



Media Reforms Stakeholders Indaba Resolutions

**20 April 2016
Jameson Hotel
Harare
Zimbabwe**

We, being delegates to the MISA-Zimbabwe facilitated **Stakeholders Indaba on Media Law and Policy Reforms** held on 20 April 2016 in Harare, Zimbabwe;

Having debated and deliberated on the national importance of the media law and policy reforms in Zimbabwe;

Informed by deliberations on the state of media law and policy reforms as well as the government-sanctioned Information and Media Panel of Inquiry recommendations, General Laws Amendments proposals, policy pronouncements, requisite model laws, constitutional provisions, including regional and international best practices;

Noting with great concern, the slow pace in implementing media law and policy reforms;

Cognisant of the fact that our new Constitution specifically recognises the right of all Zimbabweans to freedom of expression, media freedom, access to information and the right to privacy among other fundamental rights enshrined in the Bill of Rights:

We hereby recommend the following action plans:

1. Media Law and Policy Reforms

- a) All laws which curtail or have a negative impact on freedom of expression, media freedom and access to information must be repealed.
- b) The process of media law reforms should be driven by the supremacy of the constitution.
- c) Cyber-security laws should be enacted in consultation with media stakeholders and members of the public

2. Separation of Access to Information (ATI) and media regulation

Government must repeal the Access to Information and Protection of Privacy Act and replace it with two democratic laws. The first law should outline media rights and freedoms while the second one will promote the right to access to information.

3. Convergence of broadcasting, telecommunications and ICT regulation

Zimbabwe should transform the fragmented regulatory framework of broadcasting, telecommunications and Information Communication Technologies. This can be done through the creation of a statutory board, the Independent Broadcasting and Telecommunications Authority of Zimbabwe.

4. Information and Communication Technology policy framework

The government should enanciate a clearly defined and democratic policy framework on ICTs in consultation with media stakeholders and the public.

5. Liberalisation of the airwaves

- a) The government should immediately license community radio stations. In addition, the defination of what is a community should be based on an inclusive and consultative process with the people of Zimbabwe.
- b) The government in consultation with media stakeholders should come up with a clearly defined licensing and funding regulatory framework for community radio and an agreed definition of what constitutes a community.
- c) There should be transparency and accountability in the licensing of new players into the broadcasting sector.
- d) The Zimbabwe Broadcasting Corporation should be transformed into a genuine public broadcaster and be re-capitalised to improve its quality of programming and reach.
- e) The government should facilitate for the establishment of a three- tier broadcasting system.

6 Media as a business

a) Review of taxation

The government must review the tax regime governing the media industry to promote growth, competitiveness and investment in the sector.

In addition, the government should review its revenue collection model from revenue -centred to profit- centred taxing.

b) Media Development Fund

Statutory bodies tasked with the collection of levies should be transparent and accountable through mandatory publishing of consolidated and audited reports.

c) Investment in the Media Industry

The legal regime must be reviewed to allow for foreign direct investment in the media industry to harness technological and skills transfer.

d) Media ownership

The role of the State should be to create an enabling environment for the media to operate freely and allow media houses to operate multiple business platforms.

6. Working conditions of service

- a) The government should facilitate for the establishment of a compulsory National Employment Council (NEC) that deals with employment issues such as salaries, grievances, employment conditions, minimum working standards and a code of conduct, among others.
- b) It should be mandatory for media houses to have policies that promote equality and non-discrimination.

7. Digital Migration and emerging content industry

- a) Review the current laws and establish a new and democratic law to define the emergence of the new content generation industry to support the digital migration process.
- b) Government in partnership with media stakeholders should escalate civic awareness processes on the digital migration process.
- c) Media stakeholders should take an active role in the consolidation of the emerging content generation industry and capacity building.

8. Media Content monitoring and consumption

Government should establish an **Independent Media Content Regulatory Body** guided by the principles of freedom of expression to replace the Censorship Board

9 Media Ethics and Professionalism

The media should be allowed to practice self-regulation through an act of parliament which makes it mandatory for all media houses and journalists to be bound by an agreed Code of Conduct and Ethics.

10 Gender perspectives

- a) The government in consultation with media stakeholders must formulate, adopt and implement gender and disability policies at institutional and editorial levels (i.e. recruitment, promotion, working conditions, beat assignments etc).
- b) Government should ensure that curriculum in media and journalism training institutions are gender and disability mainstreamed through instruments such as compliance, inspectorates and regular review of the curriculum.
- c) A sexual harassment policy must be formulated and adopted by the industry and enforced by a watchdog committee to secure a safe professional environment for all media practitioners.

End