contemporary exposure to a critical mass of women demonstrating their equal competence in masculine domains. Although some women make incursions into employment and politics historically, their paucity means they were generally perceived as deviating from (rather than disconfirming evidence of) gender stereotypes about the typical woman. See <https://ecpr.eu/Filestore/PaperProposal/2e364a79-806b-4875-a7f2-15e70b4bc49e.pdf>

⁸ Milapo, N. (2016). Women and interactive broadcasting in Zambia. [o]. Available at https://www.researchgate.net/publication/303859936_Women_and_Interactive_Broadcasting_in_Zambia/citation/download

the case with their male counterparts. This was so especially in interactive shows that had sms provision where the audience would veer from the substantive discussions and instead begin to discuss their private lives. As one female politician put it “Media personnel need to make judgement ...because what is the issue being discussed? Should the sms be about who I should marry or how I am dressed?”

Female politicians equally observed that hosts of interactive shows could do better. Some respondents were forthright in their condemnation of interactive show hosts to the extent that one stated “....there has just been an abuse of interactive media by our media houses....half the problem has been that they (hosts) have felt uncomfortable themselves. They do not do enough research, they are not knowledgeable enough about a lot of issues and as such it has been easy ...the public will ask questions which give unlimited space and opportunity for disgruntled callers to attack us ...”

To deal with this difficulty, female politicians reported that they have learnt the skill of protecting themselves. They have gone to feature as guests on interactive shows with tools that will help them get the most out of the media. One of them shared that when she participated as a guest on interactive media, she was fully aware of the fact that there would be vicious callers and would go there prepared. She put it as forth: “...I know that there will be negative texts that come in, I go there prepared and that’s the price we are willing to pay in order to get access to the airwaves”. They also go beyond the mental preparation and negotiate terms for their participation when need be. This negotiation has in some cases been facilitated by the party machinery. One of the MPs revealed that once in a while, they have dealt with the rules of the game “...we tell them (radio station) that look if we come on your programme, we want to be given time, that you’ll ask us questions no matter how hard so that we explain. But if you want us to come and you have nothing to ask us and you want to expose us to tantrums of the public, it is a bit difficult”.

The situation is exacerbated by lack of gender awareness and sensitivity among media practitioners, often influenced by the existing culture of male superiority⁹. This further influences their perception and portrayal of women in the media. As such, the incident recorded at Sun FM is indicative of a bigger issue beneath the surface requiring concerted efforts.

On a positive note, the quarter under review saw the country host the inaugural World Communication Forum in Africa from 26th-27th November under the theme “Communication

⁹ Dibeso, L.T. (2015). Gender discrimination in Zambian media workplaces. Windhoek: FES & Media Monitoring Africa. [o]. Available at <http://library.fes.de/pdf-files/bueros/africa-media/13709.pdf>

in a changing world: challenges and opportunities”¹⁰. In a statement, Information Minister, Dora Siliya, stated that it was an honour for the country to have been picked to host the first of its kind conference in Africa.

Among the key themes discussed at the Forum were digitisation, crisis communication and national branding. Alongside the World Communication Forum Africa Conference was a Women in Influence Conference which was opened by Vice President, Inonge Wina. The aim of the meeting was to discuss what challenges and opportunities exist for women from diverse backgrounds in a digital world. Further, a Science, Technology, Engineering and Mathematics (STEM) Conference was held, attracting 150 girls from around the country.

The selection of Zambia as a host country for the inaugural Conference was a positive development which helped to market the country as well as provide an opportunity for media and communication practitioners to discuss various issues pertinent to the industry. It also helped to provide an opportunity for peer learning and benchmarking of best practices as the Conference hosted media practitioners from various countries. It is only hoped that the issues raised as part of the conference will be implemented at a local level and improvements noted in the local media landscape.

Overall, the socio-political environment in the quarter under review was relatively calm with fewer violations (of less intensity) in comparison to the other three quarters in which ferocious politically-motivated attacks were witnessed against media outlets, with property damaged and individuals harmed in some cases. Further, the previous quarters also witnessed acts of censorship, such as the ‘closure’ of Prime Television in an arbitrary manner. The fourth quarter witnessed some positive media developments with regard to the socio-political environment, including collaborative efforts between the IBA and other stakeholders. Meanwhile, the threat of a resurgence of the COVID-19 pandemic remains imminent and is likely to affect the operations of the media again going forward.

3.2. LEGAL ENVIRONMENT

The legal environment in the fourth quarter was quite eventful with landmark developments that highlight certain peculiarities of the media in Zambia.

¹⁰ Full Conference details, programme and materials can be accessed on the WCF website at <http://www.wcfaglobal.com/wcfa-events/19/world-communication-forum-in-africa>

The most notable development was the arrest on 31st October of two Ministry of Finance officials, Chileshe Kandeta and Lazarous Mwelwa over allegations of a leaked budget speech. The Zambia Police Service, through their Acting Spokesperson, Danny Mwale, issued the following:

October 31, 2020 - Police have charged and arrested Ministry of Finance Public Relations officer, Chileshe Kandeta aged 50 of Kabulonga and Lazarous Mwelwa aged 46 of Chamba Valley, a Budget Analyst at Ministry of Finance for the offence of Communication of Certain Information contrary to Section Four Chapter 111 of the State Security Act. This is in relation to the leaking of the 2021 National Budget Speech which went viral before it was officially presented in Parliament. They are detained in Police custody awaiting court appearance.

The arrest of the two Ministry of Finance officials is evidence of the suppressive legal regime and the impact of laws that are inimical to freedom of expression, access to information as well as press freedom in Zambia. The Zambian Constitution guarantees the freedom of expression in Article 20, specifically stated as follows:

- 1. Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to impart and communicate ideas and information without interference, whether the communication be to the public generally or to any person or class of persons, and freedom from interference with his correspondence.*
- 2. Subject to the provisions of this Constitution no law shall make any provision that derogates from freedom of the press.*
- 3. Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this Article to the extent that it is shown that the law in question makes provision—*
 - a. that is reasonably required in the interests of defence, public safety, public order, public morality or public health; or*
 - b. that is reasonably required for the purpose of protecting the reputations, rights and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, regulating educational institutions in the interests of persons receiving instruction therein, or the registration of, or regulating the technical administration or the technical operation of, newspapers*

and other publications, telephony, telegraphy, posts, wireless broadcasting or television; or • Right to protect one's reputation • Radio • Telecommunications • Television

c. that imposes restrictions on public officers; and except so far as that provision or, the thing done under the authority thereof as the ca

Several subsidiary laws have been promulgated in respect of Clause 3a and it is on this premise that the State Security Act exists, purportedly for the protection of safety and security. It specifically has provisions relating to state security with regard to espionage, sabotage and other activities prejudicial to the interests of the State as well as providing for purposes incidental to or connected therewith.

While the law is certainly important for the integrity of vital information and installations among other things, there is need to strike a balance with information that is generally in the interest of the public, especially in the absence of a provision on Access to Information which has stalled in Zambia for over eighteen years. The danger of the State Security Act as demonstrated in the arrest of Messrs Kandeta and Mwelwa is the incrimination of harmless information that is in public interest. It is standard practice that embargoed (budget) speeches are shared with specific media institutions (even state media) to enable them conduct real-time visualisations, expert analysis and review during presentation of the budget¹¹. This is to ensure that there is no distortion of facts or misrepresentation of information to the public during and after the delivery of such a technical speech.

The contents of the said budget speech are public knowledge and derived from submissions made by various entities and members of the public. It is therefore capricious for the authorities to effect such an arrest on something that is standard practice and in the public interest. It is a vexatious act based on the extremities in the law as raised by various stakeholders in their advocacy against the laws deemed to be inimical to the freedom of expression in Zambia. As such, enforcement of such laws needs to be balanced with the principles espoused by Article 20 on the freedom of expression, particularly that of reasonable justification in a democratic society. A democratic society is premised on good governance, liberty (such as freedom of

¹¹ In PR communications, an embargoed release is a media release or announcement that is shared with the media in advance of its publishing date. Unlike 'off the record' which is never supposed to be published at all, embargoed information is intended to be published. But, it is only meant to be published at the time disclosed by the release distributor. Read more at <https://publicrelationssydney.com.au/embargoes-what-are-they-and-when-to-use-them-2/>.

expression, access to information), citizen participation and the rule of law among many others¹².

To the contrary, the State Security Act promotes a culture of secrecy in which several vices such as corruption and abuse of office can easily flourish. This is because public officials can classify even information which is in the best interest of the public as well as use the law as an excuse to avoid providing information to journalists. It is therefore important that only those threats to the integrity of state security are captured under this law to avoid it hanging over the heads of media practitioners and citizens alike like a proverbial sword of Damocles¹³.

The corollary from the incident involving the arrest of the two Ministry of Finance officials¹⁴ is the urgent need to enact a law on access to information that will guide the dissemination of information, privileges of citizens and procedures to be followed in obtaining such information. This is further tackled in the sub-section on progress made in the advocacy for the ATI Bill below.

Similarly, the quarter under review witnessed arrests under defamation of the President as provided in Section 69 of the Penal Code. This, as stated above, is one of the laws premised on the clawback clauses in Article 20 of the Zambian Constitution. One notable incident in this regard was the questioning of Saboi Imboela, a spokesperson of the opposition NDC party, for alleged defamation of the President in a post made on her Facebook page¹⁵. As argued in the second quarter report, the law is inimical to the freedom of expression as it grants law enforcement authorities arbitrary discretion with regard to determination of ‘defamatory matter’ (whether positive or negative), insulates the person occupying the office of President

¹² See <https://www.sjsu.edu/people/ken.nuger/courses/pols120/Ch-3-Principles-of-Democracy.pdf>

¹³ See Nkandu, E. (2012). Study Report on media laws and policies in Zambia. Lusaka: EU & MISA; See also Chanda, A.W. and L. Mufalo (1999). Handbook of media laws in Zambia. Lusaka: ZIMA; see also Ministry of Information and Broadcasting Service (2000). Report of the taskforce on media law reform.

¹⁴ At the time of compilation of this report, no official update had been provided on the two suspects whether in custody or bonded and their prospective appearance in Court. Media and communication organisations continued to advocate for their unconditional release and withdrawal of all charges.

¹⁵ According to information made available by NDC Deputy Media Director Kirby Kaoma who was with Ms Imboela at the time and confirmed the same to MISA Zambia when a follow up was made.

from criticism and is redundant in so far as its intentions are covered by other legal provisions such as Seditious practices as well as civil defamation-among many other demerits of the law¹⁶.

Other notable developments in the quarter under review included the findings of the Regional MISA Transparency Assessment Report which examines the openness and transparency of public organisations in Southern Africa¹⁷. The study evaluates to what degree information is made available to citizens upon request as well as assessing whether public organisations proactively make relevant information available via an online presence in the form of a website or social media accounts.

In Zambia, a total of nine (9) public institutions were surveyed. The study found that information dissemination by public organisations in Zambia, based on requests from ordinary members of the public, is a struggle. It was also found that provision of information through online platforms continues to improve; most state organisations utilise websites and social media to make information available to the public, thereby abiding by one of the principles of Access to Information, which is proactive disclosure.

It was observed in the study that information provision has been at the top of the agenda of most public organisations due to the COVID-19 pandemic, with the objective of keeping the public informed of developments around the pandemic.

Overall, the most open institution was found to be the Electoral Commission of Zambia in line with the study's criteria¹⁸.

¹⁶ As concluded in several studies, among them Manchishi, K. (2017). Defamation of the President and the law's effect on media performance: a study of the Zambia Daily Mail and the Post Newspaper. Unpublished Master's dissertation. Lusaka: UNZA.

¹⁷ The full report is available at <http://library.fes.de/pdf-files/bueros/africa-media/16542.pdf>

¹⁸ Other institutions surveyed are: Anti-Corruption Commission, Disaster Management and Mitigation Unit, Ministry of Agriculture, Ministry of General Education, Ministry of Health, Ministry of Home Affairs, Ministry of Mines and Mineral Development, and Road Transport and Safety Agency

The findings in the report are important in the development of evidence-based advocacy with regard to enactment of a law on Access to Information which is a critical tenet of democracy as it enables citizens to make informed decisions. It is unfortunate, however, that accessing information from public bodies on request remains challenging, even when such information is in the public interest. This has been the trend even in past Transparency Assessment Reports. Public institutions (and officials) need to realise that they serve the public and exist because of them. As such, care must be taken to ensure that citizens are kept abreast of developments in the various ministries and that requests for information are attended to within stipulated periods



Electoral Commission of Zambia representative receiving an award during the Transparency Assessment Report launch.

of time. Admittedly, it is possible that the existence of restrictive laws such as the State Security Act mentioned above continues to pose challenges to public access to information upon request.

3.2.1. ACCESS TO INFORMATION BILL AND MEDIA POLICIES

While the ATI Bill was not enacted in the entire year as promised by government, the quarter witnessed the launch of two policies namely the Government Communication Policy (GCP) and the Media Development Policy (MDP). The MDP aims to promote freedom of expression and guarantee press freedom through various measures. Among the policy's objective are the promotion of a system of regulation conducive to freedom of expression, pluralism and diversity of the media, promotion of plurality and diversity of media, a level economic playing field and transparency of ownership, promotion of media as a platform for democratic discourse, promotion of professional capacity building that underpins freedom of expression, pluralism and diversity, and promotion of infrastructure development and support to the growth of the media.



R-IBA Director General Josephine Mapoma, M-PS Ministry of Information and Broadcasting Services Amos Malupenga, L-Minister of Information and Broadcasting Services Dora Siliya during the launch of the Communication Policy and the Media development policy.

The policy is a step forward because Zambia has had no media policy save one that has existed in draft form. What remains is the formulation of laws to underpin some of the policy pronouncements. One such law is the Media Council Bill which is currently in the pipeline as discussed in the previous quarters. It is hoped that the provisions of the policy will be implemented with a view to truly diversify (and not stifle) the media and create an enabling environment for media development, even for those seen to be facilitating dissenting or unpopular views. While the policy addresses a number of topical issues in the media sector, there is need to accompany these policy pronouncements with action. For example, while the

policy makes pronouncements on the shortcomings of public media outlets with regard to coverage of dissenting views, the legal framework already exists in which a clear editorial policy for institutions such as ZNBC is outlined but implemented in a preferential manner.

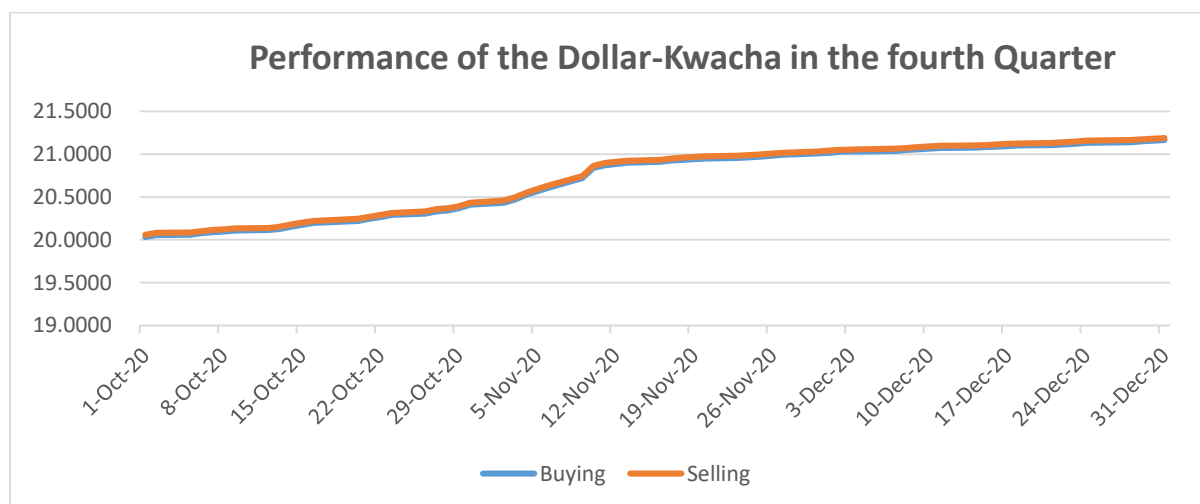
Likewise, the Government Communication Policy is a step forward and aims to promote proactive disclosure of public information and facilitating a coordinated approach to government communication. The policy's objectives are to promote public access to information to enable citizens effectively participate and contribute to national development as well as to promote coherent communication of public information by public service workers and government officials in order to avoid contradictions and inconsistencies. The policy is a positive development with regard to advocacy for the enactment of a law on access to information which has stalled in Zambia for over eighteen years with several governments providing various excuses. While the policy seems to promulgate public access to information in one breath, the measures suggested in another seem to do the opposite. For instance, the first measure under the second objective is to "strengthen mechanisms of secrecy and confidentiality in the public service". Other measures under the first objective are not explicit with regard to the enactment of legislation on access to information, a cardinal need.

However, it is arguable that policies and laws go hand in hand and, thus, stakeholders will await the eventual enactment of an actual law on access to information, which can and will compel (and mandate) public institutions to make information available upon request. It is unfortunate that another year has elapsed without enactment of the ATI law, adding to the seventeen years of incoherent government positions on the matter.

Overall, the legal environment in the fourth quarter was mainly tainted by the arrest of individuals on laws that are inimical to the freedom of expression and access to information. The quarter also witnessed the development of policies aimed at improving the media and communication environment as well as relatively positive developments with regard to the Transparency assessment rankings. This is much similar to the status of the legal environment in the second and third quarters which equally recorded development of laws such as the Media Council Bill. However, the Access to Information Bill remains elusive as seen in the quarter under review. This was the trend in the other three quarters, completing another year without any meaningful progress on the enactment of the Bill. This was against a backdrop of promissory statements from the government.

3.3. ECONOMIC ENVIRONMENT

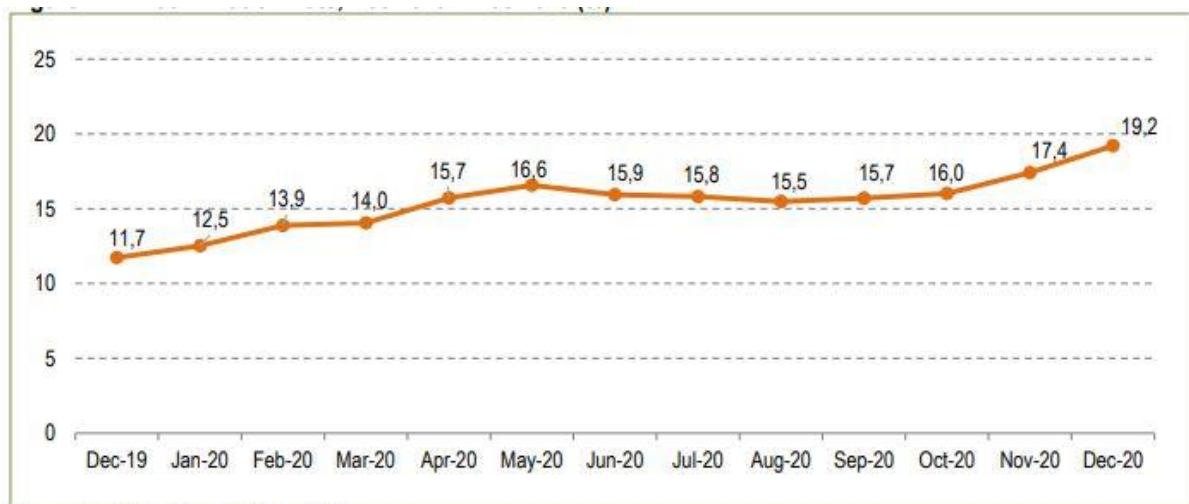
The economic environment, despite some minor gains, posted similar performance with regard to the economic fundamentals which had a bleak outlook in the first, second and third quarters. For example, at the beginning of the quarter on 1st October, the dollar was selling at an average of K20 whereas at the close of the quarter, one dollar was selling at an average of K21 as shown in the summary chart below¹⁹.



On the other hand, the annual inflation rate continued to post upward trends with the year on year inflation rate for October at 16%, November at 17.4% and December at 19.2% mainly attributed to increase in the price of food items. This, therefore, meant the cost of goods and services equally increased in the quarter under review²⁰. The table below presents the annual inflation rate trajectory from December, 2019 to December, 2020:

¹⁹ According to data from the BOZ Historical series of daily rates. Available at <https://www.boz.zm/historical-series-of-daily-zmw-usd-exchange-rates-zmw.htm>

²⁰ According to the Zambia Statistics Agency monthly Bulletins for October, November and December 2020. Available at <https://www.zamstats.gov.zm/index.php/publications>



Source: ZamStats Prices Statistics, 2020
Note: 2009=100

Further, there was a reported slower decline in economic activity in the quarter under review than previous quarters while input costs increased sharply and staffing levels reduced, quickened in December from the rate seen in October at the beginning of the quarter. New orders decreased slightly as business conditions remained challenging and this was mainly attributed to the COVID-19 pandemic, currency weakness and a lack of money in circulation²¹.

There were, also, reports of improved customer demand while companies raised their selling prices for the fourth month running as higher cost burdens were passed on to customers. In general, despite the bleak outlook posted by most economic fundamentals, there was an expected improvement in the economic activity in the quarter, with a softer deterioration in the private sector business environment. The economy was also still projected to contract at the rate of 4.2%, cushioned by the better performance recorded in mining production²².

This economic outlook continued to affect the media sector negatively as witnessed in the previous quarters. The situation was exacerbated by the economic effects of the Coronavirus pandemic, despite partial relaxation of measures announced earlier.

The media were mainly affected because they are heavily dependent on advertising revenue to support their operations and a reduction in economic activity entails a reduction in advertising by the producers of goods and services. As mentioned, the COVID-19 pandemic had socio-

²¹ According to the Stanbic Purchasing Manager's Index released on 3rd December, 2020. See https://www.stanbicbank.co.zm/static_file/Zambia/filedownloads/ZM_PMI_ENG_2012_PR.pdf

²² According to the Bank of Zambia Monetary Policy Statement issued on 18th November, 2020. See https://www.boz.zm/monetary_policy_statement_november_2020.pdf

economic effects such as reduced productivity due to reduction in the workforce attributed to job cuts and cost-saving measures. In spite of this situation, obligations such as license fees, copyright, tax and other statutory obligations were still collected from media outlets, thereby straining the few resources at their disposal.

The media were also affected by the continued depreciation of the Kwacha because major inputs in the operations of the media are imported at high cost. Examples of these inputs include newsprint, audio-visual equipment and international news and entertainment programmes, among others. As such, the depreciation of the Kwacha increased the cost of these inputs (which is already high) to astronomical levels. There is need for a review of the sustainability of media outlets based on the travails encountered in the quarter and, indeed, year under review²³. This situation is a further validation of findings of the 2019/2020 regional ‘Trust in the media report’ conducted by MISA and discussed in the third-quarter State of the Media Report, where print magazines have suffered most in terms of the negative impact of the transforming media landscape across Zambia, Zimbabwe and Malawi and remain largely inexistent.

Other factors that were noted in the economic environment in the quarter under review include the continuation of electricity load management, which led to power rationing. The load shedding negatively affected media houses as they had to resort to the use of alternative sources of electricity, chief among them generators. This is because most media operations rely on equipment that requires uninterrupted power supply. This includes equipment such as transmitters, studio control units and industrial print presses, among others. As such, interruption of electricity supply puts the media outlets off-air or delays printing of newspapers (with a lot of wastage in some cases), leading to major losses. The cost of maintaining alternative electricity sources such as generators remained high due to the cost of fuel, an essential commodity.

The situation was expected to be mitigated by a COVID-19 relief package announced by ZESCO specifically targeted at households and small businesses. However, the threshold announced by the Power Utility Company may have had little impact based on the high usage

²³ Scholars have previously called for this review. For example, Banda, F. (2004). Newspapers and magazines-a question of sustainability. Lusaka: MISA. Additionally, according to the Free Press Initiative survey on the impact of COVID-19 on Zambia’s news media, media houses, particularly newspapers, were affected were identified as being most affected by the effects of the COVID-19 pandemic.

of electricity by media outlets. By the close of the quarter, improvements were being awaited from measures announced by Zesco²⁴.

As with the previous quarter and unlike other sectors such as the arts, no facility was made available and specifically tailored for the media sector in view of the economic shocks caused by the COVID-19 pandemic. Unfortunately, none of the stimulus packages and initiatives rolled out by the government to cushion the impact of the pandemic²⁵ in the previous quarters had any direct benefit to the media sector which has its own peculiarities with regard to economic sustainability and revenue generation²⁶.

Some relief was expected from the K119.6 billion 2021 budget presented by Finance Minister, Bwalya N'gandu at the end of the third quarter but all in vain as it did not present any sector specific tax and non –tax measures that would help to revamp the media industry as was the case with other sectors such as agriculture, mining, horticulture and tourism which received significant reliefs²⁷. Among the few ripple benefits from the budget expected to bear fruits in 2021 is the raising of the exempt threshold for Pay As You Earn (PAYE) tax from K3, 300 to K4, 000 per month which will see increase income for employees. This, however, may be undermined by the many job cuts and failure to pay salaries by media outlets in view of economic hardships.

There is, therefore, need for a specific stimulus package to be created for the media sector which facilitates information dissemination and supports the functioning of democratic governance in the country through access to information and providing a platform for citizens to express their views, among other functions. It is important that the Ministry of Information and Broadcasting (in conjunction with the Ministry of Finance) designs a specific

²⁴ One such measure was the filling up of the dam at Kafue Gorge Lower Power Plant in readiness for commissioning of the first 150MW machine by November month-end

²⁵ Some of the measures as announced in the previous quarter by President Edgar Lungu in a national address on 25th June, 2020 included a K10 billion medium term refinancing facility meant to restructure, refinance or extend credit to businesses and households impacted by COVID-19 and issuance of a COVID-19 bond amounting to K8 billion as a stimulus package to enhance economic activity. The full speech is available at https://www.mof.gov.zm/?wpfb_dl=244

²⁶ A summary of government measures in response to COVID-19 can viewed on this brief compiled by KPMG: <https://home.kpmg/xx/en/home/insights/2020/04/zambia-government-and-institution-measures-in-response-to-covid.html>

²⁷ The full budget speech is available at http://www.parliament.gov.zm/sites/default/files/images/publication_docs/2021_National_Budget_Speech.pdf

empowerment programme in view of the many economic challenges the sector is currently facing due to the COVID-19 pandemic.

Effects of the economic shocks on media outlets were evident in the quarter as explained above. For example, Millennium Radio, a Lusaka based radio station's property was seized by the National Housing Authority (NHA) after the Station fell behind in rental payments. However, the Station dragged NHA to the Lusaka High Court seeking an order to stay the sale of its property as well as an order setting aside the execution and/or sale of goods seized by the NHA pending determination of the matter and an order to pay rental arrears in instalments²⁸.

On a positive note, however, some media houses took initiative to widen their reach. One such institution is the Zambia Daily Mail Newspaper which clinched an MoU with the Energy Regulation Board aimed at providing a framework for cooperation in publishing adverts, advertorials and editorial content centred on energy related matters. At the signing ceremony, ERB Executive Director Langiwe Lungu said ERB intended to co-publish news articles, features and columns to be more visible and accessible to consumers, licensees, investors, traders and emerging businesses, among other stakeholders. The MoU gives ERB concessional advertising rates in the Daily Mail while it (ERB) will be required to prioritise the Zambia Daily Mail on the list of companies it publicises with²⁹.

While such a move is good for guaranteed monthly revenue, it is important that the institution maintains its editorial independence, a critical aspect of press freedom. This is so because the MoU raises many questions: will the newspaper be able to cover content from sources critical of the ERB? Will the institution still employ objective news judgement when dealing with the ERB? It is, therefore, important that media houses tread carefully with regard to the proportion of advertising in their revenue generation. Overdependence on advertising as a source of revenue tends to compromise editorial independence and subjugate news judgement as well as public interest. It is for this reason that for broadcast institutions, the IBA Act³⁰ is clear on separation of advertisements and other programme outputs. There is need, therefore, for media

²⁸ According to a report carried by News Diggers newspaper on 25th November, 2020. See <https://diggers.news/courts/2020/11/25/millennium-radio-sues-nha-for-seizing-its-property/>

²⁹ As reported in the Daily Mail Newspaper on 4th December, 2020.

³⁰ As provided in Section 33 (f) of the IBA Act No. 17 of 2002 (as amended by Act 26 of 2010)

institutions to begin to diversify revenue sources, especially in view of the forthcoming elections.

Overall, the economic environment was as turbulent as the second and third quarters given the instability of most economic fundamentals and the continued effect on the operations of the media in the form of increased cost of production and running of media outlets. Despite less severity of the economic downturn in the fourth quarter, the Coronavirus pandemic continued to negatively affect media houses in view of reduced economic activity which further impacted on the advertising revenue which is the economic mainstay of most media houses in Zambia. The lack of a specific stimulus package targeted at media enterprises as key drivers of democracy and access to information remained as an issue of concern throughout the fourth quarter. Other factors such as continued electricity load shedding exacerbated the situation and overstretched the thin resources on which the media outlets relied. Given the economic trajectory and performance of most fundamentals at the close of the quarter as well as resurgence of COVID-19 (a virulent strain), it is unlikely that the situation will improve for media outlets in the next quarter.

3.4. TECHNOLOGICAL ENVIRONMENT

The technological environment in the quarter under review was relatively uneventful as compared to that in the previous quarters, with some major technological developments that could revolutionise the media sector.

For example, on 29th December, the Zambia Information and Communication Technology Authority (ZICTA) awarded Airtel Networks a limited radio spectrum in a frequency that is expected to enhance user experience and pave way for introduction of 5G services in Zambia. ZICTA Corporate Communication Manager, Ngabo Nankonde, issued the following:

The Zambia Information and Communications Technology Authority (ZICTA) has awarded Airtel Networks Zambia Limited radio spectrum in the 800 MHz frequency band at a cost of USD12.5 million, part of which will be used to enhance the spectrum management functions of the Authority thereby paving way for quick introduction of 5G services in Zambia.

A competitive process was used in which a Request for Offer was issued to all eligible international networks licensees (Mobile Network Operators) and Airtel emerged as winner. The spectrum is expected to improve Quality of Service through enhanced voice user experience that will see faster call setup, clearer voice quality and less dropped

calls. Mobile broadband coverage is also anticipated to increase with extensive improvement expected in both the urban and rural areas in view of the superior indoor coverage and longer range that this spectrum band supports.

In addition, this development is projected to translate into increased investment in the Network by the Mobile Service Provider, an introduction of new and innovative product offers such as Voice over Long Term Evolution (VoLTE) - a standard high speed wireless communication which offers excellent Quality of Experience for consumers, increased adoption of ICT services by consumers as well as increased revenues and a greater contribution to the treasury from the sector which will contribute to the short and medium term growth recovery trajectory of the economy.

The release of the spectrum will also help keep pace with the recent exponential growth in mobile voice and data traffic which is expected to continue as more socioeconomic activities are increasingly conducted entirely on online platforms in response to COVID-19 pandemic which has come with restrictions on travel and face-to-face interactions. 2 A few months ago, the Authority had, pursuant to Section 54(6) of the ICT Act No. 15 of 2009, determined that spectrum in the 800MHz band was on very high demand and should therefore be subjected to a competitive granting procedure. On September 21, 2020, the Authority invited eligible licensees holding an Electronic Communication Network Licence issued by the Authority in the International Market Segment to apply for spectrum in the 800MHz band and 10:00hrs on November 30, 2020 was set as the deadline for receipt of applications. Thereafter, an Evaluation Committee was appointed to evaluate the application through a process that took place from December 14 to 16, 2020. Upon successfully meeting all the requirements, Airtel Networks Zambia Ltd has therefore, been awarded 20 MHz in the 800 MHz radio frequency band. The Authority wishes to congratulate Airtel Networks Zambia Limited for this milestone and wishes it well in its operations as it takes advantage of this Spectrum to enhance the quality of experience for consumers as well as contribute towards the development of the ICT sector.

This is a positive move which is expected to have trickle down effects on the media sector especially in view of the opportunities provided by digital migration for a true digital media experience. An advancement in technology that can enhance Voice over Internet (VOIP) and Internet Protocol Television (IPTV)³¹ is definitely a positive development for the media sector.

³¹ IPTV (Internet Protocol TV) is a transmission protocol that delivers television programming over a managed network by sending packet data via a high-speed Internet connection instead of an antenna, satellite, or cable. See <https://www.voip-info.org/iptv/>

Digital advancement entails increased revenue flow as media will be able to expand their reach as well as platforms which can be used for advertising.

Further, such a move enhances access to information as more citizens will be equipped with the tools and technology for them to access information on demand on various subjects of interest. It is only hoped that such technology will be made affordable for the majority of Zambians and particularly the media sector. Further, such technology will enhance information dissemination by the media even in such times of the COVID-19 pandemic which crippled media operations at its height in the previous quarter.

Another issue worth noting is the call on the media by Information Permanent Secretary, Amos Malupenga, to increase reportage on science and technology. Mr. Malupenga observed that the media had concentrated their reporting on politics at the expense of various developmental programmes.

Just as was noted in the Socio-political environment above, the media need to balance the issues they cover as part of their news and overall content. This further entails understanding the various nuances and respecting gender and other sensitive aspects such as cultural dynamics and so on. Indeed, and in this respect, there is need for the media to expand to other topics such as science and technology as observed by the Information PS. Some studies have shown that there is limited coverage of other issues such as health, among others, by Zambian media outlets³². It is important for media houses to ensure they widen their beats and put in place specific interventions to widen their coverage to other topics such as science, technology and health, among others.

Another development worth noting in the technological environment for the quarter under review is the listing of Zambia among twenty-five governments allegedly doing business with a private surveillance firm that exploits mobile network vulnerabilities (SS7 protocols) to spy on calls, texts and location data³³.

The revelations arose from a report by Citizen Lab (a Canadian watchdog group) which used internet scanning and found a unique signature associated with the hostnames of Check Point

³² For example, a 2012 Media Monitoring Africa (MMA) study analysing the Zambian media coverage of health issues found that coverage of such specialist topics is highly limited. See https://www.mediamonitoringafrica.org/images/uploads/Writing_It_Right_Final_Report.pdf

firewalls used in Circles deployments³⁴. This scanning enabled the organisation to identify Circles deployments in at least 25 countries, Zambia included, as shown in the graphic below:

COUNTRIES WITH CIRCLES DEPLOYMENTS IDENTIFIED VIA SCANNING



RUNNING IN CIRCLES: UNCOVERING THE CLIENTS OF CYBERESPIONAGE FIRM CIRCLES

BY: BILL MARCZAK, JOHN SCOTT-RAILTON, SIDDHARTH PRAKASH RAO, SIENA ANSTIS, RON DEIBERT

CITIZEN LAB 2020

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According to the Citizen Lab revelations, because of SS7's lack of authentication³⁶, any attacker that interconnects with the SS7 network (such as an intelligence agency, a

³⁴ According to Citizen Lab, Circles is a surveillance firm that reportedly exploits weaknesses in the global mobile phone system to snoop on calls, texts, and the location of phones around the globe. Circles is affiliated with NSO Group, which develops Pegasus spyware. Circles, whose products work without hacking the phone itself, reportedly say they sell only to nation-states. The report states that according to leaked documents, Circles customers can purchase a system that they connect to their local telecommunications companies' infrastructure, or can use a separate system called the "Circles Cloud," which interconnects with telecommunications companies around the world. See the full report at <https://citizenlab.ca/2020/12/running-in-circles-uncovering-the-clients-of-cyberespionage-firm-circles/>

³⁵ Source: Citizen Lab titled "Running in Circles Uncovering the Clients of Cyberespionage Firm Circles". Available at <https://citizenlab.ca/2020/12/running-in-circles-uncovering-the-clients-of-cyberespionage-firm-circles/>

³⁶ SS7 is a set of protocols allowing phone networks to exchange the information needed for passing calls and text messages between each other and to ensure correct billing. It also allows users on one network to roam on another, such as when travelling in a foreign country. Read more at

cybercriminal purchasing SS7 access, or a surveillance firm running a fake phone company) can send commands to a subscriber's "home network" falsely indicating that the subscriber is roaming. These commands allow the attacker to track the victim's location, and intercept voice calls and SMS text messages. Such capabilities could also be used to intercept codes used for two-factor authentication sent via SMS. It is challenging and expensive for telecommunications operators to distinguish malicious traffic from benign behaviour, making these attacks tricky to block.

Such reports of alleged call and text interception are reminiscent of another study conducted in Zambia by the Open Observatory of Network Interference (OONI) and Strathmore University's Centre for Intellectual Property and Information Technology Law (CIPIT) during the 2016 general elections³⁷.

The study ran network tests aimed at identifying middle boxes capable of performing internet censorship. Out of a total of 1,303 websites that were tested for censorship as part of the study following the 2016 general election period, only ten presented signs of DNS, TCP/IP and HTTP³⁸ interference, while previously blocked news outlets appeared to be accessible throughout the duration of the testing period.

There is, therefore, need for government to clarify the allegations as well as dispel any fears of possible human rights and privacy abuses especially in view of many threats against online users deemed to be dissenting. Admittedly, the legal regime particularly through the Electronic Communications and Transactions Act No. 21 of 2009, the Information and Communication Technologies Act No. 15 of 2009 and other security-related Acts allows for interception of communication albeit following due process with authorisation only when there is probable cause.

Journalists are likely to become targets of such spyware in view of their frequent interaction with politically exposed persons and other influential individuals, whistle-blowers and

<https://www.theguardian.com/technology/2016/apr/19/ss7-hack-explained-mobile-phone-vulnerability-snooping-texts-calls#:~:text=SS7%20is%20a%20set%20of,travelling%20in%20a%20foreign%20country>.

³⁷ See <https://ooni.org/post/zambia-election-monitoring/#key-findings>

³⁸ Read more about the Domain Name Server and other related terminologies TCP/IP and HTTP at <https://www.easyredir.com/blog/how-http-dns-work-together-to-make-url-redirects-happen/>

informers alike. It is important that clarity is made and media practitioners protected from becoming targets by understanding their work as being critical in the public interest. Such revelations also have the likelihood of instilling self and institutional censorship in a bid to avoid being caught in the web of such a dragnet. This is, essentially, a chilling effect and further undermines the roles of the media, particularly the watchdog role of holding leaders and institutions accountable.

The technological environment in the quarter under review was relatively more positive than that recorded in the previous quarter, particularly in view of the fewer number of violations and arrests with regard to freedom of expression online. The quarter witnessed positive developments and steps towards the enhancement of mobile and internet technology services as precursors for the possible introduction of 5G network in Zambia, a move that will further digitise media activities and improve citizen access to information. The quarter was, however, dented by allegations of possible deployment of spyware for the interception of calls, text messages and location data, a move which if not disproved is likely to have a chilling effect on the media.

4.0. CONCLUSION

The review in this report has shown that there has been a minor improvement in some of the key thematic areas in the fourth quarter as compared to the previous three quarters. The effect of the occurrences under key thematic areas cannot be overemphasised despite the marginal improvements.

The socio-political environment was affected by the isolated cases of harassment of media personnel and high profile political guests by police and district commissioners, contrary to standard practice and the provision of the law. This was much worse in the second and third quarters when several of such cases were witnessed, with some being more brutal and involving property damage by political party cadres.

While the corona virus pandemic statistics reached the year's lowest point in the quarter under review, there was a significant spike towards the end of the quarter, a situation that is indicative of a resurgence of another wave of the Coronavirus pandemic. This could possibly lead to reinstatement of preventive measures which greatly affected the media in the second and third quarters.

The economic environment remained as tumultuous as the second and third quarters with most economic fundamentals posting poor performance. The cost of maintaining media operations remained high mainly due to currency exchange volatility and other factors. The developments in the economic environment, such as the effects of the coronavirus pandemic negatively affected the media throughout the year.

Finally, the technological environment in the fourth quarter was somewhat positive as compared to developments in the second and third quarters in which several arrests and negative actions by the State were recorded.

It is, therefore, critical that insight is drawn from the findings in line with the recommendations highlighted herein.

5.0. RECOMMENDATIONS

i. Safeguarding the sustainability of media enterprises

Given the negative economic trends observed in the quarter, it is critical that a stimulus package is introduced and other empowerment schemes also take into cognisance the needs of the media sector. Deliberate moves must be taken through the Ministry of Information and Broadcasting to develop a package of incentives (tax, non-tax, empowerment) to bail out media houses from what is expected to be a tough year economically. There must be, as a matter of urgency, creation of a specific media stimulus package just like that created for the arts industry through the National Arts Council

ii. Need for professionalism and adherence to media ethics

There is need for the media (both public and private) to adhere to professional codes of journalism and basic tenets such as objectivity, balance, fairness and the public interest. These tenets are critical if the media are to serve the public and contribute to the attainment of functional democracy.

iii. Enactment of Media regulation and Access to Information Bills

As a step forward, it is critical that the Access to Information Bill is enacted to improve ability of citizens to hold their government accountable. It is critical that the enactment of a media regulation Bill be approached cautiously with a guarantee

of independence. This is also in view of several existing laws that already stifle the freedom of expression.

iv. Enforcement of the Electoral Code of Conduct.

Stakeholders, including the ECZ, must ensure provisions of the Code are enforced with specific consideration of journalists who bear the brunt of electoral violence and attacks. This is critical because the country will soon commence activities of the electoral cycle such as voter registration and delimitation. Given the patterns observed in the four quarters, it is important that enforcement of the Code is upped during the forthcoming elections and dialogue meetings arranged to educate electoral players on the need to safeguard media freedom.

v. Review of laws inimical to freedom of expression

There is need for review of laws that continue to hinder the enjoyment of freedom of expression and other civil liberties as guaranteed by the Constitution. Further, there is need to make adequate provision for the protection of journalists and media outlets in view of political violence, harassment and arbitrary arrests.

6.0. APPENDICES

6.1. INTERVIEW GUIDE/QUESTIONNAIRE

MISA ZAMBIA**STATE OF THE MEDIA REPORT****QUARTER 4 (Oct-Dec) 2020**

Dear respondent, MISA Zambia conducts a quarterly review of the state of the media in Zambia, detailing trends in the political, legal, economic and technological operating environment. In this regard, your assistance and input by response to the questions below will be of utmost help in compilation of reports for the fourth quarter of 2020. Ensure to give as much information as clearly as possible. The information collected is solely for the purpose of the State of the Media reports.

Name (To be withheld on demand)

Date...../...../2020

1. How would you describe the level of freedom of expression and of media in the fourth quarter of 2020?

2. How would you describe the following aspects with regard to the media
 - a. Political environment

- b. Economic environment

- c. Legal environment

3. What are some of the challenges and opportunities you have observed with regard to media freedom in the quarter under review?

4. What are your general comments on the state of the media in the quarter under review?

5. Based on your observations, what are your recommendations for media development?

6.2. ALERTS AND COMMUNIQUE

Alert-2nd October (The Mast)

Threatened

2021 Socialist Party Malole Constituency candidate Margaret Kangwa Pikiti has denounced Sun FM's radio journalist Kausa Mbasela for humiliating her Party National Spokesperson Rehoboth Kafwabulula with questions such as "who are you sleeping with" and "are you still a virgin in the political space?"

Sun FM on Thursday hosted Kafwabulula the Socialist Party National spokesperson on its Public Forum Programme. In a letter to the Ndola based radio station's director dated October 1, 2020, Pikiti denounced Mbasela's conduct during the interview. She explained that Kafwabulula took time to explain when she joined the Socialist party from its inception in 2016 at the beginning of the interview and as well as the different senior leadership positions she has held in the party before her 2020 appointment as national spokesperson.

"It was however very clear that Mr. Mbasela has pre-set and well calculated agenda to pose question that the journalist did not probably realize would not only humiliate Comrade Kafwabulula but all women," she said,

"Below are some of the questions that Mr. Mbasela asked: How many young women have seen participating in politics as you are at that level. ... This is the question that I am asking because this is the notion that really may be held by the larger society. Who is your relative in the Sociality Party, who are you sleeping with in order for you to have this particular position?" Pikiti narrated.

She said Kafwabulula responded that she is not sleeping with anyone and has not slept with anyone. Pikiti said Kafwabulula told Mbasela that it was said that women rise in the political space, the first question they are asked is who are you sleeping with, which should not be the case.

She said Kafwabulula wondered what kind of country was being created if all of Zambians were not allowed to participate even in political processes. Pikiti said Kafwabulula told Mbasela that she has been involved in the building of the Socialist Party in the forefront along with her comrades, since it was formed and it was "shocking to say the least" for someone to ask her who she was sleeping with. Pikiti said Mbasela responded to Kafwabulula saying, "That is because politics is seen as the man's game...."

She said Mbasela's question was later followed by the first caller to the programme which the interviewer noted was in line with his earlier question and repeatedly asked Kafwabulula to address it.

Pikiti also said Mbasela asked Kafwabulula whether she was still a virgin in the political spaces to which she responded that she did not know how to address the question and was going to leave it. “While this was a calculated move as noted by Mr, Mbasela himself off air, this should not be seen as a test for Comrade Kafwabulula’s capacity to address such questions,” Pikiti said,”.

Communique-5th October (Zambia Reports)

The Electoral Commission of Zambia (ECZ) has been named as the most open public organization in Zambia following a research done by MISA Zambia.

MISA Zambia carries out the Transparency Assessment research annually to assess the levels of transparency of select public organizations in Zambia.

This year, nine organizations were surveyed between 25th June and 31st July 2020.

Among the organisations surveyed include the Anti-Corruption Commission, Disaster Management and Mitigation Unit, Electoral Commission of Zambia, Ministry of Agriculture, Ministry of General Education, Ministry of Health, Ministry of Home Affairs, Ministry of Mines and Mineral Development and Road Transport and Safety Agency.

According to MISA Zambia, the objectives of this study were to determine which public organisations provide information to citizens upon request, timeously and with relative ease and to determine which public organisations utilize online platforms to promote access to information.

This year, ECZ was found to be the most open public organization as it has an updated, user-friendly website and is also active on its social media pages and frequently posts updated information.

Alert Update-5th October (Zambia Reports)

MISA Zambia has strongly condemned the intimidation and humiliation of Socialist Party national spokesperson Rehoboth Kafwabulula by a Sun FM journalist.

Last Thursday, Sun FM’s Kausa Mbasela hosted Ms. Kafwabulula from Socialist Party on the station’s flagship current affairs programme dubbed Public Forum.

During the programme, Mr Mbasela humiliated Ms. Kafwabulula by asking her personal questions such as; “who are you sleeping with?” and “are you still a virgin in the political space?”.

“MISA Zambia has received with sadness the intimidation of Socialist Party National Spokesperson by Sun FM journalist during a live call in radio programme. MISA Zambia strongly condemns such interview tactics that are not only unprofessional, but also unfair and a clear breach of media ethics,” MISA Zambia chairperson Hellen Mwale stated.

“We therefore, urge all media houses in the country to treat both female and male politicians with equal respect, prominence, and avoid asking them demeaning questions that attack their persona”. The interview tactic was not only unprofessional but also an insult to the female folk as it insinuates that females can only be successful if they slept with men in higher position. We

therefore call upon Sun FM management to serious look into this matter and take appropriate action.”

She stated that Zambia is a signatory to the SADC the Gender Protocol Agreement which calls for 50/50 gender representation.

“Therefore, MISA Zambia expects all media institutions to align their political programmes in line with this protocol. As we approach the 2021 general elections, we call on all media houses to treat all political players equally, regardless of their political affiliation, race, tribe or gender,” Ms Mwale stated. “MISA Zambia also expects journalists and talk show hosts to be non-partisan, independent, gender sensitive, and objective while moderating their political programmes in order to give every political party a platform to explain its manifesto. MISA Zambia is also appealing to media houses and journalists in particular to promote female participation in political governance of this country.”

Alert-13th October (Diamond TV)

On 13/10/2020, MISA Zambia received the report of Censorship from Mpika FM.

The facts of the matter are that on 12th October, 2020 the Democratic Party (DP) President Mr. Harry Kalaba was blocked from featuring on the radio programme on Mpika FM.

MISA ZAMBIA FOLLOW-UP

It is reported that DP officials paid for the radio programme but did not mention the person who was going to feature on the programme was Mr Kalaba and when he reached the radio station, the workers looked disturbed and shocked citing that they have received an instruction that he should not feature by the District Commissioner and the police. However, Mr. Kalaba managed to have a pre- recorded program instead of the live programme. Mpika Radio Station Manager Joseph Kapena, he confirmed the incidents and stated that the pre-recorded programme was aired twice repeatedly just after it was recorded without disturbance.

Communique-26th October (News Diggers)

Information and Broadcasting Services Minister Dora Siliya says it is a total fabrication to argue that government closed Prime TV and the Post Newspaper. And Home Affairs Minister Stephen Kampyongo says unruly citizens that disrupt radio programmes will not be allowed to go scot-free. Meanwhile, Ikelengi UPND Member of Parliament Elijah Muchima says the Ministry of Information and Broadcasting Services, through ZNBC, only covers PF activities, which is why the corporation remains a loss-making venture.

Debating the estimates of expenditure for the Ministry of Information and Broadcasting budget that stood at K46 million, Siliya refuted assertions that government had been intolerant to the independent media.

“Media houses are managed the Independent Broadcasting Authority (IBA) and the IBA are the ones who are responsible for licensing. So the minister in person and in deed government is not responsible for licensing. The people who provided the law for licensing of Prime TV or any media house in this country is this house. And when a media house is non complaint, the IBA can only do what they were asked to by the members of parliament. So for somebody to accuse, whether it is the minister in person or government that we closed an institution is total fabrication because those laws are made by members of parliament. I hope that we can put this matter to rest. This goes to the Post as well that it is an issue of compliance to issues of tax,” argued Siliya.

“The Ministry is not about ZNBC, it is not about us politicians, it is about the 17 million Zambians. This government has committed itself to media pluralism ensuring that over 120 radio stations are licensed, over 40 Television are licensed in this country. Over 10 newspapers, you can take your pick....whether it is the diggers, the Mast, Times of Zambia, Daily Nation and Online. The Government has been extremely tolerant unlike on other jurisdictions that Zambians should express themselves. So I don’t know who you can accuse the government of being heavy –handed.

And contributing to the debate, Kampyongo and his ministry was working to ensure that it created and enabling environment for media practitioners.

“It is evident that the Ministry has broadened itself in terms of the institution that has been established to entertain our citizens. And you can tell by looking at the number of radio and television stations that have dotted across the country. I just want to say that our people have got their rights express themselves, but also to understand that there is no such thing as absolute freedom. Every freedom must be expressed within the confines of the law.

Those that have got the responsibility to allow people to express themselves must make sure that those allow to voice out are voicing within the confines of the law, you can’t just wake up to go on a platform and starting demeaning, insulting the office of the President.

I also want to assure the honorable Minister that my Ministers is making sure that we provide an environment for our media practitioners, who have been under threat by some of unruly citizens.

To those who have been attacking radio stations and attacking those people on those radio stations, no one will be allowed to go scot free,” said Kapypngo. Meanwhile, Muchima complained that the national broadcaster served only as conduit for the PF, which explained why it remained a loss-making venture.

“This is a Ministry that is supposed to be informative. However, I am very disappointed when we came from the colonial era to the independence time, the citizenry was informed of whatever was happening in the country.

They used to go, even to the rural places with vehicles. Any programme, the government was very objective. But see how ZNBC is operating? It is purely for the PF! It does not cover anything that is negative. But you see, you cannot build if you don’t hear opposing views. What we want to see it to balance up the equation. There is a lot of misinformation going on.

A lot of people are relying on social media, the media is simple, because of the ZNBC is biased, people tend to listen to wrong information passing by. Today, the government is broke! This is the time for the ministry of information to go down, even in villages, to explain to the people you can do that in many ways,” said Muchima.

Alert-28th October (NDC Facebook Page)

The National Democratic Congress (NDC) party Spokesperson Saboi Imboela has been arrested and charged with criminal defamation of the Republican President.

The police have recorded a warn and caution on her. Right now we are on the way to madam Saboi Imboela's house as the police have requested to conduct a search.

*Issued by: *Kirby Kaoma Musonda* NDC Deputy Media Director*

MISA Zambia Follow-up

MISA Zambia followed up the matter with NDC Deputy Media Director Kirby Kaoma Musonda. Mr. Musonda confirmed the matter to be true and at the time of writing this report said they were at Madam Imboela’s house where the police were conducting a search of which the reasons are not known.

Alert-31st October (News Diggers)

POLICE in Lusaka have arrested and charged Ministry of Finance Public Relations officer Chileshe Kandeta for Communication of Certain Information contrary to section four of the State Security Act, Chapter 111 of the Laws of Zambia.

In a statement today, acting police spokesperson Danny Mwale stated that Kandeta was charged alongside Ministry of Finance budget analyst Lazarous Mwelwa. He stated that this was in relation to the leaked 2021 budget speech.

“Police have charged and arrested Ministry of Finance Public Relations officer, Chileshe Kandeta aged 50 of Kabulonga and Lazarous Mwelwa aged 46 of Chamba Valley, a Budget Analyst at Ministry of Finance for the offence of Communication of Certain Information contrary to section Four chapter 111 of the State Security Act,” stated Mwale.

“This is in relation to the leaking of the 2021 National Budget Speech which went viral before it was officially presented in Parliament. They are detained in Police custody awaiting court appearance.”

So far the Police have quizzed ZNBC reporters, Brian Mwale and Ellen Hambuba. The Police also summoned Diamond TV CEO, Costa Mwansa and Head of Current Affairs, George Chomba.

Alert update-1st November (Lusaka Times)

As the Green Party we are shocked of the news of the arrest and detention of Messrs Chileshe Kandeta and Lazarous Mwelwa allegedly for communicating the 2021 budget speech to the media before its presentation to Parliament by the Minister of Finance.

For starters, the news of the arrest is extremely ridiculous. A budget speech of any country is never a classified document for two simple reasons: first, there is no public and national safety and security risk, whatsoever, for leaking such a document to the public before its presentation to the Parliament. Second, the budget process is a public process. Budget proposals are submitted by the public. This, what logic is there in classifying and criminalising lease of information that was obtained from the public?

I recall in 1996, the Chairman of the Constitutional Review Commission late Mupanga Mwanakatwe released to the press the final Report before presentation to late President Fredrick Chiluba. Of course the late President was upset with that action, but that did not constitute an offence at all, and therefore, the late Mwanakatwe was not arrested. The simple reason was that the report was a product of the people’s views, and therefore, the people deserved to know the outcome of their inputs at any time, whether before or after the report was presented to the President.

During UNIP days, we had a gentleman by the name of Kadansa, who always announced key reshuffles hours before Dr. Kaunda announced the same at press conferences. Late Kadansa also announced key budget items hours before the Ministers of Finance announced the same.

No arrests were made to establish the source of information because such announcements were in no way a threat to public safety and security.

Concerning the budget process, the IMF Fiscal Transparency Code promotes releases of citizen budgets before the speech by the minister. Zambia is a member of the IMF and subscribed to the code. As a country, we must be transparent on the budget process and outputs.

As the Green Party, we therefore demand immediate unconditional release from police custody of the two civil servants.

We implore government to exercise maximum restraint on unleashing police force on citizens for petty procedural breaches. It is such acts by government that will diminish or even extinguish chances of securing the much sought IMF bailout package.

Communique-12th November (The Mast)

On 12th November, 2020 the Mast Newspaper carried a headline “MEDIA SPACE IN ZAMBIA IS SHRINKING FAST-MISA”

The Media space in Zambia is shrinking very fast, the Media Institute of Southern Africa (MISA) Zambia Chapter has reported .

Making a presentation at an Independent Broadcasting Authority IBA organized wor

Communique-6th November (ZNBC)

President Edgar Lungu has told the Zambia Police to provide an environment that will allow political players to enjoy their rights as the country heads to the 2021 general election.

President Lungu said this should however not be done at the expense of peace and security.

The Head of State said government will continue providing equipment which is needed for the police to maintain public order.

Communique-24th November (The Mast)

Information Minister Dora Siliya says it is government’s resolve to deepen and widen public access to information.

Yesterday, Siliya launched two media related policies: the media development policy and government communication policy. The government policy provides among others, a framework for access to information legislation and defines the roles of different participants in government-related communication to ensure effective and coherent communication.

On the other hand, the Media Development policy provides among others things, expansion of the media industry both public and private. Launching the two policies at the government complex in Lusaka, Dora Siliya and through the two policies the government expected to promote the safety of journalists.

“In resonance with the aforesaid, it is government’s resolve to deepen and widen public access to information by promoting growth of a vibrant, plural and diverse media landscape in the country,” she said. “through this policy. Government further intends to promote Professional standards in the media. through this policy, government has also placed high premium on the

physical, psychological and safety of journalism, in accordance with international standards laid down in the United Nations plan of action on the safety of journalists,”

Siliya said the policy on the media development would help expand the industry for the benefit of all citizens. “With the media Development policy in place the stage is set for the media to grow and contribute not only to a well-informed citizenry, but also to job and wealth creation. It is, therefore, government’s expectation that this policy provides a level playing field for private sector investigation and involvement in the media industry,” she said.

“Times has come where the media should not only be seen as issue of the pen and notebook, but critically as a true business and economic engine of the country. Government wants to see this giant of an industry wake up and play its full and rightful role in national development,”

Siliya emphasized that the media policy was not just for selected players in the industry but everyone.

She said as a servant of the people, the government had a duty to inform then constantly. “This policy, therefore, is for all the players in the media industry and its success will hinge on the support and cooperation of all stakeholders.

The media is a strategic sector and cannot prosper without clear guidelines and guidance in form of policy,” said Siliya.

“The Government is a servant of the people and it draws its mandate to govern from them, as such government has a duty to constantly inform the people how it is using that mandate to improve their welfare. In the same vein. People also should provide feedback to the government on their expectations from the government.

Through my Ministry government has, therefore, developed the communication policy premised on its commitment to democratic governance that places high premium on proactive coordinated and consistent dissemination of information to public,”

Communique-25th November (Times of Zambia)

Communicators from both private and public organisations must maintain a visible presence online because many people are now using different social media platforms, Zimbabwe Minister of Information, publicity and Broadcasting Services Monica Mutsvangwa has said.

Ms. Mutsvangwa said communications from government departments, ministries and others organisations cannot afford to be absent on social media at a time when people were online globally.

She said her ministry had an active presence on different social media platforms including Facebook, twitter Instagram, among others, to regularly engage the public and defend the Zimbabwe government.

Ms. Mutsvangwa was speaking in Lusaka yesterday when she gave a key note address during the official opening of the World Communication Forum Africa (WCFA) being held at Bonanza resort under the theme “Communication on a Changing World: Challenges and chances.”

Ms. Mutsvangwa said organisations should be ready to protect their brands from both positive and negative comments posted on social media.

She said while traditional media was still appreciated by many, the advent of new media platforms meant that more people were currently online and hence it was prudent to embrace both platforms.

Communique-25th November (Lusaka Times)

Ministry of Information and Broadcasting Services Permanent Secretary, Amos Malupenga has called on the media fraternity to prioritize their reporting on science and technology topics.

Mr. Malupenga observed that the media has concentrated their reporting on politics at the expense of various developmental programmes.

Speaking when Russian Delegates to the Communication Conference visited the University Teaching Hospital (UTH) Cancer Diseases, Children's Wing, Mr. Malupenga explained that the media should be able to bring out both successful and challenging stories that may spark support from stakeholders.

The Permanent Secretary stated that UTH Cancer Diseases Hospital has achieved a lot of successes that needs to be brought to the attention of the Public to attract support so that they keep moving.

"We want to challenge all the communicators to prioritize science and technology reporting because everything hinges around the subject," The Permanent Secretary indicated.

He commended Unity Foundation, a Russian Non-Governmental Organization for introducing the dreamer space for art project, saying that it will help relieve the pressure among children suffering from cancer.

He stated that it will also give hope to the children who have spent most of their time in the hospital that they too are capable of doing great things in life.

And Russia Unity Foundation Founder Alena Kuzmenko disclosed that the aim of the project is to ensure that children suffering from diseases such cancer, too see their dreams through painting.

Ms. Kuzmenko explained that the project involves children around the world who paint their dreams and their paintings are exhibited on a spacesuit used by those who go to space using National Aeronautics and Space Administration (NASA).

She noted that the project is an inspiration to children with serious diseases to divert their attention towards art so that it helps them forget about the diseases they are suffering from even just for a little while.

She revealed the foundation was working with seven countries across the world making Zambia the Eighth and first in Africa.

"Currently we are working on a Dreamer Spacesuit which will fly to space in February 2021 and has already been painted in seven countries and 14 cities. Lusaka will be the 15th city and Zambia the 8th country. And the dreams of the kids from Zambia will see the stars very soon

and we believe that when we are dreaming together we create new reality,” Ms. Kuzmenko explained.

Meanwhile, parents to the children could not hide their joy towards the development. A parent, Loveness Banda expressed gratitude to government for offering educational classes for children battling cancer, indicating that it helps them with learning even when in hospital.

Communique-25th November (Lusaka Times)

Communication Forum for Africa that begun yesterday has closed today with stakeholders calling for positive branding of countries. And Minister of Information and Broadcasting Services Dora Siliya has urged the media in the country to embrace positive branding of Zambia through their reporting and programming.

Ms. Siliya explained that journalists and other communicators are champions of investments in any given country hence the need for them to project a positive picture of the nation. Speaking at the closing in ceremony of the World Communication Forum for Africa in Chongwe’s Bonanza Resort area, Ms. Siliya said bad branding of the country breeds economic stagnation.

“Journalists and other communicators are ambassadors of any country’s economy and therefore should brand the country positively. I urge all communicators in Zambia to brand the country positively and explain to the people what developmental activities government is implementing and all communicators should not follow the agendas of other communicators from other countries as they have serious impacts on the economy,” she stressed.

The Chief Government spokesperson pointed out that the country does not get tangible investments as a result of negative reporting. She indicated that government is doing everything possible to deliver social and other basic services to the general citizenry.

She cited the 234 people that apply for power connection from the electricity company ZESCO on a weekly basis as among the pointers of the growth of the economy in the housing and infrastructure sector.

Ms Siliya stated that the country will soon have sustainable power supply when the Kafue George power station is commissioned. And Zambian Ambassador to Ethiopia Emmanuel Mwamba echoed that the World Communication Forum was a reset button for the development of the country.

Mr Mwamba was optimistic that the country will have a positive brand within and outside Africa due to the detailed discussions that took place. He was quick to mention that every Zambian at home and abroad should embrace the national values and national icons as they are key pillars to positive branding of the country.

“This forum has helped Zambia to have once again the positive image in and outside Africa. As communicators and envoys of this country, we have a huge task to carry forward this reset

button of our nation and I am sure that maximum development will be attracted soon,” he stressed.

Mr Mwamba urged the general citizenry to embrace social media as a tool to development as has no physical barriers. Republican Vice President Inonge Wina yesterday opened the forum with a call for countries to come up with strategies that will address the negative branding on various economies by the digital era.

Communique-4th December (Zambia Daily Mail)

The Energy Regulation Board (ERB) and the Zambia Daily Mail Limited have signed a memorandum of understanding (MoU) aimed at providing a framework for cooperation in publishing adverts, advertorial and editorial content centered on energy related matters.

During the signing of the MoU with the country’s leading newspaper yesterday, ERB Executive Director Langiwe Lungu said ERB intends to co-publish news articles, features and columns to be more visible and accessible to consumers, licensees, investors, traders and emerging businesses. among stakeholders.

She said ERB believes its regulatory role will be appreciated more when deliberate efforts are made to forge links with key media houses like the Daily Mail.

Ms. Lungu said that, through the MoU, ERB will access concessional advertising rates in the Daily Mail while it (ERB) will be required to prioritize the national newspapers on the list of companies it publicizes with.

She said the partnership with Daily Mail will help increases ERB’s credibility and create the correct narrative, which is often misunderstood and misrepresented.

“We are wrongly understood, but this development will create the correct awareness, for example. Many people think we procure fuel, yet we just regulate policies governing the sector”, she said.

Ms. Lungu said ERB will seek to safeguard interests of stakeholders as it continues to seek ways to further Interact and be more visible and accessible to stakeholders and consumers.

“we need these credible platforms for the public to not only appreciate our work and access correct information regarding the energy sector, but also to provide a feedback mechanism on equality of service and product provided by licensees.

“Through your (Daily Mail) platforms we hope to share information on many of our regulatory activities such as issuance of licenses and interventions to ensure our processes are efficient and free of corruption and related vices,” Ms. Lungu said.

Zambia Daly Mail Limited managing Director Nebat Mbewe said the public need to be constantly informed of the happenings in the energy sector as drives the economy. “But information has to be credible from credible sources through credible platforms.

Through its 60 years of existence, Daily Mail has been a reliable channel of news. “And ERB made a right decision to partner with us, and we shall ensure that the public get credible information. We hope to cement further this three-year partnership,” Mr Mbewe

Communique-9th December (Lusaka Times)

A private surveillance firm that exploits mobile network vulnerabilities to spy on calls, texts and location data is doing business with at least 25 governments around the globe, including Zambia’s a report released this week has concluded.

The findings from the University of Toronto’s Citizen Lab scrutinize the work of the company Circles, which is a sister firm of the Israeli software surveillance broker NSO Group. Human rights activists frequently criticize NSO Group for selling its equipment to repressive regimes, a charge it rejects, even as it is the subject of a lawsuit from Facebook, which alleges that attackers used NSO Group tech to spy on thousands of WhatsApp users.

The countries Citizen Lab identified as “likely” customers of Circles: Australia, Belgium, Botswana, Chile, Denmark, Ecuador, El Salvador, Estonia, Equatorial Guinea, Guatemala, Honduras, Indonesia, Israel, Kenya, Malaysia, Mexico, Morocco, Nigeria, Peru, Serbia, Thailand, the United Arab Emirates, Vietnam, Zambia and Zimbabwe.

In Zambia, the researchers said they had identified what appears to be a single Circles system in Zambia, operated by an unknown agency. In 2019, Zambia reportedly arrested a group of bloggers who ran an opposition news site with the aid of “a cyber-surveillance unit in the offices of Zambia’s telecommunications regulator,” which “pinpointed the bloggers’ locations” and was “in constant contact with police units deployed to arrest them.”

While Circles’ solution allows governments to track phones, it is not clear if Zambia’s Circles system was used in this case. “The authoritarian profile of some of Circles’ apparent government clients is troubling, but not surprising,” the Citizen Lab team wrote.

“Over the past decade, the explosion of the global surveillance industry has fueled a massive transfer of spy technology to problematic regimes and security services.” Circles, which according to Citizen Lab says it only sells to nation-states, exploits weaknesses in Signalling System No. 7, a set of protocols used by telecommunications carriers to route calls.

Attackers connected to an SS7 network can send commands to a phone, which allows them to track its location, as well as to intercept voice calls and two-factor authentication texts, Citizen Lab said, although it noted SS7 is mainly used in 2G and 3G networks today.

NSO Group did not return messages seeking comment on the Citizen Lab report

Communique-9th December (Zambia Daily Mail)

Zambia Medicines Regulatory Authority (ZAMRA) Director General Bernice Mwale believes the media and health care providers have an active role to play in the effective monitoring of drugs for safety before they are dispensed to people.

Ms. Mwale said Pharmacovigilance is a critical component of health care service as it is a tool which facilitates timely decision making and intervention on adverse medicine, casualty assessment and prevention pharmacovigilance involves monitoring and ensuring that drugs meet the set standards quality, safety and efficacy.

Ms. Mwale said the detection of adverse drug reaction (ADR) or medicine quality problems is an important part of health care provision because it is a safety net to the protection of the rest of the population. "it is imperative to note that for a Pharmacovigilance system to function effective, it requires the active participation of all stakeholders, including the media, members of the public academia. Scientists and health care providers," Ms. Mwale said.

She was speaking yesterday during the pharmacovigilance advocacy for the Southern Province. Ms. Mwale said health care providers are the heart of any pharmacovigilance system and play a vital role in ensuring that safety information including adverse drug reaction, production problem quality or medicine errors, is promptly reported to the authority for casualty assessment and decision making.

She implored medical personnel to engage and collaborate with ZAMRA in the implementation of pharmacovigilance activities to make sure there is a safe and rationale use of medicine Research, Ms. Mwale said has shown that the safety profile of medicines established during clinical trial may not be generalized to all patient population.

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published by MISA Zambia
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