

THE STATE OF THE MEDIA IN ZAMBIA

January - June 2020



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STATE OF THE MEDIA REPORT

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List of Acronyms

BBC MA	British Broadcasting Corporation Media Action
BOZ	Bank of Zambia
FES	Friedrich Ebert Stiftung
ECZ	Electoral Commission of Zambia
GEARS	Governance, Elections, Advocacy Research Services
IBA	Independent Broadcasting Authority
IDC	Industrial Development Corporation
NGO	Non-Governmental Organisation
SACCORD	Southern African Centre for Constructive Resolution of Disputes
SI	Statutory Instrument
ZAMEC	Zambian Media Council
ZANIS	Zambia News and Information Services
ZNBC	Zambia National Broadcasting Corporation
ZSA	Zambia Statistics Agency

Introduction

The *State of the Media* is a quarterly report with a collection of trends and developments in the media sector as compiled by the MISA Zambia Chapter. The report serves as an advocacy tool for media policy reform as well as an archive of information which can be used for reference on media developments in Zambia.

The report has previously helped to shape policy formulation with regard to media freedom, freedom of expression and access to information in Zambia. The report, which has been published quarterly for over fifteen (15) years, serves as a tool for dialogue and action in the media fraternity, government and non-governmental sectors alike.

The rationale of the report is based on the corollary between media performance of certain cardinal functions and democratic governance. However, the media are affected by various trends and developments that could undermine their performance.

In this regard, the report is divided into various sections covering the socio-political, economic, legal and technological environment in which the media operated in the period under review.

The objectives of the report are, therefore, to:

- Report political, economic, legal and technological trends in the media sector in Zambia
- Assess the level of freedom of expression and media freedom

1.0. Methodology

The report is exploratory and descriptive in nature as it mainly aims to present the general state of the media sector in the identified quarters.

In compiling the report, a document review was conducted in which an analysis of various materials pertaining to freedom of expression and the welfare of the media within the quarters under consideration. This was augmented by a content analysis of various media publications (electronic,

print and online) as well as media violation alerts to establish the common themes with regard to the objectives of the study.

The report also employed the use of in-depth interviews with key informants who were purposively selected on the basis of their known or presumed knowledge about issues related to or affecting the state of the media. The key informants comprised media experts, scholars, civil society organisations and the Independent Broadcasting Authority, a broadcast regulator. Interviews were also conducted with practising journalists to gain a deeper understanding and validation of some of the phenomena observed in the two quarters.

The study was affected by the limited resources available to ably cover the country as well as limited time allocated towards the compilation of the report.

2.0. Executive Summary

The State of the Media Report is a quarterly assessment of the media environment in Zambia. This edition covers both the first and second quarters of 2020; January-March and April-June. This assessment and record describes the media situation in Zambia during this period and was prepared under the auspices of MISA Zambia Chapter.

This report includes a number of interesting occurrences that added new developments, twists and opportunities alike for the overall media environment in Zambia.

The socio-political and legal environment was found to be relatively unfree in both quarters in view of the many violations and negative developments witnessed in the media sector. Some of these developments included the effect of the Coronavirus (COVID-19) disease, suspected ritual killings and gassing incidents as well as numerous political attacks on media outlets and cases of harassment of media practitioners. These events, among others, continued to inhibit the work of the media and undermined the very fabric of press freedom which is expected to flourish in an environment where editorial independence as well as freedom from undue influence are guaranteed.

A major occurrence that affected the state of the media was the break down in relations between government and Prime Television which led to a blacklisting of the Station and an eventual cancellation of the Station's broadcasting license by the Independent Broadcasting Authority under suspicious circumstances.

Additionally, a legal victory was recorded when the Lundazi Magistrate Court handed a two-year custodial sentence to Frank Mwale, a PF cadre who attacked a Breeze FM journalist, Grace Lungu and her driver during the Mkomba Ward by election last year. This helped to send a message to would be perpetrators of political violence against journalists.

The first quarter experienced fewer violations and was thus more progressive when compared to the second quarter which had more damaging developments on the socio-political and legal environment.

On the economic front, a bleak turn-out of events and negative progression of macroeconomic fundamentals (partly attributed to the COVID-19 pandemic) posed a threat to the sustainability of media houses. This was noted in the increased cost of doing business and reduction in advertising revenue (due to reduced economic activities and a reported decline in output and new orders because of a drop in consumer spending).

Regarding performance of the Kwacha against major convertible currencies, the scenario remained the same in both quarters with similar trends of foreign exchange volatility experienced. This is of concern because most media inputs are imported at great cost and such fluctuations also contribute to the increase in cost of doing business for media houses.

Further, electricity load shedding continued in both quarters, leading to power outages an average of twelve (12) hours daily. This really hampered media operations provided that most equipment used in the broadcasting industry runs continuously and the use of alternative sources such as generators is an added cost. Others running print presses, for example, were also affected by such outages.

On the technological front, both quarters were relatively stable. Among the progressive trends were the completion of the ZNBC broadcast studio in Kabwe, which is part of the government's strategy under the digital migration policy to enhance information dissemination. Also, roll-out of new technology was noted with Airtel Zambia's introduction of Internet Protocol TV (IPTV) through the Airtel TV Application, with numerous news and other channels that will contribute to increasing access to information through modern technology.

Additionally, innovation was noted among media institutions which were limited by the COVID-19 preventive measures. As such, use of virtual hosting technology for interviews and information gathering was noted and this helped to enhance the work of the media.

Warnings and threats were noted by government officials and regulatory institutions such as the IBA concerning the use of social media both for citizens and the media. This continued to pose a possible hindrance of the enjoyment of freedom of expression online, especially in the wake of detention of citizens on insult law charges. This was also against the backdrop of a suspected internet shut down in Southern province at the height of civil unrest arising from suspected ritual killings and gassing incidents.

3.0. Findings

3.1. Socio-political and legal environment

The socio-political and legal environment under the state of the media takes into account social and political issues, incidents and occurrences that could potentially affect the functions of the media and enjoyment of freedom of the press.

For both the first and second quarters, two main issues of note are the outbreak of the Coronavirus (COVID-19) disease which first broke out in Wuhan City in Hubei Province, China in December 2019¹. In Zambia, the first cases were only recorded in March, 2020. The progression of the pandemic

¹ <https://www.who.int/docs/default-source/coronaviruse/situation-reports/20200423-sitrep-94-covid-19.pdf>

prompted government to pass SI 22 of 2020 which restricted public gatherings and promulgated various regulations aimed at curbing the spread of the virus. This included an eventual closure of bars, nightclubs and airports while facilities such as restaurants remained open on takeaway basis².

The Coronavirus outbreak affected the operations of journalists who mostly have to interact with news sources and guests. The health measures put in place, therefore, inhibited certain media activities as journalists had to work on rotational basis while adjustments had to be made in terms of gathering information from sources. The pandemic thus had a cost implication which posed a financial strain on media houses as they had to provide personal protective equipment and reduce on the number of staff. This is because the very work of journalists puts them in harm's way especially with such a highly contagious disease. This was also confirmed by some of the journalists interviewed. For example, Cindy Sipula, a ZANIS reporter stated:

The Coronavirus pandemic inhibited my performance as a journalist in that I was not able to go on the ground and get facts about an issue due to fear of contracting the virus. In order to remain relevant, I had to embrace the use of technology in sourcing news stories and pursuing sources. In the new normal, I always ensure I adhere to the COVID-19 guidelines such as wearing of face masks as I do my work

The impact of the pandemic also limited the diversity of information that the media could gather and disseminate as observed by another interviewee, Macpherson Mukuka, a ZNBC journalist:

The Media landscape has not been the same since the virus surfaced. We at some point got so restricted to covering COVID-19 and forgot about other issues of equal importance. It is now that we are adjusting trying to fit in and cast the net wide again. Reporting on COVID-19 has become boring. COVID-19 is another mystery in everyone's life. The fear of moving and interacting with sources made the work difficult in the first few months. But it seems we are adapting to the 'New normal'. Although things are tense now, we are subjected to doing internet based interviews, sometimes it is successful, sometimes it is not. Our local internet is very poor most of the time and this affects the deadline for submission of stories. Strategies are either Zoom or Skype

² Airports were reopened in June while bars and nightclubs remained closed at the time of compilation of this report.

It is important that stakeholders, media associations and government take the plight of the media into consideration during such times. This could be done by classifying media as front-line workers, which could enable them to receive certain critical supplies such as personal protective equipment as well as other resources to help in their day-to-day operations. This is important in that media play a critical role during such times by facilitating dissemination of information to the general public.

On a positive note, the Ministry of Health provided timely, adequate information through daily press briefings that allowed journalists to gather all the information needed for their stories. Such a move helped to fulfil the surveillance function of the media which is critical in times of public disasters and health crises³. Under such a function, media are expected to create awareness by providing information on what is happening and of ways in which the disaster can be faced.

Related to the Coronavirus outbreak are also legal-political effects and this was exemplified in what is perhaps the most debilitating event that stretched across both quarters: the breakdown of relations between Prime TV and government. This arose from a speech delivered by Prime TV proprietor, Gerald Shawa at a meeting between the Ministry of Information and media owners. Mr Shawa, who spoke on behalf of the media owners admonished Information Permanent Secretary Amos Malupenga in response to his request for media houses to air public service messages on pro bono basis.

Mr. Shawa said Government should first settle outstanding dues owed to the media institutions before it could engage them in providing free airspace for sensitizing people on the coronavirus.

This did not sit well with government and led to a break down in relations between government and Prime TV, eventually leading to government breaking off all and any dealings with the TV station. Minister of Information and Broadcasting Services, Hon. Dora Siliya stated as follows:

³ McQuail (1992)

Government wishes to announce that it has ceased to cooperate with Prime Television station with immediate effect. The cessation of cooperation entails that the Government of the Republic of Zambia, and any of its agents, shall not conduct any media transactions with Prime Television station. There shall be no appearance of public officers and officials on Prime Television programmes, whether paid for or otherwise, until further notice. Government also wishes to categorically state that journalists from Prime Television shall not be invited to cover any government-related business

All Ministries, Provinces and other Spending Agencies are henceforth advised to cancel all business transactions that they may have with Prime Television station and to cease any form of cooperation with the broadcasting station. This decision has been necessitated by the position taken by Prime Television station which, through its proprietor Mr Gerald Shawa, on Friday 13th March, 2020 declared that the station shall not help Government to sensitise members of the general public about the Corona virus. Mr Shawa also boasted that the Government was only utilising his station because he had a large audience and not because the government wanted to support his station financially. Government finds the stance taken by Prime Television station to be extremely unpatriotic and has, therefore, chosen to disengage itself from any further dealings with the station⁴

Many organisations expressed concern over the move taken by government, particularly by a Ministry which is responsible for press and media development in the country. This was despite a request for a follow-up meeting⁵ with the Ministry of Information as well as a statement clarifying the sentiments issued by the Station's proprietor in the initial meeting.

Later, on 23rd March, Prime TV proprietor, Gerald Shawa publicly apologised to government at a media briefing, saying that he was emotional when he

⁴ This was contained in a press statement issued by the Ministry of Information and Broadcasting Services

⁵ <https://zambiareports.com/2020/03/20/prime-tv-requests-meeting-government-ceasing-cooperation-tv-station/>

uttered the remarks in the meeting held with the Information Permanent Secretary.

He further apologised to the Zambian people who he said felt injured by his remarks saying his company was willing to transact with government and that there would be cooperation in order to mend the relationship.

MISA Zambia Chairperson, Hellen Mwale, who was present at the briefing, later issued the following statement:

MISA Zambia wishes to commend the decision taken by Prime TV to apologise to the government and the general public and further seek dialogue that aims to rebuild its relations following a dispute arising from misunderstandings over the media's role in COVID-19 sensitisations.

Prime TV Proprietor Gerald Shawa tendered an apology to the government and the Ministry of Information and Broadcasting Services on 23rd March 2020 and says the institution shall work with the government and other stakeholders to publicise sensitisation messages on COVID – 19 pandemic which has affected people at a global stage.

MISA Zambia finds the move taken by Mr. Shawa commendable and progressive as dialogue remains key in any conflict resolution process. Government remains a relevant stakeholder in issues surrounding media and development and as such, the move earlier taken by the government to cease relations with the TV station would have disadvantaged the institution as well as its viewers.

Equally, government needs the services of the media as a partner in development in order to communicate its plans and other information on development issues and other interventions especially in this critical moment where the country has reported cases of COVID – 19.

MISA Zambia wishes to call upon the government through the Minister of Information and Broadcasting Services Minister Hon. Dora Siliya to accept the apology from Mr. Shawa in his capacity as well as on behalf of Prime TV as an institution and engage in dialogue that would benefit both parties and turn a new page⁶.

The move by Prime TV received commendations from several sectors of society. In a shock move, however, Topstar Communications Ltd. Removed Prime TV on its bouquet of channels, claiming this was in compliance with government's directive for cessation of business with the TV station. Several stakeholders condemned the move, with PANOS Institute issuing the following:

Panos Institute Southern Africa (PSAf) appeals to signal distributor Top Star Communications Company Limited to reconsider its decision to remove Prime Television from its platforms, and immediately reinstate the station on the Top Star bouquet.

On Friday, 27 March 2020, Top Star said the company was "hereby ceasing all forms of cooperation" with Prime TV, and that they were removing the station from the Top Star platform "with immediate effect". The company said this action was taken in line with a Ministry of Information directive for government agencies to terminate all business transactions with the privately owned television station.

Panos believes private media actors such as Prime TV have an important role to play in advancing Zambia's development, complementing the national broadcaster and other information actors to ensure increased availability of and access to media and communication platforms by the most affected and most vulnerable groups, and ensuring that information is effectively used to drive development.

Given Prime TV's position as a leading private broadcaster in Zambia, the station provides an important platform for citizens to access and share information on important issues. The removal of Prime TV from Top Star may have far reaching negative effects on the station's employees and on the many citizens who rely on the TV station as their preferred channel for accessing information.

At a time when the whole nation is focused on addressing the COVID-19 pandemic, the media has a duty to inform and educate citizens, raising their awareness about the pandemic and providing them with

⁶ <https://zambia.misa.org/2020/03/24/apology-by-prime-tv-commendable-misa-zambia/>

information enabling them to take the necessary precautions as guided by the government, through the Ministry of Health and other agencies. Removal of Prime TV from the Top Star platform will limit the station's outreach, and therefore limit the extent to which citizens can access and share information on the national COVID-19 response and other national developmental issues.

Instead of taking such severe action, and considering that Prime TV management has since apologised to the government, Panos encourages the Top Star management to pursue other amicable ways to address any concerns around Prime TV⁷

The debacle between the Ministry of Information and Prime Television leaves much to be desired. Firstly, this is because the role of the Ministry of Information as stated in their Mission Statement is to “effectively facilitate the development of the Media Industry in order to enhance the free flow of information and freedom of expression for national development”⁸. This entails supporting enterprises and creating a conducive environment that can foster growth. The move to cease conducting any business was not only detrimental to Prime TV but the Ministry, as Prime TV had a considerable audience which could have benefited from government information and programmes in line with the Seventh National Development Plan (7NDP) mantra of leaving no one behind⁹.

Secondly, the act of government “blacklisting” a media house is an indirect form of structural censorship and undue pressure. This move had the potential to affect one critical aspect of press freedom i.e. economic or financial freedom. This is because the act of government blacklisting a media house has ripple effects of business entities withdrawing their dealings with the institution for fear of reprimand by government. This has the net effect of crippling the media house and forcing it to acquiesce to the whims of the State. Moreover, it was unclear as to the extent to which government would cease dealings with the TV station, whether this included services to which the media house was genuinely entitled to from government agencies and so

⁷ <http://www.panos.org.zm/index.php/2020/03/27/panos-calls-for-immediate-reinstatement-prime-tv-on-the-top-star-platform/>

⁸ See https://www.mibs.gov.zm/?page_id=5221

⁹ <https://www.mndp.gov.zm/wp-content/uploads/2018/05/7NDP.pdf>

on. This is even more dangerous as it would place institutions such as the independent Broadcasting Authority (IBA) in a quandary if such a directive issued by government were to be followed to the latter.

Also, the decision by entities like Topstar Communications which removed the TV station from its platform leaves much to be desired¹⁰. This is because the logic and justification provided is highly contestable provided that the company-though a partnership with government is somewhat expected to act independently and professionally especially that the government's digital migration policy seems to suggest otherwise¹¹. The entity is setup as the de facto public and private carrier and should thus accord equal opportunity to all as long as they meet the set requirements and licensing framework. It is for this reason that several stakeholders have questioned the digital migration policy implementation in so far as the issue of public and private carriers are concerned for increased independence. There is, therefore, need for continued dialogue on safeguarding the digital migration framework.

Finally, while there are so many irregularities regarding the government directive to blacklist Prime Television, the TV station is, also, not without fault. It is important for media houses to support government efforts, particularly in times of disaster such as the Coronavirus disease. It is a well-known fact that government owes huge sums to media houses, including for activities under the Electoral Commission of Zambia pertaining to past elections. While media houses continue to demand for what is rightfully theirs, there is need to ensure that it is done systematically using all provided channels-to the point of litigation where necessary as was the case between

¹⁰ This decision (removal from Topstar Bouquet) and government's directive to blacklist the Station was challenged by Prime TV in the High Court on 30th March without success. The case was later suspended and referred to arbitration. Prime TV cited the Attorney General, Likando Kalaluka, Topstar Communications Company Limited and MultiChoice Zambia limited in the matter seeking a declaration that the decision by government to cease all transactions and business with it was unconstitutional. Read more at <https://www.themastonline.com/2020/06/08/high-court-suspends-prime-tv-case-refers-it-to-arbitration/>

¹¹ See <https://www.iba.org.zm/downloads/Digital-Migration-Policy.pdf>

Lusaka Voice (an online publication) and the Patriotic Front Party¹². Both government (including regulators) and media houses must see each other as partners in development and facilitation of democratic governance. According to the Independent Broadcasting Authority, one of the regulatory challenges observed was summarised as follows:

The concept of regulation itself has not been fully understood. Some licensees fail to understand why the broadcasting sector must be regulated. There is a notion that regulation stifles press freedom. On the success side, the authority has managed to increase the number of broadcasting houses. Further, there is a general improvement in the quality of broadcasting but more needs to be done¹³.

3.1.1. Access to Information Bill, ZAMEC Bill and Constitutional Amendment Bill

With regard to legislation, there was no significant development on the Access to Information and Zambia Media Council Bills in both quarters and the status remained the same as reported in the 2019-fourth quarter State of the Media report.

The ZAMEC Bill was submitted to the Ministry of Information and Broadcasting following media consultative processes by the Technical Working Group (TWG) that culminated into the drafting of a proposed media self-regulation Bill. The development of the media regulation framework is a positive move that will help to guarantee professionalism in the journalism fraternity and ensure the development of the media sector, especially in view of the many violations and attacks. However, given the occurrences in the two quarters under review, it is important that the content and framework of the Bill are safeguarded to avoid creating a monster that could eventually swallow the fraternity's independence, especially given the controversy surrounding some of the actions of institutions such as the IBA. It is also prudent that

¹² In January, 2020, the Lusaka High Court entered judgment in default of appearance and defence against PF Secretary-General Davies Mwila in a case where Lusaka Voice Newspaper Limited sued him, claiming over K300, 000 for campaign advertorials and adverts placed in its publication during the 2015 presidential election. The action was later contested by the PF.

¹³ In a questionnaire administered to IBA Director-Standards, compliance and consumer affairs, Eustace Nkandu

government remains transparent throughout the process to avoid any misgivings within the media fraternity, especially that the process is already underway. For example, the Media Liaison Committee threatened to withdraw its support for the Bill following the cancellation of Prime Television's Broadcasting license, an issue discussed below. In a statement, the MLC stated that:

As Zambia heads towards the 2021 Presidential and general elections, and with such developments, the media fraternity anticipates a more ruthless environment where abuses of media practitioners and media institutions by political elements in the government and the ruling party will escalate. Further, the MLC anticipates IBA and other Government agents to be unleashed on all media platforms perceived to be offering critical and independent media coverage to stakeholders outside Government and the ruling Patriotic Front party¹⁴

On the Access to information Bill, no progress was recorded and this is no surprise as it is reminiscent of the Bill's eighteen-year old journey since it was first mooted in 2002. The journey has been filled with several promises of enactment by successive governments, with several retrogressions. This is even more critical as enactment of a law on Access to Information was one of the Patriotic Front's campaign promises that formed the party's 2011-2016 manifesto¹⁵. Access to information laws allows for transparency and citizen participation in governance processes as they foster an informed citizenry. Such a law would further help to reduce vices such as corruption, which flourish in an environment of secrecy. It is therefore important that the enactment of the Access to Information Bill is reconsidered as a priority in view of the forthcoming elections. Further, contents of the Bill that is already under consideration by government must be made public to enable citizens and stakeholders alike to contribute to the document, which is a people's document.

¹⁴ As reported in the News Digger Newspaper on 16th April, 2020. See <https://diggers.news/local/2020/04/16/media-bodies-threaten-to-withdraw-support-for-statutory-self-regulation-over-prime-tv-closure/>

¹⁵ Contained in Section 27 of the 2011-2016 PF Manifesto. Available at https://www.mota.gov.zm/?wpfb_dl=71

3.1.2. Socio-political and Legal Environment in the first Quarter

Of note in the first quarter were the suspected ritual killings that rocked the Copper Belt town of Chingola, leading to violent protests from residents owing to supposed inaction and failure to bring the vice to a halt. The unrest degenerated to looting and attacks on foreign nationals who were suspected to be behind the spate of killings¹⁶. This prompted the government to dispatch soldiers to help police in quelling the riots which also spread to other provinces. The impact of this situation is the danger of the media being caught in the crossfire caused by the tension and security instability, which is often used as an excuse to prevent the enjoyment of freedom of expression and of the media. This is arising from the existence of many laws inimical to the press in the statute books, among them sedition, public order, state security and criminal defamation, among others¹⁷. This was witnessed in the unrest caused by the suspected ritual killings when police arrested a prominent clergy man, Bishop Joseph Kazhila while live on Chingola's Kokoliko Radio to discuss the said killings. Such a move has the potential to impose (self) censorship on the journalists and media houses as they do not wish to be caught in the web of the law both with law enforcement agencies and media regulatory bodies. Interruption of live broadcasts is in itself an affront on media freedoms and the media's editorial independence. This was further against the backdrop of failure by authorities to release information to the public and the media on details pertaining to headways made regarding the suspected ritual killings. This inhibited the work of the media in disseminating information and fulfilling their function as a proverbial conveyor belt that relays information to the public. The media should be seen as partners in information dissemination and management of such civil unrest, to avoid misinformation and speculation. On this, SACCORD issued a statement advising government to improve on information dissemination particularly in relation to the ritual killing incidents, stating that:

We make a strong appeal to the Zambia Police Service to give daily updates to the citizens in Chingola on what is happening. Citizens in the

¹⁶ <https://www.lusakatimes.com/2020/01/09/chingola-residents-riot-over-ritual-killings/>

¹⁷ Chanda and Liswaniso (1999), Ndawana (2016)

affected areas and the country must accept and support the role bestowed on the ZPS and other security agencies to restore peace, law and order, stability and normalcy in Chingola and other parts of the Copper Belt. In other words, there has to be a clear channel of communication in the affected areas by the law enforcement agencies to avoid confusion

It is therefore important that media are equally accorded the necessary protection in the conduct of their functions particularly in such situations where they support the authorities in information dissemination. For example, on 8th January, a ZNBC news crew was attacked and had its vehicle windows smashed by residents who ran amok and onto the streets in protest against the suspected ritual killings¹⁸.

This, equally, was the case in the gassing incidents which were eventual successors of the spate of ritual killings in the quarter under review. This similarly caused civil unrest which degenerated to unmanageable levels which prompted the deployment of troops country-wide as well as restriction of movement in certain parts of the country and heightened patrols. On the social front, this affected journalists and inhibited their work, which often requires interactions with the public and sources of news. Given the pronounced security situation, there was also restriction on information dissemination regarding the anti-gassing operations conducted by authorities, despite immense media interest. It is, therefore, important for authorities to devise modalities of timely information dissemination during such times, despite the myriad of laws granting them absolute discretion as this tends to limit the role of the media and the public's right to know. Some of the journalists interviewed bemoaned the lack of security accorded to journalists and the impact this had on their work. Sipilisiwe Ncube, a News Diggers Newspaper reporter stated:

The gassing incidences affected my work as a journalist in that news collection was only limited to areas where one was well known. As

¹⁸ <https://www.znbc.co.zm/news/chingola-in-smoke/>

journalists, it was impossible to physically collect stories from different areas/towns/communities for fear of being mistaken as one of the gassers. Other than that, there was no protection whatsoever from the state/police as they were too afraid of being victims of mob justice.

Another issue that is worth consideration in review of the first quarter of the year is the move by the Ministry of Information and Broadcasting Services (MIBS) to restrict the issuance of statements and appearance on media programmes by ambassadors and high commissioners, except with prior clearance. This came against the backdrop of a litany of statements from press secretaries from Zambian missions. In a letter written by the Permanent Secretary, Ministry of Information Mr Amos Malupenga on 7th January, Heads of the Zambia Daily Mail, Times of Zambia, ZNBC and ZANIS were restricted from using any statement from Zambian missions abroad without prior clearance from the Ministry of Foreign Affairs, stating that the move was meant to ensure “proper organisation, coordination and consistency in dissemination of information to the public”¹⁹.

While the motive of this action is acceptable, the act of directing public media institutions on what should and should not be covered leaves much to be desired. This amounts to structural censorship and could have a chilling effect on the performance of these institutions²⁰. Such directives could be undertaken internally within the Ministry of Foreign Affairs while media institutions should be allowed the editorial independence and autonomy to operate and make their own judgement as long as it is within their established editorial policy.

It is for this reason that civil society institutions like MISA have been advocating for independence of public institutions as well as independent appointment of heads of public media boards and management to avoid scenarios in which the government is seen to have undue influence on their

¹⁹ <https://diggers.news/local/2020/01/13/no-zambian-envoy-is-banned-from-issuing-statements-theyve-just-been-guided-on-procedure-malupenga/>

²⁰ Manchishi (2017)

operations. This was the motivation behind the advocacy for the ZNBC Act, the Independent Broadcasting Authority Act and many other proposals mooted by media NGOs through the Media Liaison Committee.

On the legal front, suits and charges were noted against the media in the quarter under review. Among the incidents of note is a case in which Millennium Radio Station Manager, Martin Akende testified in a case of defamation of the President, following alleged defamatory remarks issued by a caller on one of the Station's programmes. Many of the cases of defamation of the President²¹ recorded in the quarter were of individual citizens. However, like in the case involving Millennium radio, such incidents have potential to affect media houses as they offer a platform for members of the public to air their grievances. The law on defamation of the President is one law that is deemed to be inimical to freedom of expression as it places arbitrary discretion on law enforcement agencies to determine what should constitute defamatory matter or not. The law is further ambiguous as it places a criminal caveat on comments whether negative or positive²².

In the quarter under review, cases of harassment and political violence against journalists and media houses were noted. One such case recorded on 31st January, involved Mwenya Mofya a 5FM Radio journalist, who was allegedly Intimidated and blocked from covering a press briefing which was scheduled at the PF Secretariat but later cancelled. The journalist was harassed by cadres and prevented from accessing the Secretariat.

The trend of meting violence on journalists has been going on for a long time and has, sadly, been on the rise, especially during electoral campaigns. Violence has the potential to encourage self-censorship among journalists and media houses in fear of repercussions such as violent attacks from cadres. On this, one of the interviewees, Joan Chirwa, a media activist and former managing Editor of The Post Newspaper noted that:

²¹ Contained in Section 69 of the Penal Code Act, Cap 87 of the Laws of Zambia

²² Manchishi, K. (2017) Defamation of the President and the law's effect on media performance: a study of the Zambia Daily Mail and The Post Newspaper. Unpublished Master's dissertation. Lusaka: UNZA.

The political situation is unfavourable. Media organisations that are critical of Government are usually targets of attacks by ruling party cadres...there is shrinking space for free media where players are cautiously doing their work to avoid closure or withdrawal of licences, or attacks from ruling party cadres

Other violations worth noting include interruption of a live debate on the Constitutional Amendment Bill No. 10 held by the Law Association of Zambia and broadcast on Prime Television among other social media platforms. The debate, which was held at the Intercontinental Hotel was cut short when cadres violently interrupted the discussants (despite presence of police) and sent attendees scampering for safety²³. The debate, which brought together groups with opposing views on Bill 10 was an opportunity for citizens to access information on a timely topic of immense public interest. This was against the backdrop of a deeply polarised media landscape which failed to ably present clear information on the topical Bill 10. Such debates should be encouraged as a hallmark of freedom of expression in a democratic dispensation. Additionally, there is need for strengthening of the media's capacity to contribute to the nurturing of an informed citizenry. On the media polarisation, one of the key informants, Youngson Ndawana, a doctoral researcher at the Liverpool John Moore University stated:

There is a lot of interplay, the politics are defining the media to a great extent. The media has really been under stress in the first two quarters of the year and I don't see this getting any better especially that we are drawing towards the 2021 election....there is this disunity and divide; them and us even within the private sector where you have government aligned media houses also who rejoice when they see others tormented.

Additionally, Sipilisiwe Ncube, a practising journalist at News Diggers Newspaper noted:

There is too much bias on the part of state media while the independent media is still trying to be balanced and objective. For example, the state media will rarely cover anything positive about the opposition political parties unless it is negative whilst the independent will cover both negative and positive about the government or the ruling party. While the

²³ <https://diggers.news/local/2020/02/19/unruly-pf-cadres-disrupt-laz-bill-10-discussion/>

media tries to be credible, politicians are making it difficult for the media to maintain that.

Another key informant, Joan Chirwa, a media rights activist and former Managing Editor of The Post Newspaper observed that:

The standards are increasingly going down. Two sides to it: we have a cadre of journalists that are in the profession for wrong reasons and therefore do not care about ethics; then we have another cadre of journalists that is dedicated to duty but their input is limited by their organisations' lack of resources, poor salaries and lack of incentives

In an interview questionnaire administered during the compilation of this report, the broadcast regulator, IBA equally bemoaned attacks on the media fraternity stating that “More advocacy is needed to ensure that broadcasting stations are not targeted for violent acts. There is need to engage various stakeholders to respect the role of the media in our democratic state”²⁴.

There is, therefore, need for tolerance among political stakeholders and more so heightened efforts by concerned authorities such as the Zambia Police in bringing perpetrators of violence to book. It is also important that media adherence to ethical guidelines and professionalism is enhanced. Media must ensure objectivity, balance, fairness and should always remain true to the public interest. It is gratifying that in the same quarter, the Constitutional Court urged the Electoral Commission of Zambia to exercise powers vested in it to punish perpetrators of electoral violence. According to a court report carried by News Diggers²⁵, the Court held that the ECZ has wide powers under the law to punish perpetrators of electoral violence which include, but are not limited to, disqualifying a political party in breach of the Electoral Code of Conduct from taking part in an election.

3.1.3. Socio-political and Legal Environment in the Second Quarter

The second quarter was equally marked by notable developments in the media sector. The most striking occurrence was the de facto closure of Prime Television in what was seemingly continuation of the breakdown in relations

²⁴ IBA Director-Standards, compliance and consumer affairs, Eustace Nkandu

²⁵ As published on 6th February, 2020. See <https://diggers.news/courts/2020/02/06/ecz-has-powers-to-punish-perpetrators-of-electoral-violence-says-concourt/>

between government and the TV Station as witnessed in the first quarter of the year. On 1st April, the Zambia Revenue Authority (ZRA) reportedly wrote to Prime TV informing them of an audit. The Mast Newspaper of 2nd April carried the following:

The Zambia Revenue Authority has written to Prime TV informing the institution that a team will be visiting it to audit its tax accounts. In a letter dated April 1,2020 addressed to Prime TV Proprietor Gerald Shawwa, ZRA informed him that the team was interested in checking on compliance issues related to Value Added Tax, Income Tax, Pay as you Earn, Withholding Tax.

“We will be looking at the period extending from 1st January 2015 to 31st December 2019,” reads the letter in part. “in order for team to timely and auspiciously conclude the exercise, you are requested to timely make available the following documents: trial balance for the financial periods; financial statements for the period; production records; sales and purchases ledger; stock records for the periods; fixed asset register,”

The other things ZRA wants to check are a detailed patrol information in linear on the pay lips; import and exports documents, including CE20s, bills of lading, Airway Bills, rail notes; import purchase orders and local purchases; goods delivery notes or proof of delivery; stock movements sheets with details such as item numbers, stock code per item, stock levels, requisition orders and schedule of all assets bought and sold buy the company during the audit period.

“Kindly note that our audit will not be limited to the above documents. We further expect that our officers will be given access to all records and documents that they may request and your electronic systems,’ reads the letter signed by Catherine Chilambe, the acting director investigation, “Further should you be aware of irregularity in your declarations to the ZRA, your self- disclosure would be most appreciated,”

Chilambe told Shawwa that due to the coronavirus situation in the country he would be informed the date of the visit.

This came a few days after the incidents that led to a total breakdown of relations and subsequent removal of the station from the Topstar bouquet. It is noteworthy that several other media houses were also written the same letter by the revenue authority. Eight days later, on 9th April, the Independent Broadcasting Authority (IBA) issued a press statement announcing the cancellation of Prime TV's broadcasting license. For ease of reference, the statement, which was undersigned by IBA Director-General, Josephine Mapoma is reproduced below:

The Independent Broadcasting Authority (IBA) Board wishes to announce the cancellation of the broadcasting licence of Prime Television in Public Interest.

The cancellation is with immediate effect.

The cancellation is pursuant to Section 29 (1) (j) and (k) of the IBA (Amendment) Act of 2010 which provides that the Board may cancel a broadcasting licence if:

"The cancellation of the licence is necessary in the interest of public safety,

security, peace, welfare or good order".

"The Board considers it appropriate in the circumstances of the case to do so".

This means that Prime Television's licence is now void and should be surrendered to the Authority.

Prime Television is at liberty to appeal against the decision of the Board to the Minister of Information and Broadcasting Services within thirty (30) days, in accordance with Section 31 (1) of the IBA Amendment Act of 2010.

The decision was appealed to the Minister of Information and Broadcasting, Hon. Dora Siliya who responded in a letter dated 23rd April stating that the appeal could not be considered as the station's license had expired prior to the IBA's cancellation of the said license. She stated in part that:

It is clear that at the time the IBA Board cancelled the Prime Television's Broadcasting licence on 9th April, 2020, there was no existing broadcasting licence to be cancelled as the same had expired following Prime Television's failure to apply for renewal at least 6 months before its expiration, which licence expired on 29th March, 2020

Please note that subsection (2) of section 28 is categorical when it provides that a broadcasting license that is now renewed in accordance with subsection (1) of section 28 is void. It is in this regard that I advise that I cannot entertain your appeal in respect to the void license. The appeal has been refused on that basis²⁶

This information was challenged in various media reports and interviews where the Station's Manager indicated that there had been payments and renewal applications made to the Authority within the stipulated timeframe. This response by the Minister of Information and Broadcasting was, proverbially, the last nail in the Station's coffin.

The sequence of events seems to suggest a link between the break down in relations that characterised the first quarter and the subsequent (or consequent) cancellation of the license.

Firstly, the sudden interest expressed by the Zambia Revenue Authority, despite its rightful mandate, is quite unusual given the blacklisting of the station by government just a few days prior. Also, the involvement of the ZRA to conduct a full tax audit is reminiscent of the closure of The Post Newspaper in 2016, in which controversial tax liabilities and laws were at the centre of the fracas. While media houses are not immune to audits and regulation by such agencies, care must be taken to ensure such regulation is not abused or used to instil fear and create an environment of self-censorship. Likewise, media houses must ensure they are up to date with their liabilities and are compliant with all requirements.

Secondly, the initial announcement by the IBA was about the cancellation of the station's license in the interest of "public safety, security, peace, welfare or good order". However, what still remains to be answered is how exactly the station posed a threat to public safety or security and why other laws could not be used to stem such Acts. Moreover, the Authority has sufficient provisions under its Act to sanction a station for any such conduct including the prescription of corrective measures. This is important in that the Authority does not only exist as a punitive institution but one that is expected

²⁶ As reported in News Diggers Newspaper on 24th April. See <https://diggers.news/local/2020/04/24/i-cant-entertain-your-appeal-your-license-had-expired-dora-tells-prime-tv/>

to foster a conducive environment for media in the country. In any case, the IBA (Amendment) Act of 2010²⁷ prescribes certain steps to be taken prior to cancellation where a licensee does not renew the license by payment of certain fees or undertaking of prescribed procedures. One such proviso is in Section 29 (2) which states that:

Where a broadcasting licensee does not comply with this Act or with the conditions of the broadcasting license, the Authority shall notify the broadcasting licensee of the measures that the broadcasting licensee should undertake, within specified period, to comply with the conditions of this Act or the broadcasting license.

Other Sub-sections under Section 29 seem to suggest further remedies prior to outright cancellation, including written notice to comply with license conditions/requirements as well as an opportunity to be heard.

The merits of the decision taken by the Authority can only be ably interpreted by the courts. What is clear, nonetheless, is the good faith that the Act intends to espouse prior to such cancellation in the interest of media development. However, in the absence of evidence to show that the necessary consideration and good faith was taken prior to cancellation, it only remains for many stakeholders to speculate. In this regard, questions that arise include what measures did the Authority take prior to outright cancellation of the license in the interest of media development and promotion of a pluralistic, diverse broadcasting industry?

Thirdly, the action taken against the station was also irregular given the swift commandeering of the station by Police officers who were hastily deployed and blocked access to the station, even for the proprietor Mr Gerald Shawa²⁸. This prompted institutions such as the Committee to Protect Journalists (CPJ) to issue an alert and reprimand²⁹. The action by the Police was rather unusual

²⁷ Available at https://www.iba.org.zm/downloads/IBA2010_act.pdf

²⁸ A news report carried in the 18:00hrs newscast on Muvi TV on 10th featured videos of Police at the station's entrance and interview with Mr Gerald Shawa, Prime TV Proprietor and his Lawyer, Mulambo Haimbe who had been denied access to the station by the officers.

²⁹ Read the CPJ statement here <https://cpj.org/2020/04/zambia-cancels-broadcaster-prime-tvs-license-police/>

as the Station, despite having its license cancelled remained private property and there was no record of any criminal case against the station. Such action, therefore, seemed to suggest heavy handedness and bad faith on the part of government.

Several stakeholders, such as the Human Rights Commission and the Law Association of Zambia questioned the treatment accorded to Prime Television, with the Law Association of Zambia issuing the following statement³⁰:

The Law Association of Zambia (LAZ) is deeply saddened and gravely perturbed by the cancellation of Prime Television's (Prime TV) broadcasting licence by the Independent Broadcasting Authority (IBA) on 9th April 2020. In the Press Release issued by the IBA on the said date, the IBA stated that the cancellation of the licence was done in 'Public Interest' pursuant to section 29 (1) (j) and (k) of the Independent Broadcasting (Amendment) Act No. 26 of 2010 (the 'IBA Act'), which stipulates that the Board may cancel a broadcasting licence if, 'the cancellation of the licence is necessary in the interest of public safety, security, peace, welfare or good order' or 'the Board considers it appropriate in the circumstances of the case to do so.' Although the IBA has discretionary powers to cancel any licence that it issues under the IBA Act, LAZ notes that in its Press Release, the IBA did not go further to explain to the public, in whose interest the decision was professedly taken, the basis of the decision, the security and peace concerns as well as other circumstances in issue and whether the IBA itself had complied with the entire provisions of section 29 of the IBA Act, which stipulates this in section 29 (2)³¹

Other trends worth noting in the socio-political and legal environment in the second quarter include attacks, harassment and threats of violence on media houses perpetrated by political cadres. Among some of the prominent attacks were those recorded on Mpika, Muchinga and Isoka FM Radio stations. The stations featured UPND President, Hakainde Hichilema on phone interviews

³⁰ Quoted in excerpt

³¹ See <https://www.themastonline.com/2020/04/12/laz-questions-iba-police-action-on-prime-tv/>

much to the consternation of suspected Patriotic Front cadres who physically attacked the stations to interrupt the interview programmes. Some of the key informants interviewed attributed this to the effect of an uneven political playing field. Enock Ngoma, Chairperson of the Media Liaison Committee, noted:

The political environment can never be safe for the media as long as politicians through party cadres continue harassing media personnel for giving coverage to opposition political parties. It is obvious that the political playing field in Zambia is not level or even and it is difficult for the media to bring out this aspect for fear of retribution from those in power. A number of media houses especially electronic, find themselves in situations where their media freedom is curtailed because their stations are attacked violently by those that do not want to hear different views from those that are not enjoying political power.

Another trend observed was that of District Commissioners (DCs) overstepping their jurisdiction to stop certain programmes on community radio stations in their districts, a trend which is unlawful. Chief Government Spokesperson, Dora Siliya, spoke out on this trend and stated:

Government is deeply disturbed by reports of interference in the programming of some radio stations in Mpika and Chinsali districts, where some broadcast programmes have reportedly been disrupted and some unlawful directives ordered.

Government wishes to place on record that there are laws in place, with very specific provisions of who has authority, to regulate broadcasting in the country.

The nation may recall that one of the earliest milestones of the Patriotic Front (PF) Government was the implementation of the Independent Broadcasting Authority (IBA) Act of 2002, which culminated into the operationalisation of the IBA in 2013, as a regulator of the broadcasting industry in the country.

The IBA Act provides for every citizen, whether in their official or individual capacity, who feels aggrieved by the conduct of any

broadcasting station to lodge a complaint to the IBA. The procedure is clearly provided in sections 34 to 37.

It is, therefore, total violation of the IBA Act, and an embarrassment to the Government and its leadership, for any person to procure other people to storm a radio station and disrupt a broadcast programme or to order a broadcast station to broadcast in a certain manner.

Government condemns, in the strongest terms, reported incidents involving some suspected PF cadres who attempted to stop a radio programme on Muchinga Radio that featured the opposition United Party for National Development (UPND) leader, Mr. Hakainde Hichilema. Government also condemns the incident in Mpika district where Mr. Hichilema is reported to have been barred from featuring on Mpika Community Radio.

The two unfortunate incidents have no blessings from Government. Government remains committed to the promotion of citizens' rights, including the right to freedom of expression, as guaranteed in the national Constitution, provided that the freedom is exercised within the confines of the law.

Further, government remains resolute in its support and promotion of media freedoms in the country, as can be seen by the growing numbers of licensed radio and television stations.

It is important to appreciate that broadcast houses have standards to which they conform and therefore, if any person is aggrieved with any radio or television programme, they should follow the complaint procedure as outlined in the IBA Act to seek redress, as has been demonstrated by very high ranking officials in the ruling party before.

As the country continues to fight the Covid-19, government appreciates any support aimed at enhancing the fight against the pandemic be it material contribution or information dissemination for as long as that information is void of politics. Therefore, government can only wish that the UPND leader would also use the opportunity on radio to encourage Zambians to join hands in fighting against the Covid-19 pandemic.

Further, government appeals to the conscious of radio and television stations to try as much as possible to promote unity in the nation by focusing on programming that will galvanize support towards the fight against COVID-19³².

This is a commendable move by government which must be encouraged if the many violations against the media fraternity are to be nipped in the bud. Such pronouncements must be further accompanied by tangible action and reprimand of government officers found wanting in such circumstances. It is also important for law enforcement agencies to professionally perform their duties in ensuring perpetrators of such heinous crimes are brought to book, regardless of their political affiliation. Amicable, democratic avenues must be sought in the presentation of grievances against a media house. This is actually provided for under the IBA Act No. 17 of 2002 (as amended by Act 26 of 2010), where an aggrieved person is at liberty to present a complaint to a media house which is mandated to act within the stipulated period. Such consideration was noted in an incident in May, in which Minister of Information and Broadcasting Services, Hon. Dora Siliya wrote to Diggers Newspaper expressing concern over the use of the word “stupid” in one of the newspaper’s editorials, a move which accorded cordial exchange of correspondence and views between the two parties.

It is gratifying to note also, that positive developments were recorded regarding a violation in which a Breeze Fm Journalist, Grace Lungu was assaulted during the Mkomba ward local government by election in 2019 by a Patriotic Front cadre, Frank Mwale. On 6th April, 2020, the Lundazi Magistrate Court found Mwale guilty of assault and theft and sentenced him to two years’ imprisonment on the count of assault and two years suspended sentence on the charge of theft of K400 belonging to Ms Lungu³³. It is important, therefore, for media associations and individuals alike to ensure that such violations reach their logical conclusion in the courts of law to deter

³² Available on the Ministry of Information Facebook page as posted on 17th May, 2020. See <https://www.facebook.com/1410650242577418/posts/statement-by-hon-dora-siliya-mp-minister-of-information-and-broadcasting-service/2284492028526564/>

³³ As monitored by MISA Zambia officers who attended the hearing in the Lundazi Magistrate court.

would-be offenders. The action by MISA Zambia to ensure justice through provision of legal support is commendable.

Other positive developments in the second quarter include commemoration of the World Press Freedom Day, which is celebrated annually on 3rd May. This year's commemoration, which was marked by various virtual activities in view of the restrictions posed by regulations under the Coronavirus pandemic was commemorated under the theme "journalism without fear or favour". This was a departure from the usual norm of physical gatherings and celebrations that are held in provincial centres countrywide.

Also worth noting in the second quarter was the meeting held between the MISA Zambia and the republican President, His Excellency Mr Edgar Chagwa Lungu on 11th June to discuss various issues arising from an oral and written submission by MISA Zambia highlighting concerns on media freedom, freedom of expression, Access to Information and digital rights. The Head of State has since committed to respond to the concerns raised by MISA Zambia after studying the submission. President Lungu reiterated his commitment towards the Constitutional freedoms of expression and of the media, further stating that the PF government will protect the media as the country goes to the polls in 2021³⁴. The sentiments by the President are encouraging especially in the wake of the increasing violations against the media and the trends observed in past elections where such violations are on the rise during campaigns. What remains, thus, is translation of these promises into action by relevant government wings.

Overall, the second quarter proved to be less free with regard to the socio-political environment as compared to the first quarter. This can be attributed to the increased political attacks on media outlets and individuals, affronts on media freedom as well as major occurrences such as the closure of Prime Television in suspicious circumstances, among other issues observed in the alerts included in the appendix. The work of the media remained inhibited

³⁴ As covered by ZNBC on 11th June, 2020. See <https://www.znbc.co.zm/news/ecl-confers-with-misa/>

throughout both quarters by the ritual killings/gassing incidents as well as the outbreak of the Coronavirus (COVID-19) pandemic and the new normal.

3.2. Economic environment

The media was not spared by the turbulence experienced on the nation's economic front. Currency exchange volatility remained an issue of major concern during both quarters, with the Kwacha losing sharply against major convertible currencies by the close of the second quarter of the year³⁵. This was against the backdrop of increased year-on-year inflation rates at the end of both quarters i.e. 14% in March and 15.9% in June³⁶.

According to the Bank of Zambia Monetary Policy Statement issued in May³⁷, the country's domestic macroeconomic environment worsened, having already been facing challenges prior to the outbreak of the Coronavirus (COVID-19) pandemic. The economy was projected to contract by at least 2.6% in 2020 which would be the lowest ever in twenty years, from a growth of 1.9% in 2019. Further underlying this scenario were projected contractions in specific sectors among them tourism, wholesale and retail trade, construction, manufacturing, mining and electricity.

This prompted government to put in place measures aimed at absorbing the negative shocks experienced by the change in some of the economic fundamentals, particularly in view of the COVID-19 pandemic. Some of the measures³⁸ included a K10 billion medium term refinancing facility meant to restructure, refinance or extend credit to businesses and households impacted by COVID-19 and issuance of a COVID-19 bond amounting to K8 billion as a stimulus package to enhance economic activity. On these measures, President Edgar Lungu, in a national address on the COVID-19 pandemic noted that:

³⁵ According to Bank of Zambia historical series of daily exchange rates, the Kwacha opened at an average of K14 per Dollar in January and closed at an average of K18 per Dollar in June, 2020. See <https://www.boz.zm/historical-series-of-daily-zmw-usd-exchange-rates-zmw.htm>

³⁶ According to the Monthly bulletins of the Zambia Statistics Agency at <https://www.zamstats.gov.zm/index.php>

³⁷ See <https://www.boz.zm/news-and-publications.htm>

³⁸ As announced by President Edgar Lungu in his national address on the COVID-19 pandemic on 25th June, 2020. Available at https://www.mof.gov.zm/?wpfb_dl=244

Government is so concerned about domestic debt owed to suppliers of goods and services. That is why part of the money from this bond will be used to pay off suppliers of goods and services, including the local contractors. This is a deliberate effort by my government aimed at ploughing back money in our local economy and enhancing economic activity than letting our money go out of the country. Further, the money realised from the bond will be utilised to support the small and medium enterprises that will not be able to access the k10 billion medium term refinancing facility through commercial banks which is managed by the Bank of Zambia. With these measures, I expect the economy to reignite to a positive growth trajectory.

The developments on the economic front affected the media sector which was not spared by the shocks of the economy. This is because most of the media inputs are imported at great cost and fluctuations in the exchange rates have a negative impact as they increase the cost. Further, such an economic downturn increases the daily operational costs encountered by media houses in the process of news gathering and dissemination. It is therefore important that measures are taken to protect the sector by introducing waivers on critical media inputs and equipment in subsequent budgets to cushion the impact of the COVID-19 pandemic and the economic volatility experienced in the early part of the year and projected to continue for the rest of the year.

Additionally, with the deterioration of business conditions in the private sector due to a reported decline in output and new orders because of consumer spending came ripple effects on advertising revenue for media houses. This is a major concern with regard to sustainability of media enterprises in Zambia and the need for diversification into other streams of revenue to safeguard economic freedom, a critical tenet of press freedom. Scholars such as Banda (2004)³⁹ have highlighted the need to enhance the sustainability of media enterprises in Zambia. Media associations must

³⁹ Banda, F. (2004). Newspapers and magazines in Zambia-a question of sustainability. Lusaka: MISA.

ensure that they take a deeper look into the financial sustainability of media outlets in Zambia, especially those in the peripheral districts.

The economic environment in both quarters was similar with gradual decline in some of the critical economic fundamentals, mostly attributed to the COVID-19 pandemic. The pandemic equally contributed to reduced man power as media houses also had to restrict the number of staff that could work on a particular day, thereby indirectly affecting productivity and news output.

With regard to factors of production, electricity rationing, which was experienced in the fourth quarter of 2019 continued throughout quarter one and two of 2020, with an average of twelve (12) hours of load shedding daily⁴⁰. The electricity rationing was against the backdrop of a projected improvement in water levels at the Kariba Dam⁴¹. This meant media enterprises had to utilise alternative sources of power such as generators. This in itself is an added cost especially that print production equipment requires substantial electricity supply while broadcast stations running on a twenty-four hour schedule would need to keep transmitters and other equipment constantly running. As such, this contributed to increased cost of doing business for media houses during both quarters.

While the economic empowerment package announced by government is a commendable move that could stimulate economic activity, it is not clear if there will be any trickle down effects to the media sector which equally has several SMEs that are in dire need of refinancing and capital stimulation arising from the shocks caused by the COVID-19 pandemic and the shrinking

⁴⁰ See regular updates provided by ZESCO during the two quarters
<https://www.zesco.co.zm/press/pressStatements>

⁴¹ In response to a press query and subsequent news story carried by News Diggers Newspaper on 13th January, Zambezi River Authority Director of Water Resources and Environmental Management, Eng. Christopher Chisense stated: “the lake level normally starts dropping during the month of October at the start of the rainy season and later rises during the first quarter of the following year. This is because the water received into the Zambezi River (especially from the upper catchment of the Kariba catchment, which contributes 70 per cent of the inflows into the Kariba) usually tends to start arriving and influence the lake level at Kariba around in the first quarter of following year. So, the lake level has followed the same trend during the start of the 2019/2020 season, which started in October, 2019, and the lake level is expected to start rising within the first quarter of 2020”

economy. It is therefore important that government introduces more sector-specific packages such as those extended to the arts sector through the Ministry of Tourism and Arts.

The economic environment, thus, remained unstable throughout both quarters and this negatively affected the media industry.

3.3. Technological Environment and Freedom of Expression Online

The two quarters did not have many occurrences in the technological environment and freedom of expression online. The impact of the COVID-19 pandemic affected the means of gathering information in view of the restrictions on public gatherings, the need for social distancing and other preventive measures. As such, media houses had to rely on alternative means to gather information and conduct interviews-including the use of virtual meeting platforms to host sources on radio and TV programmes⁴². One such programme is Night Live which is aired on Diamond Television and utilised Zoom Meetings to host guests and run expert debates. This was also confirmed by some of the journalists interviewed. For example, Mweemba Banda, a practising journalist at Radio Maranatha in Kabwe had this to say:

The advent of Corona made work difficult; this led to cancellation and halting of some programs, and news gathering moved from the traditional way of interviewing sources to the use of social media platforms such as WhatsApp and Facebook which have played a key role in ensuring that information continues to flow

Another issue worth noting is a warning issued on 1st February by the Independent Broadcasting Authority to broadcast media houses on the use of social and online media for news. The warning followed coverage of outspoken Prophet Andrew Ejimadu alias Seer One who held regular addresses on various matters on his social media pages. The Lusaka Times online publication carried the following:

The Independent Broadcasting Authority (IBA) has warned broadcast stations in the country against relying on social media stories to aid bullying and hate among the people.

IBA Director General Josephine Mapoma said that some social media stories can compromise the unity and security of the nation. Ms. Mapoma said that the Authority has observed with concern the growing tendency and excitement by some broadcast stations to rely on unverified social media stories, adding that IBA expects Broadcasting Stations to be professional and avoid deliberate moves aimed at ignoring conditions for which their licences were issued.

The IBA Director-General said that the authority has also noted the high levels of laissez-faire attitude among some broadcasters, leading to more Phone-in programs that are heavily dependent on issues from social media.

Ms. Mapoma has reminded broadcasting stations that they have a duty to abide by the IBA Act and other broadcasting regulations.

While it is true that media houses have the duty to verify information and ensure information they report (even from social media) is in keeping with journalism ethics, there is also need to accept the influence that new media technologies, particularly social networking, have on the practice of journalism in the modern age. It is even more critical because media houses have their respective editorial policies and guidelines which help them determine the parameters of sources and information to use in the production of their news content.

It is, therefore, important for regulatory bodies like the IBA to tread carefully and instead encourage media houses to incorporate new social networking technologies in their broadcasting especially in view of the growing population accessing information through social networking sites. Additionally, adequate legal provisions already exist to regulate the use of such platforms, even for

media institutions. These include the Information and Communications Technology Act No. 15 of 2009 and the Electronic Communications and Transactions Act No. 21 of 2009.

A similar warning for citizens was also made by Minister of Information and Broadcasting Services, Hon. Dora Siliya on 22nd June⁴³, who stated that government would not tolerate anyone using any social media platforms to insult the President or any citizen. She noted that while government recognises the fact that citizens have the right to use social media, it will not take kindly to any citizen abusing the cyberspace to infringe on another's rights with impunity. This was said at a joint press briefing with Chairperson of the Caucus of Women Parliamentarians, Professor Nkandu Luo. The report as carried on the Ministry of Information Facebook Page stated:

Prof. Luo called on the Human Rights Commission to unpack the issue of rights and start guiding the country on where everybody's rights end.

Professor Luo said the Commission should begin explaining the rights of people as each gender and age has their own rights that should be clearly understood. "In Zambia human rights have been abused as people now only think that freedom of expression is insulting each other on social media," she observed.

Professor Luo said the country was a better place for its citizens before the introduction of social media which she said has brought more harm than good. "It is strange that young people have found it easy and fashionable to insult adults. This is shameful and only causes one to wonder what our country has come to," she said.

She said there was urgent need to bring the practice to a stop and revive a culture where women were respected regardless of their status in society. "How can young people hide behind a computer and insult women and other women are quiet? Where are women organizations?"

⁴³ As monitored on the Ministry of Information Facebook page at <https://www.facebook.com/Ministry-of-Information-and-Broadcasting-Services-Zambia-1410650242577418/>

When these young people insult one woman, they are actually insulting you too,” she said.

The Minister has since called upon young people to desist from the agenda of insulting the elderly as any person walking in the street is their family. Meanwhile, Prof. Luo has said the Caucus for Women Parliamentarians will, during this sitting, sponsor a Private Members’ Bill which seeks to protect women against abuse especially in the cyberspace.

This is against the backdrop of several arrests of citizens for defamation of the President on social media platforms as well as cases of cyberbullying. While the concerns on cyberbullying and criminality conducted online are welcome, it is also important that this is not taken advantage to clampdown on critical voices or dissenting opinions expressed online mainly due to shrinking freedoms in the conventional space⁴⁴. As stated in the discussion in the socio-political and legal environment above, there are many laws that exist in the statute books (among them defamation of the President), which are inimical to freedom of expression and of the press in Zambia. It is therefore important to realise the unique capabilities of the internet space and to create a conducive environment for citizens to enjoy the benefits of such platforms through timely and accurate provision of information by relevant stakeholders to curtail speculation. On this, one of the key informants, Youngson Ndawana, a Doctoral researcher at the Liverpool John Moores University in the United Kingdom, noted:

We have a great presence of news media on online platforms and the internet reach has increased exponentially. Whether the traditional media is taken out or not, there is still potential to dictate debate on various online platforms. Look at how government machinery always responds to issues that gain traction online and this epitomises the power of social media platforms that we as the media in general would do well to capitalise and employ in terms of pushing the agenda. It is an important opportunity for media to continue utilising these platforms and facilitating debate using platforms that have been proven to work and going forward the government will be engaged to respond further.

⁴⁴ Ndawana, Y. (2015) Policy Brief on media law and policy in Zambia. Lusaka: MISA.

These observations were actually noted in the second quarter when a group of youths out-smarted Police and used Facebook to stream their protest live from an unknown location after Police banned their planned march and deployed officers all over the capital city in a bid to quail the activities of the defiant youth group⁴⁵. The youths attracted an audience of 12, 000 online viewers and delivered their intended message despite the police manhunt. It is clear, therefore, that arbitrary restrictions posed by certain laws such as the Public Order Act are being circumvented by the use of online platforms, which are becoming the new public sphere. One of the key informants, Macdonald Chipenzi, an electoral expert and Executive Director of GEARS, noted:

Online spaces have been the only refuge for citizens though it is under serious government surveillance. A number of people have been arrested or sued over their stories, chats and contributions online such as use of Facebook, whatsapp.

Another issue worth noting from the early part of the first quarter was a suspected internet blackout in Southern Province which was later termed as a network outage according to reports carried in the media. Such shutdowns have been experienced in other countries in times of elections and social tension as was the case with suspected ritual killings and cases of gassing at the time. It is therefore no wonder that many stakeholders raised concern and expressed interest in the strange internet blackout. Some studies conducted in Zambia on internet-based information controls particularly considering the 2016 elections and the period 2011-2012 found that Zambia was moving to second and third generation control strategies while cases of overt blocking were recorded in the pre-2014 period⁴⁶. It is gratifying, however, that the Zambia Information and Communications Technology Authority (ZICTA) clarified the internet blackout as carried in a story by News Diggers on 21st February as follows:

⁴⁵ See <https://diggers.news/local/2020/06/23/youths-dribble-police-as-they-take-protest-to-the-bush/>

⁴⁶ In a report titled "Manifestation of realpolitik in cyberspace: Analysis of the relationship between internet-based information controls and Elections in Zambia". Available at https://cipesa.org/?wpfb_dl=219

Southern Province is experiencing an internet blackout on all three mobile service networks. ZICTA Consumer Protection manager Edgar Mulawuzi has confirmed this in an interview with News Diggers.

Mulawuzi said the service providers have already notified the authority and that engineers are on the ground trying to establish the fault.

“It’s a network outage. Yes, we received some reports from the service providers. Right now the service providers are working to rectify the technical fault which they have identified. They have not told us what the fault is but what we know is that it’s affecting data services because voice they have. And when you look at the consumer protection guidelines, service providers are supposed to notify the authority about any network outages. Then Section 19.4 of our Consumer Protection guidelines says that service providers are supposed to respond to us and to tell us once the technical fault or outage has been resolved,” Mulawuzi said.

He said the particular outage in Southern Province was normal and was not the first one.

“And these outages normally happen in the rainy season. Remember last time in December before Christmas, there was one I think in Lusaka and about two weeks ago there was one I think in Eastern Province. There are normally a lot of faults especially because of the weather. We will give a proper response once the service providers give us the report. But it’s something the mobile service providers are aware of and their engineers are on the ground to look at what the fault is about,” said Mulawuzi.

On a positive note, new technology was noted with the launch of Airtel TV, an Internet Protocol TV (IPTV) application that enables users to have access to media content and news on the go. The service brings over thirty (30) live channels and over 800 videos on demand with the number expected to

increase in the course of the year to include edutainment channels⁴⁷. This is a positive development recorded in the first quarter as it will provide opportunities for various content producers to have access to alternative means for distribution of content other than through the single carrier under the digital migration framework. This also provides more, cost effective alternatives for the consumers, most of whom are accessing information through internet platforms⁴⁸. It is therefore important to ensure that legislation is ably amended to allow for development and advancement of broadcasting and information dissemination in the media sector as opposed to legal limitations that were based on older technology and may, thus, limit innovation.

Another positive development witnessed in the first quarter is the advancement of works on the construction of the ZNBC studio in Kabwe, Central Province. The studio was said to be complete and only awaiting installation of equipment which was already in the country. This was brought to light in a tour conducted on 30th January by Minister of Information and Broadcasting Services, Hon. Dora Siliya⁴⁹. The programme to construct provincial studios was embarked on by government as a way to decentralise the operations of ZNBC and promote local content as part of the digital migration policy. It is therefore gratifying that the programme is advancing and will contribute to the upgrading of technology for enhanced information dissemination.

With regard to broadcast media development, increase was noted in the number of media houses with new stations coming up during both quarters, a positive success scored by the Independent Broadcasting Authority as the institution noted that:

The work of the authority has positive impact. increase in broadcasting houses, educating various stakeholders on the importance of broadcasting houses. The authority has also promoted ethical

⁴⁷ See <https://www.techrends.co.zm/airtel-zambia-launches-airtel-tv/>

⁴⁸ See ZICTA Statistics here <http://onlinesystems.zicta.zm:8585/statsfinal/>

⁴⁹ As reported in the Times of Zambia of 31st January, 2020.

broadcasting. Also, encouraged people to complain against stations that they perceive to be offensive or unethical⁵⁰.

As at the end of the second quarter, there were a total of 175 media houses, with the following breakdown⁵¹:

Television Stations		Radio Stations	
Public Service Broadcasting	4	Community	71
Subscription	5	Commercial	57
Content Service Providers	36		
Landing rights	2		
TOTAL	47	TOTAL	128

Overall, the technological environment was relatively stable in both quarters and recorded some positive developments. Evidently, the first quarter had more developments than the second quarter with regard to technological and innovation. However, the status of freedom of expression online was relatively weak given the threats and numerous arrests recorded in both the first and second quarter as well as the use of arbitrary laws to stifle dissenting views.

4.0. Conclusion

The review of the first and second quarters has shown that the state of the media is generally unstable despite posting certain gains in the technological environment. The impact of the issues raised in the socio-political, legal and economic environments have dire effects on the effectiveness of the media in performing their functions, especially that Zambia heads to the polls in 2021 and several critical curtain raising activities will take place in this very year.

Of major concern is the socio-political and legal environment which paints a very bleak picture with regard to the media's survival, given the vicious

⁵⁰ In a questionnaire administered to IBA Director-Standards, compliance and consumer affairs, Eustace Nkandu

⁵¹ As supplied in a questionnaire sent to the Independent Broadcasting Authority

attacks and undermining of media freedom. Given the trends recorded in past State of the Media Reports, it is almost certain that such occurrences will increase as the country heads to the polls and it is no wonder the country records poor ratings from reputable institutions such as Freedom House in their annual reports.

Some of the positive developments, such as the judgment handed down to a perpetrator of political violence in Lundazi will help to set the tone for similar occurrences in future. It is important for other institutions, law enforcement agencies, civil society and government alike to ensure that such incidents of harassment receive the condemnation they deserve and are brought to a logical conclusion without fear, favour or bias.

The economic front with regard to the operations of the media is also another issue of major concern. This is because it has a direct bearing on the financial sustainability of media houses and the effective performance of their duties. The massive economic shocks suffered by the country's economy, given the indications by institutions like the Bank of Zambia, will have dire effects including negative economic growth. There is need for the media to brace for the impact of this negative projection.

The status of expected Bills such as the Access to Information Bill remained unclear throughout the quarter under review. This is not new, considering that the Bill has been in the offing since 2002, with successive governments making promises to ensure enactment during their terms of office. It is therefore, not surprising that the Bill, despite promises and seemingly progressive moves in the previous quarter remained an inert issue. Further, anxiety continued around the Media regulation (ZAMEC) Bill which is expected to introduce "statutory self-regulation". It is hoped that such regulation will help to improve the already murky situation as opposed to further stifling the press.

On the technology and freedom of expression online front, several opportunities were clearly noted during the two quarters. What remains is for key stakeholders and media regulators is to realise the potential online

platforms have for the enhancement of information dissemination. This is important especially given the knowledge economy in which the world is. It is critical that all stakeholders prepare the nation to join the information super highway as opposed to delinking from it through application of draconian legislation and constant threats.

Going forward, media bodies should continue to engage government and other stakeholders, such as the Independent Broadcasting Authority, Electoral Commission of Zambia, Zambia Police and many others to ensure certain measures are put in place for the improvement of the State of the Media in the country.

5.0. Recommendations

i. Review of laws inimical to freedom of expression

There is need for review of laws that continue to hinder the enjoyment of freedom of expression and other civil liberties as guaranteed by the Constitution. Some of these laws include the law on defamation of the President. Such laws continue to hinder the work of journalists and citizens alike particularly on online spaces.

ii. Enforcement of the Electoral Code of Conduct. Stakeholders, including the ECZ must ensure provisions of the Code are enforced with specific consideration of journalists who bear the brunt of electoral violence and attacks. This is critical because the country will soon commence activities of the electoral cycle such as voter registration and delimitation. Given the patterns observed in the first two quarters of 2020, it is important that enforcement of the Code is upped during the forthcoming elections and dialogue meetings arranged to educate electoral players on the need to safeguard media freedom.

iii. Need for professionalism and adherence to media ethics

There is need for the media (both public and private) to adhere to professional codes of journalism and basic tenets such as objectivity, balance, fairness and the public interest. These tenets are critical if

the media are to serve the public and contribute to the attainment of functional democracy.

iv. Enactment of Media regulation and Access to Information Bills

As a step forward, it is critical that the Access to Information Bill is enacted to improve ability of citizens to hold their government accountable. While some consensus has been reached regarding the ZAMEC Bill, it is critical that the enactment be approached cautiously with a guarantee of independence given some of the compromising traits observed in the existing regulatory institutions during the two quarters.

v. Enhancement of autonomy and Independence of the IBA

It is critical that independence of the IBA be guaranteed and the institution be given the necessary autonomy even in practice to professionally handle matters related to the broadcasting sector. Some of the incidents observed during the quarter suggest unfair application of provisions of the IBA Act with the potential of stifling, instead of developing a pluralistic and diverse media environment. Some of the concerns include the government's power to appoint board members of the IBA as well as the need for an inclusive approach to clearly prevent undue influence from the parent Ministry. Further, IBA must be given power to regulate public media houses like ZNBC in order to create a level playing field for all media houses.

vi. Safeguarding the sustainability of media enterprises

Given the negative economic trends observed in the quarter, it is critical that the stimulus package introduced and other empowerment schemes also take into cognisance the needs of the media sector. Deliberate moves must be taken through the Ministry of Information and Broadcasting to develop a package of incentives (tax, non-tax, empowerment) to bail out media houses from what is expected to be a tough year economically. There must be, as a matter of urgency, creation of a specific media stimulus package just like that created for the arts industry through the National Arts Council.

6.0. Appendices

6.1. INTERVIEW GUIDE FOR BROADCAST REGULATOR-IBA

Dear respondent, MISA Zambia conducts a quarterly review of the state of the media in Zambia, detailing trends in the political, legal, economic and technological environment. In this regard, your input by response to the questions below will be of utmost help in compilation of reports for the first and second quarters of 2020. Ensure to give as much information as clearly as possible.

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

Date...../...../2020

1. How would you describe the level of freedom of expression and of media in the first two quarters of 2020 i.e. January-June?
2. What was the number of registered broadcast media houses by 30th March and 30th June, 2020 (TV and RADIO, Community, Commercial/private and Public)
 *detailed list/attachment will be appreciated
3. Have you undertaken any activities for media development during the two quarters under review?
4. Have you improved or reduced your outreach? If so why/if not why?
5. What have been the challenges/successes encountered in media regulation during the two quarters?
6. How would you describe your work in the media industry, positives and negatives?
7. What are some of your comments (in general) on the state of the media in the quarters under review

6.2. INTERVIEW GUIDE-KEY INFORMANTS/EXPERTS

Dear respondent, MISA Zambia conducts a quarterly review of the state of the media in Zambia, detailing trends in the political, legal, economic and technological operating environment. In this regard, your assistance and input by response to the questions below will be of utmost help in compilation of reports for the first and second quarters of 2020. Ensure to give as much information as clearly as possible.

Name (To be withheld on demand)

Date...../...../2020

8. How would you describe the level of freedom of expression online in the first and second quarters of 2020?

9. How would you describe the following aspects with regard to online media

a. Political environment

b. Economic environment

c. Legal environment

10. What are some of the challenges and opportunities you have observed with regard to media freedom in the two quarters under review?

11. Based on your observations, what are your recommendations for media development?

6.3. INTERVIEW GUIDE-PRACTISING JOURNALISTS

Dear respondent, MISA Zambia conducts a quarterly review of the state of the media in Zambia, detailing trends in the political, legal, economic and technological operating environment. In this regard, your assistance and input by response to the questions below will be of utmost help in compilation of reports for the first and second quarters of 2020. Ensure to give as much information as clearly as possible. The information collect is solely for the purpose of the State of the Media reports.

Name (To be withheld on demand)

Date...../...../2020

1. How would you describe the level of freedom of expression online in the first and second quarters of 2020 i.e. politically, economically and the technological environment?
2. Did the gassing incidents affect your work as a journalist? How? Why?
3. Did the Coronavirus outbreak and the new normal inhibit your work as a journalist? How? What strategies did you use mitigate the effects?

6.4. Media Alerts and Communiques (Quarter One and Two)

Alert-30th January

Life Gospel Ministries International general overseer Joseph Kazhila has pleaded not guilty to one count of seditious intentions. Bishop Kazhila 61, was arrested on 24th January for seditious intentions.

Particulars of the offence are that Bishop Kazhila, of plot number 4471B Riverside, did incite violence when he called on residents of Chingola on the local radio station to arm and defend themselves against ritual killers. He was picked up from the radio station by police and had since been in custody. Bishop Kazhila appeared before magistrates' court yesterday and granted k5000 bail.

Chingola Magistrate Stephen Mabona adjourned the matter to February 7 for commencement of trial. Hundreds of Chingola residents thronged the court under the presence of armed police. On Tuesday, the Human Rights Commission condemned the continued detention of Bishop Kazhila.

Communique-31st January (Times of Zambia)

The construction of provincial studios in Kabwe by the Government through the ministry of information and broadcasting services (MIBS) is almost complete and only the instillation of equipment is remaining.

Information and Broadcasting Minister Dora Siliya said that much of the works had already been done and that Zhong Mei Engineering Company limited, the contractor was expected to install the equipment in 2 months' time. Ms Siliya said this when she visited the site in Kabwe's industrial area on Wednesday in the company of central province Minister Sydney Mushanga.

She said that all the six provincial studios across the country apart from Solwezi and Choma were nearing completion. Ms Siliya said her Minister was working with Star Times and Ministry of Finance to ensure that the disbursement of the money towards the completion of the works is done.

"This studio would have been completed in 2019 but we hope it can be operationalized this year, on the building, we are happy it is standing but we hope it can be operational as quickly as possible.

The equipment that is in the country is just in the storeroom and the contractor is telling us that they will install the machines in two months' time and then we can move from there," MS Siliya said.

Alert-1st February (Lusaka Star Newspaper)

MISA Zambia has expressed concern over the circulation of unverified reports on social media which have the potential to cause chaos and negative effects on the lives of many citizens. MISA Zambia Chairperson Hellen Mwale said that they are concerned about the reports that have come from the Copperbelt and other areas across the country concerning the suspected ritual killings and other speculations been spread through social media.

Ms Mwale said the misuse of social media by people with vested interests to harm the reputation of others while using pseudo names online is worrisome. She stated that even if social media has enabled citizens to share news and stay abreast with events occurring around them, social media should not be abused.

"MISA Zambia wishes to call upon members of the public who abuse social media to desist from doing so and henceforth stop the spread of falsehoods as this has the potential to cause panic and alarm", She said.

Alert-2nd February (Diamond TV)

The Independent Broadcasting Authority has warned media houses not to rely on social media for news that may threaten national security. IBA Director General Josephine Mapoma has noted with concern the laissez fair attitude by some media houses who depend on social media for their programming.

Ms. Mapoma has challenged media houses to practice investigative Journalism and develop credible content that is void of malice. She has further urged media houses to abide by the IBA Act and other broadcasting provisions. This is contained in a statement availed to Diamond News

Alert-4th February (Smart Eagles)

Government has welcomed the ongoing efforts by the media fraternity to put in place a media self-regulatory mechanism for promoting ethical and professional journalism in the country noting that the initiative is extremely urgent in view of the escalating levels of unethical and unprofessional conduct by some media Houses and individual journalists.

And government is elated by the proposal from media practitioners for the enactment of an Act of Parliament to establish a Professional body of Journalists which will resolve most of the issues pertaining to punitive measures against media Houses arising from the misconduct of some employee journalists.

In a statement read on her behalf by the Ministry of Information and Broadcasting Services Permanent Secretary Amos Malupenga, Tuesday morning, the Chief Government Spokesperson Hon Dora Siliya said once established, the Journalists, through their Council, will develop a code of practice, conduct and ethics and will punish their members that violate the code instead of the media House.

Alert-4th February (Mwebantu)

A University of Zambia (UNZA) Researcher and Media Consultant says Facebook commands the greatest reach and is a first choice for news and information in Zambia.

In a study aimed at understanding the audience response to the emergence and presence of online newspapers, Mr. Parkie Mbozi has established that Facebook is the most preferred communication tool amongst people residing in Lusaka. Mr. Mbozi further states that out of ten (10) individuals with Internet access in Lusaka Province, six (6) access and read online newspapers and the majority (nine in 10) access their favorite online newspapers through Facebook using mobile phones.

Mr. Mbozi, who is a Research Fellow at the University of Zambia's Institute of Economic and Social Research (INESOR), says majority of readers in Zambia (64%) favoured online newspapers for 'breaking and up-to-date news', 62% for adverts, 55% for 'more independent news', 46% for 'detailed news', 38% 'due to Internet access' and another 38% for their interactive features. Thirty-five percent cited 'credibility of the news', 34% 'uncensored news', 30% 'because they are cheaper than print' and 11% 'posting personalized comments'.

Alert-7th February (Times of Zambia)

Information and Broadcasting Minister Dora Siliya says Zambia National Broadcasting Corporation (ZNBC) and other state owned enterprises have to take the tough decisions to live within their means.

“Government in the last year has been very categorical in saying that state enterprises have no excuse in operating beyond their means. What we hope for from state enterprise is that if they can’t provide dividend to Government at least they can operate within their means because even us as a Ministry and within Government are experiencing austerity,” Ms Siliya said.

She was speaking when she met the board of directors of the Zambia National Broadcasting Corporation at her office. Ms Siliya reminded them of the strategic role of ZNBC in ensuring the public is well informed, especially in the face challenges presented by social media abuse.

The Minister said it was important for traditional media in the age of fake news to maintain standards as a reference point of excellence and credibility. Ms Siliya said ZNBC was special because it was the broadcasting station with the widest coverage in Zambia mandated to explain to the public how Government spent resources.

Alert-10th February (Zambia Daily Mail)

The media should be responsible and avoid biased reporting because it has potential to cause unrest in the country, Patriotic Front (PF) national mobilization committee member Bizwell Mutale has said.

Mr Mutale said Journalists should not allow opposition political parties to use them to disseminate false information which can cause anarchy in Zambia. He said it is unfortunate that his message of unity, when he went to Pemba, southern province, to distribute 17,000 bags of mealie meal to venerable people, was changed into tribal remarks.

Alert-10th March (Radio Mano)

On 10th March, 2020, MISA Zambia received a report from the Radio Mano station Manager Kennedy Mbulo that he received a letter from Legal Aid Board demanding for retraction of statement for defamation of Mwansa Kapyanga.

The facts of the matter are that on the 7th March, 2020 Radio Mano aired a program from 08:00-09:00hrs hosted by Mr. Mwandu Jimmy and the guest was Mr. Micheal Bwalya Chiponda. On the said programme the legal Aid said, false and defamatory statements were uttered against Mr. Mwansa Kapyanga, who is currently contesting for Football Association of Zambia Provincial Chairperson for Northern Province.

Alert-11th February (News Diggers)

Police in Kapiri have warned and cautioned Kapiri Mposhi Member of parliament Stanely Kakubo for defaming President Edgar Lungu by saying “ushilepela fertilizer ama farmers takwata skopo”,

In an interview, Central Province Deputy Commissioner Godfrey Mwanza said police were investigating Kakubo’s remarks. “Mr, Stanley Kakubo has not been arrested. He has got a warn and caution statement from him and has since been released. He was being questioned for the offence of Defamation of the President which we are investigating.

Alert-11th February

On 11 February 2020, MISA Zambia received a report alleging that one of the presenters at Mpongwe Radio, Dominic Mwale who is also a professional nurse working for the Ministry of Health was this morning called for interrogations by a Human Resources Officer in the Ministry of Health and is on the verge of being charged ‘for speaking on behalf of the ministry’. According to information gathered so far, Mr Mwale was not speaking on behalf of the ministry of health but was presenting a current affairs programme which discussed among other the ongoing gassing of homes by criminals.

Alert-12th February (The Mast)

A station manager at Yatsani Radio Maria has been dragged to the Lusaka magistrates court for allegedly stealing over K11,000.00 belonging to the station.

In this matter, Patson Semba 38 is facing one count of theft by servant. Particulars of the offence allege that on April 26, last year, Sernba being employed by Radio Maria as a station manager, stole K11, 133, which came into his possession by virtue of his, the property of Yatsani Radio Maria, his employer.

Alert-13th February (MIBS Facebook Page)

Government has called on the media to prioritize climate change issues in their coverage. This is because the media has a critical role to play in sensitizing the public on the negative effects of climate change in the country. The call is from the Information and Broadcasting Services Permanent Secretary Amos Malupenga. He said this when he received a donation of 200 trees from Climate Change Initiative Joint Programmes (CCIJP) ahead of World Radio Day Commemoration tomorrow. Mr. Malupenga said radio in particular has a unique role to play in sensitizing the public because of its proximity to communities.

“With harsh effects of climate change which Zambia and the world at large experienced last year, the need for conservation and preservation of our environment has become more urgent than ever before. This is why am happy today to receive the donation of trees from the Climate Change Joint Initiative Programme on behalf of the Government. Tree planting is an important item on our program tomorrow during the World Radio Day Commemoration at the University of Zambia,” he said.

Alert-14th February (Times of Zambia)

Information Minister Dora Siliya has challenged journalists working for radio stations and other media houses to shame people promoting tribalism and using their profession to build the nation. Ms. Siliya said radio producers and journalists should be at the forefront to shame tribalism in the country.

She said this at the world Radio Day commemoration held at the University of Zambia in Lusaka yesterday. “News can’t be just politics, yes we know politics is important issues to do with women, men, young women and children..... the content should have national values and radio stations and producers should be in the forefront to shames tribalism,” Ms. Siliya said.

She said journalists or radio stations should not align themselves to political parties and should and not allow callers to stay bad things on radio as they had potential to divide the nations.

Alert-17th February (Times of Zambia)

Some residents of Luapula province say the installation of the village satellite television project both in some schools and homes is bearing fruits because it enables them to keenly follow current affairs.

President Lungu launched the village satellite television project in Vubwi District in Eastern province recently. The project was part of the implementation of the 10,000 African satellite Television Project announced by Chinese President Xi Jinping at the forum for China-Africa Cooperation held in Johannesburg, South Africa in 2015.

By end of this year, China hoped to reach 10,000 villages in 25 countries in Africa. At the launch of the project, President Lungu said the village satellite television project was one of the significant symbols of friendship between the people’s republic of China and Zambia in particular and Africa in general.

Alert-17th February 2020 (MISA)

On February 14, The Zed Entertainment TV crew that went to cover riots in Linda township was attacked by a mob. The rioters were vandalizing Linda Police post because it was alleged that some suspected ritual killers had been apprehended and were in custody at the Police Station. They had intentions of carrying out mob justice on the suspects.

Speaking to MISA Zambia in an interview ZED TV station manager Mr Eric Malyangu narrated that the incident happened when the crew was about to leave, another incident erupted a few meters from the police post where the mob wanted to set ablaze a human being whom they suspected to be a ritual killer. Upon reaching the scene, the mob descended on the journalists causing tissue injuries on them.

Communique-2nd March (News Diggers Newspaper)

News Diggers and the Environmental Investigative Agency (EIA) asked the Lusaka High Court to dismiss Justice Minister Given Lubinda, his Lands counterpart Jean Kapata and Tasila Lungu’s defamation claim in the “Mukula

Cartel” case, on grounds that their **Statement of Claim failed to outline** (ITS INCOMPLETE HERE

Communique-3rd March (Smart Eagles)

MISA has called on the Electoral Commission of Zambia ECZ to consider allowing Zambians living in the Diaspora to vote. The call has been made after the ruling by the constitutional court that allowed that prisoners can participate in elections.

Speaking at a press briefing Tuesday morning, MISA Zambia chapter chairperson Helen Mwale noted the progress and positive development that has been made by the ECZ in regards to the right to vote.

“It must be noted that Article 46 of the Zambian Constitution allows a citizen who has attained the age of eighteen years to register as a voter and vote in an election by secret ballot and therefore prisoners should not be disenfranchised by their status” she said.

Communique-9th March (Sunday Times)

The Women in News (WIN) have called on the media houses to implement a sexual harassment policy to enable victims report cases of sexual pestering. WIN capacity building manager Jane Godia said during the Times of Zambia Advisory training in Lusaka, that sexual harassment was an evil that reduced productivity in media houses.

Ms. Godia clarified that the perpetrators of sexual harassment used power and that it was usually unequal resulted in the abuse. She said sexual harassment was a global problem and that it was important to provide ways that would curb the vice.

Ms. Godia said it was impossible to increase the numbers of women leadership and voices in the media if acts relating to sexual harassment were not restrained. She said the policy would protect employees against sexual harassment at work and develop preventive measures to stamp out the vice.

Communique-10th March (The Mast)

The governing PF says the media must not concentrate their coverage on frivolity and politicking. PF deputy media director Antonio Mwanza on 5FM radio burning issue interview programme yesterday reminded the media to take responsibility of their content.

Mwanza encouraged journalists to do much research and ensure that they get thorough information from their interviewees. He was reflecting on president Edgar Lungu’s address, on Friday, to the National Assembly on the progress made in the application of national values and principles, as per Article 9 (2) of the amended republican constitution.

Mwanza noted that going into 2021 general elections, “we expect that the media try by all means to be professional and to be ethical,” “but we also want to the media to bring content; we want the media concentrate on things that build the nation, not on arguments that are frivolous, not on politicking.

Alert-11th March (Times of Zambia)

The Zambia Information and Communication Technologies Authority (ZICTA) has tracked down a grade 11 pupil for allegedly issuing defamatory remarks against President Edgar Lungu using Two Facebook accounts.

The boy only known as “zoom” has two Facebook accounts which he is believed to have used to issue the derogatory remarks against the Head of State. Police Spokesperson Esther Katongo said the boy, whose name has been withheld, was in custody waiting to appear in court.

Alert-18th March (News Diggers)

Chief government spokesperson Dora Siliya says government and any of its agent will no longer conduct any business with Prime TV Television because they are unpatriotic. In a statement, Thursday, Siliya said the decision was necessitated by the Prime TV Proprietor Gerald Shawa that the station would not help government to sensitize members of the public about the coronavirus.

Siliya said no public officials would appear on the station, whether paid for or not otherwise and all prime TV journalists would not be invited to any government event. “Government to announce that it has ceased to cooperate with Prime TV station with immediate effect. The cessation of cooperation entails that the government of the Republic of Zambia, and any of its agents, shall not conduct any media transactions with prime TV station.

Alert-24th March (News Diggers)

Prime TV proprietor Gerald Shawa says he is sorry and he has realized that the station cannot survive without government. Last week, Chief government spokesperson Dora Siliya said Government and any of its agents would no longer conduct any business with Prime TV because they were unpatriotic. Siliya said the decision was necessitated by the position taken by Shawa that the station would not help government in sensitizing members of the public about the coronavirus. In response, the station wrote a letter to the government, seeking audience to settle the matter but letter was not responded to.

Speaking at a press briefing, Monday, Shawa said he had acted out of emotion. “I have called for this briefing in order for me to apologize to the people of Zambia and the government. The way I came out I was so emotional. I would like to say sorry to the government as Prime TV and on my own behalf as Gerald Shawa, we are very much willing to work with the government.

Alert-25th March (Zambia Daily Mail)

Government has taken note of Prime Television Proprietor Gerald Shawa apology. Minister of Information and Broadcasting Services Permanent Secretary Amos Malupenga said in an interview yesterday that Mr. Shawa went to his office to apologize before holding a press briefing.

Two weeks ago, Mr Shawa refused to raise awareness on coronavirus for free stating that he would only do it after government pays for the service. He has

said Government only wanted to utilize Prime Television because of its large audience and not that it wanted to support his station financially.

Communique-27th February (Mast Newspaper)

ZAMBIA Information and Communication Technology Authority says it pulled down 2,000 fake Facebook pages that were created in the name of prominent individuals across the country.

And ZICTA says journalists should help counter fake news on social media. During a media interaction at Cross Roads Lodge on Tuesday night, ZICTA director general Patrick Mutimushi said the 2000 fake Facebook pages were removed in 2019 alone.

“You must understand that a lot of people think even today that they can sit on Facebook and hide, but you can’t hide forever. If you have got a pseudonym, there are ways we use so that we get to the bottom of who this page belongs to and there is quite a lot of work that is happening today and will continue working with other security wings to ensure that some of these things are brought to a minimum,” Mutimushi said.

Alert-27th March (News Diggers)

TOPSTAR has removed Prime Television from all its platforms in accordance with Information Minister Dora Siliya’s directive that all government entities must cease any business with the station.

In a letter addressed to the Prime TV CEO and dated March 27, acting Topstar chief executive officer Liu Yingnan said since government had some shares in Topstar, it could not continue to host Prime TV.

“...In view of the above outlined statement and in compliance with the same, Topstar Communications Company Limited, a company in which government (through ZNBC) holds shares is hereby ceasing all forms of cooperation with yourselves by removing the station from our platform with immediate effect. We wish you well in your future endeavors,” stated Yingnan.

Alert-30th March (News Diggers)

NEWS Diggers Media Limited has argued before the Lusaka High Court that the National Pension Scheme Authority (NAPSA), being a public body, is not entitled to sue for defamation or malicious falsehood on allegations of corruption.

This is a matter in which NAPSA has sued ADD president Charles Milupi and News Diggers Media Limited in the Lusaka High Court, seeking damages for libel and malicious falsehood over a publication that allegedly accused it of corruption and mismanagement of members’ funds.

The said publication was published on June 23, last year and was headlined ‘The NAPSA, AVIC deal stinks of corruption’.

NAPSA is further seeking an injunction restraining Milupi and News Diggers, whether by themselves, their servants or agents or otherwise from further publishing or causing to be published, the said words or any similar words

defamatory to it. It also wants interest on all sums found to be due as damages, legal costs and any other relief the court may deem fit.

Communique-31st March (News Diggers)

MISA in Zambia has urged the Electoral Commission of Zambia (ECZ) to expedite the process of liquidating arrears owed to media houses in order to cushion their financial challenges.

In a statement, Monday, MISA Zambia chairperson Hellen Mwale commended ECZ for committing to liquidate the arrears it owed to media houses for disseminating information on the electoral process for the 2016 general elections.

Alert-1st April (Zambia Daily Mail)

Prime Television Limited wants the High Court to grant it an order declaring Government's decision to stop all business transactions with private TV station as unconstitutional. The company is also seeking an order quashing Minister of Information and Broadcasting Services Dora Siliya's decision to cease all cooperation with the broadcasting company.

Prime TV also wants the court to order that media houses have the right to access and disseminate information from government without undue hindrance. Further, the company is seeking compensation for the loss of business resulting from TopStar Communication Limited's announcement that it has stopped to conduct Business with Prime TV. This is according to a statement of claim filed in the Lusaka High Court yesterday

Communique-9th April (Lusaka Times)

The Zambia Union of Broadcasters and other Information disseminators ZUBID is concerned with the continued delays to pay salaries for ZNBC Workers.

ZUBID Secretary General Andrew Mpandamwike says efforts to engage management on the timely payment of salaries for ZNBC workers have reached a deadlock. Mr Mpandamwike said what is worrying is that this trend of late payment of salaries has continued for a long time with no efforts from management to stop it. Mr Mpandamwike said ZNBC workers have not been paid their March salaries and are now wondering when the April salary will be paid which is due in the next few days.

Alert-4th May (Walamo Radio)

On 4th May MISA received reports that Walamo Radio and had been sued as 2nd Defendant, Mr Sinkala being the 1st Defendant by Honorable Freedom Sikazwe through Tutwa Ngulube and Company Law Firm. The facts of the matter are that on the 21st of April 2020, Walamo Radio published a news story regarding CDF theft allegations made against Hon. Freedom Sikazwe.

Communique-9th May (News Diggers)

INFORMATION and Broadcasting Services Minister Dora Siliya says the fact that the country had no journalist in jail during this year's Press Freedom

Day signifies that there is freedom of the press in Zambia. And Siliya has pledged her Ministry's support to all practicing journalists, further assuring them of protection against intimidation and prosecution as long as they are able to practice ethical journalism. Speaking during a joint press briefing held at her office, Wednesday, Siliya who is also Chief Government Spokesperson, said she was happy that the media in Zambia commemorated their day on May 3, without any of them in jail, unlike in other countries where journalists were being jailed for various reasons.

Alert-15th May (MISA)

On 15th May 2020 MISA Zambia received censorship reports that PF thugs had just invaded Muchinga Radio station in Chinsali featuring the UPND President Hakainde Hichilema via phone.

Muchinga Station Manager, Fred Mbewe, confirmed the incident to be true. He explained that on 15/05/2020 during their program Muchinga breakfast show at 07:15 which comes every weekday they hosted UPND President HH to discuss Covid-19 and current affairs.

About 10 minutes into the program whilst doing the introductions PF Carders led by a PF councilor walked into the studios to stop the interview via phone but they failed. The program however continued and no damage was made to any property. They later fled in the vehicle of the known wade councilor. The matter has been reported to the police station and they have been told to submit a recording of the program.

Communique-21st May (News Diggers)

MISA has backed calls by the Independent Broadcasting Authority (IBA) to air pre-recorded programmes to avoid attacks. And Mwale says people that are disrupting radio programmes are trying to tarnish President Edgar Lungu's name.

Last week, IBA Director General Josephine Mapoma advised radio and television stations to interview certain sources from their homes, and thereafter, air recorded programmes rather than hosting them in the studios to avoid attacks.

Commenting on the recommendation, MISA chairperson Hellen Mwale said if radio guests were continuously being attacked when they featured on-air, it was only right to produce pre-recorded

Alert-26th May (MISA)

MISA Zambia received reports that a *Your Generation* Radio journalist was allegedly verbally harassed by Choma Mayor Jarvin Cimoloka

Gilbert Simaanzi was following up on the radio equipment (transmitter) which Choma made in a full council resolution to donate the said equipment to Macha radio station 5 years ago.

Due to the above, the people of Macha through their area councilor have been complaining that they have not received the equipment and this Prompted Gilbert Simaanzi to follow up the issue with the Choma Mayor to know when exactly the equipment would be delivered.

However, during the interview, the Mayor verbally harassed the journalist and questioned his professionalism as evidenced in the audio sent by the victim.

Alert-12th June 2020 (MISA)

On 10th June 2020 MISA Zambia received a report of journalist Jajah Coulibally's summon by Kabwe Central Police to appear for investigations of an unknown case.

Following this, MISA Zambia made follow-up with Mr. Coulibally to ascertain the case he was being summoned for. He confirmed his summon but did not know the details of the investigations but rather suspected it for a defamation case. Further to this, a follow-up was made with Central Province Police Commissioner Chola Katanga who confirmed the summon but could not give details pertaining the summon.

Alert Update-16th June (Lusaka Times)

News Diggers Newspaper has written to Chief Government spokesperson Dora Siliya acknowledging receipt of her letter dated 12 June 2020 in which she as Minister of Information and Broadcasting expressed concern over what she termed as the use of derogatory word "Stupid" in the newspaper editorial comments.

Managing Director Joseph Mwenda expressed gratitude to the Minister that she reached out to the Newspaper to express her concern and to offer her advice on behalf of the government. Mr Mwenda said dialogue is extremely important between the ministry that she heads and media houses.

Alert-17th June (News Diggers)

SUSPECTED ruling Patriotic Front cadres on Monday evening disrupted a live telephone interview at Kwenje Radio featuring opposition UPND leader Hakainde Hichilema by tempering with the power supply system.

The live transmission of Hichilema's interview was cut mid-way, about 50 minutes into the programme. The opposition leader, however, continued with the phone interview which was recorded for airing at a later time. He thanked the UPND youths in Chama who protected staff at Kwenje radio from harassment.

"Under the UPND government, no opposition party will be made to endure such measures, just to be able to enjoy their democratic rights. The culture of thuggery and intolerance will end with our government," stated Hichilema in a Facebook post shortly after the disruption.

Communique-22nd June (MIBS Facebook Page)

Information and Broadcasting Services Permanent Secretary Amos Malupenga has challenged the media to play an active role in building and sustaining peace and co-existence in the country.

Mr. Malupenga says the media should use their profession and power to create harmony among citizens and not allow social media to fill the space. He said this when he toured the Ministry of Information and Broadcasting Services Exhibition at Government Complex in Lusaka today to mark the Africa Public Service Day which falls tomorrow.

Mr. Malupenga said the type of information that media houses such as the Zambia National Broadcasting Services (ZNBC) and Zambia News and Information Services (ZANIS) disseminate to the public should help to set the national agenda and help to influence the thinking and behavior of people in society.

Communique-27th June (Lusaka Times)

The Independent Broadcasting Authority (IBA) has appealed to members of the public to report all radio and television stations that are in the habit of broadcasting unethical and unprofessional content. Speaking to journalist in Choma, IBA Board Chairperson Mabel Mun'gomba, says the Authority has an open-door policy which allows members of the public to log in complaints against broadcasting stations perceived to be deviating from their mandates in their broadcast.

Mrs. Mun'gomba said listeners and viewers have a huge role to play in the promotion of ethical and professional journalism. She has since urged the public to take advantage of the IBA in voicing out their concerns as the authority is mandated to oversee the operations of broadcasting stations.

Mrs. Mun'gomba, accompanied by IBA Director General Josephine Mapoma, is in southern Province on a tour to check on compliance levels to the IBA Act by Commercial and Community radio stations. She further disclosed that her tour is so far impressive as most radio stations in the province are running various innovative programs.

Communique-30th June (Byta FM)

Reformed Church of Zambia, (RCZ) wants an apology from the national broadcaster, ZNBC for the story suggesting it had thrown its weight in support of Constitutional Amendment Bill 10 of 2019. RCZ General Secretary has stated that a story quoting Reverend Lazarous Phiri of Chombo congregation is unsubstantiated.

A letter obtained by Byta FM News reveals that ZNBC did not verify with the national leadership and the Synod Moderator did not authorize Reverend Phiri to issue his remarks. RCZ, a member of the Council of Churches in Zambia (CCZ), says it maintains its position on Bill 10 as earlier stated.

JAN- JUNE ALERTS Infographics**Threatened****5** Incidents**Expelled****0****Assulted****1** Incident**Detained****0** Incidents**Sentenced****0** Cases**Censored****6** Incidents**Legislated****0** Cases**Victory****1** Incidents**Others****35****Death****0** Incidents

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