



Annual Report 2020



MISA Zimbabwe 2020 Annual Report

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Chairperson's Report



MISA Zimbabwe Chairperson

Golden Maunganidze

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Undoubtedly, one of the major challenges was the advent of the global COVID-19 pandemic of which Zimbabwe was not spared resulting in the country imposing its first lockdown measures at the end of March 2020.

The year under review was one of the most eventful, both in terms of progress and negative outcomes in the context of the operating environment, and as viewed in the context of our work as a media freedom, freedom of expression and access to information lobby and advocacy organisation.

Undoubtedly, one of the major challenges was the advent of the global COVID-19 pandemic of which Zimbabwe was not spared resulting in the country imposing its first lockdown measures at the end of March 2020.

This necessitated the modification of programming, with some of the planned activities having to be undertaken online/virtually, while some had to be deferred due to the restrictions on movements and the number of people that could gather for given meetings.

Engagement meetings with grassroots organisations had to be deferred in some instances as they could not proceed virtually due to limited access to the internet in Zimbabwe's remote and marginalised communities.

I am, however, happy to report that, we nonetheless, managed to stay the course in meeting our set targets, despite the COVID-19 challenges – thanks to the dexterity of our Secretariat and Advocacy Committees throughout the country.

Our programming and outreach activities were thus hinged on the ongoing media policy and law reforms



The Windhoek Declaration is critical for MISA Zimbabwe and indeed other media freedom, freedom of expression and access to information lobby and advocacy groups as it is the foundation upon which our work is built.

and further informed by the fact that MISA Zimbabwe is the lead technical partner in terms of the media laws reform processes led by the Ministry of Justice, Legal and Parliamentary Affairs.

MISA Zimbabwe is also in the SADC Internet Governance Forum Steering Committee and the Governing Council of the International Freedom of Expression (IFEX) Governing Council.

In addition to the local initiatives, we also managed to participate in regional and international events such as the 66th Ordinary Session of the African Commission on Human and Peoples' Rights, among others.

In that regard, notable successes were recorded through our lobby and advocacy engagements with key stakeholders such as parliamentarians, relevant government officials and media industry players.

The enactment of the Freedom of Information Act in 2020, as part of the unbundling of AIPPA, was one of the progressive steps taken by the government of Zimbabwe towards the alignment of the country's laws with the Constitution, through its consultative processes with key media stakeholders.

During the year under review, and as the country forged ahead with the media policy and law reform processes, another significant

milestone was the licensing of the country's first ever 'privately owned' television stations, and community radio stations.

This is in line with the African Charter on Broadcasting's three-tier broadcasting system.

The three-tier system comprises public, commercial and community broadcasting, that MISA Zimbabwe, together with the Zimbabwe Association of Community Radio Stations (ZACRAS), has incessantly been advocating for over the years in conformity with regional and international instruments that Zimbabwe is party to.

Under its protracted Free the Airwaves Campaign, MISA Zimbabwe established preparatory Community Radio Initiatives throughout the country. The newly licensed Ntepe Manama Community Radio Trust in Matabeleland South province, is one such initiative.

In the wake of the spike in media freedom violations that ensued during the first lockdown measures, MISA Zimbabwe successfully filed for a High Court order barring the police and any other state security agents from arresting, detaining or interfering with the work of journalists.

Back-to-back with that application, we filed yet another successful application with the

High Court compelling the Ministry of Health and Child Care and the Ministry of Information, Publicity and Broadcasting Services, to promote citizens' access to information pertaining to the Covid-19 pandemic.

While MISA Zimbabwe welcomes the Ministry of Information's open door policy and engagements with media stakeholders in its quest to break with the past, the ultimate objective and outcome should be that of entrenching the pillars of democracy as pledged by President Emmerson Mnangangwa.

The government should thus live up to the letter and spirit of the Constitution through genuine and democratic media law and policy reforms in line with regional and international instruments it is state party to.

As highlighted in my 2019 Annual Report, the 2021 30th anniversary of the 1991 Windhoek Declaration on Promoting an Independent and Pluralistic African Press, give us immense opportunity to reflect and take stock on the milestones that have been achieved and what still needs to be done towards the realisation of the benchmarks envisaged under the Windhoek Declaration.

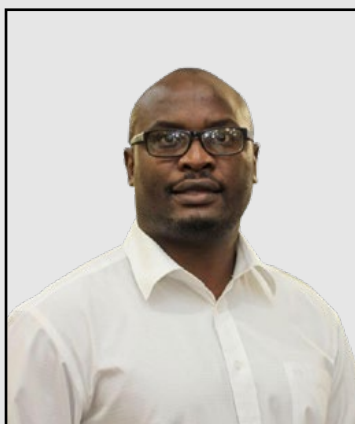
The Windhoek Declaration is critical for MISA Zimbabwe and indeed other media freedom, freedom of expression and access to information lobby and advocacy groups as it is the foundation upon which our work is built.

The Declaration is a historic document that gave birth to the World Press Freedom Day commemorations as we know them today, and the African Charter on Broadcasting, among its other benchmarks.

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MISA Zimbabwe Secretariat



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Professional Intern

Operational Context

The Access to Information and Protection of Privacy Act (AIPPA), together with the Public Order and Security Act, enacted in 2002, were among some of the most repressive laws used to suppress media freedom and free speech in Zimbabwe.

Scores and scores of journalists were arrested under AIPPA while newspapers such as The Daily News and The Tribune were closed under this law which at that time was used as the weapon of choice against dissenting voices and media workers.

However, with the coming into being of the 2013 Constitution with its highly acclaimed Bill of Rights and explicit provisions on citizens right to access to information, it became increasingly clear that AIPPA was anathema to the enjoyment of the very same right it purported to protect.

This point was driven home under Section 62 of the 2013 Constitution (on access to information), that new legislation had to be enacted to give effect to the enjoyment of that right, thus paving way for the repealing of AIPPA.

It is in that regard that the enactment of the Freedom of Information Act in 2020, as part of the unbundling of AIPPA, was welcomed as one of the progressive steps taken by the government of Zimbabwe towards the alignment of the country's laws with the Constitution.

During the year under review, and as the country forged ahead with the media policy and law reform processes, another significant milestone was the licensing of the country's first ever 'privately owned' television stations, and community radio stations.

However, these otherwise positive outcomes on the media reforms front, were marred by the government's seeming determination to amend the 2013 Constitution prior to the alignment of several laws that are not in sync with the country's supreme law enacted in 2013.

This came in the wake of the conclusion of the public hearings on the Constitution Amendment No.2 Bill. The Bill gazetted on 17 January 2020, is made up of 27 sections that propose to amend no less than 30 sections of the Constitution.

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The Access to Information and Protection of Privacy Act (AIPPA), together with the Public Order and Security Act, enacted in 2002, were among some of the most repressive laws used to suppress media freedom and free speech in Zimbabwe.

The proposed amendments follow the first amendment to the 2013 Constitution which gave the President powers to unilaterally appoint the Chief Justice, Deputy Chief Justice and Judge President of the High Court.

This tampering with the Constitution at a time when several laws which have an impact on the enjoyment of the rights enshrined in Zimbabwe's Bill of Rights, is widely viewed as being aimed at centralising the President's powers, which vitiates against the principle of separation of powers to allow for democratic checks and balances in the spirit of good governance and accountability.

Another dent which cast further aspersions on the government's commitment to uphold and respect constitutionally guaranteed rights, was the spike in the harassment, arrests and assaults of journalists, human rights activists and members of opposition political parties, despite promises by the post-2017 and post-2018 elections Zanu PF government, to break with the ills of the era of former President Robert Mugabe.

For instance, journalist Hopewell Chin'ono was arrested twice during the course of the year on two separate charges and denied bail at the Magistrates Courts, in the process enduring long detention periods at Chikurubi Maximum Security Prison. For each of the separate charges, Chi'nono only managed to secure his freedom after being granted bail by the High Court.

It is against these retrogressive developments, that the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Clement Nyaletsossi Voule, noted in a report during the year under review, that Zimbabwe was suffering from political polarisation and poor governance.

The Special Rapporteur noted then, that civic space continued to deteriorate, re-establishing an environment of fear and persecution.

Programmes

Our programming was organised into five programme areas which are:

Campaign for Freedom of Expression and the Right to Information

Promotes legal reform and the introduction of new legislation to improve the protection and implementation of media freedom and the right to information.

Media Freedom Monitoring

Monitors media freedom violations and developments and issues action alerts. Provides MISA with an important advocacy platform.

Campaign for Broadcasting Diversity

Promotes an open system of broadcasting licensing, editorial independence and the introduction of a three-tier system of broadcasting comprising public, commercial and community broadcasting.

Media Support

Aims to promote and enhance media accountability and professionalism. Seeks to create awareness of the need for a code of ethics and self-regulatory bodies. Also promotes professionalism in the media through media training initiatives.

Legal Support

Provides funds under the Media Defence Fund, for legal assistance to media practitioners and institutions with the aim of protecting freedom of expression.

Internet Governance and Digital Rights

Stakeholder Governance Forum

The Multi-stakeholder Internet Governance Forum has been held annually since 2015. The 2020 event came against the backdrop of the gazetting of the Cybersecurity and Data Protection Bill with its provisions that have far reaching effects on the exercise of rights.

It also came on the backdrop of the COVID-19 pandemic which created a greater need for reliance on the internet for work, education and even the communication of COVID-19 information. Subsequently, there were growing concern with the cost of data and calls for the reduction of data tariffs, as highlighted by the #DataMustFall campaign. The COVID-19 outbreak, which saw most people working remotely from their homes, heightened the need for the internet to be more affordable and accessible to the generality of the population.

Impact

The event thus assisted in:

- Creating a platform for discussions on key and current issues in Zimbabwe and the region in relation to internet governance.
- Promote inclusive dialogue among different stakeholders, ranging from the regulators and policy makers, service providers, internet users and human rights activists.
- Explore mechanisms that can be put in place to promote democratic internet governance in Zimbabwe.



The 2020 event came against the backdrop of the gazetting of the Cybersecurity and Data Protection Bill with its provisions that have far reaching effects on the exercise of rights.

Media Reforms

Cybersecurity and Data Protection Bill

MISA Zimbabwe convened capacity building and engagement meetings on the Cybersecurity and Data Protection Bill with policy makers, and members of the Parliamentary Portfolio Committees on Information, Media and Broadcasting Services and that of Information Communication Technology. A multistakeholder meeting was also convened on the same issue and was also attended by the Deputy Minister of Information, Communication Technology Postal and Courier Services, Honourable Dingimuzi Phuti, as well as other stakeholders from the Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ), civil society, media and the telecommunications industry.

For instance, Section 164 criminalises the sending of messages to any person, group or the public, with the intention to incite violence or damage to property. This was widely criticised by MISA Zimbabwe as an attempt to smuggle back criminal defamation which was struck off the statutes by the Constitutional Court.

Among its other contentious provisions, is the proposed use of forensic tools such as the key stroke logger without being clear on how and under what circumstances the method would be applied, as well as the Bill's failure to provide for judicial oversight or other accountability measures for monitoring and reviewing the potential abuse of the use of such intrusive technologies.

MISA Zimbabwe also conducted countrywide meetings which were aimed at unpacking the Cybersecurity and Data Protection Bill prior to the public hearings on the proposed law.



Impact

The Minister of Information, Communication Technology Postal and Courier Services Jenfan Muswere agreed to consider amendments on the proposed Cybersecurity law during debate in parliament and that the government would relook clauses 2, 13, 17, 23 and 164 of the Bill. <https://www.herald.co.zw/cyber-bill-to-undergo-amendments/>,

Zimbabwe Media Commission Bill

MISA Zimbabwe together with the Media Alliance of Zimbabwe held engagement and capacity building meetings with legislators notably those from the Parliamentary Portfolio Committee on Information, Media and Broadcasting Services, policy makers and media stakeholders on the Zimbabwe Media Commission Bill.

Impact

Justice, Legal and Parliamentary Affairs Minister, Ziyambi Ziyambi, who was steering the Bill on behalf of Information, Publicity and Broadcasting Services Minister, Monica Mutsvangwa, conceded that there was no harm in removing the clause that allowed the police to assist in media investigations.

This came after protracted and robust debate on the Bill in parliament.

Former Chairperson of the Information, Media and Broadcasting Services Committee, Prince Dubeko Sibanda, acknowledged MISA Zimbabwe's role in shaping the current media reform agenda.

"We thank MISA Zimbabwe for their interventions. The Zimbabwe Media Commission Bill was perfected through the interventions of MISA Zimbabwe," said Dubeko Sibanda.

The interventions by MISA Zimbabwe improved the levels of debate and influenced other legislators to argue in favour of progressive media laws and the need for media co-regulation.

The MP for Rushinga, Tendai Nyabani, is quoted in The Herald, as having been among the MPs that asserted the need for media co-regulation.

"Rushinga MP, Cde Tendai Nyabani (Zanu PF), concurred with Cde Paradza, saying it was agreed during consultations that there be co-regulation through the Zimbabwe Media Council where practitioners played a critical role," reported The Herald.

Among the other agreed positions, was the need for the Bill to recognise the need for co-regulation of the media. This should then set the course for the proposed Zimbabwe Media Practitioners Bill which, if enacted into law, will foster media accountability and professionalism through a media co-regulatory mechanism together with the Zimbabwe Media Commission (ZMC).

Media stakeholders under the auspices of the Media Alliance of Zimbabwe (MAZ), have since come up with the Draft Zimbabwe Media Practitioners Bill, which was widely welcomed by the media sector during nationwide consultative meetings on the proposed law.

***HON. NYABANI:** Let me contribute a little bit. When we met with stakeholders and agreed, we noted that currently, we cannot do self-regulation but we agreed on co-regulation. If we do well through co-regulation, we then move on to self-regulation. That is what we agreed on – [HON. PARADZA: *Mr. Chairman, I have an international press card issued by the International Federation of Journalists, I am a journalist of high repute and you cannot just say anyone can be a journalist. No!*] –

HON. ZIYAMBI: Thank you Hon. Chair. The Members are debating but they are not putting forward verbatim of what exactly they are proposing. Hon. Chair, these are several amendments which we were not prepared for. I propose that we report progress and seek leave to sit later to complete this.

House resumed.

Progress reported.

Committee to resume: Tuesday, 29th September, 2020.

MOTION

BUSINESS OF THE HOUSE

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): I move that Orders of the Day, Numbers 2 and 3 be stood order until Order of the Day Number 4 has been disposed of.

MISA Zimbabwe national director Tabani Moyo (standing), giving his welcome remarks during the Multistakeholder engagement meeting in Harare in September 2020.



Engagement and capacity building workshop with key stakeholders in Harare.



Campaign for Broadcasting Diversity: Free the Airwaves Campaign

The Broadcasting Authority of Zimbabwe on 17 October 2020 announced the awarding of the country's first ever commercial television stations, effectively ending the state-controlled Zimbabwe Broadcasting Corporation's 40-year-old monopoly as the only television station in Zimbabwe.

These were awarded to, Acacia Media Limited; Channel Dzimbahwe; Fairtalk Communications; Jester Media; Rusununguko and ZTN.

This comes in the wake of MISA Zimbabwe's protracted and relentless Free the Airwaves Campaign, which also culminated in the licensing of the first ever national and provincial commercial radio stations, as the precursor to the new commercial television stations.

While the decision to license more television stations is a welcome development, MISA Zimbabwe is worried at the lack of diversity in the granting of the TV licences. The new TV licence holders, either already hold print

or broadcasting licences, or are linked to the government or the governing party.

If Zimbabwe is to have a truly diverse media, there is need for more players from different backgrounds to be granted licences. With this scenario, the country risks having a homogeneity of news and views, an anathema to democracy.

There is therefore, need for genuine opening of the airwaves, where diversity and pluralism are the guiding principles in the granting of licences.

Meanwhile, the licensing of the country's first ever three community radio stations is a step in the right direction towards opening up the broadcasting sector to new players.

This should go a long way in enhancing citizens' right to access to information on socio-economic developments and issues of concern in their respective communities in the spirit of accountable and responsive governance.



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The licensing of Mbembesi Development Trust, trading as, Ingqanga FM, Ntepe Manama Community Radio Trust, and Nyangani Community Radio Trust, trading as, Nyangani FM, is in line with the African Charter on Broadcasting's three-tier broadcasting system.

The three-tier system comprises public, commercial and community broadcasting, that MISA Zimbabwe, together with the Zimbabwe Association of Community Radio Stations (ZACRAS), has incessantly been advocating for over the years in conformity with regional and international instruments that Zimbabwe is party to.

The Broadcasting Authority of Zimbabwe (BAZ) on 17 December 2020 announced the granting of the three community radio licences as well as two campus radio licences to the Midlands State University and University of Zimbabwe.

In May 2020, Great Zimbabwe University in Masvingo Province, became the first university in Zimbabwe to get a campus radio broadcasting licence.

Impact

In pushing for the licensing of community radio stations under its protracted Free the Airwaves Campaign, MISA Zimbabwe established preparatory Community Radio Initiatives throughout the country.

The newly licensed Ntepe Manama Community Radio Trust in Matabeleland South province, is one such initiative.



In May 2020, Great Zimbabwe University in Masvingo Province, became the first university in Zimbabwe to get a campus radio broadcasting licence.

Regional Meetings on Digital Rights Literacy

As part of the Digital Rights Literacy Campaign that MISA Zimbabwe is spearheading in five countries in the Southern African region, specific meetings were conducted in Lesotho, Malawi, Tanzania and Zambia while the Internet Governance Conference was convened in Zimbabwe.



Article from a Lesotho Newspaper on the MISA-Zimbabwe Initiative under the Digital Rights Literacy Campaign

Regional & Global Lobby and Advocacy

MISA Zimbabwe made submissions to the 66th Ordinary Session of the African Commission on Human and Peoples Rights on the media freedom and freedom of expression operating environment in Zimbabwe. MISA Zimbabwe expressed its concerns with the increasing number of attacks on media workers and the deteriorating safety and security environment for journalists in the course of the implementation of the COVID-19 regulations.

Impact

Subsequently, the ACHPR raised alarm at the deteriorating human rights situation in Zimbabwe, particularly the arbitrary arrests and detention of journalists and women human rights defenders.

Among other issues, the ACHPR condemned reports of human rights violations in Zimbabwe, including violations of rights to freedom of expression, association and assembly.

The Commission called on the Government of Zimbabwe to ensure that measures taken by its law enforcement agents do not lead to violations of fundamental rights and freedoms, including expression, association and assembly.

The ACHPR also called on the government to guarantee protection of the rights of human rights defenders, political activists, journalists,

health care workers and other peaceful protestors, including from arbitrary arrest and detention.

Cybersecurity and Data Protection Bill

Following the gazetting of the Cybersecurity and Data Protection Bill and the subsequent parliamentary public hearings into the proposed laws, MISA Zimbabwe through its regional and international networks and allies mobilised international organisations such as Facebook and Google to share their experiences and best practice on internet regulation.

Resultantly, the organisations wrote to the government and parliament directly highlighting their concerns on the security centric approach and bias as contained in the provisions of the Bill. They presented their experiences based on other jurisdictions and best practices.

Further, global institutions such as IFEX, Pen International, Privacy International and AFEX Africa petitioned both the parliament of Zimbabwe, Southern Africa Development Community; Africa Union, United Nations and World Bank, highlighting concerns on the Bill's potential to compromising the right to expression, privacy and access to information through the Bill.



Among other issues, the ACHPR condemned reports of human rights violations in Zimbabwe, including violations of rights to freedom of expression, association and assembly.

Impact

This led to the government, through the Ministry of ICTs conceding to relook the Bill before presenting it back to Parliament for further debate. In essence MISA's ability to locate the local problem and make it a regional and international agenda, hinged on the country's Constitution and regional and international instruments that Zimbabwe is party to, maintained pressure on the government of Zimbabwe to further engage stakeholders before the Bill is enacted into law.

AFEX Petition to President Emmerson Mnangagwa

Following the arrest of journalist Hopewell Chin'ono the African Freedom of Expression Exchange (AFEX), a network of freedom of expression organisations, that include the Media Institute of Southern Africa, petitioned President Emmerson Mnangagwa to release Chin'ono and protect press freedom in Zimbabwe.

This also came in the wake of the spike in media freedom violations following the introduction of Zimbabwe's COVID-19 lockdown regulations and measures in March 2020.

Part of the petition signed by a total of 15 organisations, reads:

In that regard, we remind the Zimbabwean government that Section 61 of the Zimbabwean Constitution protects freedom of the media and freedom of expression. We urge the Zimbabwean authorities to show a commitment to these constitutionally guaranteed rights by allowing the media to operate freely without any harassment, assault, threats or reprisals for doing their work. All cases of media violations involving police officers and other state security officers enforcing the lockdown should also be investigated.

Access to Information

- Transparency Assessment Index

MISA Zimbabwe tested the Freedom of Information Act through information requests and produced a Transparency Assessment Index report for the year 2020, following enactment of the law in 2020.

Several CBOs were trained on how to make information requests and track these information requests with public institutions that were surveyed to determine their accessibility and compliance with citizens' right to access to information as provided for by the Constitution and in line with the new Freedom of Information Act.

Impact

The initiative yielded immediate impact as one of the public institutions rated as the most closed in terms of the report, Chitungwiza Municipality, responded favourably to subsequent information requests that were made after the launch of the report. For instance, Chitungwiza Residents Trust asked for the 2019 Budget and this was promptly delivered.

In the wake of an ensuing conflict between wildlife and humans, in Chibuwe, Chipinge District, access to information platforms supported by MISA Zimbabwe managed to facilitate the formation of a CAMPFIRE (Communal Areas Management Programme for Indigenous Resources), project in the area.

Informations Hubs

As part of its efforts to increasing access to information and knowledge across societies through the availability of Information Communication Technology facilities such as the Internet, MISA Zimbabwe launched Information Hubs (WIFI hotspots) in Gweru, Gwanda, Nyanga and Lupane.

Impact

The establishment of Information Hubs was timely as it came in the wake of the COVID-19 pandemic as community members comprising among others, local teachers, parliamentarians, relied on the facilities to access information, share and spread awareness on the pandemic.

In June 2020, during a feedback community meeting in Lupane, the Member of Parliament for Lupane West Honourable Martin Khumalo highlighted that he used the MISA Zimbabwe Wi-Fi hotspot at Tshongokwe Business Centre to follow proceedings of the cabinet meetings and to conduct online meetings. Parliament was also conducting its seating virtually and this allowed legislator Khumalo to fully participate in the parliament business.

Gwanda Town Acting Mayor Gilbert Dube also commended MISA for establishing the information hubs.

“I would like to thank MISA for coming up with this initiative. It was difficult for residents here to access the internet because of the high cost of data. Following the installation of this facility, we will now be able to communicate with the rest of the world”.

In Nyanga, the Anglican Church Reverend, Father Ngakwende, also noted that they used the Wi-Fi hotspot to conduct online services and sermons as congregants could not attend the church services due to the coronavirus.

To limit visits at a local clinic in Nyanga, nurse Paradzai Nyamuziwa, used the internet to connect with patients and to share coronavirus related information with the community.

COVID-19 Information Platforms

MISA Zimbabwe also in partnership with Community Radio Harare (CORAH) created online and offline channels as mediums to share translated local information on COVID-19.

Messages were translated into 14 local languages while a Sign Language video was also produced during the period under review.

To date, the facebook page, Covid Coalition Zw, has a reach of 80, 000, 1,093 page views and 5,950 likes.

The WhatsApp groups have 35 representatives from various Community Based Organisations (CBOs) and Faith Based Organisations (FBOs) dotted around Zimbabwe.

Shona and English bulk short messages were sent to a total of 49,936 and 49,812 people respectively.

Litigation

- Harrassment of journalists

MISA Zimbabwe filed an application with the High Court for an order barring the police from arresting and harassing journalists following the inception of the COVID-19 regulations in March 2020.

Impact

High Court judge Justice Manzungu ordered the police and other law enforcement agencies charged with enforcing the COVID-19 lockdown not to arrest, detain or interfere “in any unnecessary way” with the work of journalists.

The number of arrests and attacks against journalists declined relatively following the court ruling.

- Dissemination of critical information on COVID-19

MISA Zimbabwe approached the courts seeking an order to compel the government to release critical information on COVID-19.

Impact

The High Court ruled in MISA Zimbabwe’s favour and ordered the government to periodically release information in all languages recognised by the Constitution.

The Minister of Information, Publicity and Broadcasting Services Senator Monica Mutsvangwa, subsequently said the government had established a call centre that was receiving 5,000 calls a day and was utilising regional radio stations and media to release information on COVID-19 following the court order.

- Econet Case

MISA Zimbabwe and the Zimbabwe Human Rights Association (ZimRights), approached the courts interdicting the government and Econet Wireless from gaining access to or sharing the Ecocash database. The High Court ruled in favour of the applicants, thus protecting citizens' right to privacy.

2 The Standard July 26 to August 1 2020

BRIEFS

Misa Zim blocks police raid on Econet

THE High Court has interdicted Econet from complying with a police warrant to seize information on the mobile phone operator's transactions on the Econet platform.

High Court judge Justice Tawanda Chitapi granted the provisional order on Friday in favour of Misa Zimbabwe and the Zimbabwe Human Rights Association (ZimRights).

Advocate Choice Damiso, accompanied by Advocate Mapuranga, instructed by lawyer Chris Mhike of Atherstone and Cook, appeared for the applicants.

Econet was cited as the fourth respondent in the application.

The other respondents were the Minister of Home Affairs (first respondent), Police commissioner general (second respondent), Detective Inspector Mkhululi Nyoni (third respondent), Postal and Telecommunications Regulatory Authority of Zimbabwe (fifth respondent) and the Reserve Bank of Zimbabwe (RBZ) as the sixth correspondent.

However, Mhike instructed Damiso to withdraw the application against the RBZ with no order as to costs.

—OWN CORRESPONDENT

World Press Freedom Day Commemorations

MISA Zimbabwe together with the Media Alliance of Zimbabwe (MAZ) coordinated the World Press Freedom Day commemorations through online platforms as well as radio, television and print media.

The main event was broadcast on ZBC television on Sunday, 3 May 2020, and the panel comprised the Minister of Information, Publicity and Broadcasting Services, Monica Mutsvangwa, then MAZ chairperson Tabani Moyo, media lawyer Chris Mhike.

Presentations and discussions were informed by the local theme: *Independent & safe media key to access to information for all*, and the universal theme: *Journalism without Fear or Favour*.

On Monday 4 May there was a radio programme on Star FM prime time where the Permanent Secretary in the Ministry of Information, Nick Mangwana featured along with the Chairperson of the Parliamentary Portfolio Committee on Media, MAZ Programmes Manager Nigel Nyamutumbu and ZACRAS co-ordinator Vivienne Marara-Zhangazha.

The programme reflected on the state of media law reforms as part of efforts to push for enactment of democratic media laws.

MISA/MAZ also organised radio programmes through MISA Zimbabwe advocacy committees in Gweru, Mutare, Kwekwe and Chinhoyi. The programmes were on 98.4 FM, Diamond FM and Nyaminyami FM. This was an innovative intervention to continue with commemorations and planned activities in the wake of the COVID-19 lockdown restrictions. Advocacy

Committees came up with various topics which were informed by the main theme of the commemorations. The themes focused on how safety of journalists is critical to access to information especially during the COVID-19 pandemic lockdown.

Impact

Panellists drawn from both state and non-state actors reiterated the need to report without fear and favour and urged government and security forces to respect the work of journalists by not hindering them as was the case when the lockdown started. Panellists also reiterated the need for Personal Protective Equipment to enable effective news gathering by journalists and improve access to information.

Subsequently, MISA Zimbabwe managed to secure Personal Protective Equipment for media workers throughout the country.

Media Support

- Renewable Energy Project

A two-day Editor's Symposium on reporting on Renewable Energy, Climate Change and Natural Disasters held in Bulawayo, Zimbabwe, on 25-26 June 2020, brought together 20 practicing media practitioners (editors and journalists) from across the country.

The symposium was held against a background of an upsurge of reporting on renewable energy and climate change among the country's media institutions, but with low reporting on natural disasters.

The two-day media symposium introduced participants to the field of disaster risk reduction. The first part of the symposium session focused on defining the basic, but most important, terms in relation to disaster issues. The different elements of disaster risk management and how these different elements contribute to our understanding and better management of risk and disasters was discussed and explained.

On reporting disasters, emphasis was on finding angles and sources to disaster stories and events. More research to enrich the stories was also emphasized

Journalists are even more constrained in covering disaster stories as most of them do not understand the subject. It is for this reason that MISA Zimbabwe held the symposium to train the media on disasters reporting, including cyclones and the latest COVID-19 global pandemic.

Impact

Following the training workshops and through MISA Zimbabwe's monitoring of media coverage of the subject matter, there has been an upsurge in the number of well structured stories on renewable energy and other nexus issues by the mainstream media. The Herald, Zimbabwe Independent and NewsDay have been particularly outstanding in that regard.

The symposium achieved a better understanding of reporting on disasters, climate change, renewable energy and nexus issues in an authoritative, and balanced manner among the participating editors and journalists.

By the end of the symposium, the participants had learnt about different types of disasters and their impacts to society and economies at large. Also, the participants were able to identify reliable sources, how to interview scientists, project field staff, and government officials.

The journalists also acquired key tools to report on compelling disaster news stories, features and business stories as well as gender mainstreaming the disaster, climate change, renewable energy and nexus issues story. As a result, the media has taken a keen interest in covering disasters, climate change and renewable energy, in addition to other environmental issues.

Knowledge Products

- Journalism Safety and Security Manual

The Manual will serve as a useful resource tool on the safety and security measures that journalists need to employ to minimise risk to life and limb while conducting their lawful professional duties. It also highlights laws that the media should be wary of to avert arrests on accusations of violating the laws at hand.

It will also be a critical resource tool that will inform the framing of trainings on journalism safety and security.

- Legislation Handbook

The handbook which is in the form of graphic illustrations, will be used as an advocacy tool that will make it easy for legislators to appreciate the current state of the media legislative reforms and the steps that need to be taken to align outstanding laws such as the Official Secrets Act, Interception of Communications Act, among others, that have a bearing on the enjoyment of access to information, freedom of expression, media freedom and free expression online.

- State of Communities Access to the Media

MISA Zimbabwe commissioned research on the State of Access to Media in Rural Communities.

Through focus group discussions and key informant interviews, the research team managed to get contextual and relevant information on the forms of media that the rural communities have access to, the diversity in terms of content and subsequently access to information as well as the challenges that they are facing.

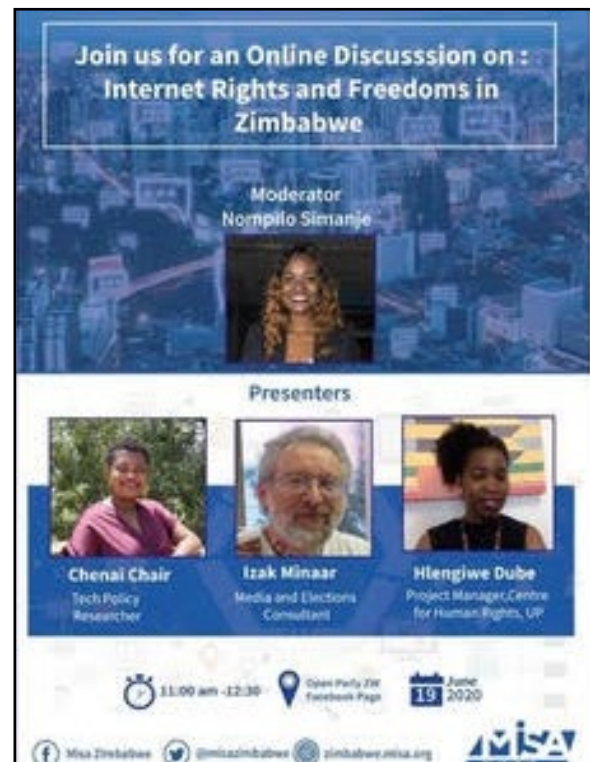
This research is therefore critical going forward, as it will also serve as a baseline research that will inform MISA Zimbabwe's further interventions. Such further interventions will include engagements with policy makers aimed at discussing the findings of the reports and also pushing for responsible authorities within government itself to address the location divide that is impacting access to information by rural communities.

Online Engagements

The national director Tabani Moyo had a busy year as he participated in several local and international online engagement meetings that focused, among others, on internet rights and freedoms, journalism safety and the impact of the COVID-19 on media freedom and citizens' right to access to information.

Impact

These online engagement went a long way in maintaining MISA Zimbabwe's brand visibility as the leading media freedom, freedom of expression and access to information lobby and advocacy organisation.



ONLINE ENGAGEMENTS

1. Safety of journalists key to access to information for all- 4 May 2020

Discussion focused on the threats to the safety and security of journalists in Zimbabwe broadly and more specifically during the COVID-19 pandemic in Zimbabwe. This was in commemoration of World Press Freedom Day. On day of reporting, the discussion had 2,700 views on the Open Parly ZW Facebook page.



2. Cybersecurity and Data Protection Bill: Implications on media freedom

A discussion was also held on the 21st of May 2020, discussing the implications of the Cybersecurity and Data Protection Bill on media freedom in Zimbabwe. On the day of reporting, this discussion had 2,500 views on the Open Parly ZW Facebook platform.



Clause by clause : Cybersecurity and Data Protection Bill

On the 9th of June 2020 another online discussion was conducted which focused on the Cybersecurity and Data Protection Bill through OpenParly ZW. This was a clause by clause discussion on the Bill by MISA-Zimbabwe Legal and ICT Policy Officer. On the day of reporting, the online discussion had 7,400 views.



3. Journalism in Covid-19 times

This discussion focused on the challenges that journalists in Zimbabwe were facing during Covid-19. MISA Zimbabwe detailed the increase in media violations which included arrests, detention, harassment, and assault of journalists. This was stemming from the fact that journalists had not been specifically mentioned as providers of essential service, and were being accused of violating lockdown regulations although this was later rectified through an amendment. The other issues also pertained to the use of expired accreditation cards which had



been duly authorised by the Zimbabwe Media Commission pending the issuance of new accreditation cards.

4. Internet Freedoms and Freedom of Expression

This discussion explored the state of freedom of expression in Zimbabwe especially online. This focused on the existent legislative provisions and how they impact exercise of internet rights and or digital rights. Izaak Minnaar also shared insights on the existent international standards and best practices while Hlengiwe Dube discussed some of her findings in the report she contributed to on Freedom of Expression in the Southern African Region during Covid-19 times.

5. Elections, Internet Governance and Digital Rights

In 2020, several countries in Southern Africa had presidential elections lined up. In June 2020, Malawi had had its own elections while Tanzania had also scheduled its elections for October 2020. This discussion was therefore timely and critical as it explored issues relating to freedom of expression, media diversity, hate speech and misinformation. Media and Elections Consultant Izak Minnaar, also shared critical insights on some existing international documents guiding elections and digital rights.

6. Media Lawyers Network Webinar Series

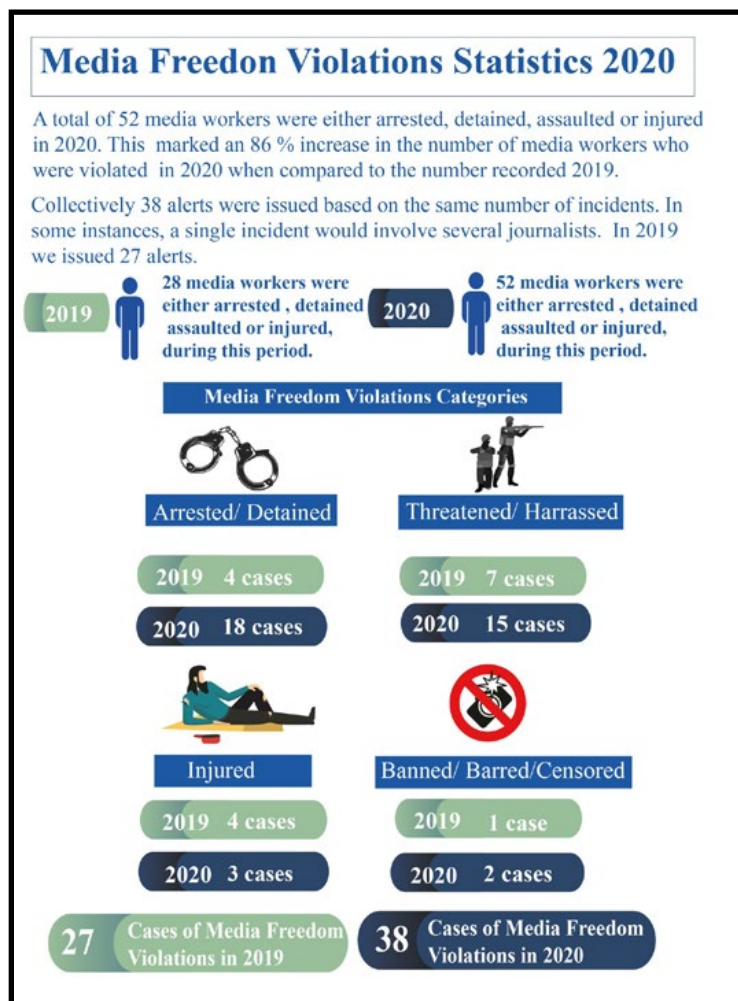
MISA Zimbabwe in partnership with the International Senior Lawyers Project conducted a webinar series to assist lawyers under the Media Lawyers Network on strategic litigation to promote freedom of expression. This discussion unpacked the precedence set by countries from Europe and from a regional perspective, Cathrine Anite, a member of the High Level Panel for Media Freedom also trained the lawyers. Local lawyers like Chris Mhike and Advocate Brian Hungwe were also among the discussants bringing relevance and contextualizing the issues.

7. Media Lawyers Network Webinar Series

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Media Freedom Monitoring





01

01

Editors Symposium on Reporting on Renewable Energy, Climate Change and Natural Disasters held in Bulawayo.

02

Sunday Mail Senior Features Reporter Tendai Chara, (in short sleeves) receiving the award for best Energy Innovation story from Gigi Wing-Davies of Hivos during the MISA Zimbabwe/ Hivos Renewable Energy Media Awards in Harare. Looking on from the left, MISA Zimbabwe Trustee Kelvin Jakachira and Mike J Maketho of Hivos.



02



03

03

Cyber Security and Data Protection Bill parliamentary public hearing meeting in Bulawayo.



04

Cyber Security and Data Protection
Bill parliamentary public hearing
meeting in Kwekwe.

05

MISA Zimbabwe Legal and ICT Policy
Officer Nompilo Simanje briefs
journalists in Zvishavane on the
contents of the Draft Zimbabwe Media
Practitioners Bill.



05

06



06

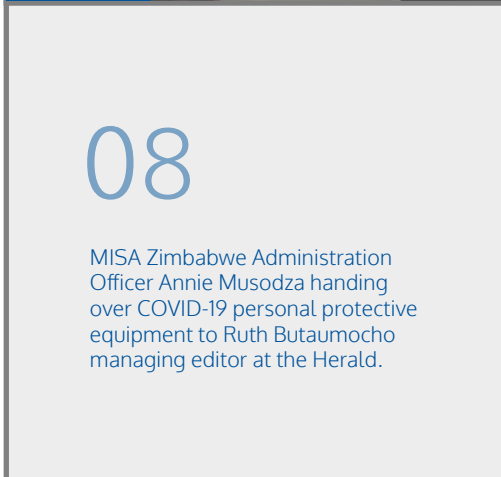
Information, Publicity and Broadcasting
Services Minister Monica Mutsvangwa
giving her keynote address at the
International Day for Universal Access to
Information commemorations in Harare.



07

07

MISA Zimbabwe National Director Tabani Moyo delivering the keynote address at a Cyber Security and Data Protection Bill engagement meeting with the Parliamentary Portfolio Committees on ICT and Media in, Harare



08

MISA Zimbabwe Administration Officer Annie Musodza handing over COVID-19 personal protective equipment to Ruth Butaumocho managing editor at the Herald.



08

09

Deputy Editor of the Lesotho Times and Sunday Express Newspapers Silence Charumbira making a contribution during a Digital Literacy awareness meeting in Lesotho.



09



10

10

MISA Zimbabwe Advocacy Officer Malvern Mkudu going through the provisions of the Freedom of Information Act at an Access to Information Community Dialogue meeting in Macheke..

11

MISA Zimbabwe Fundraising and Regional Campaigns Coordinator Nqaba Matshazi presenting the findings of the 2020 Transparency Index report in Gweru



11



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12

MISA Zimbabwe Programmes Manager Nyasha Nyakunu making a contribution during the launch of the 2020 Transparency Index report in Bulawayo. Looking on is MISA Zimbabwe Bulawayo Advocacy Committee chairperson Barnabas Masimba.

13



13

MISA Zimbabwe Assistant Advocacy Officer Chido Luciasi going through the findings of the Transparency Index report during the launch in Gwanda.

14

MISA Zimbabwe National Chairperson Golden Maunganidze delivering a presentation at the International Day for Universal Access to Information commemorations at Holiday Inn, Harare.



14

