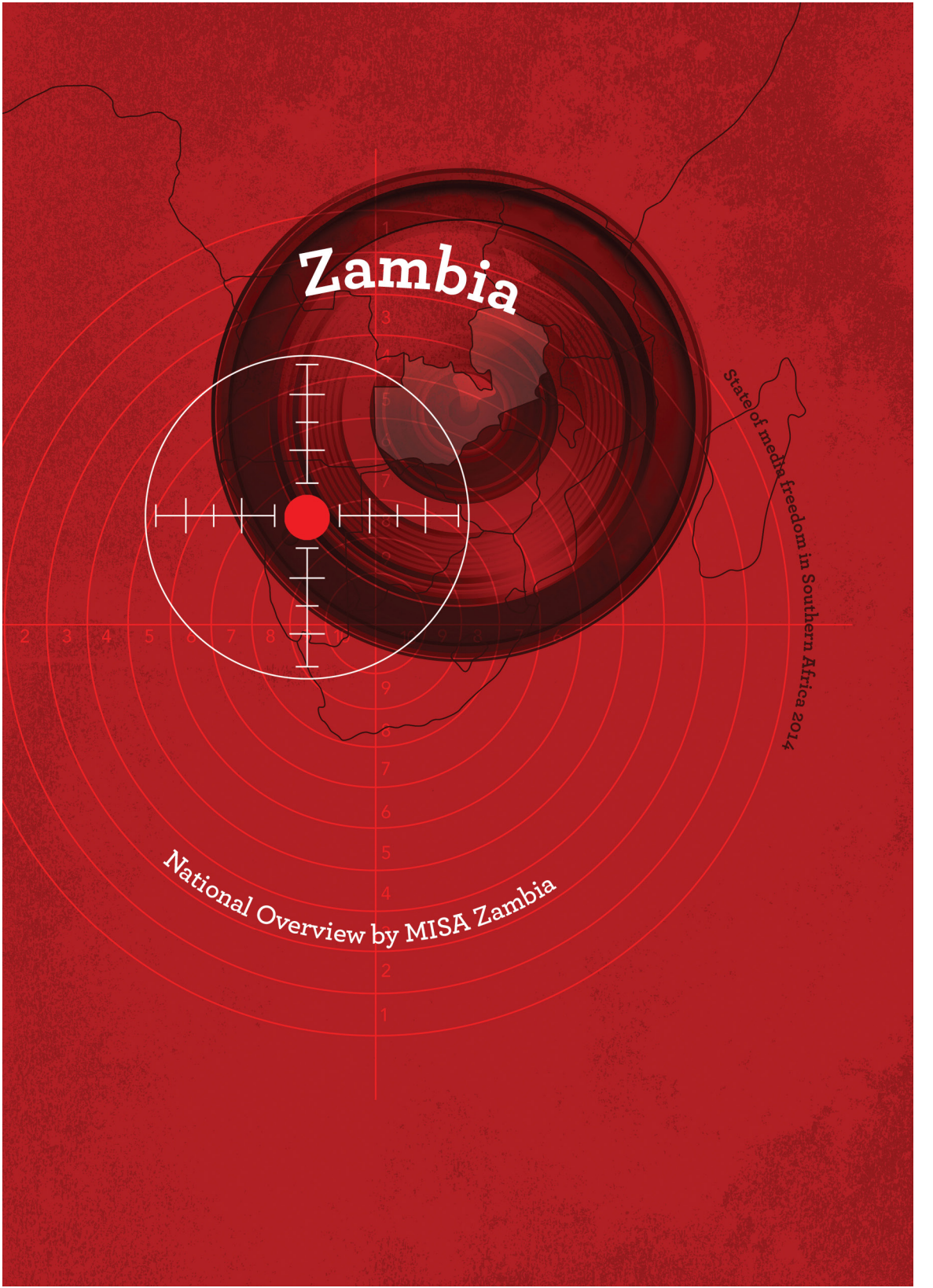


Zambia

State of media freedom in Southern Africa 2014

National Overview by MISA Zambia



In 2014, Zambia's media sector continued to witness a gap between the liberal promises made by the ruling Patriotic Front (PF) government and the dawning reality of the constraints of the media's working and policy environment.

While the party promised in 2011 to liberalise the airwaves and allow radio and television stations to broadcast countrywide, then Republican President Michael Chilufya Sata dressed-down Ministry of Information Permanent Secretary Emmanuel Mwamba for issuing nationwide broadcast licenses to two privately owned radio stations, *Q FM* and *Radio Phoenix*. The decision was immediately reversed and the Permanent secretary later retired.

Major events of the year included the secrecy surrounding the president's health and his subsequent death in the later part of the year, despite continued assurances from senior cabinet and government officials of his good health. This development brought into question the need to strike a balance between giving out important information in the public interest whilst remaining sensitive to national security. There had also been threats of arrest and cancellation of licenses of any media outlet discussing the President's alleged ill health.

Additionally, the year saw a vicious clampdown on online media with some websites remaining inaccessible for extended periods while continuing to operate anonymously. Those associated with the online sites (directly or indirectly) were arrested and prosecuted on an assortment of charges.

Generally, there was continued polarisation of the media with occasional outbursts between two of the prominent

daily newspapers in their editorials.

The legal environment remained much the same save the successful annulment of the law on publication of false news with intent to cause fear and alarm to the public, in a lengthy case in which the state dragged to court a daily newspaper editor and a civil society activist. In the midst of the controversy surrounding the constitution making process, some headway was made as the country's newly appointed Justice Minister released the final draft constitution, which was earlier censored and withdrawn. Fortunately, the final draft had favourable legislation for the media such as an explicit guarantee of media freedom, access to information and freedom of expression among others.

FREE EXPRESSION AND THE LAW

Government commits to improving media freedom

Despite the many challenges, government showed some commitment towards the operationalisation of the Independent Broadcasting Authority (IBA) by appointing the Board and Director General. However, concerns were still raised on the authority's independence, as it was directly appointed by the Minister of Information.

Also, government embarked on recapitalisation of the public media with a view to making them self-sustainable and profitable.

FREEDOM OF INFORMATION

Government continues to stall tabling of access to information bill

Very little change was observed under efforts towards the enactment of the

Zambia

Access to information bill. In spite of numerous promises recorded earlier, government maintained it was still consulting and would present it in the first parliamentary session in 2014 after reconciling the law with conflicting legislation. By the end of the year, the bill had still not been tabled before parliament and the way forward remained unclear.

JOURNALIST SAFETY

Violations against journalists and media freedom

In a bizarre turn of events, it was surprising to witness the reversal of a decision to grant nation-wide licenses to two prominent radio stations citing issues of national security and declaring only the state-owned media should broadcast nationwide.

During the official opening of Parliament, various media houses were barred from covering the proceedings of the house in the chamber. Only state media and one privately owned, but government aligned, newspaper were allowed. This came after authorities cautioned against 'irresponsible reporting' of the president's health. MISA Zambia later challenged the decision in court.

Another major violation was the storming of the main public broadcaster, Zambia National Broadcasting Corporation (ZNBC) Newsroom by government officials in alleged protest against stories carried by the outlet, further ordering removal of certain news items.

FREE EXPRESSION ONLINE

Government promises to meet digital migration deadlines

The ministry of broadcasting and information launched the digital migration

policy and reassured stakeholders of commitment towards meeting the deadline set by the ITU. Publicity and public awareness activities commenced and trial dates for switch over set and later moved forward.

Government condemns online media as unethical and intrusive

There were numerous calls to regulate online media and condemnation by the government stating said media are unethical and intrusive. The government also clamped down on online media by restricting access to websites perceived to be critical, thereby relegating them to their social media pages.

There was a notable increase in the number of online publications in the year under review, with more mainstream media improving their use of social media, a laudable move.

President takes to Facebook

Another move worth commendation was the establishment of a Facebook page by the republican President, allowing some level of interaction with the citizenry.

LOOKING FORWARD TO 2015

Through most of the events characterising 2014, it is evident that so many steps have to be taken to ensure media freedom and freedom of expression are guaranteed and protected. The coming year offers some hope in view of the release of the final draft constitution with considerable laws offering solace to the fight for media freedom and guaranteed freedom of expression. This, however, will only be consummated by the subsequent adoption and enactment of the said constitution.

Zambia 2014 violations & victories

19 January 



Republican Vice President Dr. Guy Scott stated that government was investigating the source of the Draft Constitution leaked to the *Zambian Watchdog*, an online publication.

20 January 

Minister of communications, Yambwa Mukanga, allegedly said the government and Zambia Information and Communication Technology Authority are working on a law to make online media 'accountable'.



1 February 



Former Defence minister, Geoffrey Mwamba, sued *The Post Newspaper Limited* and two others, demanding K14 billion as damages for alleged malicious falsehood.

18 February 

Kasempa district council Deputy Secretary Dominic Makisa was charged with assault occasioning bodily harm by Zambia Police for physically attacking *K FM* station manager, Nyambe Muyumbana in Kasempa.



21 February 



Journalism lecturer Clayson Hamasaka illegally detained before a case was established against him, in relation to the charge of possession of obscene materials.

2 March 

Government warned *Mano Community Radio Station* in Kasama to immediately stop broadcasting inflammatory programmes that could cause public discontent or risk revocation of its license.



3 March 



Ruling Patriotic Front (PF) Copper Belt Provincial chairman, Sturdy Mwale, threatened to fire ZNBC reporters for not covering the election victory of the ruling party in Wusakile local government by-election.

7 March 

Daily Nation proprietor Richard Sakala, his production editor Simon Mwanza and Foundation for Democratic Process (FODEP) Executive Director Macdonald Chipenzi charged with publishing false information with intent to cause fear and alarm, their case was transferred to the Lusaka High Court for constitutional determination.

