



## STATE OF THE MEDIA IN ZAMBIA

For the First Quarter (January – March) 2017

**MISA ZAMBIA**

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**List of Acronyms**

ADD - Alliance for Democracy and Development

ATI - Access to Information

CIO - Criminal Investigations Officer

DC - District Commissioner

DEC- Drug Enforcement Commission

DPP – Director of Public Prosecutions

DTT - Digital Terrestrial Television

ECZ - Electoral Commission of Zambia

IBA - Independent Broadcasting Authority

IDI- In-depth Interview

IMF- International Monetary Fund

MISA - Media Institute of Southern Africa

MMD - Movement for Multi-Party Democracy

MP – Member of Parliament

PAZA- Press Association of Zambia

PF – Patriotic Front

SACCORD - Southern African Centre for the Constructive Resolution of Disputes

UPND – United Party for National Development

ZICTA- Zambia Information, Communication and Technology Authority

ZNBC – Zambia National Broadcasting Corporation

ZRA – Zambia Revenue Authority

ZAMRA - Zambia Medical regulatory Authority

## 1.0 Methodology

The research for the *First Quarter, 2017, State of the Media Report* used a number of scientific research methods that included content analysis, discourse analysis and in-depth interviews. This helped in triangulating the data findings in order to make sound deductions and observations of the media landscape as it obtained in the period under review. The data was sampled using the purposive random sampling method. This ensured that there was no biases or skewedness in the data and consequently the research findings.

The content analysis method was used to identify common themes and elements that constituted the composition of media content during the quarter. This helped to create a picture that shows how the media performed in terms of the focus and diversity of their content. Further, the data gathered as such gave insights on the various media-related issues that occurred and either directly or indirectly impacted on the media, journalists and their smooth undertaking of their journalistic duties.

The in-depth interviews, IDIs on the other hand were used to get the perceptions from the media fraternity and a select number of individual practitioners. This involved the use of in-depth interview guides that augmented the findings so as to give the report a richer understanding of the dynamics affecting the media during the review period.

## 2.0. Executive summary of State of the Media in Zambia 1<sup>st</sup> Quarter 2017

The *State of the Media Report* is a quarterly assessment of the media environment in Zambia. This edition of the report covers the first quarter of 2017. The report describes the conditions under which the media fraternity and journalists operated during the period under review. The report was prepared for the Zambian Chapter of the Media Institute of Southern Africa – (MISA Zambia). It includes an assessment of the political, legal, economic, technological as well as other salient situational issues that have a bearing on the media across the country. In the final part, it compiles incidences of media violations, communiqués affecting either media institutions or individual journalists practicing in Zambia.

Included in the report are a number of interesting incidences that continue to add new developments, twists and intrigues to the media operational setting in Zambia, constituting significant developments during the review period.

The first quarter of 2017 saw the continued onslaught on media institutions and press freedom and freedom of expression generally. It was in this quarter where the media saga involving the hitherto The Post Newspaper saw its inevitable sad end. The episode, which started unravelling in a sequence of unprecedented events, in June of 2016 saw the final disposal of the case in the courts of law and the liquidators taking full control of the affairs with the view to dispose of its assets.

The Minister of Information and Broadcasting Services Kampamba Mulenga was quoted saying the “...government values a free press...that government would soon call for a national meeting of the media to dialogue...” The Minister went on to acknowledge that the government recognised the role that a free press play[s] in national development.

In the same quarter, it was reported in the media that the Zambian government had ‘given’ the national broadcaster, ZNBC to a Chinese company over a US \$273 million digital migration loan that had been obtained earlier. However, the Minister of Information Mulenga Kampamba clarified that ZNBC had not been sold to the Chinese firm but rather an agreement was entered into to help roll out phase 2 and 3 of the digital migration process.

Review of media content analysis data has continued to indicate high levels of polarisation especially as it pertains to the coverage and reporting on the various political parties.

Freedom of expression and of the media has remained even more elusive in the quarter under review as evidence shows from the various media reports analysed as well as from interviews with industry players.

On a positive note however, the duty waiver for the next two years on imports of broadcasting equipment has continued to cushion the negative economic trends recorded so far. This has continued to be a stabilising factor for the sector in the short term as it will promote growth over the long term in view of the digital migration process.

On a sad note however, the media fraternity lost yet again lost another media guru, former Radio Phoenix proprietor, Errol Hickey. Radio Phoenix was one of the first private owned radio.

### **3.0 Findings**

#### **3.1. Media Environment during the 1<sup>st</sup> quarter 2017**

The first quarter of 2017 saw the continued onslaught on media institutions and press freedom and freedom of expression generally. It was in this quarter where the media saga involving the hitherto Post Newspaper saw its inevitable sad end. The episode, which started unravelling in a sequence of unprecedented events, in June of 2016 saw the final disposal of the case in the courts of law and the liquidators taking full control of the affairs with the view to dispose of its assets. The state and its agents were now in full swing to gag any threads of media freedom that were still existent. Interestingly however, and rather ironical, Minister of Information and Broadcasting Services Kampamba Mulenga was quoted saying the “...government values a free press...that government would soon call for a national meeting of the media to dialogue...”<sup>i</sup> The Minister went on to acknowledge that the government recognised the role that a free press play[s] in national development.

In the same quarter, it was reported in the media that the Zambian government had ‘given’ the national broadcaster, ZNBC to a Chinese company over a US \$273 million digital migration loan that had been obtained earlier. According to The Mast Newspaper, the agreement between “...ZNBC and China’s Topstar, which is being called a joint venture will see the public broadcaster cede revenues for 25 years to service the loan. The Chinese digital television provider and ZNBC will roll out set top boxes for watching television under the Topstar brand...”<sup>ii</sup> However, the Minister Information Mulenga Kampamba clarified that ZNBC had not been sold to the Chinese firm but rather an agreement was entered into to help roll out phase 2 and 3 of the digital migration process. “We are implementing phase 2 and 3 of the digital

migration project at a cost of \$273 million. This financing is in the form of a loan and government decided that instead of having the burden of repaying the loan, the funds must be raised from operations of facilities to be established,” she said. <sup>iii</sup> If this clarification means what is said and says what is meant, then maybe there is good enough reason and justification for the deal. However, misgivings concerning the deal still abound in the sector and among stakeholders, and especially the way it was executed as well as the way it is being implemented. The lack of an all-inclusive and consultative process to get the point of signing is what has caused the persistent apprehensions among those concerned. In time, the entire truth will come out and the full extent of the truthfulness, and benefits or losses shall be known to all.

According to media reports and stakeholders, this deal was nothing short of a takeover of a very strategic institution by a foreign entity using dubious means. This disadvantages the state broadcaster as the TopStar Company would be collecting all advertising revenues and broadcast tower rentals to recover the loan due. As a result of the anticipated hit on the finances of ZNBC, it is alleged that government had already issued a directive to hike the TV Levy to K12 from the K3 currently charged. Research further showed that under the agreement, TopStar would hold 60 per cent of the shares while ZNBC would only retain 40 per cent stake which is contrary to the regulation establishing joint ventures in the country which stipulates that a foreign entity can never own a commanding share portfolio. Further, the coming of TopStar has been taunted by various stakeholders that it was going to bring uncompetitive pricing in the broadcast sector since the company will under the agreement enjoy sole distributorship of the decoders in Zambia. This according to pundits will most likely force out long time industry/sector players such as MultiChoice which had hitherto this deal been enjoying a cordial business relationship with ZNBC.

As a result of the confusion ensuing from the agreement, GOTv which is a subsidiary of MultiChoice sued ZNBC and TopStar over the alleged blocking of some free to air channels carried by it. GOTv had asked the High Court to restrain ZNBC from disconnecting their services and from continuing to encrypt the signal transmitted by free-to-air content providers. GOTv further asked the Court to declare the operation of public signal distribution network by TopStar illegal and unlawful. <sup>iv</sup>

Such legal challenges to the undertaking only go further to show that something was not done right in the deal. How else would one interpret this if not that due diligence was not undertaken to take care of such eventualities. Ultimately, the most affected entity in such sagas is the consumer of the content who are the general public. The proposed hike in the TV Levy is also



just going to be a burden to the already overburdened and overtaxed Zambian citizen due to the lack of foresight or due consideration by those charged with managing the broadcast media sector. It is interesting to also note that instead of having a smooth transition through the digital migration process, such occurrences may only hinder well intended actions, but probably wrongly executed. Instead of giving the listenership and viewership a diverse and rich offering at a more affordable and accessible pace and rate, such manoeuvres may end up frustrating future growth of the sector. Potential investors are most likely watching the developments keenly to try and understand the risks and advantages wrought in the sector. This back and forth and challenges will only end-up delaying the complete switch-over to digital broadcasting and with it delay to given the Zambian citizenship a deserved full benefits of such a technological advancement.

Despite the challenges the media was facing during the quarter, government expressed confidence that the long-drawn out ATI bill enactment would recommence. In a statement, Minister of Justice Given Lubinda said the ATI Bill is ready for the public to have a look at it. He further said that the Ministry of Justice was engaging other line ministries so that the draft bill is made available. This statement in itself, and at face value seems to suggest that probably government is pressing the re-activation button as the entire ATI Bill enactment process has been dragging on since the early 2000's without its logical conclusion in sight. It has been a back and forth without any solid steps and political will on the part of the government to finally settle the matter by enacting a long overdue piece of legislation. One can only hope that against all odds, this time around this shall truly come to pass. That the ATI Bill will soon become law, in the life of this current parliament.

Within the same quarter, the Zambian media joined the rest of the world in commemorating World Radio Day under the theme; "Public Participation: radio is you"

In the period under review, Dr. Fred M'membe took judge Sunday Nkonde to the Judicial Complaints Commission for alleged gross misconduct in the Post liquidation matter. Research established that Dr. M'membe had earlier written to the Chief Justice and judge-in-charge of the commercial court asking that judge Nkonde stops presiding over the matter between The Post Newspapers Limited and Andrew Chiwenda and others.

In his letter to the Judicial Complaints Commission (JCC) dated February 10, Dr. M'membe stated that it was gross misconduct for judge Nkonde to sit to determine a matter involving a company he tried to destroy a mere five years ago. He stated that in spite of not having been

eligible to hear the The Post matter, judge Nkonde had committed a number of grave due process and procedural irregularities in the current case before him, proving his animosity and bad faith towards The Post.

“Judge Nkonde allowed Mr [Lewis] Mosho, the provisional liquidator to then appoint his firm, Messrs. Lewis Nathan Advocates (himself) and Messrs. Palan & George Advocates to replace Messrs. Nchito & Nchito in representing Post Newspapers Limited in challenging the liquidation. How can lawyers appointed by the provisional liquidator represent a company in challenging the same provisional liquidator? Not surprisingly, the syndicate of Mr Mosho and his fronts have withdrawn the company’s challenge to the liquidation with the tacit approval of the judge.”<sup>v</sup>

He further stated: “In another ex-parte move, justice Nkonde has granted leave to commence contempt proceedings against Messrs. Nchito & Nchito for allegedly acting for The Post Newspapers Limited and halted hearing of all the applications challenging the appointment of Mr Mosho as provisional liquidator when as can be seen below, he is hearing other applications made by Mr Mosho and his syndicate of lawyers, including his own firm. The judge casting the proverbial nelsonian eye has allowed Mr Mosho to represent The Post in an action where Mr Mosho is being challenged by The Post. How is this conceivable at law? Judge Nkonde has to date not granted or heard any applications made by lawyers not affiliated to the provisional liquidator, Mr Mosho, and yet almost every application by the parties affiliated to Mr Mosho have been heard and in most cases granted orders ex-parte. Judge Nkonde, having been made aware that Mr Lewis Mosho is barred from appointment as a liquidator and therefore not a fit and proper person to be provisional liquidator because he was removed from the office of receiver in Platinum Gold Equity and Others V Development Bank of Zambia 2015/HPC/0097 has refused and or neglected to deal with the said disqualification.”<sup>vi</sup>

Such issues as the ones above raise a lot of suspicion and the Judiciary will do well to pay attention and clear the allegations. Because the seriousness of the allegations raise questions of the motive of such interventions that have effectively taken out a critical player and voice from the media landscape in supposedly unclear circumstances. They say justice must not only be done but should be seen to be done. If there are questions of legitimacy being raised over the handling of such a case as that of The Post, then there is indeed good reason for those involved in the implementation to exonerate themselves and prove their actions to be above board, both at law and in practice. Anything short of this will only be confirming the suspicions that stakeholders have held; that the handling of the case amounts to nothing more than a witch hunt

by those concerned and are out to fix the institution and its owners. The ball is therefore firmly in the court of the judiciary to respond, in a timely and satisfactory manner to these allegations.

The quarter also witnessed the second Rural Electrification Media Awards Ceremony being held for the second consecutive year. At the event, REA board chairperson Jorry Mwenechanya applauded the media for their contribution in helping uplift livelihoods of rural communities through the rural electrification programme. “This awards programme aims to raise interest in rural electrification among journalists. A high public awareness of the rural electrification programme helps the authority to attract resources. It helps policy makers, development partners and others”<sup>vii</sup> Meanwhile, REA Chief Executive Officer said when they initiated the media awards in 2014, it was intended to encourage journalists to write about the contribution of the rural electrification programme to the overall socio-economic development of the country. He said since inception, the number of entries had increased from 27 in 2015 to 78 in 2016.

The concerted call to harness media’s role in development was echoed across the country by various players and key stakeholders of the media at various events especially during the World Radio Day gatherings. Information and Broadcasting Permanent Secretary Godfrey Malama noted that government had placed information at the center of national development to empower citizens to make informed decisions and choices. Mr. Malama said his ministry had placed a high premium on the free flow and public access to information as a prerequisite to sustainable social and economic development. “...attaches great importance to radio stations as they are not only closest to the people but are one of the cheapest and simplest means to disseminate information”<sup>viii</sup>

The continued maltreatment of The Post by supposed state agents or those working in collusion continued. In an ugly twist to the hitherto already ugly pursuit of once biggest daily newspaper in the country, armed police officers on Wednesday, February 17<sup>th</sup> 2017, afternoon raided Post Newspaper proprietor Fred M’membe’s house situated along Nangwenya road. It is alleged that the officers revealed that they were looking for M’membe whom they wanted to arrest at the instigation of Post Newspaper liquidator Lewis Moshu. “They came in around 16:00 hours and demanded to start searching. But we refused because the lawyers were not here. And Fred himself [was] not even around as he [was] in Jamaica. And seeing that they couldn’t find Fred, in frustration, they picked his wife after roughing her up, they tore her dress in the presence of onlookers who were passing on the road,” narrated one of the workers at the scene.<sup>ix</sup> It is interesting here to note that incidentally, Mutinta, the wife to M’membe is the proprietor of The

Mast Newspaper which has continually been harassed by state agents from its very birth late last year.

This lack of regard for the rule of law by those who are supposed to enforce the law affects media performance as this breeds fear among journalists for their safety in their duties which ultimately affects the news gathering function and acts as a disservice to the masses.

Stakeholders have continuously spoken out against such actions and deem it to amount to censorship of the media. Last year, MISA Zambia observed that the continuing harassment of private media by government is a well-orchestrated plan to muzzle the press in the country. MISA Chairperson Helen Mwale stated that what was happening amounted to a de facto censorship of the press. She "...called on the Police not to allow themselves to be used to settle political differences through arbitrary and unsubstantiated application of the law which already bears many unreasonable restrictions on the enjoyment of fundamental freedoms in Zambia."<sup>x</sup> MISA had also issued an alert to embassies, international partners and human rights agencies over the deteriorating situation in Zambia and increasing threats to democratic governance.

These actions by the state, shrouded under the guise of enforcing the law do not auger well for a nation that is still growing its democracy. Whether the actions are justified or not, there are all the reasons to be misconstrued for suppression of the press. The nation has barely started to enjoy a liberal media system and such actions reverse these gains over the years to put Zambia in a not so good position regarding the respect and promotion of press freedom. A liberal media landscape with plural and diverse media such as the one that was obtaining in Zambia is ideal in a political dispensation such as Zambia's. Several stakeholders have continued to condemn these actions as uncalled for and detrimental to the growth of both democracy and a free or independent press. In this regard, it is prudent that any government's discomfort and fear should never override the public's right to freedom of expression, press freedom and right of access to information. A diverse, plural and independent media allows for citizens to fully realise the benefits of such rights and legal provisions. This further crowds out propagandists who thrive largely on media blackouts and limited information channels.

Review of media content analysis data has continued to indicate high levels of polarisation especially as it pertains to the coverage and reporting on the various political parties.

In summary, the quarter, was largely reminiscent of previous ones with a number of challenges for free media. The systematic abuse of the media by the government through its various agents has been decried. It is a trend that has got stakeholders greatly concerned that despite laws that

govern the land and those that protect individuals from being abused in the media, government takes opportunity to harass or intimidate media, undercutting press freedom.

### **3.2. Economic and Technological environment**

The economic and technological environment for the media sector was largely a continuation of the challenges witnessed in the previous year. There were some positives breaking the trend on the technology curve but largely a negative outlook continued on the economic front for the larger part of the quarter.

One of the major economic opportunities media could tap into is the relative stability the local currency, the Kwacha has enjoyed over the last few months against major convertibles such as the United States dollar. The outlook was improved by the promise of a relatively favourable economic projection premised on improved liquidity on the financial market while the production costs of most media products was projected to have relative stability. This however, had nearly to none direct effect on the amount of revenue that most media houses relied on through improved advertising. Media industry players attested to this apparent fact that their accounts were not likely to improve as a result of these developments. According to one stakeholder, "...the economic environment has been harsh. Most advertisers reduced on their spending while others withdrew completely. Therefore, media houses are struggling to make ends meet..."<sup>xi</sup>

Another opportunity that media took advantage of was the improved electricity supply situation which has improved tremendously since the turn of the year with relatively stable electricity supply that would improve their operations. This meant most of them were able to save by avoiding using alternative sources of energy, popular among them generator sets to keep their operations afloat. To this end, compounded by relatively improved revenue levels, most of the industry players said this cooled the running costs of producing content against their bottom lines.

Generally, the stakeholders felt the growth of the media sector had relative stability owing to a stabilised but stalling economic situation in the country which had a direct impact on the performance of the industry.

Overall, the continued relative stability in the economy continued to affect the media and particularly the broadcasting media largely because most broadcast equipment was imported and a stable kwacha meant that radio and TV stations could plan better. The print media were also affected as newsprint and other equipment are imported.

### 3.3 Political and Legal environment

The political and legal landscape concerning the media in the first quarter has been largely a continuation of the 2016 sagas that were arguably the worst in recent history of the media in Zambia and certainly the worst since Zambia's return to liberal multiparty democracy by all accounts. The quarter recorded a significant number of both legal cases and political manoeuvres targeting especially private media organisations and journalists.

Perhaps top on the list was the case of ZNBC vs GOTv. In this case, GOTv, which is a subsidiary of MultiChoice sued ZNBC and TopStar over the alleged blocking of some free to air channels carried by it. GOTv had asked the High Court to restrain ZNBC from disconnecting their services and from continuing to encrypt the signal transmitted by free-to-air content providers. GOTv further asked the Court to declare the operation of public signal distribution network by TopStar illegal and unlawful. In a statement filed in the principal registry, GOTv, which also cited TopStar Communications Limited, submitted that ZNBC was a shareholder in GOTv and that the remaining shares were being held by MultiChoice Africa Limited, a company incorporated in Mauritius. "The plaintiff will aver that in December 2016, ZNBC and TopStar Communications, in the presence of Ministry of Information and Broadcasting Services officials engaged the free-to-air content providers with a view of encrypting their broadcasting signals and thereby removing the free-to-air services from the plaintiff's digital terrestrial television platform," read the claim in part<sup>xii</sup>

Another case of legal interest is one where Post Newspaper proprietor Fred M'membe took judge Sunday Nkonde to the Judicial Complaints Commission for alleged gross misconduct in the Post liquidation matter. M'membe had earlier written to the Chief Justice and judge-in-charge of the commercial court asking that judge Nkonde stops presiding over the matter between Post Newspapers Limited and Andrew Chiwenda and others due to his perceived conflict of interest.

In his letter to the Judicial Complaints Commission (JCC) dated February 10, the M'membe stated that it was gross misconduct for judge Nkonde to sit to determine a matter involving a company he tried to destroy a mere five years ago. He stated that in spite of not having been eligible to hear the Post matter, judge Nkonde had committed a number of grave due process and procedural irregularities in the current case before him, proving his animosity and bad faith towards The Post.

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He further stated: "In another ex-parte move, justice Nkonde has granted leave to commence contempt proceedings against Messrs. Nchito & Nchito for allegedly acting for Post Newspapers Limited and halted hearing of all the applications challenging the appointment of Mr Mosho as provisional liquidator when as can be seen below, he is hearing other applications made by Mr Mosho and his syndicate of lawyers, including his own firm. The judge casting the proverbial nelsonian eye has allowed Mr Mosho to represent The Post in an action where Mr Mosho is being challenged by The Post. How is this conceivable at law? Judge Nkonde has to date not granted or heard any applications made by lawyers not affiliated to the provisional liquidator, Mr Mosho, and yet almost every application by the parties affiliated to Mr Mosho have been heard and in most cases granted orders ex-parte. Judge Nkonde, having been made aware that Mr Lewis Mosho is barred from appointment as a liquidator and therefore not a fit and proper person to be provisional liquidator because he was removed from the office of receiver in Platinum Gold Equity and Others V Development Bank of Zambia 2015/HPC/0097 has refused and or neglected to deal with the said disqualification."<sup>xiv</sup>

Oracle media proprietor pleaded not guilty in a case where she is accused of contempt of court for allegedly tearing a search warrant on February 15, 2017, that was intended to search her and her husband, Fred M'membe's house situated along Nangwenya Road. According to the records, "it is alleged that Mutinta Buumba Mazoka, at Lusaka...with an act of intentional disrespect to law enforcement officers and the Order of the Court did tear a search warrant dated 15<sup>th</sup> February 2017, which was duly authorised in the name of the president to search your premises with proper assistance. The case has since commenced to trial and it will be interest to know the verdict of such as it is clearly aimed at intimidating and frustrating those perceived to alternative views against government and their associates.

Solidarity voices, which have become very rare and far apart lately were registered in the first quarter of 2017. One such voice was from the Forum for Democracy and Development. The FDD spokesperson Antonio Mwanza expressed surprise at assertions that Fred M'membe was impersonating a Post Newspaper employee as 'M'membe was The Post'. Mr. Mwanza noted that it was clear that the application of the justice system in Zambia was selective and that the



current PF regime was out to see to it that M'membe is harmed. It was alleged at the time that Post Newspaper liquidator Lewis Mosho, working with state house agents wanted to M'membe and his lawyer Nchima Nchito arrested for impersonation to stop them from challenging the liquidation matter in court. But Mwanza noted that the "...the selective application of the law is injustice... they have closed the The Post Newspaper, now it is actually clear that they want to see M'membe dead. What level of desperation, what level of persecution is this... It is very silly that somebody could say comrade M'membe did personate to be an employee of The Post Newspaper because Fred M'membe is The Post..." he lamented.<sup>xv</sup>

Another voice critical of the move was that of Brebner Changala, a vocal commentator on governance matters in the country. He expressed concern that the owners of The Post Newspaper (in liquidation) had been treated unfairly by the courts because the one presiding over their matter was the newspaper's 'enemy'. Mr. Changala wondered why judge Sunday Nkonde had been allocated The Post case, knowing very well that he was 'an enemy' of the company, who later appointed a long time 'enemy' of the newspaper, Lewis Mosho, as provisional liquidator. "The failure I have seen is that the liquidation was done ex-parte not inter-parte. The Post was not heard. The question is who calculated the benefits of those former workers who filed for liquidation? How did they arrive at those figures when the application was made before the judge? Before issuing the pernicious order to liquidate The Post, they needed to have an inter partes hearing..."<sup>xvi</sup>

It was even more fascinating to note calls from civil society activists who urged international organisations such as the IMF to take interest in the PF government's attacks on a critical media. These are calls coming against the backdrop of a sustained campaign against critical media and other critical voices since President Lungu assumed office in 2015. In this breath, Water Aid country representative Pamela Chisanga, a seasoned civil rights campaigner, said the country's economic woes could only be resolved if the bad governance record was reversed. She said the country could divorce the current economic woes from waning governance credentials shown by the regime's insatiate attacks on independent media. "...IMF must also be interested in supporting reforms in areas around governance so that we can have an accountable government that will be able to deliver on some of these measures. One of these things we have seen over the last few years is challenges around freedom of the media. You may ask; what does this have to do with the IMF? For us as citizens to stay informed, to be engaged, to have this interaction we are having beyond this room, we need an effective media platform and so having a media that is free is critical to the success of this programme..."<sup>xvii</sup>



Further, the world renowned International Press Institute continued to voice out its support for the beleaguered The Post Newspaper by clearly stating that the persistent persecution of The Post Newspaper and its owners could be seen as anything more than a politically motivated attempt to silence criticism of President Edgar Lungu's ruling PF party and an attack on media freedom in Zambia. In statement, IPI Director, Advocacy and Communications Steven Ellis stated that the raid on Dr. M'membe's house and warrants against him and his lawyer appeared to be the latest incidents in an ongoing campaign to silence him and The Post<sup>xviii</sup>

“It is difficult to see the continuing persecution of Fred M'membe as anything but a politically-motivated attempt to silence criticism of President Edgar Lungu's ruling Patriotic Front (PF) party and an attack on media freedom in Zambia,” he said. “Zambian authorities should allow this matter to play out in the courts and stop harassing media outlets that seek to expose wrongdoing and ensure government accountability.”<sup>xix</sup>

There are also lessons learnt going forward. A strengthened advocacy for constitutional protection of the media is more imperative now than ever before. Vigilance on all fronts should be heightened now than ever before if media, and especially private and independent media, is to continue to exist and offer checks on the state in the face of such a concerted drive target the extermination of any dissenting views.

**MISA condemns state police seizure of Mast Newspaper equipment, raid on M'membe's residence and calls on Zambians to stand for the freedom of the press**

19<sup>th</sup> February 2017

MISA Zambia condemns, in the strongest terms, the action by the state and police actions to suppress the Mast Newspaper in addition to the earlier harassment and assault of Mutinta Mazoka-M'membe during an attempted search in the absence of her husband five days ago.

MISA is concerned that the state fight is no longer about the closure of the Post Newspaper instigated by the government and the Zambia Revenue Authority, but now a war to close down any media house deemed to be critical.

There is no connection between The Post Newspaper in Liquidation and The Mast Newspaper owned by Mutinta Mazoka and we seriously urge the State and the Post Newspaper Liquidator to stop the unwarranted moves to destroy Dr M'membe and any critical private media.

In a democracy such as Zambia, the critical mass of the people should not be subjected to monolithic, biased news singing praises to the government, unleashing propaganda against channels of independent voices especially that Zambia claims to be a model democracy in Africa.

Zambia has actually lost credibility as a country with a flourishing media industry due to state and police appetite to clamp down and muzzle the media. MISA is further disturbed that the gagging of the media appears to be a war targeting Dr. M'membe-a private citizen and his family, while President Edgar Chagwa Lungu has paid a blind eye, with the police seemingly appetised to inflict pain on private citizens.

We therefore demand that government forthwith stop the illegal and vindictive efforts to uproot the printing press of The Mast Newspaper which they intend to execute on Monday after failing yesterday. We urge all Zambians to stand for and defend the freedom of the media. This war is beyond Dr. M'membe, Mutinta Mazoka and the Mast; it is an attack on our fundamental freedom of expression as citizens.

Elizabeth Mweene Chanda  
Vice Chairperson,  
MISA Zambia Chapter

Steps need to be taken to ensure that the rule of law is maintained and the state must be the guarantor of it. The state cannot be seen to be abrogating this status quo no matter the apprehensions or fears it is confronted with. There is simply no excuse for trampling on freedom of expression and freedom of the press.

As rightfully noted by one observer, "...the media continued to operate in very difficult circumstances because of being monitored and threatened by the state. Some journalists have ended up being blacklisted from attending events based on which party or organisation has organised the event..."<sup>xx</sup> Surely, should it get to this level? The nation needs every available voice and eye and ear now to help forge good development plan to move it forward. Segregation of stakeholders based on association will not help but only go to exacerbate the malaise that the nation is going through. Critical voices are as equally important as are other voices for they all contribute to the building and wellbeing of the nation.

The incidences and evidence gathered and presented in this report therefore, continues to represent an ever increasingly worrying trend of the recent political environment in which the media has been operating. It represents an agonisingly intimidating environment within which some of the private and independent media are having to operate. Observers and press freedom activists alike have continually registered great concern at the happenings in the quarter as they do not bode well for the continued growth and flourishing of the media sector in the country. These actions ultimately take away from the achievements recorded thus far in the promotion of a free, plural and diverse media landscape vital for a young and fledgling democracy such as Zambia's. The extreme levels of political intolerance in this quarter have been at an all-time unacceptably high. Most of those interviewed expressed apprehension that the political environment was deteriorating rather than improving. Unfortunately, a lack of political will to implement the necessary reforms to improve the situation means it could get worse before or if it ever gets better in future. In the meantime, the struggle for media freedom continues. The struggle is real as evidence shows from the period under review.

Further, MISA Zambia continues to advocate for major law reforms including amendments or repealing of such inimical pieces of legislation to the full enjoyment of press freedom and freedom of expression continue. This includes the penal code provisions of the prohibited publications (Sec 53), Defamation of the President (Sec. 69), seditious practices (Sec. 60), Obscenity (Sec. 177) as well as other wider provisions such as the State Security Act (Cap. 111) as well as the Public Order Act (Cap. 113).

### 3.3.1 ATI law progress

Despite the challenges the media was facing during the quarter, government expressed confidence that the long-drawn out ATI bill enactment would recommence. In a statement, Minister of Justice Given Lubinda said the ATI Bill is ready for the public to have a look at it. He further said that the Ministry of Justice was engaging other line ministries so that the draft bill is made available. This statement in itself, and at face value seems to suggest that probably government is pressing the re-activation button as the entire ATI Bill enactment process has been dragging on since the early 2000's without its logical conclusion in sight. And as expected stakeholders welcomed the signal from government to move on the ATI enactment front.

Operation Young Vote Executive Director Guess Nyirenda, while applauding the Minister's pronouncement on the ATI process urged caution to ensure that the process is not steered off track by unprogressive voices.

“We appreciate the move and efforts by Hon. Lubinda but we are also alive to the fact that some sections of the PF and government including ministers are keen on frustrating the ATI Bill by preventing it from seeing the light of day. The pronouncements by some PF and government officials that the ATI failed with the failure of the referendum on the Bill of Rights and that considering the matter was not to be made priority.

The ATI can, is and has been a standalone issue for a long time and [therefore] the unsuccessfulness of the referendum on the Bill of Rights must not in any way hinder the progress of the ATI law.

OYV is of the resolve that the ATI Bill must be availed to all stakeholders, published in the Government Gazette and be tabled in the next sitting of parliament to avoid further procrastination on this inevitable legislation.”<sup>xxi</sup>

In a statement on the minister's remarks MISA Zambia also issued a statement that welcomed the pronouncement:

**MISA welcomes Justice Minister's pronouncement on ATI, calls for a roadmap for the process**

Friday, February 10, 2017.

The Media Institute of Southern Africa (MISA) Zambia Chapter welcomes the pronouncement by Justice Minister Given Lubinda at the 2017 Universal Periodic Review that the Access to Information bill is ready and that government is working on systems that will readily avail the information to the public.

The enactment of the ATI bill is long overdue as it has stalled since 2002 when it was presented to parliament, with successive governments-including the PF government in 2011, making vain promises which have not come to fruition.

The announcement made by the Justice Minister is a positive step and MISA calls for the process to be expedited as sufficient consultation has already been undertaken by government and other stakeholders in the long period that the bill has been shelved and subsequently revised to meet the common aspirations in national interest.

MISA calls on the two concerned Ministries, the Ministry of Justice and Ministry of Information to make the contents of the bill public as an immediate step that will help create awareness and allow all stakeholders to take part in the process which is long overdue. In the same vein, the Ministry of Information must call for a forum for all stakeholders to chart the way forward given the developments regarding the ATI bill since President Edgar Lungu assumed office in 2015.

We also wish to implore the Minister of Justice to give a roadmap for the enactment of the bill as a concrete sign of commitment to avoid his pronouncement joining the long list of vain assurances and announcements on the enactment of the ATI bill by Ministers before him, with the PF government alone having promised to enact the bill on more than 6 occasions since it came to power in 2011 as the ATI bill was one of its key manifesto policies.

MISA is hopeful that Zambia, as a beacon of democracy, will emulate other democratic governments in the SADC region that have made strides in enshrinement of principles of transparency and accountability through enactment of the ATI bill, with Malawi being the most recent.

MISA remains committed to the campaign for the enactment of the ATI bill in Zambia and stands ready to support government in the process of enacting the ATI bill.

We therefore call on cooperating partners and other civil society stakeholders to continue supporting the campaign and providing checks and balances in order for the ATI bill to see the light of day.

Helen Mwale,  
Chairperson-MISA Zambia.

### 3.4 Freedom of expression during the 1<sup>st</sup> quarter

Freedom of expression and of the media in Zambia remained highly elusive and a contentious matter in the period under review, largely unchanged if not worse from what was obtaining throughout much of 2016 as evidence shows as well as going by the media reports. Several of the respondents interviewed were unanimous in agreeing that the levels of freedom of expression continue to deteriorate in the nation.

However, pundits note that, "...the media has come under intense pressure especially from the ruling party...it has been forced into submission and alternative voices are not being given a platform. Only government and those aligned to it have the platform..."<sup>xxii</sup> This is a worrying observation as it does not sit well in a democratic state such as ours. Zambia can do better than this. In an era such as this, this kind of environment does not fit with the democratic credentials that Zambia is building for itself.

In the continued pursuit and fight to sustain press freedom, an online news media outlet called the News Diggers came on the scene in the first quarter. The publication describes itself as Zambia's first multimedia publication focused on investigative journalism. It comprises a team of experienced journalists with a blend of new and dedicated talent eager to shape the art of digital journalism. As a growing democracy, Zambia needs a free and critical press to foster accountability and good governance. News Diggers! will help facilitate this as we have an ear to the ground. The publication has since its launch established itself to be a fearless, objective, and yet professional outlet that is offering unparalleled online news media service to the nation.

On Sunday, 26<sup>th</sup> February 2017, four journalists from ZNBC and MUVI TV were beaten up and had their cameras damaged by some residents of Chawama town-ship in Lusaka. The incident is reported to have occurred as the journalists filmed an operation by the Zambia Police, Zambia Medical Regulatory Authority (ZAMRA) and the Drug Enforcement Commission (DEC) to clamp down on illegal drug stores in the area. Reacting to the report, Minister of Information and Broadcasting Services Kampamba Mulenga said that government learnt with regret and strongly condemned the reported violence against journalists. "Government therefore calls upon all law enforcement agencies to ensure that they leave no stone unturned and bring the culprits to book." She reiterated government's commitment to upholding the rights of journalists.<sup>xxiii</sup>

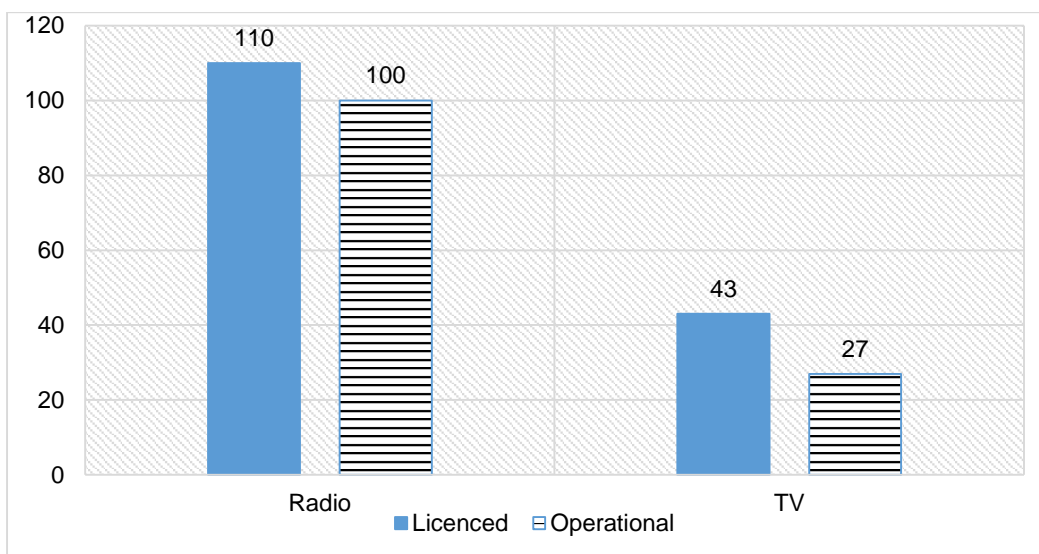
The quarter as earlier stated had incidences reminiscent of the previous three quarters and the continued harassment and intimidation of citizens expressing their opinions on various media platforms.

#### 4.0. Broadcast Media

The broadcast sector registered minimal changes since the last time a review was conducted at the end of the last quarter of 2016.

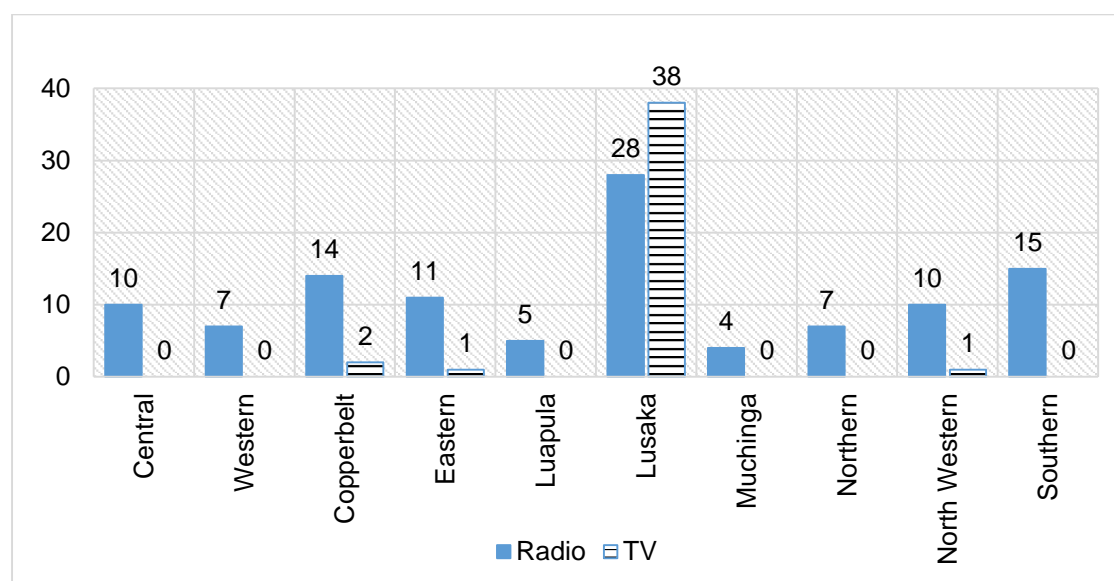
According to the IBA list obtained for the quarter under review, the distribution of broadcast outlets that includes both licenced and operational are as follows; the number of television outlets remained at 43 with 27 (see appendix 10.1.2)television stations operational, 110 Radio stations countrywide out of which 100 are operational (See appendix 10.1.1).

**Graph 1. Licenced Vs operational broadcast outlets**



Source: IBA

Graph 2; Distribution by province



Source: IBA

Table 1. Licences issued in last quarter of 2016 and first quarter of 2017

Radio licences	Content Service Provider Licences
<ol style="list-style-type: none"> <li>1. Cloud FM - Kabwe</li> <li>2. Direct Radio Station- Lusaka</li> <li>3. Radio Rooster - Chingola</li> <li>4. Spice FM - Kabwe</li> <li>5. Kabompo FM - Kabompo</li> <li>6. Kuandu Community Radio - Shangombo</li> <li>7. Muchinga Radio Limited - Chinsali</li> <li>8. Shakaniah Radio - Chingola</li> <li>9. Education Radio broadcast - Lusaka</li> </ol>	<ol style="list-style-type: none"> <li>1. Edge TV in Lusaka</li> <li>2. Healing TV in Lusaka</li> <li>3. Fire TV</li> <li>4. Kenmark Broadcasting Network</li> <li>5. Platinum Communication Limited</li> <li>6. Nonkas Television</li> <li>7. ViewSat Television</li> <li>8. Acts Television</li> <li>9. Catholic TV</li> <li>10. African Network Television (ANTV)</li> <li>11. Econet Media – Kwese Free Sport</li> <li>12. Beats TV in Kitwe</li> </ol>
Expansion permits (Radio)	Subscription Management Service Licence
<ol style="list-style-type: none"> <li>1. Hot FM to Chipata &amp; surrounding areas</li> <li>2. 5 FM to Chipata &amp; surrounding areas</li> </ol>	<ol style="list-style-type: none"> <li>1. TopStar Communications Company Limited in Lusaka</li> </ol>

Source: IBA



## 5.0 Digital Migration

The digital migration that was envisaged to be completed by mid of 2016 seems have finally taken off in earnest in early 2017.

Phases 2 and 3 of the digital migration project which were estimated to cost US\$273 million and are expected to cover the following have since commenced with the signing of an agreement between ZNBC and TopStar Company of China: a) Installation of transmission facilities to cover the rest of the country including areas where there is currently no analogue television; b) Construction of six (6) Provincial broadcasting stations in Chipata, Mansa, Chinsali, Kasama, Mongu and Kabwe. The other two provincial broadcasting stations in Solwezi and Choma were already under construction; c) Rehabilitation of Studios at ZNBC and ZANIS; d) Construction of a national operation centre of ZNBC and a broadcasting backup and disaster recovery facility in Kitwe e) Provision of equipment for ZANIS and ZNBC; f) Provision of 1, 250, 000 STB decoders.<sup>xxiv</sup>

Minister of Information Kampamba Mulenga explained that government had operationalized the special purpose vehicle in the name of TopStar Communications Company to roll out the digital migration phases 2 and 3 and ensure that there is efficiency. "...the company would operate the public signal distribution and ensure that all the 1, 250, 000 decoders were sold to the public, which carried 25 channels and should not cost more than K30 in monthly subscriptions. ....government would ensure that all parts of the country received digital television services by installing 73 transmission sites across the country as well as rehabilitate and equip all ZNBC studios with state-of-the-art equipment in its digital migration process. ZNBC was digitalizing in line with the fulfilment of the global mandate."<sup>xxv</sup>

As part of the process of implementing the digital migration project in Phase 1, government set up a joint venture between ZNBC and StarTimes to operate the public signal distributor. In this partnership, a company called TopStar Communications Co. Limited was created with a shareholding where ZNBC owns 40% and StarTimes has 60%. This shareholding structure is, according to the Minister, in line with the Digital Migration Policy requirement for signal distributors which are regulated by the Information and Communications Technologies (ICTs) Act.

The channels currently broadcasting on the digital terrestrial television platform are ZNBC (TV1, TV2 and TV3), Prime TV, Convent Broadcasting Corporation (CBC), Revelation TV,

Trinity Broadcasting Network (TBN 1 and TBN 2), QTV, City Television, Hope TV, France 24, Parliament TV and CAMNET.

Implementation of phases 2 and 3 commenced in early 2017 and will see the construction of six (6) provincial broadcasting stations, and installation of transmission sites that will bring digital television to all parts of Zambia. According to the implementation plan there will be completion of installation in the remaining six provincial centres by 30th June 2017 and installation in remote sites will be completed by 31st December 2017.<sup>xxvi</sup>

## 6.0 Online Media

The major highlight of the year regarding the online media sector was the emergence of the News Diggers online publication set up by seasoned professional journalists. The publication describes itself as Zambia's first multimedia publication focused on investigative journalism. It comprises a team of experienced journalists with a blend of new and dedicated talent eager to shape the art of digital journalism. As a growing democracy, Zambia needs a free and critical press to foster accountability and good governance. News Diggers! will help facilitate this as we have an ear to the ground. the publication has since its launch established itself to be a fearless, objective, and yet professional outlet that is offering unparalleled online news media service to the nation. Media pundits were quick to notice its presence and the already immense contribution it has been making since coming on the scene.

The International Press Institute (IPI) welcomed Zambia's News Diggers, as a new multimedia publication whose primary focus will be on investigative journalism, as a full member of its global network for a free media. "We are pleased to welcome News Diggers as a full IPI member," IPI Director of Advocacy and Communications Steven M. Ellis said. "We applaud the News Diggers team and Editor-in-Chief Joseph Mwenda on their commitment to public interest reporting and independent journalism. We're certain that their work will go a long way in shaping Zambia's democracy."<sup>xxvii</sup>

The Zambian Watchdog website which had been grounded since the middle of September 2016 has come back on the scene to add its voice to the online media platform. Its reach and influence however has not reached its glorious past since it was knocked out of cyber space.

There are a few more recognisable online media platforms that continue to exist and service the Zambian population that include Zambia Reports, Zambian Eye, Mwebantu New Media, Lusaka Star, Lusaka Times, among several such outlets that are notable. The challenge however, is the difficulty in qualifying which of these are actually operating as fully established and licenced by

law to operate in Zambia as most of them are unreachable to engage them physically or otherwise on their operations. This being the case, it becomes a challenge to simply list them under one category without running the risk of lumping gossip sites, personal blogs or even propaganda sites together with genuinely established, lawful and professional online media platforms

Social media platforms such as WhatsApp and Facebook have continued to dominate the landscape in terms of breaking news and have offered mainstream media outlets a challenge to keep up with the fast pace at which they operate. A number of notable news sites that are frequently used by the masses on these social media platforms include the *Zambian eye*, *Zambian Watchdog*, *Zambia Reports*, *Lusaka Voice*, *Lusaka Times*, and *Mwebantu Media*, *Lusaka Star* among others.

One key element that is evident among the online and new media has been the incessant appetite to publish unconfirmed reports of events in a competitive market to try and outdo the competitors and land a scoop. This trend tends to render most of the news sites incredible among several readers. And reminiscent of the mainstream news media outlets, there is overwhelming evidence of polarisation among the players in the sub sector. Despite having various focus areas, the election campaign period has seen most of the online media take partisan stances in the way they cover and report the news in the country.

With mobile internet penetration falling from around 40% in the quarter of the population to stand at 35% as captured by ZICTA, the potential impact of online media still remains huge as a significant contributor to information dissemination. However, a drop in the overall internet subscription of about 5 percent is too significant to be ignored. The reasons for this can only be speculated upon as at now to be anywhere from technological challenges to economic challenges with people being unable to sustain their subscription to the internet. However, despite the downward spiralling of internet subscription, online and new media still represents a huge incentive for the online and new media to grow and provide a more credible service to the masses which translates to over one third of the total population of around 16 million inhabitants.

**Table 2. Internet users as at 1<sup>st</sup> quarter 2017**

<b>Indicator</b>	<b>Number</b>	<b>Penetration Rate</b>
Mobile Subscription	12,017,034	74.93%
Fixed Line Subscription	101,407	0.63%
Mobile Internet Users	5,156,365	32.15%
Fixed Internet Subscription	35,919	0.22%

Source. ZICTA 2017

## **7.0 Media alerts and communiques in the 1<sup>st</sup> quarter 2017**

### **7.1.1 7<sup>th</sup> February 2017 (Zambia Daily Mail)**

#### **Legal matters**

##### **GOTv sues ZNBC over blackout**

GOTv Zambia has sued ZNBC and TopStar over the alleged blocking of some free to air channels carried by it. GOTv had asked the High Court to restrain ZNBC from disconnecting their services and from continuing to encrypt the signal transmitted by free-to-air content providers. GOTv further asked the Court to declare the operation of public signal distribution network by TopStar illegal and unlawful.

### **7.1.2 20<sup>th</sup> February, 2017 (The Mast Newspaper)**

#### **Legal matters**

##### **Oracle media owner pleads not guilty**

Oracle media proprietor, and the publisher of The Mast Newspaper, Mutinta Mazoka M'membe has been granted bail of K3, 000 in her own recognisance pending trial after she pleaded not guilty to a charge of obstructing police officers on duty. Mutinta had been summoned to answer to a complaint of contempt of court for allegedly tearing a search warrant on February 15, 2017. On the material day, armed police raided former Post Newspaper proprietor Fred M'membe's house along Nangwenya Road looking for M'membe who they were seeking to arrest.

**7.1.3 16<sup>th</sup> February, 2017 (The Mast Newspaper)****Media freedom violation alert****Harassed and beaten**

Armed police officers on Wednesday, 15<sup>th</sup> February 2017 raided former Post Newspaper proprietor Fred M'membe's house along Nangwenya Road. The officers refused to produce the search warrant to his family members and revealed that they were looking for M'membe who they sought to arrest allegedly on orders from Post Newspaper liquidator. This was concerning the alleged case of impersonation by M'membe and his lawyer Nchima Nchito over the liquidation of the Post Newspaper. This followed the issuance of arrest warrants by the Lusaka Magistrates court. When the officers did not find M'membe, they picked his wife after roughing her up and tearing her dress in the presence of onlookers who were passing on the road.

**7.1.4 25<sup>th</sup> February 2017, (The Mast Newspaper)****Media freedom violation alert**

Police and other state operatives in plain clothes raided premises at Plot 19, Joseph Mwilwa Road in Rhodes Park where The Mast newsroom is believed to be operating from and parked within and around the premises in search of The Mast journalists. After about three hours of waiting, the state agents drove off after realising that the journalists they were looking for did not operate from the alleged house.

**7.1.5 7<sup>th</sup> March 2017 (The Mast)****Legal matters****Lesa Kasoma found with case to answer**

Komboni Radio Director Lesa Kasoma was found with a case to answer in a case she is accused of assaulting a police officer. It is alleged in this matter that Kasoma, on October 5, 2016 assaulted a police officer, Simon Chisanga, occasioning him actual bodily harm. During the alleged committing of the offence, police officers brutally beat up and stripped naked Lesa Kasoma for alleged interference in their work. According to media reports, "...the police officers who had been guarding the radio station after its closure brutalised Kasoma who had gone to the radio station to inform the police officers of government's resolve lift the suspension of the broadcasting license, "after a month long closure.

**7.1.6 29<sup>th</sup> March 2017 (Zambia Daily Mail)****Press freedom curtailed****Journalists beaten**

Suspected political party cadres on Tuesday, 28<sup>th</sup> March 2017 allegedly assaulted two journalists at the UPND party secretariat in Rhodes Park after police stopped a press conference that had been scheduled to be addressed by the UPND leadership earlier in the day at Chainama Hotel. The two journalists were identified as Silumesi Malumo from Radio Phoenix and Prisca Banda of Millenium Radio.

**7.1.7 30<sup>th</sup> March, 2017 (The Mast)****Labour matters****Police confront protesting ZNBC workers**

Police on March 29<sup>th</sup>, 2017, were deployed at ZNBC to stop the sit-in which had started on four days earlier over delayed salaries. The armed police officers who arrived in two Toyota Landcruiser around midmorning caused panic among some members of staff who did not understand why their peaceful protest could warrant the presence of heavily armed police officers. Police officers later left after a few hours of keeping vigil at the protesting employees.

**8.0 Conclusion**

A review of the quarter has shown that the state of the media operating environment has not changed much as the situation was throughout much of 2016. This is as seen from government's heavy handedness, despite showing the willingness to liberate the media, dialogue and making half-hearted pronouncements enacting legislation such as the ATI in line with the policy pronouncements.

What is evident though, is that the hope for a freer media in Zambia is ever getting farfetched going by the recent events recorded in the quarter being reviewed and the entire 2016. The consolidation of press freedom and freedom of expression in Zambia suffered further setbacks in the quarter under review as demonstrated. Political interference, sheer police and political cadres' brutality against journalists has continued. The media fraternity was equally not spared from lawsuits.

Stakeholders, including political parties, the police and members of the general public have been constantly urged to afford a safe operating environment for the journalists to fulfil the information needs of society. It is a call that must be sustained and more pronounced. Their

safety and protection ensures that they provide timely and quality information to society to inform their choices and decisions.

Media bodies should continue calling upon government and other stakeholders to be generous enough and ensure that those liberal media environment is achieved through the enactment of laws such as the Access to Information bill.

## 9.0 Recommendations

The following are the recommendations drawn from the review;

- a) **Enactment of the ATI** - It is recommended that government keeps its word on the enactment of this very important piece of legislation to enhance access to information by the general public about the way the country is run. This will enhance the fight against corruption as well as improve accountability among those that hold public office.
- b) **IBA enhanced legislation**-IBA must seek to be given legislated powers to regulate ZNBC as one of the major players in the broadcast industry in order to level the playing field for all industry players. There must be only one law to apply to all institutions regardless of ownership or otherwise. This will be a fairer way of regulating the sector.
- c) **Protection of journalists** - Government and all other stakeholders are urged to ensure that the rights of journalists are not only recognised but vehemently protected to guarantee them a safe operating environment. The safety of the journalist will ensure that they gather quality information that is disseminated in a timely manner. Journalists for their part should strive to be professional and responsible in their work to reduce the risks involved in the job.
- d) **Liberating of state media** - There has been marked eroding of past gains towards freeing of public media from government interference. Government should do more and move in the direction of making these institutions truly public as opposed to state owned, run and controlled. This will tremendously improve their capacity, credibility and ultimately impact positively on the media fraternity in general in the country
- e) **Repeal of all undemocratic archaic pieces of legislation hostile to media** - The call to repeal certain pieces of outdated legislation is still something we continue to urge lawmakers to seriously look into. Stakeholders should take the opportunity presented by the constitution review process to ensure that this is achieved.
- f) **Advocacy activities** - All concerned stakeholders are urged to continue with advocacy activities on all situations, processes and areas that negatively affect the work of

journalists. This is in order to achieve the highest levels of freedom and protection of journalists' rights.

- g) **Media standards and professionalism.** Media advocacy institutions need to strike a balance between promoting media freedom and freedom of expression on one hand and insistence on professional journalism and responsible behaviour on both sources and media workers on the other.
- h) **The struggle for media law reforms must continue.**
- i) **Need for a comprehensive media and communication policy** - Zambia still lacks a comprehensive media and communication policy to be the blueprint for the media industry's diverse activities, growth and general provisions except for a 1996 draft policy which was revised in 2002 and 2012. This particular document must receive the necessary attention and scrutiny that has thus far been lacking as it would be vital in organising the media industry in the country in a more comprehensive and conclusive manner.
- j) **Digital migration.** Now that digital migration has commenced in earnest, it is important to put its house in order and put in place clear legal frameworks and ensure a win-win situation and avoid having to disadvantage any section of the media, and the public for that matter. The proposed increase in TV Levy and introduction of subscription fees should be thoroughly thought through to avoid limiting people's access to media. Finally, the low level of awareness on the digital migration process continues to exacerbate the challenges in the migration.



## 10.0 Appendices

### 10.1 Broadcast Media houses as at 31<sup>st</sup> March 2017

#### 10.1.1 Licenced Radio Stations

RADIO STATIONS :110				
NO	RADIO STATION	LICENCE CATEGORY	DISTRICT	PROVINCE
1	ZNBC Radio 1	Public Service Broadcasting	Lusaka	Lusaka
2	ZNBC Radio 2	Public Service Broadcasting	Lusaka	Lusaka
3	ZNBC Radio 4	Public Service Broadcasting	Lusaka	Lusaka
4	Parliament	Public Service Broadcasting	Lusaka	Lusaka
5	France	Landing Rights Broadcasting	Lusaka	Lusaka
6	BBC Radio	Landing Rights Broadcasting	Lusaka	Lusaka
7	Radio Phoenix	Commercial free to Air Radio	Lusaka	Lusaka
8	Yatsani	Community free to Air Radio	Lusaka	Lusaka
9	Mazabuka	Community free to Air Radio	Mazabuka	Southern
10	Chikankata	Community free to Air Radio	Chikankata	Southern
11	Christian Voice	Community free to Air Radio	Lusaka	Lusaka
12	Q FM	Commercial free to Air Radio	Lusaka	Lusaka
13	Maria	Community free to Air Radio	Chipata	Eastern
14	Breeze	Commercial free to Air Radio	Chipata	Eastern
15	Icengelo	Community free to Air Radio	Kitwe	Copperbelt
16	Chikaya	Community free to Air Radio	Katete	Eastern
17	Chikuni	Community free to Air Radio	Chikuni	Southern
18	Unza	Community free to Air Radio	Lusaka	Lusaka
19	Lyambai	Community free to Air Radio	Mongu	Mongu
20	5 FM	Commercial free to Air Radio	Lusaka	Lusaka
21	Hone	Community free to Air Radio	Lusaka	Lusaka
22	Yangeni	Community free to Air Radio	Luapula	Luapula
23	Oblate Liseli	Community free to Air Radio	Mongu	Western
24	Mano	Community free to Air Radio	Kasama	Northern
25	Maranatha	Community free to Air Radio	Kabwe	Central
26	Zambezi	Commercial free to Air Radio	Livingstone	Southern
27	Sky	Commercial free to Air Radio	Monze	Southern
28	Mkushi	Commercial free to Air Radio	Mkushi	Central
29	Hot	Commercial free to Air Radio	Lusaka	Lusaka
30	Joy	Commercial free to Air Radio	Lusaka	Lusaka
31	Luapula	Community free to Air Radio	Luapula	Luapula
32	Isoka	Community free to Air Radio	Isoka	Muchinga
33	Mosi-u-Tunya	Community free to Air Radio	Livingstone	Southern
34	Petauke	Community free to Air Radio	Petauke	Eastern
35	PASME	Community free to Air Radio	Petauke	Eastern
36	Yar	Commercial free to Air Radio	Kitwe	Copperbelt
37	Flava	Commercial free to Air Radio	Kitwe	Copperbelt
38	Mwinilunga	Community free to Air Radio	Mwinilunga	Northwest
39	Kasempa	Community free to Air Radio	Kasempa	Northwest
40	Namwiaanga	Community free to Air Radio	Kalomo	Southern
41	Baptist Faith	Community free to Air Radio	Kitwe	Copperbelt
42	FCC Solwezi	Community free to Air Radio	Solwezi	Northwest

43	Lumba	Community free to Air Radio	Kasempa	Northwest
44	Itezhi Tezhi	Community free to Air Radio	Itezhi Tezhi	Central
45	Mphangwe	Community free to Air Radio	Katete	Eastern
46	Vision Maacha	Community free to Air Radio	Choma	Southern
47	Kafue	Community free to Air Radio	Kafue	Lusaka
48	Comet 10	Commercial free to Air radio	Lusaka	Lusaka
49	Power	Commercial free to Air radio	Lusaka	Lusaka
50	Kariba	Commercial free to Air radio	Kariba	Southern
51	Millennium	Commercial free to Air Radio	Lusaka	Lusaka
52	Falls	Commercial free to Air radio	Livingstone	Southern
53	K FM	Commercial free to Air radio	Mansa	Luapula
54	Ama	Commercial free to Air radio	Lusaka	Lusaka
55	Mpika	Community free to Air Radio	Mpika	Muchinga
56	Metro	Commercial free to Air radio	Lusaka	Lusaka
57	Komboni	Commercial free to Air radio	Lusaka	Lusaka
58	KNC Radio	Commercial free to Air radio	Kabwe	Central
59	Sun FM	Commercial free to Air Radio	Ndola	Copperbelt
60	Kabangabanga	Community free to Air Radio	Solwezi	Northwestern
61	Rock FM	Commercial free to Air Radio	Lusaka	Lusaka
62	Mungu	Commercial free to Air Radio	Mongu	Western
63	Lukulu	Community free to Air Radio	Lukulu	Western
64	Valley	Commercial free to Air Radio	Nyimba	Eastern
65	Walamo	Community free to Air radio	Mpulungu	Northern
66	Bangwela	Community free to Air radio	Samfya	Luapula
67	Voice of Kalomo	Community free to Air radio	Choma	Southern
68	Roots	Commercial free to Air Radio	Lusaka	Lusaka
69	Tuta	Commercial free to Air Radio	Mansa	Luapula
70	Jive	Commercial free to Air Radio	Ndola	Copperbelt
71	Mumbwa Blue SKY	Commercial free to Air Radio	Mumbwa	Central
72	I wave	Commercial free to Air Radio	Chingola	Copperbelt
73	Chongwe	Community free to Air Radio	Lusaka	Lusaka
74	Serenje	Community free to Air radio	Serenje	Central
75	Kokoliko	Commercial free to Air Radio	Chingola	Copperbelt
76	Chimwemwe	Commercial free to Air Radio	Ndola	Copperbelt
77	Kwenje	community free to Air radio	Chama	Muchinga
78	New Generation	Commercial free to Air Radio	Solwezi	Northwest
79	Young Generation	Commercial free to Air Radio	Choma	Southern
80	Premier One Love	Commercial free to air Radio	Lusaka	Lusaka
81	United Voice	Community free to air Radio	Lusaka	Lusaka
82	Beats FM	Commercial free to Air Radio	Solwezi	North West
83	Modern Voice	Commercial free to Air Radio	Chirundu	Lusaka
84	Lubuto	Community free to Air Radio	Kaputa	Northern
85	Northern FM	Commercial free to Air Radio	Kasama	Northern
86	Live	Commercial free to Air Radio	Lusaka	Lusaka
87	Lutanda	Community free to Air Radio	Kasama	Northern
88	Luswepo	Community free to Air radio	Mbala	Northern
89	Luanginga	Community free Air Radio	Kalabo	Southern

90	Cheke	Community free Air Radio	Kaoma	Western
91	Foston	Commercial free on Air Radio	Kabwe	Central
92	Choma Mano	Community free to Air Radio	Choma	Southern
93	Mpongwe	Commercial free to Air Radio	Mpongwe	Copperbelt
94	Byta	Commercial free to Air Radio	Choma	Southern
95	Rise	Community free to Air Radio	Chingola	Copperbelt
96	Radio Café	Commercial free to Air Radio	Chipata	Eastern
97	Kalumbila	Community free to Air Radio	Kalumbila	North West
98	Mufumbwe	Community free to Air Radio	Mufumbwe	North West
99	Liberty	Community free to Air Radio	Mporokoso	Copperbelt
100	Nyimba	Commercial free to Air Radio	Nyimba	Eastern
101	Cloud	Community free to Air Radio	Kabwe	Central
102	Direct Management	Commercial free to Air Radio	Lusaka	Lusaka
103	Kabompo	Community free to Air Radio	Kabompo	Northwest
104	Kuandu	Community free to Air Radio	Shangombo	Western
105	Ministry of Education	Community free to Air Radio	Lusaka	Lusaka
106	Civil Plus	Commercial free to Air Radio	Chinsali	Muchinga
107	Rooster	Commercial free to Air Radio	Chingola	Copperbelt
108	Shakaniah	Community free to Air Radio	Chingola	Copperbelt
109	Spice	Commercial free to Air Radio	Kabwe	Central
110	Namwala Radio	Community free to Air Radio	Namwala	Southern

Source: IBA

### 10.1.2 Licenced Television Stations

COMMUNITY FREE TO AIR TELEVISION STATIONS			
NO	STATION NAME	DISTRICT	PROVINCE
1	Revelation Television	Lusaka	Lusaka
2	Trinity Broadcasting Network TBN 1	Lusaka	Lusaka
3	Trinity Broadcasting Network TBN 2	Lusaka	Lusaka
4	Camnet Television station	Lusaka	Lusaka
5	Hope Television	Lusaka	Lusaka
6	Catholic Television Station	Lusaka	Lusaka
7	Acts	Lusaka	Lusaka
8	Fire	Lusaka	Lusaka
9	Healing Center	Lusaka	Lusaka
10	Blessing Miracle	Lusaka	Lusaka
COMMERCIAL FREE TO AIR TELEVISION			
1	Chipata Television	Chipata	Eastern
2	North West Television	Solwezi	North West
3	Fresh Television	Lusaka	Lusaka
4	CBC TV 1	Lusaka	Lusaka
5	CBC TV 2	Lusaka	Lusaka
6	CBC TV 3	Lusaka	Lusaka
7	CBC TV 4	Lusaka	Lusaka

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8	City Channels cable network CABLE	Lusaka	Lusaka
9	City Channels Cable Network DTT	Lusaka	Lusaka
10	City Television	Lusaka	Lusaka
11	Mozo Television	Lusaka	Lusaka
12	ABN African Agri-Business TV	Lusaka	Lusaka
13	Prime Television	Lusaka	Lusaka
14	Nonkas Television	Lusaka	Lusaka
15	Mobi Television	Lusaka	Lusaka
16	Copperbelt Television	Kitwe	Copperbelt
17	Kopala TV	Kitwe	Copperbelt
18	Q TV	Lusaka	Lusaka
19	Power Television	Lusaka	Lusaka
20	Mwix 24 TV	Lusaka	Lusaka
21	Muvi TV	Lusaka	Lusaka
22	Litovia	Lusaka	Lusaka
23	African Network Television	Lusaka	Lusaka
24	Kenmark	Lusaka	Lusaka
25	Platinum	Lusaka	Lusaka
26	Life	Lusaka	Lusaka
27	Fire Television	Lusaka	Lusaka
<b>PUBLIC TELEVISION BROADCASTING</b>			
1	ZNBC TV 1	Lusaka	Lusaka
2	ZNBC TV 2	Lusaka	Lusaka
3	ZNBC TV 3	Lusaka	Lusaka
4	Parliament	Lusaka	Lusaka
<b>SATELITE SUBSCRIPTION BROADCASTING</b>			
1	Muvi Television	Lusaka	Lusaka
2	Platinum	Lusaka	Lusaka
3	Strong Technology	Lusaka	Lusaka
4	StarSat	Lusaka	Lusaka
5	ViewSat	Lusaka	Lusaka
<b>SUBSCRIPTION MANAGEMENT SERVICE</b>			
1	Multichoice	Lusaka	Lusaka
2	Echonet TV		
<b>TERRESTRIAL SUBSCRIPTION BROADCASTING</b>			
1	GO TV	Lusaka	Lusaka
<b>CABLE SUBSCRIPTION TELEVISION</b>			
1	City Channels cable Network	Lusaka	Lusaka
<b>LANDING RIGHTS BROADCASTING SERVICE</b>			
1	France Television	Lusaka	Lusaka
2	Econet Zambia Limited	Lusaka	Lusaka

**Source: IBA**

10.1.3 State of the media Interview guide for media houses/personnel

Organisation.....

Name and Rank of respondent..... (To be withheld on demand)

Date.....

1. How would you describe the levels of freedom of expression and of media in the 1<sup>st</sup> quarter of 2017?

.....  
.....

2. What technology were you using in your work to enhance information dissemination?

.....  
.....

3. What are your views on how the political environment affected media operations?

.....  
.....

4. What are your views on how legal environment was in the quarter for media operations?

.....  
.....  
.....

5. How would you describe the economic environment in the quarter for the media?

.....  
.....  
.....

8. What challenges besides the above did the media face in the period under review?

.....  
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.....  
.....

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10.1.4 State of the media Interview guide for media regulators, e.g. IBA

Organisation.....

Name and Rank of respondent..... (To be withheld on demand)

Date.....

1. How would you describe the levels of freedom of expression and of media in the 1<sup>st</sup> quarter of 2017?  
.....
2. What is the number of current registered broadcast media houses as at 31/03/2017 by your organisation (TV and RADIO, Community, Commercial/private and Public)?  
.....
3. How would you describe the political environment in the quarter for media operations?  
.....
4. How would you describe the legal environment in the quarter for media operations?  
.....
5. How would you describe the economic environment in the quarter for media?  
.....
6. How would you describe your work in the media industry, positives and negatives?  
.....
7. Do you have any general comments on the state of the media in the quarter under review?  
.....

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## Endnotes and references

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- <sup>ii</sup> The Mast, 9<sup>th</sup> February 2017
- <sup>iii</sup> Times of Zambia, 10<sup>th</sup> February, 2017
- <sup>iv</sup> The Mast, 7<sup>th</sup> February 2017
- <sup>v</sup> The Mast, 13<sup>th</sup> February 2017
- <sup>vi</sup> Ibid
- <sup>vii</sup> Prof. Jorry Mwenechanya, in Zambia Daily Mail, 15<sup>th</sup> February 2017
- <sup>viii</sup> Zambia Daily Mail, 15<sup>th</sup> February 2017
- <sup>ix</sup> The Mast Newspaper, 16<sup>th</sup> February 2017
- <sup>x</sup> The Post Newspaper, 17<sup>th</sup> October 2016
- <sup>xi</sup> MacPherson Mutale, UNZA Radio Manager, (interview-23/05/17)
- <sup>xii</sup> The Mast, 7<sup>th</sup> February 2017
- <sup>xiii</sup> The Mast, 13<sup>th</sup> February 2017
- <sup>xiv</sup> Ibid
- <sup>xv</sup> Antonio Mwanza, FDD Spokesperson, in The Mast, 20<sup>th</sup> February 2017
- <sup>xvi</sup> Brebner Changala, The Mast, 20<sup>th</sup> February 2017
- <sup>xvii</sup> Pamela Chisanga, Water Aid Country representative, The Mast Newspaper, 21<sup>st</sup> February, 2017
- <sup>xviii</sup> The International Press Institute' The Mast Newspaper, 20<sup>th</sup> February, 2017
- <sup>xix</sup> Steven M. Ellis, IPI Director of Advocacy and Communications, <https://ipi.media/zambia-police-raid-editors-house-arrest-wife/>
- <sup>xx</sup> Charles Chulu, TIZ Communications Officer, (Interview, 22/05/2017)
- <sup>xxi</sup> Guess Nyirenda, OYV Exec. Director in a statement on the ATI, Daily Nation, 13<sup>th</sup> February, 2017
- <sup>xxii</sup> MacPherson Mutale, UNZA Radio Manager, (interview-23/05/17)
- <sup>xxiii</sup> Minister of Information and Broadcasting, Ms. Kampamba Mulenga, Times of Zambia, 27<sup>th</sup> February, 2017
- <sup>xxiv</sup> <https://www.lusakatimes.com/2016/12/14/government-proposes-spend-k-22-million-digital-migration-next-year/>
- <sup>xxv</sup> Times of Zambia, 10<sup>th</sup> February 2017
- <sup>xxvi</sup> Ministry of Information and Broadcasting Services, <http://www.mibs.gov.zm/?q=node/163>(accessed 13/02/2017)
- <sup>xxvii</sup> Steven M. Ellis, IPI Director of Advocacy and Communications <https://ipi.media/newmember-zambias-news-diggers-joins-ipi/> (accessed 22/05/2017)