

THE AFRICAN MEDIA BAROMETER - ZIMBABWE - 2010

AFRICAN MEDIA BAROMETER

The first home grown analysis of the media
landscape in Africa

ZIMBABWE 2010

Friedrich-Ebert-Stiftung (FES)
fesmedia Africa
Windhoek, Namibia
Tel: +264 61 237438
Fax: +264 61 237441
E-mail: fesmedia@fesmedia.org
www.fesmedia.org

Friedrich-Ebert-Stiftung - Zimbabwe
P O Box 4720
ZW Harare
No 6 Ross Avenue
ZW Belgravia
Harare
Zimbabwe

**FRIEDRICH
EBERT
STIFTUNG**
fesmedia Africa



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Friedrich-Ebert-Stiftung (FES)
fesmedia Africa
Windhoek, Namibia
Tel: +264 61 237438
E-mail: fesmedia@fesmedia.org
www.fesmedia.org
Director: Mareike Le Pelley

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The African Media Barometer (AMB)

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on homegrown criteria derived from African Protocols and Declarations like the “Declaration of Principles on Freedom of Expression in Africa” (2002) by the “African Commission for Human and Peoples’ Rights”. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Foundation (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organizations like the Media Institute of Southern Africa.

Methodology and Scoring System:

Every two to three years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1 1/2 days they discuss the national media environment according to 45 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB- report.

After the discussion of one indicator panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

- 1** Country does not meet indicator
- 2** Country meets only a few aspects of the indicator
- 3** Country meets some aspects of indicator
- 4** Country meets most aspects of indicator.
- 5** Country meets all aspects of the indicator

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

Outcome:

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the biennial or tri-annual reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and - in SADC countries the Media Institute of Southern Africa (MISA) - only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

At the end of 2008 the indicators were reviewed, amended and some new ones were added to address the rapid developments in Information Communication Technology.

By the end of 2009 the African Media Barometer had been held 46 times in 25 African countries, in some of them already for the third time.

Kaitira Kandjii
Regional Director
Media Institute of Southern Africa
Windhoek, Namibia

Mareike Le Pelley
Head of fesmedia Africa
Friedrich-Ebert-Stiftung
Windhoek, Namibia



See above 25 AMB Countries (2005-2009)

AFRICAN MEDIA BAROMETER

ZIMBABWE 2010

Executive Summary

Uganda's In February 2009 the then ruling party Zimbabwe African National Union – Patriotic Front (ZANU PF) and two formations of the then opposition Movement for Democratic Change (MDC) formed the “inclusive government”. This new government was based on a “Global Political Agreement” (GPA) of September 2008 which formally recognises the “importance of freedom of expression and the role of the media in a multi-party democracy”.

The economy has stabilised with the introduction of the US dollar as the operating currency and economic production has picked up. The extent and frequency of persecution of media practitioners has decreased as has the number of incidents of hate speech in the media.

Hopes, however, that the “inclusive government” would repeal or amend repressive acts did not materialise in full by April 2010. The most prominent among these are the Public Order and Security Act (POSA), the Access to Information and Protection of Privacy Act (AIPPA), the Broadcasting Services Act (BSA) and the Criminal Law (Codification and Reform) Act.

The latter makes it a criminal offence to publish or communicate “false statements prejudicial to the state”. A person may be fined or imprisoned for up to five years for publishing a “false” statement likely to incite public disorder, affect the defence and economic interests of the country, or undermine public confidence in the police, armed forces or prison officers.

AIPPA still requires print media to obtain a license to operate from the newly formed Zimbabwe Media Commission (ZMC) created through a constitutional amendment. Media organisations are opposed to the ZMC as it will administer the repressive AIPPA and because its very existence contradicts the notion of self-regulation of the media. For the time being, however, media houses and associations as well as civil society organisations have accepted the Commission grudgingly as the only available legal vehicle to get new print media on the streets. A month after the panel meeting, at the end of May 2010, the Commission approved the applications of three new daily newspapers and re-registered a previously banned daily and a weekly.

Fear still permeates society in general. There are many who express themselves rather freely but everyone does so with a degree of fear. In most communities, especially in the rural areas, the threat of exposure does not come directly from

the state but from within. Those who act as informers are usually part of the community and so the pervading feeling is that there is always someone listening.

Some scope for self expression does exist. Critical publications are allowed, with their reach more or less confined to the small elites in the country. The assumption seems to be that they cater for specific audiences only and will not influence the majority of the people.

Independent weeklies have a self-reported circulation of 37 000, compared to the titles published by Zimpapers which is majority-owned by government: 66 000 for weeklies (plus a print-run of 62 000 for dailies). Over the years Zimpapers publications have come under the direct control of the Ministry of Information and specific government officials and they are still regarded as the mouthpieces of ZANU PF.

The state-controlled Zimbabwe Broadcasting Corporation still has a monopoly over the airwaves. According to the ZBC Act of 2001 members of the ZBC board are appointed by the minister in charge of broadcasting. The ZANU PF deployed Minister of Media, Information and Publicity made the appointments in September 2009 without consultation with the MDC. The broadcaster's reporting is biased towards ZANU PF, and the bulk of news reports centre on the activities of government officials, mostly those belonging to ZANU PF. There is very little actual news and ZBC never seems to carry opinions that are different from the official ZANU PF line.

Quite a number of applications for radio licences have been received by the Broadcasting Authority of Zimbabwe. The BAZ, however, is not yet operational as appointments for a new board, announced by the Minister of Media, Information and Publicity in September 2009, have been challenged.

Externally based radio stations are enjoying significant growth in popularity. The four stations use short wave for transmission. Their impact is hampered by the shortage of SW radio receivers and their limited broadcasting periods between one and two hours per day.

Many journalists and editors in Zimbabwe seem to be operating in the manner of political party activists: if they work for state publications they generally push the ZANU PF line while those working for online or private media generally lean towards the MDC. There is a slippage in standards and journalists are grappling even with the basics. They have lost sight of what their role is and what they are supposed to do. Skilled media professionals at all levels have migrated to other countries leaving a vacuum that is hard to fill.

Journalists in Zimbabwe practise self-censorship. Pressures and fears – real or perceived – guide the way a journalist operates in the newsroom. There is the possibility of losing one's job or of physical threats. Censorship is being practiced

all along the chain of command - a journalist will censor his or her own story, the sub-editor will censor it, and then the editor will censor it. The situation is worsened by the fact that corruption amongst journalists has reached unacceptable levels due to poor salaries.

It is part of the mandate of the self-regulatory Voluntary Media Council of Zimbabwe (VMCZ) - which started operating in February 2009 - to improve standards in the profession. Private and community media subscribe to the VMCZ's code of ethics but do not fully enforce the standards set. The council is currently in an 'educational phase', conducting training courses in newsrooms.

With the establishment of the state-controlled Zimbabwe Media Commission the country now has a dual regulatory mechanism. Media organisations and, obviously, the VMCZ are opposed to the ZMC. Initially the constitutional amendment that provided for state regulation was seen as a transitional measure only. In fact, however, commissioners have been appointed until 2015, well beyond the time frame set for the development of a new constitution and fresh elections.

SECTOR 1:

**Freedom of expression, including
freedom of the media, are effectively
protected and promoted.**

Freedom of expression, including freedom of the media, are effectively protected and promoted.

1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and supported by other pieces of legislation.

Analysis:

Section 20 (1) of the Constitution of Zimbabwe says:

Except with his own consent or by way of parental discipline, no person shall be prevented from exercising his or her freedom of expression, which includes the freedom to hold opinions and to receive and/or communicate ideas and information without interference.

Subsection 2 of the same section, however, provides that freedom of expression can be limited if this is necessary -

- a) in the interests of defence, public safety, public order, the economic interests of the state, public morality or public health;
- b) for the purpose of –
 - (i) protecting the reputations, rights and freedoms of other persons or the private lives of persons, concerned in legal proceedings;
 - (ii) preventing the disclosure of information received in confidence;
 - (iii) maintaining the authority and independence of the courts or tribunals or Parliament [...]

While freedom of expression is expressly guaranteed, freedom of the media and other related freedoms are not included.

There are a number of other laws on the statute books that curtail freedom of expression. They include the Public Order and Security Act Chapter 11:7 (POSA), the Access to Information and Protection of Privacy Act Chapter 10:27 (AIPPA), the Broadcasting Services Act Chapter 12:06 (BSA) and the Criminal Law (Codification and Reform) Act.

Hopes that the “inclusive government” formed by the then ruling party Zimbabwe African National Union – Patriotic Front (ZANU PF) and two formations of the then opposition Movement for Democratic Change (MDC) in February 2009 would repeal or amend these acts did not materialise by April 2010.

The “importance of freedom of expression and the role of the media in a multi-party democracy” was formally recognised in Article 19 of the “Global Political Agreement” (GPA) concluded by the parties in September 2008 to pave the way for the formation of the new government. The section also states:

- that steps be taken to ensure that the public media provides balanced and fair coverage to all political parties for their legitimate political activities;
- that the public and private media shall refrain from using abusive language that may incite hostility, political intolerance and ethnic hatred or that unfairly undermines political parties and other organisations. To this end, the inclusive government shall ensure that appropriate measures are taken to achieve this objective.

A Constitutional Amendment 19 passed in February 2009 implemented the terms of the GPA. In its section 39 it gives a Zimbabwe Media Commission (ZMC), created under AIPPA, constitutional status. The commission’s functions are, among others:

- (a) to uphold and develop freedom of the press; and
- (b) to promote and enforce good practice and ethics in the press, print and electronic media, and broadcasting; and
- (c) to ensure that the people of Zimbabwe have equitable and wide access to information;

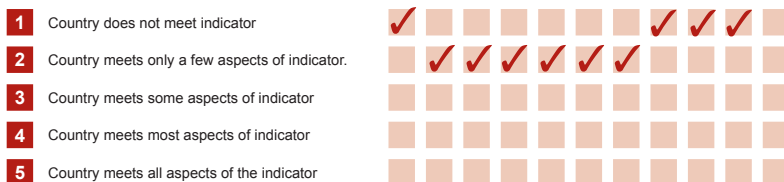
The section further states that

An Act of Parliament may confer powers on the Zimbabwe Media Commission, including power to ... (take) disciplinary action against journalists and other persons employed in the press, print or electronic media, or broadcasting, who are found to have breached any law or any code of conduct applicable to them.

The creation of the ZMC and this section in particular, which gives a statutory body power to control the media, is seen as the “antithesis” to principles of freedom of expression. The ZMC also directly conflicts with and undermines a Voluntary Media Council of Zimbabwe which was launched by the media itself in June 2007. (For more details see indicators 1.5 and 4.1).

Scores:

Individual scores:



Average score: 1.6 (2008: 1.8 ; 2006: 1.3)

1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.

Analysis:

The 2007 report listed a number of instances where, for example, the police, Zimbabwe is difficult to gauge when looking at issues of freedom of expression because there are pockets of self-expression that go completely unopposed while at the same time people have been persecuted for expressing their opinions – harassed, intimidated, assaulted, arrested, tortured or even killed.

Memories of the violence ahead of the Presidential run-off elections in June 2008 are still fresh. There were instances of gross human rights violations, apparently condoned by state authorities or perpetrated by members or sympathisers of the then ruling party. People in city centres were harassed and viciously attacked and their property destroyed. In the rural areas people have been violently attacked ,maimed, some went missing and their bodies were found after they had been brutally murdered. .

Compared to 2008 it is now easier for journalists to get around and do their work – at least for the time being. Private media houses publish critical stories without much fear and demonstrate considerable courage. Still the question remains whether a particular story one intends to write about is worth the risk. There is always the threat of economic costs as a result of defamation actions with the demand for “astronomical” damages or of “physical costs” - being beaten up by faceless state agents.

The volume of violence seems to be turned up or down depending on the time and the situation. It increases and intensifies before an election and decreases

dramatically afterwards. Right now there is the sense that parties are going back into election mode. They are attempting to carve out their territory and ZANU PF seems to understand the significance of violence in this exercise. The dangerous consequence is that people now fear elections.

Fear permeates society in general. There are many who express themselves rather freely but everyone does so with a degree of fear. They articulate opinions in different ways through writing, art, drama or marches while journalists write under pseudonyms.

The list of people who have been arrested for exercising their right to freedom of expression is long. In December 2008, for example, Jestina Mukoko, Director of the Zimbabwe Peace Project, was abducted and tortured. Members of Women of Zimbabwe Arise (WOZA) are harassed, intimidated, assaulted and arrested on a regular basis. Okay Machisa, the Executive Director of Zimbabwe Human Rights Association (ZIMRIGHTS) was arrested in March 2010 for organising Reflections - an exhibition of pictures of victims of the 2008 political violence.

“This is not paranoia, it is real fear [based on experience].”

In most communities, especially in the rural areas, the threat of exposure does not come directly from the state - it is citizen upon citizen. The person who acts as an informer is usually someone who lives in the community and so the feeling is that there is always someone listening. There is a belief amongst the general public that for every group of 10 to 12 people there will be one person who is an informer.

One panellist shared her personal experience during a visit to her grandmother in a rural area. “Everyone was seated around the fire and talking politics. My grandmother was in tears. She kept telling us ‘people can hear you’. She was afraid and asked us to stop it, because ‘they can burn our home’. This is not paranoia, it is real fear [based on experience].”

For some Zimbabweans there is some measure of protection through collective expression. Individuals expressing strong opinions open themselves up to repression but when they do so through organisations they seem to be able to voice their opinions more freely. Journalists, for example, can express their views and opinions via their media associations but they are not protected when speaking out as individuals.

“The fear is real for me. I don’t have the kind of protection you get from organisations. I have family to look after,” said a journalist on the panel, “we’d love the hero status but at the end of the day where does it leave you ...?”

There seems to be some scope for self expression, though. One journalist mentioned that he had written critical articles under his own name and there had been no consequences.

This, he thought, was an indication that there are tiny windows of opportunity for freedom of expression. Critical publications are allowed because of the belief that they cater for specific audiences only and will not influence the majority of people. While this might be interpreted as a deliberate smokescreen, giving the impression that the authorities are tolerant of diverse opinions, the simple truth is that ZANU PF is not really concerned about the reach of critical media because these are more or less confined to the small elites in the country.

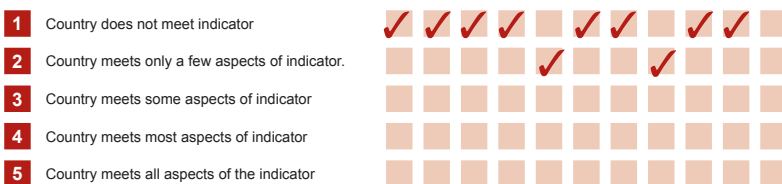
“The fear is real for me. I don’t have the kind of protection you get from organisations, I have family to look after.”

Zimbabwe is not a clean-cut totalitarian dictatorship, it is more of a “subtle dictatorship”. ZANU PF has developed the habit of segmenting the population. Attacks on different groupings do not take place at the same time. Throughout the years the attacks on different segments of the population by the state have effectively split people into separate groups along the lines of their ethnicity, religion, class, political affiliation or professional association.

This approach has effectively silenced people and they have internalised not to say or do certain things “which are not done”.

Scores:

Individual scores:



Average score:

1.2

(2008: 1.3 ; 2006: 1.1)

1.3 There are no laws restricting freedom of expression such as excessive official secret or libel acts, or laws that unreasonably interfere with the responsibilities of media.

Analysis:

Zimbabwe has laws in place that take away the little freedom of expression that the constitution allows. The establishment of the Inclusive Government has brought about only very slight changes. Amendments to pieces of legislation such as the Public Order and Security Act (POSA) or the Access to Information and Protection of Privacy Act (AIPPA) are piecemeal and have either not brought any material changes to the operating environment or in fact extended the lifespan of such repressive laws.

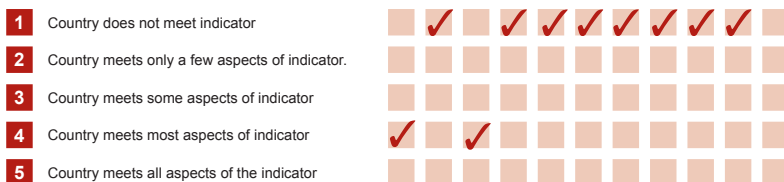
Certain sections of POSA have been amended. Appeals against the banning of a march, for example, are no longer decided by the executive but by a magistrate's court. On the other hand, there is now a general ban on demonstrations outside Parliament, the courts and other public institutions.

An addition to the Act requires submission of more detailed information before a meeting or march can be held. Names of the convenor and deputy convenor now have to be provided to the police. This allows the authorities to arrest and charge individuals whereas before organisations as a whole were charged.

The Criminal Law (Codification and Reform) Act 2004 is the most threatening piece of legislation regarding freedom of expression. It is regarded as the "mother of all repressive acts" because it introduced even harsher penalties than those provided for under POSA and AIPPA. Like POSA it forbids the publication or communication of "false statements prejudicial to the state" (section 31). Although the provision directly targets journalists and the mass media, its ambit is wide enough to include citizens generally. A convicted offender can be jailed for a term of up to 20 years. According to section 33 of the Act, a person is guilty of undermining the authority of or insulting the President if they publicly make a statement by words, by an act or by a gesture that will "(i) engender feelings of hostility towards; or (ii) cause hatred, contempt or ridicule of the President or an acting President, whether in person or in respect of his office ...".

Scores:

Individual scores:



Average score:

1.6ⁱ

(2008: 1.1; 2006:1.3)

1.4 Government makes every effort to honour regional and international instruments on freedom of expression and the media.

Analysis:

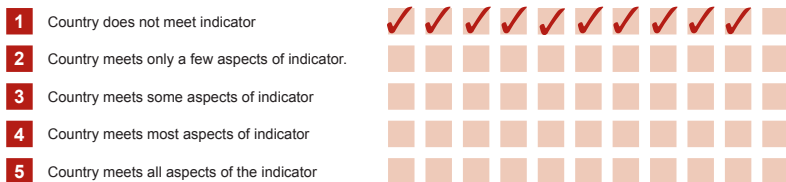
Zimbabwe often seems to honour such standards only when there is pressure from regional bodies such as the Southern African Development Community (SADC) to do so. Before the March 2008 parliamentary elections, SADC insisted on compliance with the regional body's guidelines governing elections. The three political parties negotiated amendments to the electoral laws which, among other things, compelled the Electoral Commission to post election results outside each polling station, which made it harder to tamper with results. Clauses in the guidelines that refer directly to the media saw some improvements for the first time in a decade, with opposition parties being given improved access to the state media.

On the whole, however, ZANU PF was not committed to honouring regional and international instruments. Under the Inclusive Government, however, Prime Minister Morgan Tsvangirai (MDC) has expressed his intention to comply with international norms to bring Zimbabwe back into the international fold.

ⁱ It is to be assumed that two panellists misunderstood the wording of the indicator

Scores:

Individual scores:



Average score: 1.0 (2008: n/a ; 2006:n/a)

1.5 Print publications are not required to obtain permission to publish from state authorities.

Analysis:

Print publications have to be registered with the General Post Office. This Print media are required to obtain a license to operate as required by AIPPA from the newly formed Zimbabwe Media Commission created through Constitutional Amendment 19.

Media organisations are opposed to the ZMC as it will administer the repressive AIPPA and because its very existence contradicts the notion of self-regulation of the media and critically weakens the position of the Voluntary Media Council of Zimbabwe. For the time being, however, media houses and associations as well as civil society organisations have accepted the Commission grudgingly as the only available legal vehicle to get new print media on the streets.

Media organisations take some comfort from the fact that there seems to be balanced representation on the repressive body. There is also acknowledgement that the commissioners were appointed in a slightly more transparent manner than those of its predecessor set up under AIPPA, the Media and Information Commission (MIC). Previously the minister in charge of information had absolute control and discretion over who was to be appointed. In the case of ZMC Commissioners, advertisements were placed in the media calling for nominations and applications to be made to Parliament, which then called candidates in for interviews held in public. A list of 12 candidates was passed on to President Mugabe for him to choose and appoint nine as commissioners. After a drawn-out controversy, the final decision was made not by Mugabe alone but by the chairpersons of the three parties in government (“each party got its names”). The names were then

announced through the state media (without any formal communication with the appointees themselves). The ZMC was officially constituted in February 2010.

Up to the end of April 2010 the commission had held four meetings and decided on fees for the registration of mass media servicesⁱⁱ .

Scores:

Individual scores:

[illegible]

Average score: 1.0 (2008: n/a; 2006: n/a)

1.6 Entry into and practice of the journalistic profession is legally unrestricted.

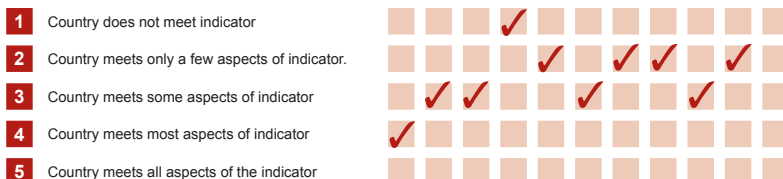
Analysis:

Since an amendment to AIPPA in December 2007 the accreditation of journalists with the Media Commission is no longer compulsory. But the amended act still contains a number of provisions regarding accreditation. Media services can make “a block application or individual applications” for journalists employed by them and part-time or freelance journalists may make such applications in order to receive a press card. Only journalists who are accredited are allowed “to visit Parliament and any public body” and “attend any national event” or “public event”. The commission can impose sanctions on a journalist who “abuses his or her journalistic privilege” by suspending the accreditation for up to three months.

ii A week after the panel meeting, on 4 May 2010, the Commission issued guidelines for registration that require applicants to provide a code of ethics, projected balance sheet, editorial charter, code of conduct for employees, market analysis, mission statement, house style book and projected three-year cash flow statement, as well as attach a dummy. At the end of May, the Commission approved the applications of three new daily newspapers (Newsday, owned by private Alpha Media Holdings, publishers of the Zimbabwe Independent, Daily Mail, to be published by the Youth Empowerment Fund believed to be aligned to ZANU PF, Daily Gazette, supposedly owned by central bank governor Gideon Gono), registered The Worker as a weekly publication and re-registered the previously banned The Daily News.

Scores:

Individual scores:



Average score: 2.5 (2008: 2.5 ; 2006: 1.4)

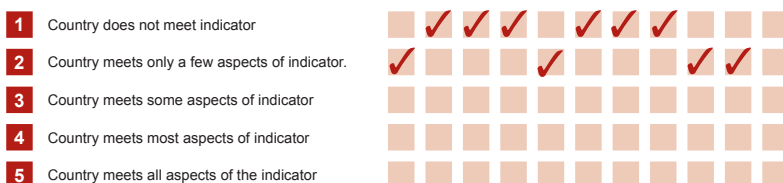
1.7 Confidential sources of information are protected by law and/or the courts.

Analysis:

The Press and Journalist Act 2000, in its Section 39, states that “a journalist shall not Confidential sources of information are not protected by any law and journalists can be forced to reveal their sources. There have been no recent cases of journalists being compelled to do so.

Scores:

Individual scores:



Average score: 1.4 (2008: 1.2, 2006: 1.0)

1.8 Public information is easily accessible, guaranteed by law, to all citizens.

Analysis:

The Access to Information and Protection of Privacy Act (AIPPA) gives the general public access to public information.

The criteria for gaining access to information in the hands of government are, however, very restrictive, as is the process. Only the heads of public bodies are allowed to respond to requests for information. In the case of the police, only two people are allowed to comment – the police commissioner or the police spokesperson. They often refuse to provide information or are simply unavailable particularly to journalists from the privately owned media.

Citizens requiring information from a public body are expected to put their request in writing and the institution has 30 days to reply. If the application is delayed beyond this period or denied, the applicant can then complain to the minister concerned – the same minister whose ministry refused access in the first place. There have been a number of cases where journalists submitted a request for information on a certain issue. All of these were neither denied nor complied with.

For all these reasons, there are no real incentives or precedents for making use of the provisions of AIPPA to access information. They seem to be disregarded by both the public and the government.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator.	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score: 1.9 (2008: 1.2 ; 2006: 1.1)

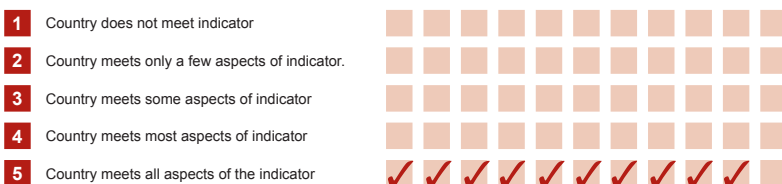
1.9 Websites and blogs are not required to register with, or obtain permission, from state authorities.

Analysis:

No permission is required to set up websites, blogs or online publications.

Scores:

Individual scores:



Average score:

5.0

(2008: n/a; 2006: n/a)

1.10 The state does not seek to block or filter internet content unless laws provide for restrictions that serve a legitimate interest and are necessary in a democratic society.

Analysis:

There is no direct attempt to block or filter internet content but there is the constant threat of the Interception and Communications Act 2007 which allows the state to intercept messages deemed to be subversive on email, post and telephones.

There have been stories of several arrests at internet cafés when journalists or members of the public are suspected of transmitting information that is supposed to be prejudicial to the state.

The Central Intelligence Office (CIO) operatives know where journalists operate from and they sometimes harass them. There is an incident of a journalist who was followed and told to stop writing the kind of stories he had published. Many journalists make sure that they change their routine frequently and work out of different internet cafés.

One of the panellists refuted the notion that internet cafés have specific equipment for monitoring the content accessed by internet users. “I am not convinced of ‘sniffing’ at internet cafés. It is more likely that there is someone physically walking around monitoring users. I do believe that if you have made yourself a target by standing out, they will monitor you.”

There may be efforts by the state to filter email but they are unlikely to be very successful since Zimbabwe does not have the capacity to intercept every person’s email traffic either in terms of technical means or of human resources. What the state might do instead is intercept the mail of a specific person. Often emails end up sitting on the server of a service provider and are thus easily accessible by the state. All service providers are forced by law to install “hardware and software facilities and devices to enable interception of communications at all times or when so required” and must ensure that their “services are capable of rendering real time and full time monitoring facilities for the interception of communications” (Section 9 of the Act). As web-based communications are not stored with Internet Service Providers these messages are not “sniffable” and do not leave footprints.

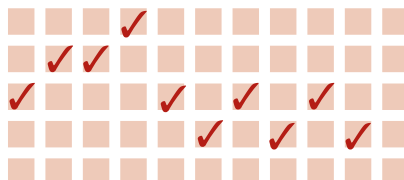
“If you have made yourself a target by standing out, they will monitor you”

Because of the unclear situation, panellists assessed it differently – some were more optimistic that monitoring does not take place due to technical inefficiencies on the part of the state, others were more suspicious.

Scores:

Individual scores:

- | | |
|----------|--|
| 1 | Country does not meet indicator |
| 2 | Country meets only a few aspects of indicator. |
| 3 | Country meets some aspects of indicator |
| 4 | Country meets most aspects of indicator |
| 5 | Country meets all aspects of the indicator |



Average score:

2.9

(2008: n/a ; 2006: n/a)

1.11 Civil society in general and media lobby groups actively advance the cause of media freedom.

Analysis:

Groups of media practitioners and activists have generally been making efforts to advance the cause of media freedom, among them the Media Institute of Southern Africa – Zimbabwe Chapter (MISA), the Zimbabwe Union of Journalists (ZUJ), the Zimbabwe Independent Editors Forum (ZINEF), the Media Monitoring Project of Zimbabwe (MMPZ), the Zimbabwe National Editors Forum (ZiNEF), the Zimbabwe Association of Community Radio Stations (ZACRAS), the Community Newspapers Association of Zimbabwe (CANAZ) and the Voluntary Media Council of Zimbabwe (VMCZ).

MISA, ZUJ and the MMPZ have formed the Media Alliance of Zimbabwe (MAZ) with associate members from some of the organisations listed above and they are working as a united front in the struggle for media freedom and freedom of expression.

All these organisations have outreach programmes and organisations such as MISA and MMPZ have decentralised with advocacy committees all over the country.

MAZ is working on media law reform and has been active in developing alternative pieces of legislation in consultation with stakeholders. These model bills were drafted and submitted to the relevant Minister and to Parliament through Parliamentary Portfolio Committees.

Radio Dialogue and other community radio initiatives are using legitimate means of giving people a real taste of media diversity and thus getting them involved: They bring members of the community together, record their discussions and

distribute this material on CDs. When people hear themselves they get excited about media issuesⁱⁱⁱ.

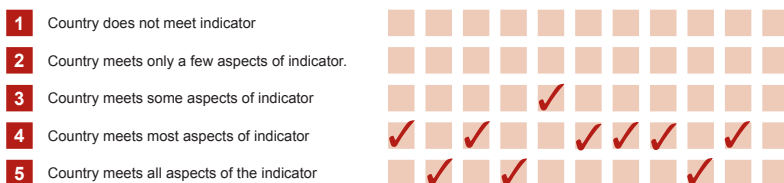
Many civil society groups (apart from those that have a human rights background), however, are of the view that media freedom issues are not within their ambit and that the media should deal with these on their own.

A number of civil society organisations are publishing newsletters with content that ranges from political stories to social issues. These are not regarded as 'newspapers' and therefore do not need registration with the state.

The results of all these activities are mixed, mainly because of the “absence of political will” on the side of the government: “You can only do so much”.

Scores:

Individual scores:



Average score: 4.2 (2008: 3.1 ; 2006:2.5)

iii Nkabazwe Community radio initiative based in Gweru was denied police clearance to hold a road show for “security reasons” on 19 May 2010. The police said that the political environment was not conducive and that other people with political interests might attend the event since it was an open show.

1.12 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

Analysis:

Political parties have not consulted citizens or interest groups in any meaningful way.

Laws are drafted in the Ministry concerned and presented to the public. In recent years, though, there have been some consultations between state institutions and interest groups either in the form of meetings with Ministers or through hearings called by Parliament Portfolio Committees. Legislation is reviewed by members of the public and organisations who are then asked to make submissions. The general feeling, however, is that nothing of what is said or submitted is taken into consideration by the authorities.

Scores:

Individual scores:

1	Country does not meet indicator	✓		✓							✓	✓	
2	Country meets only a few aspects of indicator.		✓		✓	✓	✓	✓	✓	✓			
3	Country meets some aspects of indicator												
4	Country meets most aspects of indicator												
5	Country meets all aspects of the indicator												

Average score: 1.6 (2008: n/a; 2006: n/a)

Average score for sector 1: 2.2 (2008:1.7 ; 2006:1.4)*

* For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.

SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability.

The media landscape, including new media, is characterised by diversity, independence and sustainability

2.1 A wide range of sources of information (print, broadcasting, internet) is accessible and affordable to citizens.

Analysis:

Print media

The print media currently available include the dailies The Herald (three months readership: 1 430 439)^{iv} and The Chronicle (Bulawayo-based, 656 647). Weeklies are The Sunday Mail (1 022 418), The Sunday News (Bulawayo-based, 382 258), The Manica Post (Mutare-based, 27 327) and Gweru Times. All these papers are published by the Zimbabwe Newspapers Group (Zimpapers) which is majority-owned by government.

The weekly The Financial Gazette (194 443) is said to be owned by the governor of the Reserve Bank. The weeklies The Standard (378 953) and The Zimbabwe Independent (183 157) are privately owned. Since 2008 several new publications have been launched: The Prime Minister's office publishes a weekly newsletter which is distributed free of charge. Other newcomers are the Weekly Agenda produced by non-governmental organisation Bulawayo Agenda, and The Legal Monitor published by the NGO Zimbabwe Lawyers for Human Rights (ZLHR). There are also numerous provincial papers being published by New ZIANA, the state-controlled news agency, and ten privately owned community newspapers in the major city centres with a combined circulation of approximately 4000. The Zimbabwean is produced in London, printed in South Africa and distributed three times a week in Zimbabwe and has a readership of 63 987.

In September 2009, a new publication by Zimpapers, H-Metro, hit the streets of Harare. It is believed to have been launched in anticipation of private newspapers which are due to come on the market as soon as they are registered^v. H-Metro's print run is small and the paper is only available in the capital.

Newspapers are expensive for people to buy on a daily basis: a copy of The Herald presently costs US\$1, the price of a loaf of bread, while other publications average

^{iv} Official figures from Zimbabwe All Media Products Survey (ZAMPS) October to December 2009. The figures represent those who claimed to have read the papers in "the last 3 months".

^v See footnote 1

at US\$2 - and most people prioritise bread over newspapers. Wide distribution of print media is restricted by the high cost of transport and the limited buying power of readers.

South African magazines and newspapers like the Sunday Times, Business Day, The Sowetan and Mail & Guardian are available and have a sizeable market in Zimbabwe. The Sunday Times (which costs only US\$ 1.00) and Mail & Guardian have special Zimbabwe editions.

Broadcasting

Broadcasting in Zimbabwe has been described as “narrowcasting” because the state-controlled Zimbabwe Broadcasting Corporation has a monopoly over the airwaves. It operates one television channel and five radio stations. A second (commercial) television station was launched in April and is to carry mainly programming (not news!) provided by the South African private TV company e.tv. There is no other broadcasting operator in the country.

In remote areas it is difficult to get any broadcasting service – radio or television. It is believed that ZBC television covers only 20 to 25 per cent of the country and radio 30 to 35 per cent. The lack of access to electricity and regular blackouts also affect access to broadcasting.

Externally based radio stations are enjoying considerable popularity. These are Voice of the People (VOP), Studio 7 (a Voice of America programme produced by Zimbabweans), SW Radio (broadcast from London and produced by Zimbabweans in exile) and Zicora (Zimbabwe Community Radio) which broadcasts from South Africa. All four use short wave for transmission. Their impact is limited by the shortage of SW radio receivers and their limited broadcasting periods between one and two hours per day.

Internet

There are more and more internet cafés springing up everywhere and wireless hot spots located at coffee shops and hotels have made internet far more accessible. According to latest figures reported by Internet World Stats, internet penetration (the percentage of people using the internet) stands at 10.9 per cent. Very recently mobile telephone company Econet introduced mobile internet technology but this was only available for a limited period. Internet access is still confined to a small elite audience.

The Interception of Communications Act, passed in August 2007, legalises the surveillance of all communication including internet traffic (see indicator 1.10).

On-line newspapers

There are numerous online newspapers run by Zimbabweans in the diaspora, with ZimOnline (news) and The Daily News (news analysis) being the most popular ones

Satellite stations

DSTV is available for subscription. South African and other international TV channels are accessible through free to air satellite receivers.

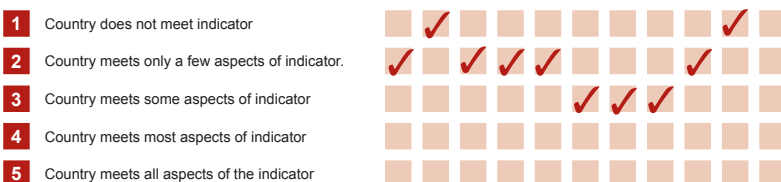
Telephone news

A new and innovative service for distributing information - Freedom Fone - was launched by the NGO Kubatana in 2009. Freedom Fone is innovative telephony software allowing individuals and organisations to offer voice menu options on any information they may want to convey. It has been designed to connect to GSM (mobile) networks and to be run using low cost and low powered equipment. The telephony based applications – audio voice menus, voice messages, SMS messages and SMS polls – are easy to manage via a user-friendly, browse based interface. Members of the public can call a certain telephone number and receive news provided by non-governmental organisations.

Immediately after the launch, the Broadcasting Authority of Zimbabwe (BAZ) apparently complained to the mobile phone provider Econet, that it was allowing one of its customers to 'broadcast' without a license. Econet responded by withdrawing service on the lines Kubatana was using for the call-in service. After a month of communication between the NGO and the provider, Econet reversed its decision and reconnected the mobile lines. In a letter to BAZ it pointed out that its activities are in fact regulated by the Post and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) and not BAZ.

Scores:

Individual scores:



Average score:

2.1 (2008: 2.3 ; 2006:1.3)

2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.

Analysis:

In the past, there has always been a concerted effort by ZANU PF in the run-up to elections to stop rural communities from accessing media: Wind up solar powered radio sets supplied to rural communities were confiscated by the police and print publications became a scarce commodity, particularly in ZANU PF strongholds such as Mashonaland East, West and Central.

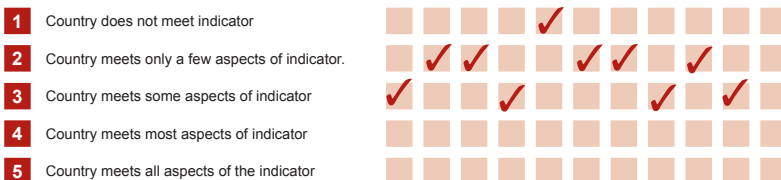
Attempts to jam Zimbabwean short wave radio stations transmitting into the country have not impacted much on these externally based stations because they are able to change frequencies. Ironically, the jamming seems to have impacted negatively on ZBC's SW services.

What is increasingly popular amongst the middle and higher income earning groups is satellite television. Satellite dishes on rooftops of houses and apartments all over the country are becoming a common sight.

Foreign newspapers are freely available, with the state-controlled daily The Herald even distributing the South African Sunday Times as a business venture.

Scores:

Individual scores:



Average score:

2.3

(2008: 2.8 ; 2006:1.2)

2.3 Efforts are undertaken to increase the scope of circulation of the print media, particularly to rural communities.

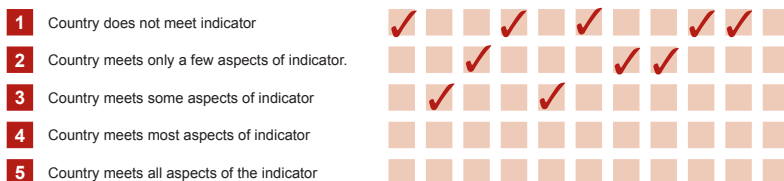
Analysis:

In the past Zimbabwe had an excellent distribution network, coupled with a high literacy rate. This has changed dramatically. Presently, for example, the state owned daily *The Herald* does not even manage to reach Bulawayo, the second biggest city in the country. Before 2000, *The Chronicle*, a Bulawayo based newspaper, and *The Herald* were printed in Harare and Bulawayo simultaneously, thus bringing down the costs of distribution.

Supply of newsprint has improved over the last year but it is still far too costly for companies to increase distribution especially to rural areas. Communities in rural areas are desperate for information but can hardly afford to buy newspapers even if they are able to access them.

Scores:

Individual scores:



Average score: 1.7 (2008: 1.0 ; 2006:1.3)

2.4 The editorial independence of print media published by a public authority is protected adequately against undue political interference

Analysis:

Zimpapers, the company which publishes print media such as *The Herald* or *The Chronicle*, is majority-owned by government which holds 51.9 per cent of the shares, with South African company Old Mutual (one of the biggest financial institutions in Zimbabwe) holding 23.80 per cent and the remaining 25.11 per

cent owned by private companies. The shareholders form the Zimbabwe Mass Media Trust which was established in 1981 specifically to act as a buffer to protect the editorial independence of Zimpapers' numerous publications from any political interference by the government of the day. ZMMT is regarded as a public trust and the trustees are supposed to appoint the board of the company.

In fact, however, appointments to the board have always been made by the Minister in charge of information. The current board was appointed in October 2009 by the ZANU PF Minister of Media, Information and Publicity, Webster Shamu, and contested almost immediately by media organisations. The minister's deputy, Jameson Timba (MDC) and his party complained that they had not been consulted and promised that the decision would be reviewed. This had not happened by April 2010.

Zimpapers' board appoints the boards of the various publications which in turn formally appoint editors and other top-level staff. All media have to follow the stable's proclaimed mission "to protect the interests of the government of the day". This was emphasised in a speech by government spokesman George Charamba (ZANU PF) in October 2009 when he referred to the media as being based on "two pillars" (i.e. independent and government): "Whichever part of the world you turn to, the media are organised along partisan lines".

Over the years Zimpapers publications have come under the direct control of the Ministry of Information and specific government officials and they are still regarded as the mouthpieces of ZANU PF.^{vi}

Scores:

Individual scores:

1	Country does not meet indicator											
2	Country meets only a few aspects of indicator.											
3	Country meets some aspects of indicator											
4	Country meets most aspects of indicator											
5	Country meets all aspects of the indicator											

Average score: 1.1 (2008: 1.1 ; 2006:1.0)

^{vi} Concurrently to the panel meeting the Financial Gazette reported that during negotiations in April 2010 between the political parties in the Inclusive Government all sides agreed that the public media (i.e. Zimpapers) should be directed to support all agreed government policies and programmes, support all ministers and "refrain, desist and cease all attacks on government ministers when such ministers implement agreed government policies".

2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies

Analysis:

By law (AIPPA) monopolies are not allowed yet diversity is limited in the print media and non-existent in the broadcasting sector.

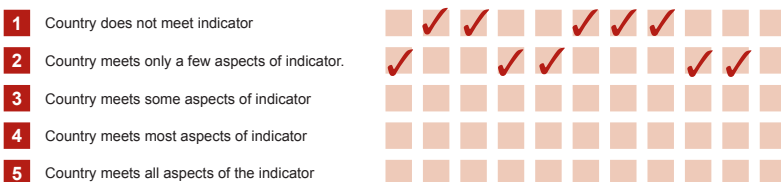
The Broadcasting Services Act provides for the Broadcasting Authority of Zimbabwe to issue licenses yet ZBC continues its monopoly of the airwaves. The monopoly in the dailies market was only broken when The Daily News was established in 1998, but restored five years later when the paper was banned in 2003.^{vii}

The existing Competition Commission has not done anything to change that situation and certainly does not serve the interests of media diversity. Legislation is not adequate and not enforced in any meaningful way.

With the convergence of internet and mobile networks there could be more opportunities to make new media accessible to all Zimbabweans. Because of the lack of competition, however, with just two major service providers of mobile technology sharing the market, costs are extremely prohibitive and unlikely to go down. (The fate of a third service provider, Telecel, is uncertain: an Indigenisation Act, in force since March 2010, prescribes 51 per cent indigenous ownership for all companies and Telecel's major shareholders are foreign.)

Scores:

Individual scores:



Average score:

1.5

(2008: 1.1 ; 2006: 1.0)

vii For new developments after the panel meeting see footnote 1.

2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.

Analysis:

Since Zimbabwe has come out of the prolonged and rapidly accelerating inflation period (lasting from 1998 to 2008) and adopted the US dollar as the local currency, the economy has stabilised - a precondition for economically sustainable media outlets.

However, government is not actively promoting media diversity in any way and developments in this direction are only happening by default.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓						✓	
2	Country meets only a few aspects of indicator.							✓	✓	✓				
3	Country meets some aspects of indicator													
4	Country meets most aspects of indicator													
5	Country meets all aspects of the indicator													

Average score: 1.3 (2008: n/a ; 2006: n/a)

2.7 All media fairly reflect the voices of both women and men.

Analysis:

Most media in Zimbabwe continue to be unconscious of the importance of giving fair coverage to voices of both women and men. Women remain largely unheard and unseen. Stories do not consider how things may affect men and women, boys and girls differently. The majority of stories carry a disproportionate number of male voices as sources or opinion makers. Zimpapers' H-Metro has lots of stories on women but they are mostly degrading and disparaging and focus on domestic issues, with women being vilified by headlines such as "Girlfriend pours oil on boyfriend", "Woman sets fire to husband's property" etc.

It's hard to get women to talk.

There is a great deal of gender imbalance in the newsrooms which impacts on the kind of stories covered and the way in which they are covered. Male dominated newsrooms perpetuate stereotypes – the prostitute, sexy woman and bad mother – or portray women as victims. Female sources in stories remain faceless and nameless. If a story highlights policy issues, it is commented on by experts who are very rarely women.

A few journalists on the panel (male and female) attempted to explain how this came about: “It’s hard to get women to talk. Male sources are easier to work with. We might get hold of the CEO of a bank to comment on a story on economics but because she is a woman she will refuse to comment.”

In general, it was said, women confine themselves to “safer” issues when asked for their opinion.

There is a national Gender Policy developed by the Ministry of Higher Education but it is not being used to develop the institutional policies of media organisations.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓		✓		✓			
2	Country meets only a few aspects of indicator.						✓		✓		✓		
3	Country meets some aspects of indicator												
4	Country meets most aspects of indicator												
5	Country meets all aspects of the indicator												

Average score:

1.3

(2008: n/a; 2006:n/a)

2.8 All media fairly reflect the voices of society in its ethnic, linguistic, religious, political and social diversity.

Analysis:

English is the dominant language in the media. National FM and Radio Zimbabwe make an attempt to carry other languages, especially Shona and some Ndebele.

There is a need to broaden the scope of voices in print and on radio and television.

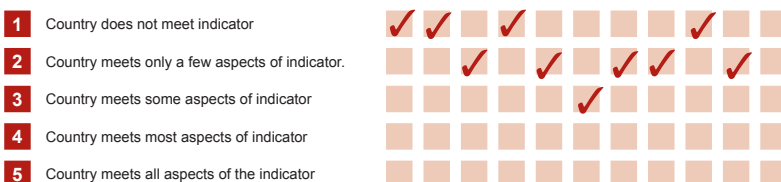
The media do not reflect the ethnic or religious diversities in Zimbabwean society. Voices from the white or Asian communities are hardly heard or read about because these groups are wary of their status in the country.

When religious issues are covered, the media focus on Christianity or traditional African beliefs. Minority faiths such as Islam are hardly ever reflected.

Print media published by Zimpapers as well as the state broadcaster do not even attempt to reflect the diversity of political views in the country – they continue to be blatant mouthpieces of ZANU PF (see indicators 2.4 and section 3) even under the ‘new’ political dispensation.

Scores:

Individual scores:



Average score:

1.7

(2008: n/a ; 2006: n/a)

2.9 The country has a coherent ICT policy, which aims to meet the information needs of all citizens, including marginalised communities.

Analysis:

There is an ICT policy that was formulated without any form of broad consultation beyond that of involving industry players. The newly created Ministry of Information Communication Technology is impenetrable – it is difficult to access and hostile rather than open to any outside advice. The department is regarded as rather weak in governance and structure and has produced nothing of substance so far.

This unsatisfactory state of affairs is further compounded by the fact that the responsibility for ICT is spread across three ministries: the ICT Ministry, the Ministry of Media, Information and Publicity and the Ministry of Transport.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓				✓	✓	✓	✓		
2	Country meets only a few aspects of indicator.					✓	✓							
3	Country meets some aspects of indicator													
4	Country meets most aspects of indicator													
5	Country meets all aspects of the indicator													

Average score: 1.2 (2008: n/a ; 2006: n/a)

2.10 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

Analysis:

The question does not arise. Government does not place any advertisements in the privately owned media but confines itself exclusively to the state media.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓		
2	Country meets only a few aspects of indicator.											
3	Country meets some aspects of indicator											
4	Country meets most aspects of indicator											
5	Country meets all aspects of the indicator											

Average score: 1.0 (2008: 2.3 ; 2006: 1.0)

2.11 The advertisement market is large enough to support a diversity of media outlets.






Analysis:

There is not enough advertising to support the media industry at present and it is difficult to foresee what may happen when there are more competitors in the field. Due to the economic decline there has been a reduction in the number of advertising agencies as well as an overall decrease in ads from any sector. At the moment advertisements in the print media are placed mostly by NGOs.

Tariffs for television and radio are too high. Many prospective advertisers, when weighing up the benefits such as frequency and impact against the cost - for example US\$300 for a 30-seconds spot on ZBC - will rather choose to abstain from advertising.

Scores:

Individual scores:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator.	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

Average score: 1.1 (2008: 1.9; 2006: 2.3)

Average score for sector 2: 1.5 (2008: 1.7; 2006: 1.4)*

* For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.

SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

Analysis:

The Broadcasting Services Act 2001 (BSA) provides for commercial and community radio but in practice the Zimbabwe Broadcasting Corporation maintains its monopoly over the airwaves.

The BSA creates a Broadcasting Authority of Zimbabwe (BAZ), appointed by the President and de facto under the control of the Ministry of Media, Information and Publicity. This authority has the responsibility to issue licences for broadcasting. To date not a single radio and television license has been granted.

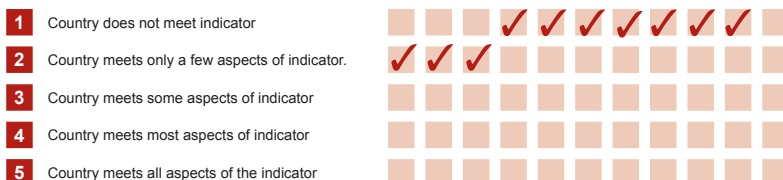
Article 19.1 of the “Global Political Agreement” (GPA) concluded by the political parties in September 2008 states

that the government shall ensure the immediate processing by the appropriate authorities of all applications for re-registration and registration in terms of both the Broadcasting Services Act as well as the Access to Information and Protection of Privacy Act ...

Quite a number of applications for radio licenses have been received. The BAZ, however, is not operational as appointments for a new board of the authority, announced by the Minister of Media, Information and Publicity in September 2009, have been challenged.

Scores:

Individual scores:



Average score: 1.3 (2008: 1.1 ; 2006:10.)

3.2 Broadcasting is regulated by an independent body adequately protected by law against interference whose board is appointed - in an open way - involving civil society and not dominated by any particular political party.

Analysis:

The Broadcasting Services Act 2001 in its section 3 establishes the Broadcasting Authority of Zimbabwe (BAZ) as the regulatory and licensing authority for the sector. An Amendment Act 2003 gives the BAZ the power to grant licenses.

The authority's board consists of twelve members, appointed by the President after consultation with the minister in charge of broadcasting and (to some extent) on the basis of a list submitted by parliament's Committee on Standing Rules and Orders.

When this committee interviewed candidates nominated for the Zimbabwe Media Commission in August 2009 (see above under indicator 1.5) it drew up a list of names for the board of the BAZ from the same pool of nominations – without any previous announcement or tender. Protests from media organisations, pointing out that ZMC and BAZ boards are established through separate pieces of legislation and therefore must be appointed in separate processes, were ignored and the Minister of Media, Information and Publicity, Webster Shamu (ZANU PF), appointed the new board in September 2009. The former chair of the Media and Information Commission, Dr Tafataona Mahoso, was announced as head of the BAZ with Dr Primrose Kurasha, the Zimbabwe Open University Vice Chancellor, as his deputy.

These appointments were immediately contested by media organisations and the Deputy Minister of Media, Information and Publicity, Jameson Timba (MDC), who described the appointments as unlawful and declared that the board was unable to act legally on behalf of the authority. The Minister said: “Article 20.1.3 (p) of the 8th schedule of the Constitution states the President in consultation with the Prime Minister makes key appointments the President is required to make under and in terms of the Constitution and any Act of Parliament. If that is not done then that Board or Commission is invalid.”

After the President and Prime Minister have agreed on the appointments to be made, the minister added, the office of the President must then seek the views of the Standing Rules and Orders Committee of Parliament (SROC).

Up to now there has been no such agreement between Robert Mugabe (ZANU PF) as President and Morgan Tsvangirai (MDC) as Prime Minister and no subsequent involvement of parliamentarians in the matter. With the board thus not lawfully constituted, the authority is not operational.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓	
2	Country meets only a few aspects of indicator.										
3	Country meets some aspects of indicator										
4	Country meets most aspects of indicator										
5	Country meets all aspects of the indicator										

Average score:

1.0

(2008: n/a ; 2006:n/a)

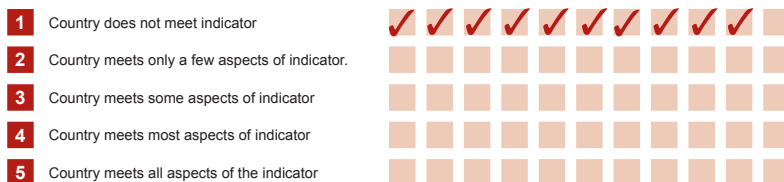
3.3 The body regulates broadcasting services and licenses in the public interest and ensures fairness and a diversity of views broadly representing society at large.

Analysis:

From the time it was established, the Broadcasting Authority of Zimbabwe has not issued any licenses.

Scores:

Individual scores:



Average score: 1.0 (2008: 1.0 ; 2006:1.0)

3.4 The state/public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.

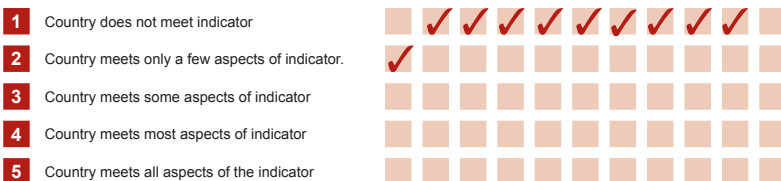
Analysis:

According to the Zimbabwe Broadcasting Corporation Act of 2001 it is the minister in charge of broadcasting who appoints the members of the ZBC board “after consultation with the President and in accordance with any directions that the President may give him”. The Minister of Media, Information and Publicity appointed the new ZBC board in this manner in September 2009. It comprises Cuthbert Dube, the founder of the Public Services Medical Aid Society as chair and Doreen Sibanda, the national executive director of the National Gallery, as deputy chair. Sibanda is the wife of Misheck Sibanda, principal secretary to the President and the Cabinet. The other members of the board are three retired army generals, two former ZBC employees, a bishop, a musician and a lawyer.

The composition of the new board and the appointment process were not contested by the MDC, presumably because the issue had not been dealt with in the “Global Political Agreement”.

Scores:

Individual scores:



Average score: 1.1 (2008: 1.0; 2006:1.0)

3.5 Office bearers with the state and political parties as well as those with a financial interest in the broadcasting industry are excluded from possible membership on the board of the state/public broadcaster.

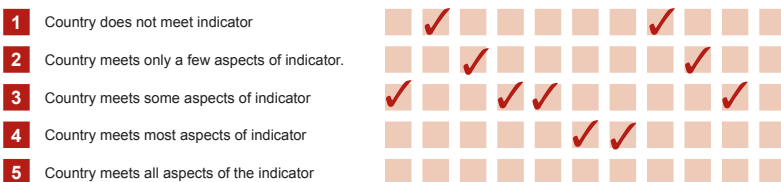
Analysis:

There are no office bearers of ZANU PF or the government on the ZBC board. On the surface, therefore, the provisions of the indicator seem to have been met. It was pointed out, though, that it would be naive to assume that the board members are not closely linked to the party.

The panel, therefore, was split in its assessment (and subsequent scoring), with some giving more weight to the formal fulfilment of the indicator and others to the assumed reality.

Scores:

Individual scores:



Average score: 2.6 (2008: 1.0 ; 2006:1.0)

3.6 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practiced.

Analysis:

There is no legal guarantee for the editorial independence of the ZBC and in practice the broadcaster remains a mouthpiece of ZANU PF. practised.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓	✓	✓	✓	✓	✓	✓	✓	
2	Country meets only a few aspects of indicator.										
3	Country meets some aspects of indicator										
4	Country meets most aspects of indicator										
5	Country meets all aspects of the indicator										

Average score:

1.0

(2008: n/a ; 2006:n/a)

3.7 The state/public broadcaster is adequately funded in a manner that protects it from arbitrary interference through its budget and from all commercial pressure.

Analysis:

The ZBC depends wholly on revenue from license fees paid by owners of radio and/or television sets in their homes, businesses and/or vehicles as well as income from advertisements. The last time the corporation received a subsidy from the state was in 2005.

Not everyone is willing (or able) to pay license fees. Collectors often go door to door in suburbs and city centres to enforce payment. Police at road blocks control whether cars carry stickers on their front screens to prove payment.

The income from advertisements and sponsorships now stands at about half of total revenue, making it necessary for the broadcaster to create a programme which is conducive to selling airtime rather than serving the public interest.

Funding is generally inadequate. Therefore the salaries of staff are poor and paid infrequently. Presenters and DJs sometimes go three months without receiving any pay. The majority of ZBC staff have two jobs to survive.

Obviously in anticipation of competition once private broadcasters are licensed, the ZBC has launched a second (commercial) television station in April which will carry programming (popular soaps, dramas and movies) provided by the South African private TV company e.tv.

Scores:

Individual scores:

1	Country does not meet indicator	✓	✓		✓	✓	✓	✓	✓	✓	✓	
2	Country meets only a few aspects of indicator.			✓								
3	Country meets some aspects of indicator											
4	Country meets most aspects of indicator											
5	Country meets all aspects of the indicator											

Average score:

1.1

(2008: n/a; n/a)

3.8 The state/public broadcaster is technically accessible in the entire country.

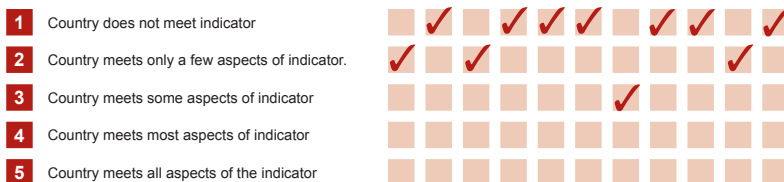
Analysis:

ZBC television covers only 20 to 25 per cent of the country and radio 30 to 35 per cent. In remote areas it is difficult to get any ZBC service.

The situation is not likely to improve any time soon as most of the equipment is old and inadequate and hardly ever replaced when it breaks down.

Scores:

Individual scores:



Average score:

1.3

(2008: 1.9; 2006:1.5)

3.9 The state/public broadcaster offers diverse programming formats for all interests.

Analysis:

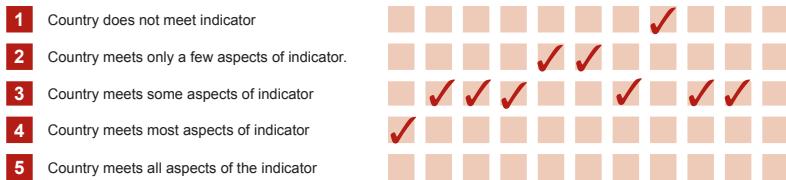
Radio stations make an effort to offer a variety of programmes. They largely focus on social and economic topics, however, and hardly ever touch on political issues. Spot FM features quite a number of topical programmes, e.g. on children's rights or HIV/AIDS. From time to time there are debates on the development of a new constitution for Zimbabwe: only the first of these was broadcast live; now they are usually pre-recorded.

ZBC television tries to offer a variety of programming with a great deal of material coming from China (CCTV) and North Korea. These are mainly dramas, soap operas, documentaries and educational farming programmes - all of them subtitled.

Many international football matches (produced by the South African company Supersport) are aired on ZBC, mainly sponsored by a property mogul. It is not clear how these programmes are acquired.

Scores:

Individual scores:



Average score: 2.7 (2008: 3.3; 2006:2.2)

3.10 The state/public broadcaster offers balanced and fair information in news and current affairs, reflecting the full spectrum of diverse views and opinions.

Analysis:

ZBC definitely does not offer balanced and fair information. Reporting is biased towards ZANU PF and the same commentators appear on air all the time – ‘experts’ or ‘analysts’ are drawn from a pool of ZANU PF sympathisers.

Most of the news reports centre on the activities of government officials, mostly those belonging to ZANU PF. There is very little actual news.

If ZBC does a voxpop on a topical issue, reporters always pick out members of the public who all have the same views on a subject. ZBC never seems to carry opinions that are different from the official ZANU PF line. People are smart and when they realise that they will be appearing on ZBC they either say what they think should be said, will refrain from any adverse comments or simply refuse to comment.

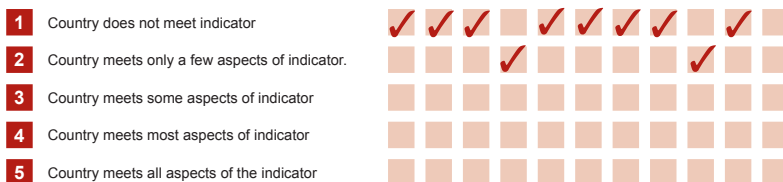
Debates on issues are one-sided and when the usual panellists get together “it’s like watching comedy”.

Some of the journalists are die-hard ZANU PF loyalists. Others will write a story for ZBC with a particular slant and then write on the same event for another media (usually an online publication) with a completely different perspective.

"It's like watching comedy"

Scores:

Individual scores:



Average score: 1.2 (2008: 1.5 ; 2006 1.0)

3.11 The state/public broadcaster offers as much diverse and creative local content as economically achievable.

Analysis:

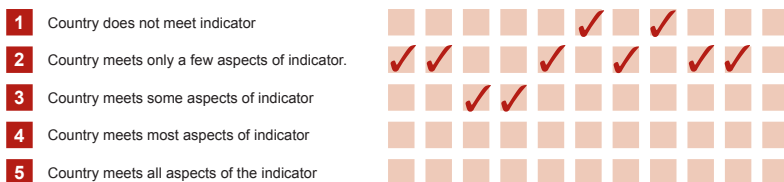
There are quite a few local soap operas and dramas – on both radio and TV. They are, however, limited in variety and content. New episodes of serials on television are run during prime time from Monday to Friday and repeated after the lunch-time news.

There are restrictions on content – ZBC will accept story lines with a social theme but will not touch anything that may have a political slant. Independent production houses such as Media Development Trust, the Zimbabwe International Film Festival and the Short Film Project are viewed with suspicion even when dealing with non-political subjects and their work is rejected more often than not. If ZBC does decide to air any of their material, the independent producers have to pay for the airtime. In fact the income from broadcasting such material on radio or television is a line item in the ZBC budget.

Some musicians are not aired on radio or television because of the political issues they raise in their music.

Scores:

Individual scores:



Average score:

2.0

(2008: 1.7; 2006:1.4)

3.12 Community broadcasting enjoys special promotion given its potential to broaden access by communities to the airwaves.

Analysis:

There is no special consideration or concession made for community broadcasting.

The Minister of Media, Information and Publicity, Webster Shamu (ZANU PF), defines community radio solely as serving special interests and not – as is the case in the Southern African region – mainly as a service owned and run by communities which are either geographically based or share a common interest (e.g. religion). If the minister's definition becomes the accepted version he will be able to fulfil his desire of issuing licences to stations focusing solely on, for example, weather or agriculture.

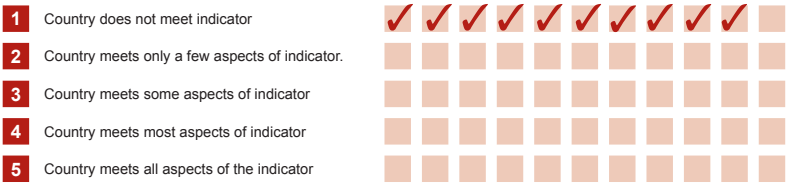
Even though licences are not being issued by the BAZ, a total of eight community radio initiatives have been established.

While most of these loosely formed but determined groups struggle with severe financial constraints, a few have been given funds by donor organisations. With these resources they carry out outreach programmes in their communities and compile material that is then packaged onto CDs or DVDs and sent out to organisations. Brochures are put together to create awareness around community broadcasting and road-shows are held once in a while featuring live simulated broadcasts, also recorded on CD.

The Zimbabwe Association of Community Radio Stations (ZACRAS) was formed to be the common voice of the sector and to prepare communities for the day when there will be alternative media voices on the airwaves. In fact, however, only a few of the existing community radio initiatives will be in a position to really go on air after having been issued a license.

Scores:

Individual scores:



Average score: 1.0 (2008: 1.0 ; 2006:1.0)

Average score for sector 3: 1.4 (2008 :1.4; 2006:1.1)*

* For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.



SECTOR 4:

The media practice high levels of professional standards.



The media practice high levels of professional standards.

4.1 The media follow voluntary codes of professional standards, which are enforced by self-regulatory bodies that deal with complaints from the public.

Analysis:

A self-regulatory Voluntary Media Council of Zimbabwe (VMCZ) was officially launched in June 2007 by the Media Alliance of Zimbabwe, a grouping that comprises the Media Institute of Southern Africa – Zimbabwe, the Media Monitoring Project of Zimbabwe, the Zimbabwe Union of Journalists and the Zimbabwe National Editors Forum (whose members are editors of private media). It started operating in February 2009 after having secured sufficient funding. The board of the council comprises 14 members, seven public and seven media representatives. One of the 14 positions has been left vacant to allow for the editors of state-controlled publications to come on board.

“If you read these papers you want to throw up”

Private and community media subscribe to the VMCZ’s code of ethics but do not fully enforce the standards set. Journalists and editors were slightly defensive at the start but soon came to realise that professionalism in the media has deteriorated and journalists do need to be refreshed on the merits

of adhering to professional standards. Therefore the council is currently in an ‘educational phase’, conducting training courses in newsrooms.

Private print media carry small boxes informing readers that they subscribe to the code and that complaints can be lodged with the VMCZ. In addition, the council is running campaigns to make the public aware of its existence.

As a consequence the number of complaints received has increased from seven in 2009 to 12 in the first quarter of 2010, mainly from political parties, companies, gender groups and relatives of politicians.

Complaints may be settled amicably without arbitration (this is the case in most instances). If the matter cannot be so resolved it is handed over to a Media Complaints Committee which has the right to order the medium in question to publish a correction.

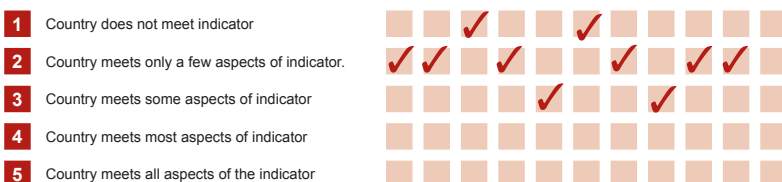
As the state media are not part of the structure, the VMCZ cannot officially adjudicate in cases involving these media houses. Nevertheless the VMCZ has

The question of fairness in the state media seemingly does not even arise – as one panellist put it bluntly: “If you read these papers you want to throw up”. If The Herald or the ZBC want to justify a ZANU PF position they feature ‘experts’ who accurately reflect just this position. There will not be any differing opinions.

Skilled media professionals at all levels have migrated to other countries leaving a vacuum that is hard to fill. The system of sub-editing has seemingly collapsed as experienced people have left and their positions have been taken up by untrained newcomers. There is a slippage in standards and journalists are grappling even with the basics. They have lost sight of what their role is and what they are supposed to do.

Scores:

Individual scores:



Average score:

2.0

(2008: 2.1; 2006:2.3)

4.3 The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local and investigative stories.

Analysis:

The full spectrum of events and topics is not being covered, in large part also because there are limited resources in newsrooms. News organisations only feature events in and around the vicinity in which they are located.

There is fair coverage of business and cultural stories and lately there have been a number of investigative stories. Many journalists find it difficult to travel to sports events so there is limited coverage, featuring only the major sporting codes.

Rural communities are neglected by all media as are minority groups. When resources were still available, the ZBC managed to cover rural communities extensively.

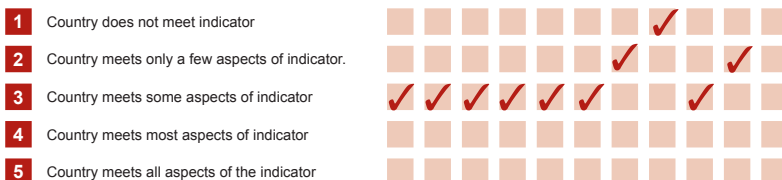
Journalists are producing more and more stories based on telephone interviews only. "It also boils down to their definition of a journalist and what a journalist is

expected to do. When journalists do not see themselves as part of the communities they are in they are removed from the realities. A journalist should get on a bus, travel out to the rural areas, spend a few days there, eating and drinking with the people. This is the only way to pick up nuances and identify a number of angles."

"A journalist should ...travel out to the rural areas...This is the only way to pick up nuances and identify a number of angles"

Scores:

Individual scores:



Average score:

2.6

(2008: 2.5 ; 2006:1.8)

4.4. Equal opportunities, regardless of race, social group, gender/sex, religion, disabilities and age are promoted in media houses.

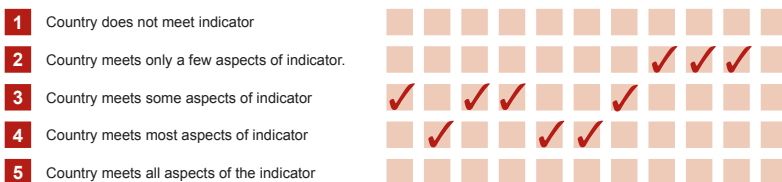
Analysis

After a study released by Gender Links (Glass Ceiling Report) which showed Zimbabwe's poor performance in promoting women to decision making posts there was a deliberate attempt to redress the imbalance. There are now more women on the boards of directors in media houses. Radio Dialogue now has a gender policy, though not yet implemented.

There are a large number of women in the newsrooms but only very few of them in positions where they can influence content. People with disabilities are not encouraged to apply for jobs in the media and working conditions for them are poor (for example lifts are constantly out of order).

Scores:

Individual scores:



Average score: 3.0 (2008: n/a ; 2006:n/a)

4.5 Journalists and editors do not practice self-censorship.

Analysis:

Journalists in Zimbabwe practise self-censorship.

Pressures and fears – real or perceived – guide the way a journalist operates in the newsroom. There is the possibility of losing one's job or of physical threats. Over the last decade the situation has worsened: you can get arrested or attacked or killed for doing your job and these pressures take their toll on journalists and editors. "My family asks me whether I should really continue with this difficult vocation if one can be arrested any time".

"My family asks me whether I should really continue with this difficult vocation if one can be arrested anytime"

There is even more self-censorship on the part of female journalists. They are the ones who face the backlash on the domestic front if they happen to come under fire for the stories they work on and their husbands or boyfriends will ask them why they are taking such a risk.

Censorship is being practiced all along the chain of command – a journalist will censor his or her own story, the sub-editor will censor it, and then the editor will censor it.

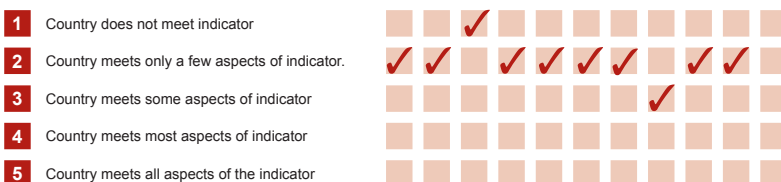
Stories are tailor-made to fit in with the thinking and ideology of the media house concerned. Freelance journalists go “editor shopping” – they find out what aspect of stories certain editors like and will start producing copy along those lines.

State media journalists get access to stories that, from their experience, the state media will not carry in their entirety or accurately, so they rewrite them with the angle they know the private media will go with and offer them to one of these outlets instead.

However, since the “inclusive government” was formed in February 2009 the climate seems to be getting more relaxed, with some of the fear appearing to be unfounded. It is also easier now to approach government ministers and other officials for comment.

Scores:

Individual scores:



Average score: 2.0 (2008: 1.4 ; 2006: 1.7)

4.6 Owners of established mainstream private media do not interfere with editorial independence.

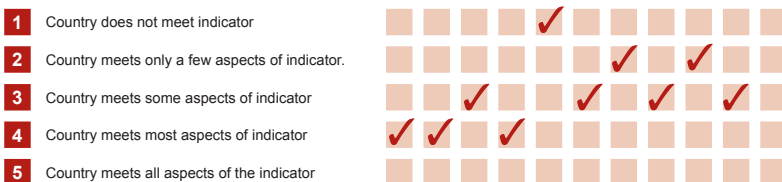
Analysis:

Media owners are business people. They look at numbers. The owner of The Zimbabwe Standard and The Zimbabwe Independent may enquire why the circulation figures are down and ask about other aspects of running the business but he does not interfere in editorial content. These two papers often have different political stances, without the owner putting pressure on any of his editors regarding the publishing or non-publishing of a story.

At The Financial Gazette coverage of stories also does not seem to reflect the personal philosophy of its owner. There are times when the owner will use his pull to ensure that a certain opinion piece is carried but then the editors make sure that it is clearly marked as an opinion.

Scores:

Individual scores:



Average score:

2.9

(2008:1.1 ; 2006:2.2)

4.7 Journalists and media have integrity and are not corrupt.

Analysis:

Corruption has reached unacceptable levels due to poor salaries.

There are cases of “chequebook journalism” not just to ensure favourable coverage but where money is given for stories not to be covered. For example, a journalist went to interview a chief executive involved in a scandal at his office. What he found there was not the CEO but an envelope with money. The journalist confessed that he took the money and did not write the story.

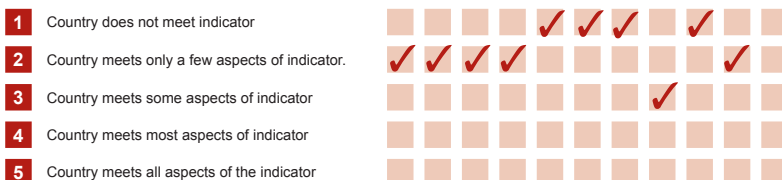
Journalists attending a recent media ethics workshop organised by the Voluntary Media Council of Zimbabwe reported that a number of photojournalists take pictures of prominent people in compromising situations and then blackmail them.

The other growing trend is equally corrupt. Story ideas generated during the editorial conference are passed on to the journalists, who might then call the people involved and inform them of the story his/her organisation is about to print or broadcast. When the person in question offers them money the story disappears off the diary.

Journalists do not seem to be aware of the fact that integrity is a most precious commodity.

Scores:

Individual scores:



Average score: 1.7 (2008:n/a ; 2006:n/a)

4.8 Salary levels and general working conditions for journalists and other media practitioners are adequate.

Analysis:

The remuneration of journalists across the board is extremely poor and considered one of the lowest in Southern Africa.

In the private media, salaries may differ slightly from organisation to organisation with the average starting salary for a junior reporter being US\$400 a month. For senior editors it is US\$600 to US\$700 a month. Sub-editors receive US\$800 a month and upwards while editors earn anything from US\$1500 or more.

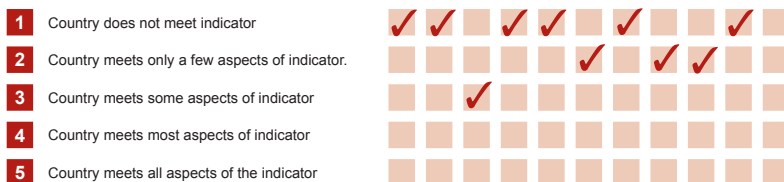
State media staff get much less. Presenters on ZBC, for example, are paid US\$200 a month and so most of them have second jobs.

Freelancers can earn US\$50 per story (and have to carry the costs involved for transport and telephone). If they manage to produce approximately 15 to 20 stories per month this translates into a gross income of US\$1000.

To put this in context: An apartment with one bedroom or a small house for middle income earners costs US\$300 rent per month on average.

Scores:

Individual scores:



Average score:

1.5

(2008:n/a ; 2006n/a)

4.9 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

Analysis:

There are numerous formal training facilities in Zimbabwe:

- National diplomas, post-graduate diplomas and a Masters being offered at the University of Zimbabwe Department of Media Studies,
- an Honours degree at the National University of Science and Technology (NUST),
- an Honours degree in Media Studies at the Midlands State University,
- A National Diploma in Journalism at the Harare Polytechnic, Christian College of Southern Africa (CCOSA), ILSA, and the UMAA institute.

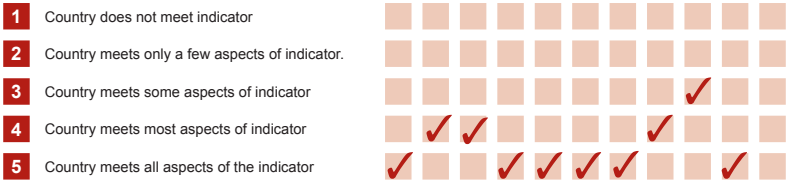
The Mass Communication Department at the Harare Polytechnic was able to refurbish a radio studio for training purposes in the early nineties which is now, obviously, outdated.

These institutions seek to train students according to the requirements of the market but are not always able to meet the standards.

There are also opportunities for upgrading skills through in-house training, or through institutions such as VMCZ, MISA and very recently the Humanitarian Information Facilitation Centre. Certificates are offered by MISA according to the level of training offered at a particular workshop.

Scores:

Individual scores:



Average score: 4.5 (2008: 2.1 ; 2006: 2.1)

Average score for sector 4: 2.6 (2008:1.7; 2006:1.5)*

OVERALL COUNTRY SCORE: 1.9 (2008:1.7; 2006:1.5)

* For 2009 the indicators were reviewed, amended and some new indicators such as those addressing Information Communication Technology (ICT) were added. Consequently, the comparison of some indicators of the 2005 and 2007 report is not applicable (n/a) in some instances in which the indicator is new or has been amended. Evidently, this has to be taken into account too, when the overall sector scores are compared.

Developments since 2008

Positive developments in the media environment in the last two years:

- o After the conclusion of the Global Political Agreement between the political parties in September 2008, which resulted in the formation of the Inclusive Government in February 2009, the extent and frequency of persecution of media practitioners has lessened.
- o Incidents of hate speech would certainly have escalated if there had been no such agreement.
- o International news networks such as BBC, CNN and Al Jazeera have returned to the country and government is less frantic about foreign journalists coming into Zimbabwe to report.
- o There has been a dramatic decrease in the confiscation of journalists' equipment.
- o The economy has stabilised with the introduction of the US dollar as the operating currency and economic production has increased.
- o Relations with the international donor community have improved.
- o The constitution is presently in the process of being rewritten.
- o The Media Alliance of Zimbabwe has drafted and is lobbying for a Model Zimbabwe Broadcasting Corporation Bill.
- o A kind of "dialogue of the deaf" between sections of government and media sector has started: they are talking though not always listening to each other, and sections of government now recognise the importance of a free media.
- o The Deputy Minister of Media, Information and Publicity, Jameson Timba, is trying to bring about positive developments in the media sector.
- o Areas of the country that were inaccessible to private media are now opening up.
- o There is a groundswell of initiatives around community radio, e.g. Radio Dialogue.
- o The Voluntary Media Council of Zimbabwe has grown in stature.
- o The tax on media products coming into Zimbabwe has been removed.
- o Newsprint has become easier to procure.
- o Fuel is available.
- o Access to internet has improved through an increase in wireless hotspots around the country.

Negative developments in the media environment:

- o The constitution-making process is stalling too frequently and there is no progress in national healing.
- o The Inclusive Government has failed to implement the Global Political Agreement in its entirety, particularly in regard to the licensing of private and community broadcasters, and has not shown the political will to do so.
- o The GPA entrenches controversial laws such as the Broadcasting Services Act and the Access to Information and Protection of Privacy Act.
- o Pieces of legislation such as AIPPA, POSA and the Criminal (Codification & Reform) Act have still not been amended or repealed.
- o Arrests of journalists are continuing.
- o Conditions are still not conducive for the return of exiled journalists.
- o Litigation as a tool to cripple media organisations by bleeding the private media of their resources is ongoing.
- o The establishment of the state-controlled Zimbabwe Media Commission (ZMC) compromises the drive for self-regulation by the media.
- o Internet access is prohibitively expensive and therefore unaffordable to the majority.
- o There are still some official state functions that the private media are excluded from.

Activities needed over the next few years:

- o Lobby for clear and unambiguous guarantees of freedom of expression and the media as well as the right to access to information in the new constitution.
- o Lobby for the scrapping of the Zimbabwe Media Commission in the new constitution.
- o While the ZMC is still in existence, engage it in a way that will encourage commissioners to work honestly towards the promotion of media freedom and the application of international standards and best practice. Engage political parties and ministries in a similar fashion.
- o Lobby for necessary changes in the Broadcasting Services Act as well as the dissolution and urgent replacement of the present illegally constituted board of the Broadcasting Authority of Zimbabwe.
- o Organise protests and marches to urge the authorities to issue licenses for new radio stations, including community-based stations.
- o Lobby for the urgent passing by Parliament of the Draft Zimbabwe Broadcasting Corporation Bill developed by the Media Alliance of Zimbabwe.

- o Strengthen the Voluntary Media Council of Zimbabwe by
 - engaging the state media to join the Council
 - making the public more aware of its existence and purpose
 - publicising findings in regard to complaints.
- o Improve training for journalists and other media practitioners by ensuring closer cooperation between training institutions and the industry.

The panel meeting took place at The Kingdom Hotel, Victoria Falls, 23 to 25 April 2010.

The Panel:

Mr Peter Banga – Trainer

Ms Brenda Burrell – Activist and ICT expert

Ms Abigail Gamanya – Media activist

Mr Dzikimai Machingura – Media lawyer

Mr Davison Maruziva – Editor

Mr Chris Mhike – Lawyer

Ms Lifaqane Nare – Journalist and trade unionist

Ms Sibusisiwe Ndlovu – Freelance radio journalist

Mr Simbarashe Rushwaya – Freelance journalist

Ms Sharon Sithole – Journalist and community radio activist

The Rapporteur:

Ms Reyhana Masters

Facilitator

Mr Hendrik Bussiek