

# ANNUAL REPORT

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# INTRODUCTION

The Media Institute of Southern Africa (MISA) is a regional non-governmental organisation that advocates for media freedom, freedom of expression and the right to know in the service of democracy, socio-economic and political development. Officially launched in September 1992 when it elected its first Regional Governing Council in Windhoek, Namibia, MISA was created by southern African media practitioners to implement the 1991 Windhoek Declaration on Promoting an Independent and Pluralistic African Press, hence the decision to locate the Regional Office in Windhoek. By June 1994, MISA had opened a Regional Secretariat in Windhoek employing three people. In 1996, it transformed itself from a regional network of activists into a regional NGO with membership-based National Chapters. Currently MISA has chapters offices in 11 SADC countries: Angola, Botswana,

Lesotho, Malawi, Mozambique, Namibia, Swaziland, Tanzania, South Africa, Zambia and Zimbabwe.

MISA has since positioned itself as the primary advocate for media freedom and freedom of expression in southern Africa. Each National Chapter enjoys a national membership made up of media practitioners, media institutions and enterprises. The total regional membership of MISA is currently over 1 700 individuals and over 100 institutions. The MISA programs have grown and now have a global outreach especially through the media violations monitoring program. MISA's work and agenda has also been taken up by many civic organisations in the region, thereby creating consciousness of the linkages between media freedom, freedom of expression and broader human rights and democratic campaigns.





# MISA'S MISSION, VISION AND VALUES

The mission of MISA is to play a leading role in creating an environment of media freedom and free expression that promotes independence, pluralism and diversity of views and opinions, media sustainability, competency and professionalism in the southern African region. In dealing with these elements, MISA will ensure that gender-specific needs form an integral part of all its activities. MISA aims to create an environment in which civil society is empowered to claim information and access to it as unalienable rights and in which the resultant freer information flow strengthens democracy by enabling more informed citizen participation.

## **Objective**

The objective of MISA is to lobby for promotion and protection of media freedom and free expression. It is also to strengthen and support the development of a vibrant, professional and participatory media sector as an essential part of the deepening of democracy in southern Africa.

## **Vision**

MISA's vision is of a southern Africa region in which the media enjoys freedom of expression, independence from political, economic and commercial interests, pluralism of views and opinions. Our vision is of a region where members of society, individually or collectively are free to

express themselves through any media of their choice without hindrance of any kind. A region, too, where access to information must be unhindered and where information is readily available.

The MISA vision is:

- A media that is free, independent, diverse and pluralistic.
- Access to the media and information by all sectors of society.
- Media workers who are competent, critical, accountable, sensitive to gender issues and aware of their responsibility to society.
- Legislation, regulations and policy environments that support media independence, diversity and pluralism.
- Citizens in the SADC region that are empowered to claim information as a basic right

## **Principles and Values**

The mission and vision of MISA are based on the following principles and values: Freedom of expression as defined in article 19 of the Universal Declaration of Human Rights and article 9 of the African Charter on Human and Peoples Rights; Media freedom, independence, diversity and pluralism as provided for in the Windhoek Declaration of 1991;

Three tier separation of power as provided for in the SADC ICT Declaration of 2001 with the government being responsible for a conducive national policy framework, independent regulator responsible for licensing and a multiplicity of providers in a competitive environment responsible for providing services;

Three tier system of broadcasting (public, commercial and community) as provided in the African Charter on Broadcasting of 2001;

Media professionalism and the

observance of ethical standards in media products that seek to inform, empower, educate and entertain;

Citizen's right to access to information in order to enhance transparency and citizen participation in government, judiciary and legislative issues.

Participatory democracy, respect for human rights, equality, human dignity, freedom and non-discrimination; and

Gender equality in and through the media and society.

The Media Institute for Southern Africa (MISA) is a regional membership "based non government organization working for free, independent, pluralistic, sustainable media environment. MISA's memberships is based in 11 of the Southern Africa Development Community (SADC) countries. Officially launched in September 1992, MISA focuses primarily on the need to

promote free, independent and pluralistic media, as envisaged in the 1991 Windhoek Declaration

# RGC CHAIRPERSON'S 2010 REPORT

The year 2010 has been a hectic year for the Media Institute for Southern Africa (MISA). The year saw the organisation complete two very critical processes in the strengthening of the operations of MISA in the region.

The first process saw the undertaking and completion of the Organisational Development (OD) process that saw the various governing structures within MISA being streamlined, perfected and harmonised thereby eliminating duplication of roles in various structures of the organisation. Under the process the role of the Regional Governing Council (RGC) was redefined while a critical meeting of the governors and the Trust Funds Board (TFB) resolved to incorporate three members of the RGC into the TFB.

The three RGC members that were nominated to sit into the RGC are Noma Rangana (South Africa), Loughy Dube (Zimbabwe) and Laona Segatsho (Botswana).

The OD process also cleared the roles of the different structures in the organisation and perfected reporting structures within MISA. The final organisational structure has cleared the reportage structure from national level to regional and has also cleared the relationship structure between MISA and organisations that report directly to the TFB.

The second critical process that MISA embarked on in the course of the year was the drafting and the tabling of the SPP III to donors. The SPP III draft was



drafted early this year and was sent to donors early in November and MISA is currently awaiting the approval of the document.

MISA is grateful for the steadfast support we enjoy from funding partners, among them the Royal Danish Embassy, Royal Norwegian Embassy and the Royal Swedish Embassy.

SPP III will guide MISA's operations until 2013 when the funding ends. However under SPPIII MISA will streamline operations, a move that will see chapters in the region shedding off staff and streamline operations in order to meet the demands of the new funding.

In some chapters there will be a need to even redefine programmes being undertaken.

On the operations part MISA chapters have carried out most of the planned activities for the year, save for the situation obtaining in Angola.

In Angola, activity implementation was affected by staff turnover.

Despite this, major successes were achieved, most notably in view of concessions achieved by MISA from governments in Lesotho, Zambia and Malawi to commence the review of restrictive media laws.

In Swaziland the opening up of the broadcasting sector is expected to assist the democratisation process of this country.

MISA witnessed the impact of its advocacy and lobbying work of Pan-African structures. More critically, MISA has – along with a growing lobby of African and international free expression organisations – successfully lobbied the African Union to elevate media development as a sector in its own right. This is a major policy victory.

The work of MISA remains relevant and in demand as the organisation is the vanguard of media and freedom of expression defence in the region.

Despite having national constitutions





# EXECUTIVE SUMMARY

The following report captures activities undertaken by the Media Institute of Southern Africa (MISA) during the period 1 April, 2009 to March 30, 2010. This report attempts to narrate activities and measure their impact and, in so doing, link such activities to the annual work plan submitted by MISA at the beginning of the year being reported. This document is submitted in compliance with the funding agreements with partners, among them the Royal Danish Embassy, Royal Norwegian Embassy and the Royal Swedish Embassy.

As will be noted MISA has endeavoured to carry out most of the planned activities. However, in some environments such as Angola, activity implementation was affected by staff turnover. Despite this, major successes were achieved, most notably in view

of concessions achieved by MISA from governments in Lesotho, Zambia and Malawi to commence the review of restrictive media laws. In Swaziland the opening up of the broadcasting sector is expected to assist the democratisation process of this country.

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Above all, the work of MISA remains relevant and in demand as the organisation is the vanguard of media and freedom of expression defence in the region.





This report commences with a general overview of the media freedom and freedom of expression situation in southern Africa. Thereafter it follows the programmatic sequence of MISA's Second Strategic Partnership Programme (SPPII), commencing with Programme A up to the last Programme E. Chapters on Communication and Dissemination and Implementation are also included.

The annual external financial audit report is a separate document.

## OVERVIEW OF THE STATE OF THE MEDIA: 2009

As diverse as the Southern African region is, there is as much diversification with respect to the state of the media in each of the countries. It could be argued that as a region, the Southern African Development Community (SADC) has over time developed policies, apart from national Constitutions, that portray the region's aspirations of a human rights culture, which includes explicit guarantees

of freedom of expression for all.

Unfortunately, developments in the region point out a yawning deficit in the region's high standards on freedom of expression. The media has faced serious challenges ranging from issues of sustainability arising from the global recession, to new laws enacted or bills introduced whose sum effect would be to erode freedom of expression and entrench control by governments.

It is of concern that threats and even actual physical violence visited upon media practitioners, verbal attacks, including racist slurs made by powerful individuals in society that have been targeted at media practitioners, have all contributed to an atmosphere of intimidation. This can only be viewed as limiting freedom of expression and the media.

This may vary from country to country, but media practitioners and owners have had to navigate their way around this environment in order to play an important role of holding governments, powerful

institutions and individuals accountable.

Last year was an election year in Malawi, Namibia, South Africa and Zambia. In Zimbabwe, residual tensions carried over from the 2008 Presidential Election culminating in the Government of National Unity (GNU), all added to the environment that shaped further challenges for the media.

Elections by their very nature tend to be characterised by robust debate and conflicting ideas and opinions. Sometimes these tensions take the form of dangerous fanaticism like that which characterised the elections in Zambia. On 28 July 2009, ruling Movement for Multi-Party Democracy (MMD) supporters went on the rampage, assaulting journalists reporting on the return of President Rupiah Banda from Uganda. Such incidents have the potential to curtail media freedom which is a cornerstone of democratic societies.

## STATE OF PRINT MEDIA IN SOUTHERN AFRICA

State-media relations in the region have also painted a grim picture of an uneasy relationship between the two as in the continued selective treatment of government controlled and private media. For example, in Botswana, Lesotho and Tanzania, there have been strong allegations that governments were withholding advertising to media houses that carried dissenting voices.

Another form of censorship has been the attack by government officials on private media proprietors and practitioners like the targeting of Gwen Lister in Namibia, as well as the barring of media from press conferences organised by government. The same disturbing trend was observed in Malawi's post elections. It is this intolerance by governments that reveals a huge chasm between what the region aspires towards and the reality of the situation on the ground.

The print media sector in general expanded in the region, but in some countries there were casualties as a result of the recession or of the existing socio-political environment. In South Africa, a weekly published by AVUSA, the Weekender, sadly went out of circulation, robbing South Africans of yet another source of information.

The South Africa Broadcasting Corporation (SABC) also had a bumpy ride last year with debts almost reaching the R1 billion mark as a result of financial mismanagement and irregularities.

In spite of the recession, Tanzania and Lesotho saw the expansion of the media. But the growth of the media in Tanzania has also come at a cost, as standards of journalism have plummeted tremendously. This can be gauged by the fact that last year, this country proved to be the most litigious in its region with record-breaking libel lawsuits of up to TzSh300 million (US\$3 million) being awarded by the courts. There are still 300 more cases still pending against the media.

In Zimbabwe and to a lesser extent Zambia, government-controlled media continued to enjoy a stranglehold on the print media sector. These media, as with public broadcasters, continued to be used as propaganda mouthpieces of the ruling governments. Despite the optimism brought about by the Global Political Agreement (GPA) government, there have been no licenses issued to new media houses. In spite of this, it did not stop the state controlled Zimbabwe Newspapers introducing their third daily, H Metro, while several private radio and print media still await licensing.

The elections also posed a huge test for the print media in Zambia, South Africa, Namibia and Malawi. In Zambia, the election drew attention to just how polarised the media were.

The private media all supported the opposition parties, while the state media rooted for the ruling party. By contrast in South Africa, research done by the Media Monitoring Project Africa (MMA) illustrated that 84% of all articles monitored were

deemed fair.

There were some positives on elections in Malawi. The Malawi Electoral Commission (MEC) demonstrated its autonomy by selecting a private broadcaster, Zodiac Broadcasting Corporation, as the official broadcaster for the elections.

State of broadcasting and ICTs in Southern Africa

In 2009, most governments continued to seek control of the public broadcasters instead of allowing them to be representative of the social spectrum through public service broadcasting. Cases of the government meddling in state broadcasters were blatant in Namibia, Botswana and although subtle but still of concern, in South Africa. This was evidenced by the interference in the appointments of senior managers at both the Namibia Broadcasting Corporation (NBC) and South African Broadcasting Corporation (SABC). In Botswana, the ruling party sought to consolidate its stranglehold on Botswana Television

(BTV) and radio.

While the media landscape in Zimbabwe remained in its halted state with government's control of all state media guaranteed, in Zambia, MUVI TV, a new national private broadcaster, was introduced to break the monopoly of the state controlled Zambia National Broadcasting Corporation (ZNBC). This can only provide the much needed diversity that citizens can benefit from, while ensuring that the competition helps ZNBC to produce quality programmes.

In Swaziland, state monopoly still exists on radio, while in Lesotho the state broadcaster holds sway over both radio and television broadcasting. In February 2009, the Swaziland broadcasting regulator, Swaziland Posts and Telecommunications Corporation, called for licensing applications. However, until the end of 2009, there was no explanation as to why no determination on the five applications had been received.

There has been phenomenal growth in the

telecommunications sector - especially in Tanzania and in South Africa, which has expanded citizens' access to this form of communication.

As an example, mobile phone usage increased from 300,000 in 2003 to almost 15 million by the end of last year. In South Africa, the Independent Communications Authority of South Africa (ICASA) finally forced mobile operators to reduce their overpriced tariffs to ensure that more citizens have access to freedom of expression and to the means to communicate.

## MEDIA LAWS AND INFRINGEMENTS TO FREEDOM OF EXPRESSION

It is not averse to democracy to have media laws in any society, but it is the spirit and intention of such laws that need to be scrutinised to see whether they are reasonable and justifiable in a democracy. In the region, there is old and new legislation. In Lesotho and Malawi, for

example, there are outdated pieces of legislation which though not being used, still pose a threat to freedom of expression should they be invoked.

However, there is a raft of new laws and bills being enacted whose net effect shall be to erode the already limited guarantees of freedom of expression. The year 2009 literally began on 1 January with the enactment of Botswana's dreaded Media Practitioners Act - one of the many signs of the country losing its grip on the gains of the 1990s in terms of freedom of expression. The law turns the practice of journalism into a privilege that can only be exercised through the benevolence of a statutory Media Council handpicked by government to accredit journalists.

A similar law, the Media Commission Bill of 2009, was also mulled over in Swaziland, while in Zambia and South Africa, politicians have suggested the establishment of media controlling bodies. If enacted in its current state, the Swazi Bill would see the creation of a Commission with powers tantamount



to pre-publication censorship such as to “require the discovery and inspection of documents” and also “access to any record or copies thereof from any office.” This would be the end of the long held ethical practice of protecting one’s sources and promoting the independence of the media.

South Africa, touted as having one of the best constitutions in the world, also seems to be sliding backwards with the formulation and promulgation of laws that negate constitutionally guaranteed rights to freedom of expression. The Film and Publications Amendment Act passed in 2009 and the introduction of the Public Service Broadcasting Bill at the end of the same year, pose a sobering thought to advocates of freedom of expression.

The Film and Publications Amendment Act is a typical example of good intentions implemented through a bad law as it allows pre-publication censorship in its efforts to address child pornography. Introduced in October 2009, the Public Service Broadcasting Bill will bring about

many positive developments in the media sector, but it also poses a threat to the independence of the public broadcaster in view of the fact that it vests wide ranging powers with the Minister of Communications.

Similarly, Namibia introduced the Namibian Communications Act dubbed the “spy bill” in the same mould of the much criticised Interception of Communication Bill of Zimbabwe in 2006. The Bill seeks to set up “interception centres” to intercept private emails as well as short messaging services and telephonic communication between citizens. While interception may be justified in this age of international terrorism, no individual or government should have the right to eavesdrop on conversation. It is a serious threat to freedom of expression. Any interception should be reasonably justifiable in a democracy, and ideally the courts should provide oversight to ensure that such interception is not abused to persecute and prosecute sworn enemies of the powers that be.

The hope and promise of media law reform brought about by the ushering in of the Government of National Unity (GNU) in Zimbabwe remained an illusion until the end of 2009. Save for allowing BBC and CNN back into the country, any hope for legislative reforms have been nothing more than a receding mirage as the year came to a close with obnoxious laws such as the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act and Broadcasting Services Act (BSA) that still remain in the statute books.

## CONCLUSION

In conclusion, and based on the problems besetting the media sector in the region, there are two issues to focus upon: Firstly, it is critical for the media and for media practitioners to uphold the highest standards of ethical reporting, as well as to ensure truthfulness, balance, accuracy and fairness. This will ensure the integrity of the media as part of an important institution in the

democratisation process. Once these standards are lowered, the media exposes itself to attacks which justify its gagging. All media regulatory bodies need to ensure that the media uphold these standards.



Programme A:

# FREEDOM OF EXPRESSION & RIGHT TO INFORMATION



Programme A continues its advocacy work for media and freedom of expression and access to information in the region. A key feature in the year being reported is the linkages that MISA is developing between legislative processes and the need to create public demand for such laws. MISA remains concerned that legislative processes to enact friendly and democratic access to information laws are not only slow but also stagnated in some parts of the southern African Development Community (SADC).

An issue that MISA seeks to address in these processes is the linkage between issues of corruption, bad governance and freedom of expression. A research study by Transparency International (2007) showed a correlation between corruption and lack of information. It is no coincidence that the ten most corrupt and poor nations in the world are those without laws that guarantee citizens the right to access information. In contrast the ten least corrupt and most prosperous nations are those with access to information such laws (TI 2007).

## MEDIA FREEDOM: 19 YEARS LATER

19 years after the Windhoek Declaration on Press Freedom, the media in Africa, particularly southern Africa are far from independent, in fact the media in some countries are as oppressed and restricted as they were during the colonial and one party political systems. Even those countries who seem to have been on the path to media freedom five years ago have regressed, while those headed for ruin have never looked back.

2009 begun with a lot of optimism, the prospect of a government of unity in Zimbabwe brought renewed energy and hope not only in that country but throughout the region, promising a new chapter in the media environment of freedom and medial law reform for a country that have known media repression far too long. That was not to be, the government of unity has not delivered. Not yet. If ever. What started as a promising year, ended as a disappointing one. For some countries arguably the

most difficult year in recent years.

Swaziland has been the second biggest threat to media freedom in the region with the King as the single biggest threat to article 24 (1) of the Swazi constitution, which guarantees every person the right to free speech and opinion. The King at the pleasure of government continue to clamp down on the media and any dissent to his policies and leadership. Criticism of the King and Royal Family is off limits and transgressions often draw the anger of the King who has in the past personally reprimanded the media for criticizing him. A 2008 MISA study into censorship in Swaziland's newsrooms singled out the monarchy as the main predator of press freedom in Swaziland.

The once vibrant, unrelenting and promising Swazi media now resembles a tired sleeping dog. A statutory media council is underway after government refused to register a voluntary self-regulatory council, the Media Complaints Committee.

Democracy in Botswana under President Khama could easily pass for dictatorship. After scraping the Ministry of Communication, Science and technology, state media; print and broadcasting are now under his bosom through the Ministry of State President. A directorate of intelligence and security has since been set up creating an environment of fear, suspicion and mistrust among citizens. Botswana is a country living in fear, both perceived and real. Despite the terror of fear that seem to have fallen the country, President Khama is not always having it his way, his infamous Media Practitioners Act of 2008 has failed to take off. Intense lobbying from MISA has meant that publishers have refused participation while the law society as refused to provide a chair as required by law.

Zambian made international headlines. The government in an attempt to clamp on the media dusted off the Penal Code, a colonial piece of legislation to press criminal charges under section 177 1 (a) against a news editor for supposedly distributing pornography and obscene

material. The news editor had sent pictures of woman giving birth outside a hospital unattended by health workers. The pictures were not printed in the newspaper for what the paper referred to as "disturbing" but sent them to the highest political, civil and religious leaders to "see the impact and help end the strike by health workers" When government failed to demonstrate how a woman in pain and labor could corrupt public morals, the high court threw the case out.

Prior to above, the Zambian media had been physically harassed and beaten by party cadres from the ruling party. MISA Regional Secretariat wrote to the President of Zambia expressing concern at the deteriorating media environment, a meeting was also convened with the media advisor to the president who assured MISA that Government did not tolerate harassment of media workers and offenders would be booked.

Such was the environment that Zambia found itself, the current government

relations with media are that of arch enemies looking for an opportunity to strike. A statutory media council looms and is the latest weapon.

The above scenarios aimed at narrowing the media space and infringing on free expression played out in different throughout the region.

On September 25th, despite opposition from the public, the Namibia government passed a communication Bill popularly referred to as the 'Spy Bill'. The act contains an interception clause, which gives government power to snoop into electronic, telecommunication and other forms of communications of citizens.

The Malawian government continued to bully the media, including an advertising ban in the Nation Publication Limited, a publisher of several newspapers on accusation of anti government reporting.

## GOVERNMENT SECRECY IN AN INFORMATION AGE

Southern Africa is home to the most secretive governments in the world. MISA conducted research in seven countries establish which public institutions in had the most or least efficiently organized provision of public information. Article 9 of the African Commission on Human and Peoples Rights states that “every person has the right to information” and that “Public bodies hold information not for themselves but as custodians of the public good and everyone has the right to access this information” ACHPR

Using international standards and principles on Access to Information, less than two of the 40 institutions surveyed qualified as open and transparent. With the exception of two institutions, non-responded to our written request for information including the Office of the Ombudsman in Malawi. The Ministries of Health in Zambia and Swaziland were among the most secretive institutions and recipients of the golden padlock Awards in

those countries.

The most difficult country to request for information was Zimbabwe. Requesters in some institutions where required to be interviewed to justify and explain why they need the information. Information was denied based on what the public official suspected the information was sort for. In all the public institutions, information was denied. However the other countries were no better than Zimbabwe.

The research revealed non-transparent and overly secretive public institutions in southern Africa making it almost impossible for citizens to exercise their right to information. These countries – Malawi, Tanzania, Namibia, Zambia, Zimbabwe, Swaziland and the rest of the region urgently require Access to Information regimes not only to counter a culture of secrecy, but to put obligation on government to provide information in accordance with the law.





## MISA INTERVENTIONS

In Lesotho, MISA's Regional Secretariat worked with the national chapter to develop a submission on the Communication Bill and policy that the government gazetted. The impact of the Lesotho process is that the government has taken into consideration the submission by MISA-Lesotho and has asked a consultancy firm to merge the two documents. In Malawi, MISA Malawi appeared before the Media and Communications Committee of Parliament in December 2008 to further advocate for the passing of the Access to Information law. MISA-Zambia held two key meetings with the Ministers of Information and Broadcasting Services to lobby the government on the FoI.

In Tanzania MISA mobilised civil society to campaign to lift a government ban on Mwanahalisi newspaper. Similar campaigns were run in Malawi and Lesotho to lift government bans on Joy Radio and Harvest FM respectively. Both stations are back on air. MISA-Tanzania also held various stakeholders' meetings

on the RTI Campaign in this reporting period. The meetings scrutinised campaign achievements and failures and strategised on the way forward. On July 2008, the coalition for the RTI Campaign met Members of Parliament Community Development Committee in Dodoma to lobby them to support both Media Services and Right to Information bills. The MPs commended the submission and urged the coalition to make further arrangements for MPs to have study tours in countries where good examples of media legislations are

The use of popular arts has been most used in Zimbabwe and Zambia. In 2008 Zimbabwe had 10 road shows in cities to popularise freedom of expression and access to information. Local performers of music and theatre were part of the road shows. Other literature, including flyers, booklets was distributed to audiences.

On December 13, 2008, the Botswana government passed a Media Practitioners Act aimed at among others to control the practice of journalism through mandatory registration of journalists. Prior and after

the act was passed, MISA mobilised local and international civil society to campaign against such a law. More than 28 international media freedom organisation signed a petition expressing grave concern in the unilateral manner in which the government acted in passing the law. The petition also called on the government to repeal the law. The government responded to the petition in all local media alleging that MISA and its allies were misconstruing the objects of the Act which was allegedly not to control the media. MISA-Botswana is continuing its lobby work against the law and is supporting litigation against this law.

In Namibia following the ban of the popular radio programme, The Chat Show, MISA's regional secretariat in conjunction with the local chapter organised a series of meetings with the public broadcaster and the Minister of Information to lift the ban.

MISA Mozambique carried a national survey on the "State of Freedom of

Expression in 33 districts in Mozambique. The report was produced and disseminated in 2009. The report included interviews with citizens to assess their general knowledge about the first question: what do you understand about right to information? There were a great number of interviewees who did not know how to respond and from those who responded it was concluded that they define the concept right to information in different ways. Ten provincial dissemination workshops were organised which drew 700 people.

## OPPORTUNITIES

There were high-level engagements in all the countries with policymakers, decision makers and top government officials. Such engagements are critical for any reforms. The above research on secrecy and openness in public institutions was an invaluable tool to popularize access to information for both public officials and the public at large. Countries have reported quick responses from public



institutions who before the research could not respond to information request, Tanzania is one such country in which public institutions are responding in as little as two days.

MISA has partnered with other organisations on the continent to lobby for an African platform on Access to information at the 20th Anniversary of the Windhoek Declaration on Press Freedom in 2011. MISA regional is the secretariat for the campaign for more details a website [www.windhoekplus20.org](http://www.windhoekplus20.org) has been developed specifically for this project.

## IMPACT

The perception by civil society and the public of Access to Information as a right only affecting the media is quickly changing. There is a growing understanding of Access to Information by policymakers, civil society and public alike. This is the case especially in countries where MISA has run sustained and consistent campaigns. Zambia has in the last two years run a

daily phone-in radio and weekly television programme “meet the press” in which access to information has been discussed and deconstructed to make it relevant for the ordinary citizen. In addition to the above, MISA has lobbied and made presentation to the constitutional review commission to make Access to Information a constitutional right. In Mozambique the MISA draft Access to Information law has been taken up by the government and is undergoing discussion with a possibility that it will be adopted as the national law.

Zimbabwe has equally run a sustained grassroots campaign using popular arts such as theatre to popularise access to information resulting in an increased public understanding on access to information.

## CHALLENGES

Funding and high staff turn-over both at national and regional level

Programme B:

# MEDIA FREEDOM MONITORING AND RESEARCH



*SOMALIA, Mogadishu : FILES  
African Union peacekeepers  
take cover 15 May 2007 as two  
Somali photographers point their  
cameras towards the site where  
the troops were detonating seized  
ammunition in Mogadishu.. AFP*

During 2009 we witnessed an unprecedented increase in the number of civil and criminal defamation suits against individual journalists and media houses in SADC. The case of Zambian journalist Chansa Kabwela, who was charged for circulating obscene materials contrary to section 177 1 (b) of the Penal Code chapter 87 of the Laws of Zambia, brought to the fore important gender dimensions. Kabwela had reportedly circulated pictures of a woman giving birth in the parking lot of Zambia's largest hospital without the assistance of the medical personnel who were on strike at the time. Sadly these gender dimensions were overlooked by the government of Zambia who leaped at the opportunity to divert attention from its failings on health delivery. The government instead lambasted the newspaper for distributing pornography.

The year 2009 further brought into sharper focus the urgent need for state media to reform to public broadcasters which can give fair and balanced coverage to all political parties. Opposition political parties in Botswana, Malawi and Namibia

cried foul about skewed coverage by state controlled broadcasters in favour of ruling parties. Governments and state broadcasters in the region should start making the necessary reforms in preparation for the next election cycle in 2014. No equitable coverage! No democracy!

Also, the right of citizens to access information held by public institutions remains a far-fetched idea in southern Africa. A research conducted in seven countries (Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe) in 2009 to measure openness and secrecy in public institutions and how it's making it impossible for citizens to access public information.

## ACTIVITIES

### Media Freedom and Freedom of Expression Monitoring

MISA continued to monitor the media and freedom of expression environment in

southern Africa, issuing and disseminating alerts. This work has enabled MISA to support journalists facing challenges in the region. MISA distributed 162 media freedom and free expression

violation alerts, 99 Communiqués and 66 statements between April 2009 and March 2010. Please see the following distribution table:

Country	Alerts	Communiqués	Media Statements	Total per country
Angola	2	0	0	2
Botswana	7	3	4	14
Lesotho	4	0	0	4
Malawi	10	22	2	34
Mozambique	10	3	1	14
Namibia	11	4	10	25
South Africa	18	29	6	53
Swaziland	27	7	7	41
Tanzania	6	2	2	10
Zambia	27	3	7	37
Zimbabwe	40	26	27	93
<b>Total</b>	<b>162</b>	<b>99</b>	<b>66</b>	<b>327</b>

## WORLD PRESS FREEDOM DAY

MISA chapters spearheaded the national celebrations of World Press Freedom Day on May 3, 2009. As part of the events the annual state of the media report, *So This is Democracy?*, was also launched. In environments such as Angola, MISA could only issue a press statement as a result of restrictions on public gatherings and as a result ten events were held in ten national chapters.

## CHILD REPORTING MONITORING (BOTSWANA, SWAZILAND, LESOTHO, ZAMBIA)

As part of the pilot project on Child Reporting Monitoring, a two-day training programme for six MISA Information and Advocacy officers was held in Johannesburg on 27-28 July in collaboration with Media Monitoring Africa (MMA). The Research and Information Officers of MISA-Zambia, MISA-Lesotho, MISA-Swaziland and MISA-Botswana as well as two Regional Office Staff attended the training. The training involved analyzing the media

reportage on child issues and child rights, understanding the situation of children in southern Africa, discussions on conventions and laws protecting children's rights as well as planning the project implementation.

The training provided skills to MISA's national staff to carry out research and training of identified media houses in their particular countries. Hence a quantitative and qualitative research project as well as two group discussions with children was conducted in Zambia, Lesotho, Swaziland, and Botswana. In addition MISA contracted MMA to conduct training for two media houses in Lesotho, Botswana, Swaziland and Zambia respectively. The information gathered from the qualitative and quantitative media monitoring research as well as the group discussions provided the practical content for a guide for media practitioners on ethical reporting on issues concerning children. This guide will be compiled, printed and distributed to all the SADC countries.

*CAMEROON, Yaoundé : Police makes a security cordon around Cameroonian journalists on May 3, 2010 in Yaounde. Police in Cameroon forcefully stopped several hundred journalists from staging a demonstration on world press freedom day to call attention to the recent death of an editor held in detention. The banner reads 'We are all Biby Ngota'. AFP PHOTO / STR*







CAMEROON, Yaoundé : Police makes a security cordon around Cameroonian journalists on May 3, 2010 in Yaounde. Police in Cameroon forcefully stopped several hundred journalists from staging a demonstration on world press freedom day to call attention to the recent death of an editor held in detention. The banner reads 'We are all Bibi Ngota'. AFP PHOTO / STR



Botswana, Namibia, Swaziland, Lesotho, Mozambique, Tanzania, and Angola.

The training was attended by:

β A consultant from Southern African region Derek Luyt, Head - Media and Advocacy, Public Service Accountability Monitor (PSAM) Centre for Social Accountability, Rhodes University  
β Ms. Malou Mangahas, Executive Director of the Philippine Center for Investigative Journalism (South-East Asia)

- 20 Senior Journalists from Botswana, Lesotho, Malawi, Mozambique, Namibia, Tanzania, South Africa, Swaziland, Zambia, and Zimbabwe.
- Representatives from MISA Regional Secretariat
- Representatives from UNDP

Both UNDP and MISA believe that training journalists in investigative journalism with a particular focus on the social, political and economic circumstances under which they work would significantly contribute to mobilizing public participation in the fight against corruption.

SADC Journalists Under Fire Campaign

(practical support to journalists who face prosecution)

MISA undertook trips to trouble spots in the region such as Tanzania and Swaziland. In Tanzania, MISA secured resources to provide assist Mwanahalisi Newspaper to launch a lawsuit against the Tanzania government in an attempt to seek nullification of provision 25(1) (2) of The Newspaper Act. The Act was earlier used by the Minister of Information, Culture and Sports to ban publication of Mwanahalisi Newspaper from 13 October 2008 to 12 January 2009 for publishing stories allegedly aimed to incite public hatred against the President and provoking disorder within the President's family.

Furthermore the petitioner (Mwanahalisi Newspaper) is seeking a declaration that the said provisions under the Act are not saved by the provision of Article 30(2) of the constitution.

MISA fought aggressively for the repeal of repressive laws in Swaziland and to expose injustices committed against journalists



commissioners. The Special Rapporteur on Freedom of Expression was given report on violations of media freedom and freedom of expression and challenges facing the public and media outlets. At MISA's invitation she has agreed to travel to Tanzania ahead of the 2010 elections.

## CHALLENGES & LEARNING POINTS

Alerts are very strong tool for lobbying and advocacy for media violations. MISA therefore plans to include top government officials of all SADC countries on its mailing list in order to supply them with MISA campaign information exposure on how serious media situation are deteriorating in their own countries. This process will strengthen MISA's lobbying mechanism and foster changes in various countries.

MISA has noted with great concern that despite strong interjection and resistance, more repressive laws continue to be passed by governments in Southern Africa. More examples of this include the Communication Bill in Namibia,

the proposed Media Commission Bill in Swaziland, as well as the Media Practitioners Act in Botswana. These bills will seriously inhibited the media's work and gravely impact on citizens' rights to access information.

The Zambian government's delaying tactics in passing the Freedom of Information Bill is very worrying. MISA has renewed his lobby for the passage of this bill. An additional strategy has been MISA's targeting of specific aspects of the penal codes in Zambia, Tanzania, Swaziland, and Lesotho. An aggressive – and very costly – legal strategy will have to be implemented and is being provided for in MISA's third strategic plan.

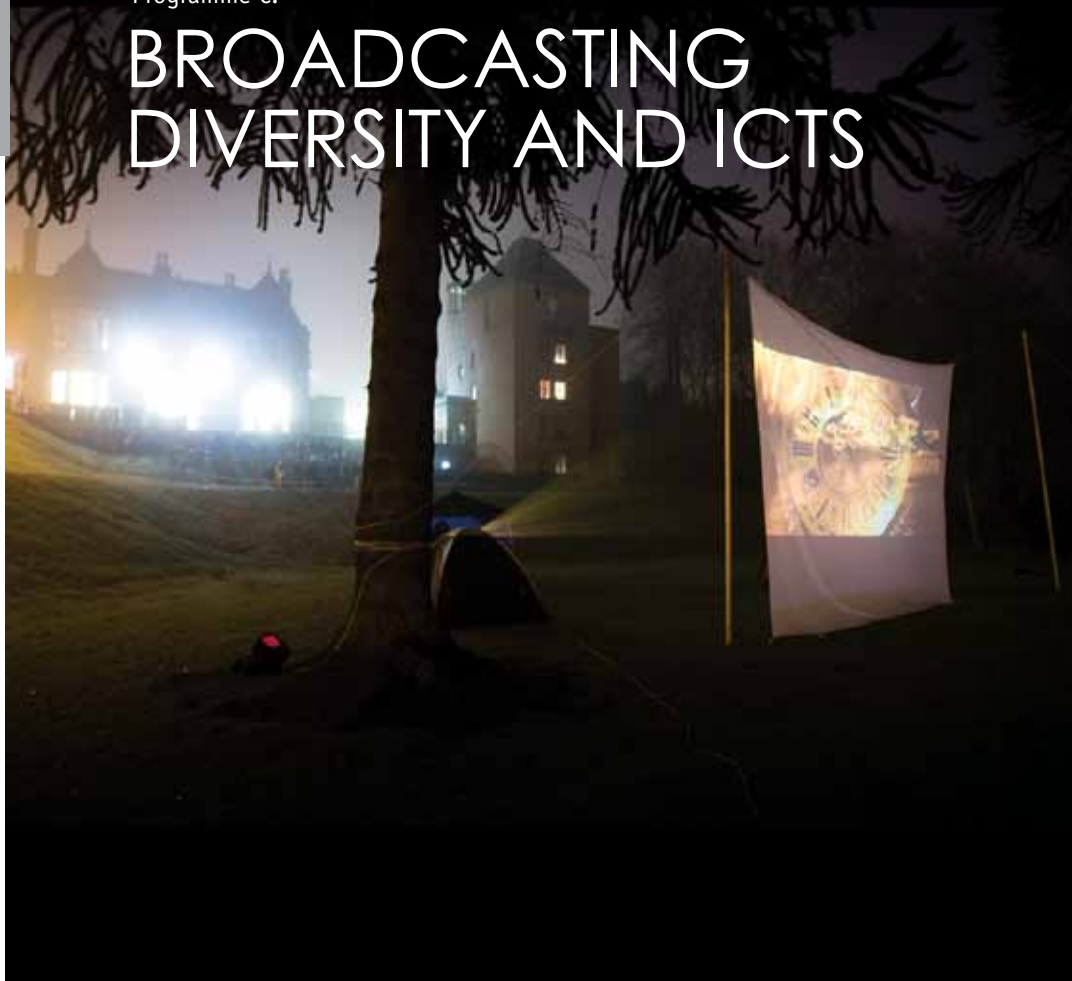
An increasing lack of tolerance and attempts to control the media has led some governments to apply outdated legislation to close down media houses. This was the case in Malawi where community and commercial broadcasters were closed down. Again, the application of the Newspaper Act in Tanzania does not bode well for media operations there.





Programme C:

# BROADCASTING DIVERSITY AND ICTS



The highlight of the 2009 reporting period was the holding of general elections in South Africa, Malawi, Botswana, Mozambique and Namibia. The elections unsurprisingly brought to the forefront the problem of lack of balanced coverage in state owned broadcasters. Opposition parties in Botswana, Malawi and Namibia bemoaned skewed coverage by the state broadcasters in favour of the ruling parties.

Research, as well as pronouncements by electoral commissions and foreign election observers, backed the opposition parties' claims. An analysis by the Namibia's Institute for Public Policy Research revealed that for the week of October 30 to November 5, 2009, a whopping 82% of the Namibian Broadcasting Corporation's (NBC) election campaign news coverage was devoted to the ruling SWAPO party, while the next highest party coverage was a mere 4%. NBC further withdrew free airtime from political parties for the election campaign, a move that seriously disadvantaged opposition parties.

In Malawi, the Electoral Commission's

Election Monitoring Unit observed that for 3 months before the election, the state-controlled broadcasters gave 100% positive coverage to the ruling Democratic Progressive Party (DDP) and 0% positive coverage to opposition parties.

The leader of the Commonwealth Observer Mission in Malawi, former Ghanaian president, John Kufour, said that the unashamed bias of the Malawi Broadcasting Corporation and TV Malawi against the opposition created an uneven playing field for the competitors and urged the stakeholders to address them ahead of the next polls through capacity building and legislative reform.

Botswana witnessed the most prolific contestation of broadcast coverage by state media. Two opposition parties lodged written complaints to SADC and the country's Ombudsman. Furthermore, some of the youths from opposition parties took their grievances to the Botswana Television studios seeking a hearing over non-coverage of their political party activities. Political interference was



reported in the private broadcast media as GABZ FM succumbed to pressure from the ruling Botswana Democratic Party and banned the airing of political programmes.

The 2009 elections also highlighted the lack of independence and political interference in broadcasting regulators in the region. In Botswana, for example, the National Broadcasting Board was forced to withdraw an Elections Code of Conduct for Broadcasters because the Minister of Communications did not give the code legal force. The Ministry said the code was not enforced only after the regulator issued penalties against state controlled broadcasters for violating the code. In Namibia, a staunch ruling party activist was appointed to the Board of the Namibia Communications Commission in violation of the law governing the regulator.

However, there were some positives in the broadcast coverage of the 2009 elections. MISA-Mozambique praised the Mozambican media for impartiality and professional coverage of the election campaign. A statement issued by the chapter singled

out Radio Mozambique particularly for its morning chat show Café de Manhã, saying the radio's live broadcasts, afforded representatives of the competing political parties an opportunity to present their manifestos and to dialogued with the electorate through phone calls, e-mail and text messages.

## BROADCASTING: STATUS, LEGISLATIVE AND POLICY ENVIRONMENT

Community broadcasters across the region continued to grapple with lack of financial sustainability.

In one embodiment, Cape Town Community Television stopped broadcasting for ten days in October as it dealt with financial issues. Furthermore at least five countries in the region have still not opened up the airwaves to community broadcasters. On public broadcasting, no positives were recorded as national broadcasters remained firmly under state control.

In South Africa, once regarded as the beacon of public broadcasting in the region, the South African Broadcasting Corporation remained in crisis for the third straight year. Among other things, there were mass resignations of the board, the CEO, head of news, reporters and other personnel were fired or left amid acrimony; some documentaries were canned and the broadcaster had to be bailed out financially by government. A new board has since been appointed and a new CEO is at the helm but the SABC is still far from being back in shape.

In Namibia, Parliament passed the Communications Bill without amendment, ignoring input from the public, the media and civil society after inviting public submissions.

The Namibian Broadcasting Corporation also axed some live phone in programmes amid a public outcry.

In Zimbabwe, where the government still monopolises broadcasting, the state broadcaster instituted a ban on

opposition MDC Ministers after the MDC boycotted the coalition government.

Botswana saw the tightening of the noose on the state broadcasting media as they were moved from the Ministry of Communications to the Office of the President.

Private radio stations were not spared as in Malawi Joy Radio continued to incur a lot of harassment from the government-controlled regulator, Malawi Communications Commission, (MACRA). The station saw several closures and seizure of equipment and prosecution of its employees. The drama ended in January 2010 when the High Court ruled that the decision by MACRA to revoke the station's license was unreasonable and unconstitutional, effectively ending all cases in which MACRA had been challenging Joy Radio.

In a positive development, the ban on the BBC and CNN was revoked in Zimbabwe in 2009.

## MIGRATION TO DIGITAL BROADCASTING

An overview of the region shows that with the exception of South Africa, which is far ahead and has appointed a digital migration advisory council, many countries are just starting to, or have not started preparations for migration from analogue to digital broadcasting.

The International Telecommunications Union has given the African region the deadline of 2015 to migrate their services from analogue to digital broadcasting.

The deadline might seem a long way off but judging from the South African process, a lot is involved in digital migration readiness and countries which have not started preparations are way behind schedule. However, it is encouraging to see movement in some countries during this period. For example, Botswana has launched a digital migration task force.

## MISA INTERVENTIONS

### **Influencing Balanced Elections Coverage by Broadcasters**

MISA carried out various advocacy activities at regional and national levels to influence fair and balanced coverage of elections.

MISA actively participated in the drawing up of an Elections Code of Conduct for Broadcasters in Botswana in collaboration with the Independent Electoral Commission and the National Broadcasting Board of Botswana.

It also disseminated the Guidelines on Broadcast Coverage of Elections in the SADC Region, and the SADC Principles and Guidelines Governing Democratic Elections to journalists and other stakeholders.

However, attention was not only focused on broadcasters. MISA, with its partners, organised pre-election training to capacitate journalists to provide high

quality coverage of elections using ICTs. The training was hosted for journalists in Botswana and Namibia in September. MISA Namibia further hosted an Elections Reporting Seminar to influence balanced gender reporting. Impact was seen in countries like Botswana where an opposition party lodged a formal complaint with SADC about biased coverage from state broadcasters and quoted guidelines which were brought to its attention by MISA.

The broadcasting regulator in Botswana also instituted penalties against Radio Botswana and Botswana Television for violating the Elections Code instructing them to accord equal airtime to opposition parties for their political campaigns. Through its activities, MISA influenced fair and balanced elections coverage and raised awareness among political parties, journalists and the general public about regional election instruments. It also contributed to excellence in journalism through improved quality of elections reporting as well as promoting use of ICTs to disseminate information.

### **Influencing Broadcasting Legislative and Policy Reforms**

Promoting community radio sustainability remained a MISA priority in this review period. To that end MISA, in collaboration with the Southern African Media Development Fund (SAMDEF), carried out a baseline study of community media in 11 SADC countries.

The study, which involved both print and broadcast community media, was to enable MISA and SAMDEF to provide interventions such as capacity building in programming, governance and finance with the objective of identifying a sustainability model. Data generated assisted in determining funding criteria and capacity building requirements. The long-term objective is to develop a sustainability model that can be replicated in the region.

In Zambia, the Chapter continued with the Radio and Good Governance Project in which 15 community radio stations received training in resource mobilisation



and management with the objective of enhancing their sustainability.

The radio stations are equipped to produce quality programmes on governance, gender and HIV/AIDS and are also assisted to implement strategic plans. In this period, equipment was ordered for seven radio stations.

As a result of the management training and other interventions under the Radio and Good Governance project, the targeted community radio stations have been able to improve their management and operations. Half of the 15 community radio stations have since developed financial and administration systems that never existed. Fourteen out of 15 community radio stations have now constituted boards which play a range of roles from advisory to policy direction.

In South Africa, the Chapter held a community television seminar in August. MISA South Africa also made a submission to the broadcasting regulator ICASA on community TV Licensing. The

submission created further debate on the position of Community TV and the need for free access to the digital multiplex. The chapter also initiated a community television Facebook group.

The CTV Facebook Group has gradually gained momentum and has created a wider audience base. It has become a forum of discussion for promoting Community TV, which has seen an increase in requests for community media participation.

During the plan period MISA Tanzania was instrumental in reviving the Community Media Network of Tanzania. The chapter also hosted a community radio workshop whose objective was to build capacity for organisation of community radio stations to promote community ownership and content. It further conducted a survey to assess the challenges facing community radio in Tanzania in order to craft the necessary interventions.

In Zimbabwe, representatives of community radio initiatives met the Information Ministry and were asked to arrange a follow up meeting on defining

community radio. Furthermore, four community radio initiatives held road shows that attracted an average 300 people in the four localities resulting in increased awareness of community radio issues. Parliament was briefed on issues bedevilling the broadcasting sector during a workshop held in August 2009.

Various activities were also carried out by MISA to promote public broadcasting. The Regional Secretariat developed and distributed to MISA Chapters a policy paper on Public Broadcasting in order to improve the technical capacity of staff on public broadcasting and to create a common understanding and harmonise advocacy activities. In South Africa, a civil society coalition named SOS: Supporting Public Broadcasting whose members include MISA South Africa, continues to lobby for conducive laws and policies as well as the restoration of public broadcasting at the SABC.

The Zambia chapter held meetings with the Minister of Information to lobby for implementation of the amended Independent Broadcasting Authority and

Zambia National Broadcasting Corporation legislation. Following the lobbying that took place in June 2009, the Ministry requested media bodies to choose a representative to sit on the committee tasked with recommending appointments for the IBA Board. Selected names have since been submitted to the Ministry. In addition, the Government also announced that it would consider change of ownership of some of the state owned media.

To increase public awareness and pressure on government to act on the two pieces of legislation, MISA Zambia also used various media through interviews, phone-in programmes and the World Press Freedom Day to advocate for their implementation.

MISA Mozambique lobbied for broadcasting legislation that recognises the three-tier system of public, community and commercial broadcasting, independent regulatory mechanisms as well as management and funding modalities for public broadcasters.

MISA advocated for these provisions

from its vantage point as member of the Broadcasting Bill Working Group that is drafting the country's Broadcasting legislation. A draft of the Broadcasting Legislation is in place and will be released for public debate in May 2010 before being sent to government for approval.

MISA Namibia actively participated in the monitoring of the new Communications Act. Activities included making written and oral submissions to Parliament and the Communications Ministry, and issuing statements and alerts.

In Swaziland, due to persistent lobbying by MISA, there were positive developments with regards to some aspects of media law reform. In November 2009, the government came up with the Swaziland Communications Commission Draft Bill and published it for public scrutiny.

The Bill seeks to liberalise the airwaves and regulate the broadcasting sector in the country. It also facilitates the issuing of TV and radio broadcast licences through a government-appointed commission. The

Bill is expected to be sent to parliament for debate later in 2010. Although MISA-Swaziland is unhappy with licensing by a government-appointed commission as opposed to an independent one, it regards the bill as a significant start towards freeing the airwaves. The Chapter is analyzing the entire bill in order to make inputs into the final document.

## **Influencing Digital Migration Policy Processes**

MISA carried out advocacy activities to influence the development of policies and setting of standards which will promote a smooth transition from analogue to digital broadcasting. The MISA Regional Secretariat developed and distributed a position paper on ICTs and digital migration to capacitate MISA staff and to harmonise advocacy campaigns.

MISA South Africa submitted a position paper to the regulator on Digital Terrestrial Television focusing on the multiplex issue for community broadcasters.



In Zambia the chapter undertook a media campaign to raise awareness on the need for government to formulate policy guiding the transition of broadcast media to digital broadcasting. It also issued a statement calling on the government to start preparations for digital migration. Subsequently, in September 2009, the Ministry of Information and Broadcasting announced that it would start sensitisation on digital migration to prepare the public for transition.

Despite the challenges in the media environment in Swaziland, not all has been gloomy. Due to persistent lobbying by MISA-Swaziland, there have been some positive developments with regards to some aspects of media law reform. For instance, in November 2009 the government came up with the Swaziland Communications Commission Draft Bill, 2009 and published it for public scrutiny. The Bill seeks to liberalize the airwaves and regulate the broadcasting sector in the country. Once it becomes Law, the Bill will among other things facilitate the issuing of TV and radio broadcast

licenses through a government-appointed commission. MISA through its chapter in Swaziland and other stakeholders were also consulted during the drafting of the Bill. Though MISA would naturally reject a government-appointed commission in favour of an independent commission, MISA-Swaziland regards the Bill as a significant start towards freeing the airwaves. The Chapter is still analyzing the entire Bill in order to make informed inputs into the final document.



Programme D:

# MEDIA SUPPORT



MISA activities under Programme D in the year being reported focused on media support projects that include Media Professionalism, Media Accountability, Gender in the Media, HIV and AIDS in the media, Elections and the Media, the Scholarship Exchange Programme and the On-Line Publishing skills Training. Other support projects include commissioning and conducting of research that is meant to assist the media in their quest of providing valuable services to the citizenry. In line with this, MISA continued to support the setting up of Media Councils in the region as well as training and skills development.

## INTERVENTIONS

### Self-Regulation

Working with others partners, MISA has succeeded in setting up the Media Council of Zimbabwe. The Media Council of Zimbabwe is now functioning and has been assisted to fundraise its own resources. As part of supporting self-regulation MISA has partnered FES in developing a sustainability plan as well as seeking

support for Media Councils in the region. An amount of Euro 50 000 – applicable between January 2009 and December 2009) – has been provided by FES to support media councils sustainability in the region.

In Zambia, MISA-Zambia held several meetings with partner organisations to resuscitate the Media Council of Zambia (MECOZ). These took place in November, 2008, and a follow-up meeting was held at Panos. The participants at the meeting agreed that MECOZ could be remodelled so that it could include more media institutions. This process is being finalised in the New Year.

MISA-Mozambique is working to support the setting up of a media council in Mozambique. A Code of Ethics was approved in Beira by editors of main media houses in Mozambique. This code was used during the campaign and voting during the Municipal Elections held in 43 municipalities on 19 November 2008. In pursuit of this goal, three regional conferences were held to find a common platform with the Union of Journalists







of Mozambique. The sensitization of journalists gender reporting is ongoing and MISA-Mozambique is working on a national guide to Women newsmakers and sources. MISA-Mozambique organized 10 informal meetings with journalists on the need to use more women as sources.

MISA Namibia also hosted a series of cocktail evening for Journalist on the issue of HIV and AIDS with NAPPA and UNFPA supporting the events. Global AIDS alliance supported MISA Namibia in a variety of issues in addressing the Issues around HIV and AIDS and its relation to reproductive health for a period of six months. This is an indication that international and local NGOs see that value that MISA Namibia has to contribute towards addressing the issue of HIV and AIDS.

With the support of the Regional Office, MISA-Namibia held a one workshop was successful conducted under the theme Women and girls in the Media and various media houses representative.

MISA-Botswana continued its partnership

with the Zambia Institute of Mass Communication (ZAMCOM) from Zambia. A workshop was held in which 20 journalists were trained on reporting HIV and AIDS as well as being given special tips on how to approach such stories without stereotyping and stigmatising those affected and infected.

In another project MISA-Botswana partnered with a local American Centre for Disease Control organisation, to run a series of workshops throughout the country in an effort to spread awareness in the fight against HIV and AIDS. In this past year MISA Botswana held workshop in Kasane and Gantsi. The chapter circulated information about HIV and AIDS and Gender media awards coordinated jointly by GEMSA and Gender Links.

Following its nomination in February 2009, as coordinator for the Swazi media sector in the national response to HIV and AIDS, MISA-Swaziland, in collaboration with the National Emergency Response Council on HIV and AIDS (NERCHA), organized a two-day strategic planning workshop from 7-8 February to help MISA Swaziland







journalistic work, MISA Zambia continued operating the resource centre with eight operational computers fully connected to the internet and some PCs having audio editing software. MISA-Zimbabwe has also set up a functioning Resource Centre with internet access at its office.

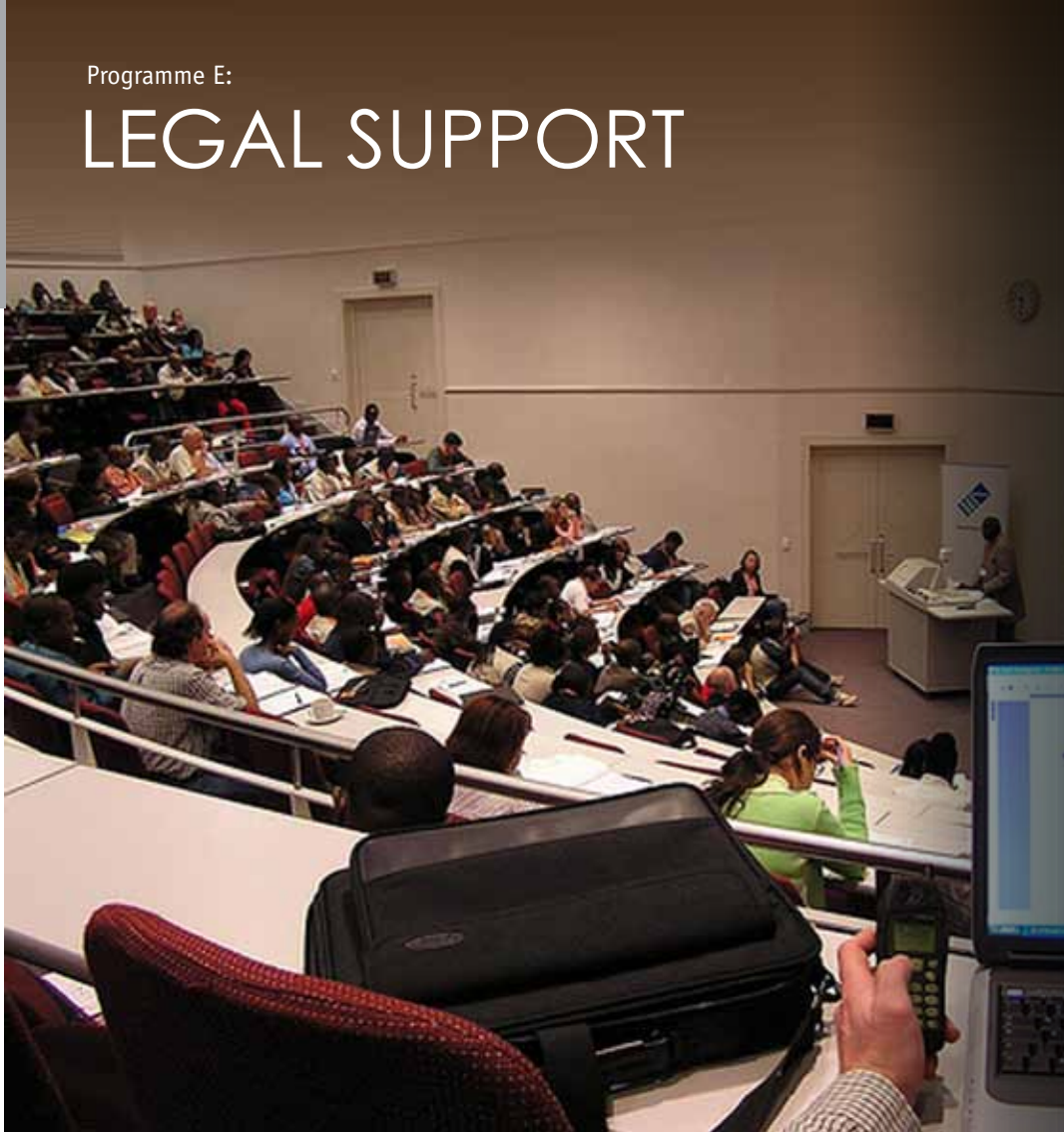
## IMPACT

The media centre set up by MISA-Zimbabwe in the March 2008 election helped the media as it had internet access and also conference facilities that were used by civil society to talk to the media. This helped bring the media in one place thereby minimising attacks against journalists. By providing this service, MISA-Zimbabwe ensured that the elections were widely covered hence providing access to information. The chapter also set-up a media centre in the city centre during the election period to enable journalists to be able to file their stories in a timely manner. The centre also served as a press conference venue. A marked improvement in the coverage of electoral issues was achieved

through this and media workers safety was ensured as they operated from one central location. Approximately 30 local and visiting regional and international journalists utilized the centre in a day throughout the 24hrs that it was open. 5 press conferences were held at the centre.

In Tanzania the focus by MISA-Tanzania on investigative and corruption reporting has yielded results with the media taking an interest in exposing high-level corruption. The Prime Minister of Tanzania and several high-ranking officials resigned as a result media exposure of their involvement in corruption. Training on the coverage of HIV-AIDS and Gender issues has largely improved with the media in Namibia exposing the abuse of HIV-AIDS women who are being sterilized without their consent or knowledge. The training that MISA has offered on investigative journalism at a regional and chapter level has increased the number and quality of investigative stories in places as Malawi, Zambia and Tanzania.

# LEGAL SUPPORT



Programme E focuses on MISA's Legal Defence Fund. The strategic aim of Programme E is to support media organisations and journalists with legal fees and advice in times of need. This support is done on the basis that most cases brought against the media are motivated by the desire to silence the media. Without outside support, media and freedom of expression rights can be violated under the guise of legal suits. This programme works closely with Programme B especially the SADC Journalists under Fire Campaign. In the year under reporting, MISA assisted a number of media organisations and journalists who faced legal challenges. In some environments as Zimbabwe the continued arrests of journalists also means that MISA has to take a leading role in strategic litigation to forestall future arrests and harassment.

## INTERVENTIONS

In Lesotho MISA succeeded in supporting its former chairperson and broadcaster,

Thabo Thakalekoala who stood accused of sedition. The cases ended with a victory as he was fined an insignificant amount of money and received a suspended sentence.

In Zimbabwe MISA-Zimbabwe assisted 19 media workers with legal fees and legal representation. Key cases included that of Journalists Franck Chikowore who had charges dropped after spending weeks in police custody, Journalists Brian Hungwe was assisted by MISA-Zimbabwe to challenge the constitutionality of a law barring him for working for a foreign media organisation. This case was won in court meaning that other journalists were saved this ordeal. In Zimbabwe MISA also mobilised support for arrested journalists Addrisson Manyere.

In Zambia three cases were settled with the support of the MISA-Zambia Media Legal defence Fund. In Malawi two cases were supported under the Media Defence Fund.

## AFRICA COMMISSION ON HUMAN AND PEOPLES RIGHTS

MISA was represented at the sessions of the ACHPR by MISA-Zimbabwe. This arrangement is necessitated by the fact that MISA-Zimbabwe has legal cases lodged with the ACHPR with the support of the Regional secretariat. MISA-Zimbabwe's Senior Programmes Officer, Nyasha Nyakunu attended the 44th Ordinary Session held in Abuja, Nigeria on 7 – 24 November 2008 and read the Regional Statement on the state of the media.





# COMMUNICATION AND DISSEMINATION

Main aim of the MISA Communication and Dissemination strategy is to increase the organization's brand awareness in order for MISA to be more credible in its advocacy efforts as well as fund raising efforts. The second aim is to ensure that MISA's advocacy efforts are appropriate for the appropriate audience in order for MISA's advocacy to be effective and efficient. In the year being reported MISA has maintained usage of its website [www.misa.org](http://www.misa.org) as well as internet to communicate with its publics. 3000 copies of the annual publication So this is democracy were printed in 2008 and at the end of March 2009; plans for printing the next report were advanced.

MISA continues to support its national chapters improve their communitarian. In this regard the regional secretariat assisted, MISA-Swaziland develop a website. This process will be taken to other chapters. Technical visits to support chapters with their communication were made to Tanzania, Lesotho, Malawi and Swaziland. MISA-South Africa re-launched its website in July 2008.

## INTERNAL COMMUNICATION

The year under reporting has seen the introduction of intranet in an effort to increase internal communications as well as the flow of information

within the organisation. The electronic newsletter MISAWise continued to be compiled and distributed in order to inform all the MISA family members and its donors and partners on what is happening in MISA on a month-by-month basis (see [www.misa.org/misawise](http://www.misa.org/misawise)). Mailing lists which help MISA to communicate internally as well as with external stakeholders among each other were continually updated and moderated

The use of Voice over Protocol in the countries that it is legal has continued although not as much as MISA had hoped. An audit of its use will be conducted to determine use and to take next steps in the next three months. The broadcasting unit of MISA is also producing a monthly broadcasting internet-based report on the state of broadcasting in Southern Africa. The MISA alerts sent out from the Media Monitoring Unit are also reaching a wide audience.

Chapters continued to publish and further distribute their various newsletters and other publications in an effort to

ensure that MISA is visible in all issues relating to media freedom and freedom of expression as well as communicating with members.

### MISA chapter Publication (s)

- MISA Botswana Produced a special issue of the MISA-Botswana Media Awards
- MISA-Malawi issued 4 editions of Ufulu Newsletter
- MISA Namibia issued 6 editions of the Monthly e- Newsletter
- MISA Swaziland issued 3 editions of Khulumani Newsletter, and 6 issues of e- Monthly Information Digest\
- MISA Tanzania issued a Special Newsletter for May 3 and 1 issue of a newsletter.
- MISA Zimbabwe issued 12 editions of its Monthly Reader's Digest (e-newsletter) and also one issue of "In the Line of Fire- a record of narratives from Zimbabwe" State of the Media Report 2007]
- MISA-Zimbabwe also issued 3 editions of its publication Thinking Beyond.

Both the regional secretariat and chapters produced other materials which would help improving the visibility of MISA and the various events that were taking place. These included pop up banners for different occasions, folders for the AGM and other meetings, campaign t- shirts, pens, CDs on various issues including the RTI and women's coverage during the Zimbabwe elections.

A lot of press releases and communiqués have been sent out by MISA both at regional and national levels (see details under programme b). To track and monitor the coverage that MISA is getting on these issues and the use of the organisation as a source on issues of media freedom and freedom of expression, media coverage tracking system called Meltwater has been put in place. Over the past year MISA was covered over 500 times in the local and international press and this coverage generally reflected the alerts, activities, events, press statements, and communiqués that the organisation has been sending out on various issues.

The launch of the European Union joining the MISA Basket fund partners and the launch of the book Women Journalists in Namibia's Liberation Struggle (1985-1990) by the Regional secretariat helped in the coverage of MISA in Namibia. Each of the chapters also held launches of various publications and events which helped in increasing the organisations' visibility and helped to keep media freedom and freedom of expression issues on the public agenda. The events were covered on all the major radio stations, television station and major newspapers in the region.

MISA Zambia also continued to sponsor the Face the Media program which is broadcast on community radios and the Zambia National Broadcasting Corporation (ZNBC). This programme brings key policy makers to answer questions from the public on various. All MISA Chapters have produced number of [posters on different themes as well as posters and magazines. These include as an example MISA-Zimbabwe word Press Freedom Day posters and T shirts, MISA-Tanzania media, access to information and anti-corruption posters

and T shirts.

## IMPLEMENTATION AND MONITORING

MISA is monitored by the Executive Committee (EC) of the Regional Governing Council (RGC). Periodical reports on operations of the regional secretariat are presented to the RGC. The regional director hosts meetings of the EC and RGC and reports periodically on national and regional project implementation.

MISA regional programme staff perform monitoring and evaluation as part of their work. MISA has sixth-month and annual internal evaluation reports and an 18-month external evaluation cycle. Regional secretariat staff is increasing their monitoring of national chapters, whilst at the same time providing much-needed programme and technical support.

MISA boards, both national and regional, play a key monitoring function of governance, operational

and programmatic work within the organisation. In addition, feedback from journalists who have received support is that there is need to do more to challenge repressive laws in countries such as Tanzania. Increased legal support has also been an issue that beneficiaries have raised. Others such as the Namibian government have requested MISA to carry out training for its national broadcaster.

MISA undertakes the following activities as part of its programme management and corporate governance:

- Weekly staff meetings, bi-weekly teleconferencing, field visits and mission reports
- TFB meetings
- Quarterly NGC meetings to review Chapter programme services and financial reports
- Audited financial statements
- AGM, national, and regional planning meetings
- Pre- and post-baseline surveys before campaigns or project implementation
- Monthly, half year and annual reports



- as well as research publications
- Testimonials, photography, stories, press releases and media reports.

## ORGANISATIONAL DEVELOPMENT (OD) PROCESS

The OD process started in November 2007, when the Regional Secretariat (RS) in consultation with national chapters agreed to set the process in motion. During the same period the RS approached a process consultant to assist in the implementation of the recommendation of the review done for the SPPI Document in 2007. Of course certain recommendations were already addressed and the RS only delineated those that needed change and harmonization.

Changes were made to the MISA Education & Production Trust Deed over the past ten years or more through a series of subsequent documents produced to provide guidelines to the functioning of the MISA Regional Programme and the

Chapters formed in the member countries over the same period. The sum total effect of the evolution of the policies and guidelines for MISA is that there is no single document that provides an overview of the policies and procedures that guide the operations of MISA. The MISA OD process, among other objectives, sought to distil from approximately nine (9) documents operational guidelines which have now been summed up in the MISA Corporate Governance Manual. From this document, an overview of how MISA functions can be obtained.

The process began with consultation with staff at the secretariat level and then the regional office communicated to the chapters and provided them with information for them to be able to understand the process and actively participate in sharing their views and their perspective on issues relating to:

- structural relationship issues between the Regional Secretariat and the chapters
- harmonisation of the way MISA



functions and performs in certain key organisation and management processes across the chapters and at the Regional Secretariat as one corporate family;

- financial organisation and management both at Regional Secretariat and Chapter level
- capacity building of the MISA governance structures to monitor and evaluate key functions such as financial management and performance monitoring and evaluation.

The key change that was agreed by the Regional Governing Council in September 2008 entails that:

- All MISA programs and activities should put MISA core values at the centre of all programming and governance processes; this means MISA will have to live the values it preaches and walk the talk with chapters and other stakeholders; any programming and governance decision will have to be informed by the extent to which such a decision

advances media freedom and freedom of expression; this brings about a decision making rule of thumb for all management and governance structures where decision making will be based on the extent that any decision will put more value, greater expression and entrenchment of the core values of media freedom and freedom of expression.

- MISA should completely re-oriented MISA programming process to begin reflecting on national priorities making MISA highly relevant at national level. All programs than should being synchronized and coordinated at regional level for synergies and regional positioning of MISA to be achieved.
- It was also resolved that MISA redefine the role and functions of the RS to reflect focus on coordination, quality assurance and compliance, accountability and capacity building of chapters; inevitably the major change will be that the present RS structure will need to be reconfigured to take a holistic approach in

providing programme “extension support” to chapters.

The leadership of the change process will rest with the RS management team and the RGC who will articulate and agree on the foregoing as the major change areas to be focused on, the specific expected changes and approve the action plan to achieve the desired changes in the remainder of SPP 2.

It was also resolved that all MISA documents should be aligned and harmonised.

A final draft of the Corporate Governance Manual was released in November 2008 and this was presented to the board at a meeting on November 9, 2008 in Windhoek. The OD consultant has asked the TFB to take position on key issues and then such positions can be incorporated into the corporate governance manual as well as be effected formally as amendments to the Education and Production deed of trust where necessary, the MISA Constitution or the operational

policies and procedures.

### THIRD STRATEGIC PARTNERSHIP PLAN (SPPIII)

MISA has commenced work on the development of a new strategic plan that is to be ushered in when its current funding agreement with its basket funding partners end in March 2010.

It is foreseen that the organisation will re-focus its programming in line with the priorities identified through its membership, and in line with media development needs as they have been identified through monitoring of the media freedom and freedom of expression environment in SADC.

### PERFORMANCE MANAGEMENT SYSTEM

In 2008-2009 the regional secretariat implemented and streamlined its

performance management system. That process will be rolled out in MISA chapters during 2009-2010. This is in line with key recommendations from previous organisational reviews and particularly the organisational development process. More importantly the organisational development process lends itself to the need for revamping MISA's governance and reporting structures. It is foreseen that this process will be completed in 2009-2010 financial year.

MISA has further identified the need for improved monitoring, evaluation and reporting mechanisms. Incorporation of the African Media Barometer (AMB) as a monitoring and evaluation tool is key to this strategy. The AMB is an assessment tool of national media environments. In terms of MISA's own programming, this tool comprehensively assesses media environments across the organisation's own internal programme spectrum. In addition, this tool incorporates both media and civil society views on media development and as such provides the organisation with clear guidelines for

prioritisation of activities at country level.



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