



Fox Report Zambia

An analysis of the
**Freedom of Expression,
Media Freedom &
Digital Rights**
In Zambia





FOX Report Zambia

"An Analysis of Freedom of Expression,
Media Freedom and Digital Rights in Zambia"
For the period July to December 2022.



Foreword

MISA Zambia was established to promote and defend media freedom and freedom of expression within Zambia, to take appropriate steps where such freedom is violated and to seek to remove obstacles and impediments to the free flow of information.

The free flow of information allows citizens to be kept up-to-date with the Nation's current affairs thereby allowing them to make informed decisions. It also allows for the access to information which remains key in the ability of citizens to hold office bearers accountable and promote transparency as well as accountability. Democracy, which is essentially about transparency, accountability and good governance is dependent on the ability of citizens to access information. The free flow of information is crucial to the effective respect of human rights.

The role of the media is to educate, inform and entertain. In addition, the media must be left to play its role as a watchdog. This role allows it to bring out issues affecting citizens, without intimidation from state actors.

As we continue to advocate for media freedoms, freedom of expression and digital rights, it is also imperative that the legal environment is suitable for these freedoms to be realised and enjoyed. It has been observed that Media Practitioners, Activists and Human Rights Defenders have not invested sufficient time to interrogate laws and other pieces of legislation that affect their work. As a result, this leaves them at the mercy of the state or the powerful in our society.

Media Freedom, Freedom of Expression and Digital Rights remains one of MISA Zambia's three programme areas. As such, the institution will continuously strive to support media practitioners, social media users, human rights defenders and citizens with knowledge and information as well as evidence-based advocacy that will address the need for media related legal and policy reforms in Zambia.

Fr. Rev Dr Barnabas Simatende, OMI – MISA Zambia Chairperson

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List of Acronyms

ATI	Access to Information
CSOCivil	Society Organisation
FoX	Freedom of Expression
HRD	Human Rights Defender
IBA	Independent Broadcasting Authority
MISA Zambia	Media Institute of Southern Africa in Zambia
NGO	Non-Governmental Organisation
OSZ	Open Spaces Zambia
USAID	United Nations Agency for International Development
ZICTA	Zambia Information and Communication Technology Authority
ZNBC	Zambia National Broadcasting Corporation

Preface

Freedom of expression, digital rights and media freedoms are fundamental rights that constitute a functional democracy. These rights promote good governance through enabling the effective participation of citizens in the governance processes through the available platforms. The media and online platforms in Zambia play a crucial role in facilitating platforms for engagement by citizens.

The need to promote and uphold these rights cannot be overemphasized, every citizen including journalists, activists, Human Rights Defenders (HRDs), and oppositional voices need to fully enjoy their fundamental right to freedom of expression. Hence laws, policies and cultural practices that promote and uphold these rights are needed.

As an institution that promotes free expression and other media freedoms, MISA Zambia is committed to the furtherance of these freedoms through the production of quality information that will enable media practitioners and other players in a democratic dispensation to demand freedom of expression and media freedom in Zambia through the production of evidence pointing to the need for legal and policy reforms.

Through the production of this report, it is hoped that the information contained herein will enhance the knowledge levels on law, policies or social behaviours in Zambia that have a bearing on freedom of expression. This report will therefore serve as evidence for engaging in the maintenance of best practices, laws, policies and also amendments or social change in order for this freedom to be promoted and hence promote a democratic culture in Zambia.

Acknowledgements

MISA Zambia wishes to thank Internews Network Zambia and FHI 360 for their support in the implementation of the USAID funded Open Spaces Zambia (OSZ) Project and particularly the development of this Report. A special thanks is given to the consultant Mr Mulanda Joseph Mulawa who drafted this Report alongside the MISA Zambia staff that include the National Director Mr Austine Kayanda, Mr Michael Njobvu and Ms Jane Chirwa who worked tirelessly to ensure the report was produced. MISA Zambia also recognises contribution of Joan T. Zulu, Matildah Mafuta, Rita Nankonde and Caleb Kumwenda who have been instrumental in the data collection process.

Executive Summary

The **FOX Report Zambia** which is an analysis of the state of Media Freedom, Freedom of Expression and Digital Rights is the first of its kind produced under the USAID funded Open Spaces Zambia (OSZ) project being implemented by FHI 360, Internews and local partners MISA-Zambia, Panos and Bloggers of Zambia Chapter One Foundation, Free Press Initiative, Zambia National Women Lobby, and Zambia Cyber Security Initiative Foundation.

The report is based on a stakeholder perception analysis and presents an outlook of the current situation of media freedom, freedom of expression and digital rights in Zambia. It covers the period; July to December 2022. The analysis was carried out across the 10 provinces of Zambia covering a total of 283 participants which included journalists, bloggers, media lecturers, civil society organisations, political parties and human rights defenders.

The data collected showed that respondents interviewed understood the importance of media freedom, freedom of expression and digital rights in Zambia. This report has highlighted that media freedom and freedom of expression being enjoyed has enabled media houses to effectively play their watchdog role and to provide free and fair information; enabled people make informed choices, gave a voice to the voiceless, enabled national development and promoted transparency among others.

During this period, it was highlighted that 49.5% of the study respondents felt the media operated freely, while 48.5 % thought the media did not operate freely. This report shows that media ownership, political interference, existence and non-existence of certain laws were factors considered to impede the full enjoyment of media freedom. This means media in Zambia is still perceived to be partially free.

Despite the report noting that almost 50% of the participants viewed the media to be free in their operations, the study has also brought to light cases of harassment amongst journalists and bloggers. Under the period of review, results show that about 15% of the respondents faced some form of harassment from Political party carders, police and even government officials. These results are show a slight improvement harassment of journalists from the period January to June 2022 were 83% (166) respondents did not face any form of harassment while only 17% (34) faced some form of harassment.

This report has also shown that access to information in Zambia remains problematic, with 75% journalists reporting that access to information is hard. The situation has remained almost the same for the whole year. This is because the first half of the year, about 77% of journalists indicated that their access to information was not easy due to bureaucracy and lack of decentralized information channels. This only shows a 2% improvement to access to information.

The country's inability to have a law in its constitution that guarantees Access to Information remains one of the major challenges that impedes freedom of expression and of the press. There is need for the speedy enactment of the Access to Information Bill to ensure information is readily available to members of the public. Other laws that have been cited by this report considered to infringe on the rights of the media and citizens to freely and fully express themselves include the Cyber Security and Cyber Crimes Act, laws on seditious practices and contempt. With the increasing number of Zambians using digital spaces to express themselves and also disseminate information, digital rights have now become a topical issue. This study has shown that members of the public, CSOs and the media are perceived to enjoy their digital rights, with 63% respondents saying they enjoyed their digital rights and digital spaces to freely express themselves. The first half of 2022 showed that about 56% enjoyed this right, culminating into a 7% increase.

Despite the freedom that people enjoyed through their digital spaces, this report has indicated that about 50% of bloggers have at least suffered some form of cyber-attack in the period under review. Compared to the first half of 2022, only 32% reported to have suffered some form of cyber-attacks. This is an almost 20% increase. Further, about 76.7% of the respondents felt government was not doing enough to protect people against cyber-crimes.

Arising from the aforementioned issues, it is clear that the discourse on media freedom, freedom of expression and digital rights remains an all-time one especially with the absence of solid constitutional reforms that guarantee media freedom, freedom of expression and digital rights in Zambia.



1. Introduction



There can be no doubt that the freedom of expression, media freedom and now citizens right to receive and impart information is one of the most important value of any democratic society. These rights are key to human development, dignity and personal fulfilment among others. They help facilitate free debate about and between among people on political, economic, social and other issues affecting their lives in any given society. These rights enable citizens to raise concerns with authorities and ensures that new policies and legislation are subject of careful scrutiny. It is also said that free speech, be it in the media or amongst citizens improves the quality of governance because authorities will be provided with competent and honest checks and balances on what they do.

However, in most African countries, Zambia inclusive, these rights are seemingly becoming under threat through violation by the leaders entrusted to protect them in the first place. Journalists and ordinary citizens have in one way or another faced threats and even arrests from authorities on matters that were thought to be of different opinions from the powers that be. This report therefore, presents findings from a research to assess the state of media freedom, freedom of expression and digital rights in Zambia between the period July to December 2022.

2. Aim and Objective of The Study

2.1 Purpose of the Study

The overall purpose of the study was to assess the current state of media freedom, freedom of expression and digital rights in Zambia over a six-month period, covering July to December 2022. It is hoped that the results of this study will guide MISA Zambia and its partners in strengthening democracy and the enjoyment of media freedom, freedom of expression and digital rights in Zambia. This will ultimately contribute to an enabling environment in which independent and new media will thrive. They will also guide advocacy efforts of projects seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights. The results are also instrumental in aiding decision-making during policy review and formulation, and in addressing violations as they occur.

2.2 Objectives of the Study

The main objective of the study was to analyse the current state of media freedom, freedom of expression and digital rights in Zambia covering the period July to December 2022. The following were the specific objectives of the study:

1. To assess the current level of media freedom, freedom of expression and digital rights in Zambia.
2. To investigate factors limiting or enhancing the enjoyment of media freedom, freedom of expression and digital rights in Zambia.
3. To assess the current level of understanding of digital rights among digital users (bloggers) in Zambia covering a period between July to December 2022.

3. Methodology

3.1 Study Design

This was a parallel mixed methods approach that utilized both qualitative and quantitative data. A survey approach was used to collect quantitative data while the qualitative arm used a case study approach.

3.2 Study site and population

This study was conducted in all the 10 provinces of the country. It had representation from journalists, media bodies, lecturers, bloggers, political party leaders (ruling and opposition), civil society organisations and human rights defenders.

3.3 Sampling and Sample Size

The study was conducted among 200 journalists drawn from both public and private media, it also comprised of 15 media bodies representatives, 30 bloggers, 3 media and communications lecturers, 30 human rights defenders and 5 political party leaders. All the participants were purposefully selected based on their knowledge and experience with media freedom, freedom of expression and digital rights in Zambia.

3.4 Data Collection and Analysis

Data was collected through a questionnaire administered through phone interviews and responses were uploaded on an online software kobotool box for analysis and storage. In-depth interviews were also conducted to collect qualitative information and interview transcripts were uploaded on Atlasti for data management. The quantitative arm of the study used descriptive statistics to present quantitative data while the qualitative arm employed the use of rapid thematic analysis.

To ensure confidentiality, all information was de-identified. Informed consent was sought for prior to the interviews.

4. Presentation of Results

4.1 Background Characteristics of Respondents

Table 1: Respondent Type

Type of Respondent	Number of Respondents
Journalists	200
Bloggers	30
Media bodies/Press clubs' representatives	15
Media Lecturers	3
CSO/HRDs	30
Political Parties (which ones?)	5
Total	283

Table 1 above summarizes the respondents' categories and the number of people engaged. The total number of respondents was 283, spread across; among others journalists, bloggers, media bodies and civil society organisations.

Media House Representation

Table 2: Category of Media Houses

Type of Media House	Frequency	Percent (%)
Private broadcast media	74	37
Public broadcast media	45	22.5
Community broadcast media	32	16
Private print media	18	9
Religious community broadcast media	13	6.5
Public print media	11	5.5
Other	7	3.5
Total	200	100

The study reached 137 (68.5%) male and 63 (31.5%) female journalists. Table 2 shows that of these numbers, the respondents from private broadcast media comprised of the majority respondents with 37% (74), while public broadcast media was represented by 22.5% (45) and community broadcast media had the third highest representation of 16% (32). The rest comprised of 9% (18), 6.5% (13), and 5.5% (11) shared among private print media, religious community broadcast and public print media respectively. For bloggers, something related to the type of media house is the purpose for blogging. It was discovered that majority of bloggers produced content aimed at education, entertainment, information provision and for personal use. Figure 1 and table 3 summarise the type of content that is produced by bloggers.

Figure 1: Type of content produced by bloggers

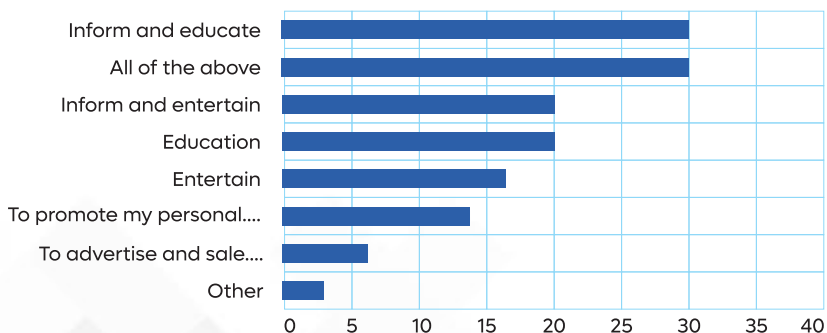


Table 3: Frequency distribution of the type of content posted by bloggers

Type of Content	Frequency	Percent (%)
Inform and Educate	9	30
All of the Above	9	30
Inform and Entertain	6	20
Education Only	6	20
Entertainment only	5	16.67
Promote Personal Brand	4	13.33
Advertise and Sell Products	2	6.67
Other	1	3.33

4.2 Experience of Bloggers and Journalists

This study aimed at understanding the level of experience of the bloggers and journalists. It was noted that 38% (88) of bloggers and journalists interviewed have worked in their respective fields for not more than 3 years (1-3 years), while 31% (71) had worked for more than five years, with 16% (37) working for less than a year and 15% (34) working for between four to five years. Table 4 breaks down the level of experience for bloggers and journalists in the study.

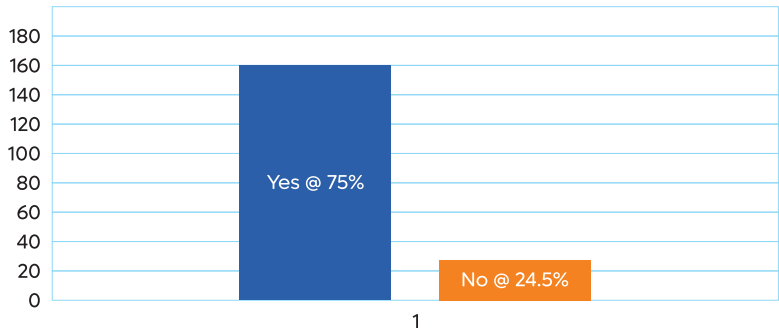
Table 4: Journalists and Bloggers' work experience

Number of Years	Frequency	Percent (%)
1 to 3 years	88	38
More than 5 years	71	31
Less than 1 year	37	16
4 to 5 years	34	15
Total	230	100

4.3 Access to information

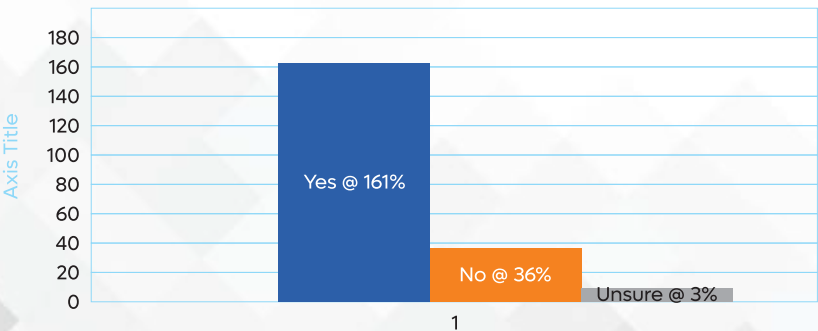
Access to information, particularly information held by government offices is key to any democratic dispensation. This study also aimed to assess the level of access to government information, particularly by journalists in their role and duty to provide proper checks and balances to the government. Results indicate that 150 of the 200 (75%) noted that it was not easy to access information in Zambia, while only 49 (24.5%) said it was easy, and one was unsure. This shows an improvement of 2% regarding perceptions on access to information compared to the first half of the 2022 FoX Report which indicated that 77% of journalists said information from government was hard to access.

Figure 2: Journalists' Access to Information



Further, it has been noted that accessibility of government officials is a challenge in Zambia with 80.5% of the participants saying accessing government officials was hard in the period under review. Only 18% (36) stated they had no challenges accessing government officials and three people were unsure. This shows an increase of 5.5% from the previous score reported by the FOX report (January to June 2022) which indicated that 75% thought it was hard to access government officials.

Figure 3: Journalists' Access to Government Officials



Various reasons were advanced with regards to why accessing government officials was hard, with some sentiments highlighted below.

*"It's still a bit fragile because we do not have the access to information law, thus people cannot fully express themselves on matters that are related to governance in the public sector..." **Human Rights Defender***

*"... [Accessing government officials is] depending on the reason for the interview or depending on the government official you are trying to get in contact with," **Journalist***

*"Getting hold of government officials is easy but getting information from them is not easy," **Journalist***

*"The head of state has made it known that the media is a friend to government and he has told his officials on the same [making access easy]," **Journalist***

*"There is now a conducive communication channel to get to the state officials," **Journalist***

4.4 Perceived Media Freedom and Freedom of Expression

Media freedom and freedom of expression are the cornerstone of any democratic nation. Study participants explained that media freedom and freedom of expression were important because they allowed the media, particularly journalists, to operate freely and be able to provide checks and balances to the government. It was also highlighted that freedom of expression allowed citizens to speak against what was going wrong in the country. Further, media freedom was said to be important because it helped the media play the watchdog role and provide information to the public which would enable them [public] make informed decisions, give a voice to the voiceless, enhance national development, bring unity and peace in the country and promotes transparency among others.

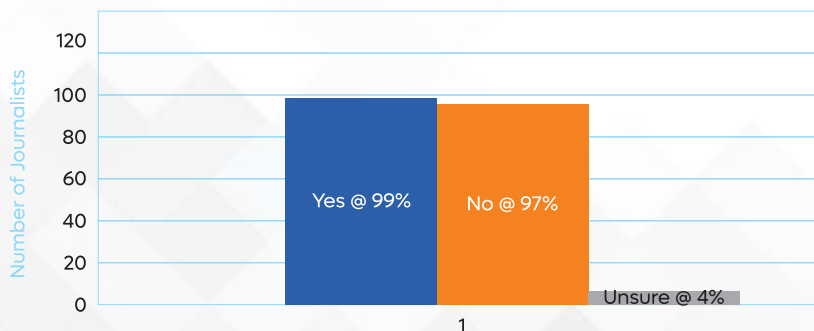
*"when the media is free, people are free to express their inherent rights and they hold the authority accountable and it is a human right..." **Media Lecturer***

*"it is the tool that can help the citizens to make decisions and help the government to make decisions on what people want..."
Human Rights Defender*

*"It helps in the development of the nation because people are given platforms to express themselves..." **Journalist***

There seems to be a narrow difference in terms of perceived media freedom amongst journalists with results showing a split difference in the views. Almost half of the respondents (99, 49.5%) said the media operated freely in the last half of 2022, while 97 (48.5%) thought the media was not free and only 4 were unsure of the state of media freedom in the period under review. This means that media freedom in Zambia is still considered to be partially free. It corresponds to the previous report for the period of January to June 2022.

Figure 4: Journalists' perceptions of Media Freedom



When probed on why they said yes or no, some journalists lamented that the media was free as there was less police or political intimidation, while others thought media ownership played a critical role in either curtailing or enhancing media freedom. Some of the reasons given are as shown below;

*"We do not freely write stories because the intimidation starts from the owners of the media houses, they stop us from running certain stories due to fear of their media houses being closed down. The same intimidation comes from the government leaders as well." **Journalist***

*"There is a bit of improvement with less political interference and the media is more objective..." **Journalist***

*"There is an improvement, journalists are able to write objective stories and there is less interference..." **Journalist***

*"There is a lot of intimidation from the political sector and we fail to express ourselves..." **Journalist***

This report has noted that some participants felt self-censorship, particularly by media owners played a role in limiting the enjoyment of media freedom and freedom of expression among media practitioners.

*"We do not freely write stories because the intimidation starts from the owners of the media houses, they stop us from running certain stories due to fear of their media houses being closed down. The same intimidation comes from the government leaders as well." **Journalist***

Despite the results showing a split decision on the perception of media freedom, it was noted that almost all the respondents 167 (83.5%) did not face any form of harassment in the period under review while only a staggering 15.5% (31) noted some form of harassment and two respondents chose to remain silent on the issue. Political party carders, police and even government officials were cited as the perpetrators of the harassment faced. Some narrated the following forms of harassment.

*"The attack was online when we were celebrating an occasion and the president was the guest of honour and someone commented on a post about something I was not happy with, and he was arrested (after reporting to the police) and was later made to apologize ... and I dropped the charges" **Journalist***

*"After a story was done, the source went to the public and claimed we ran a wrong story because he did not like what we wrote" **Journalist***

Freedom of expression has for many years been a debatable issue, with some calling for its regulation while others advocate for complete freedom of expression. In the period of study, 63% (126) journalists felt that more and more people were enjoying their freedom of expression, while 33% (66) of the journalists thought people did not enjoy this right and Eight were not sure of the state of freedom of expression under the period of review.

As can be seen from the results, freedom of expression still remains a challenge in Zambia. Some participants noted that the Public Order Act still remains one of the major limitations to the enjoyment of freedom of expression by Zambians. It was reported that this law has for many years been abused especially by the government in power to stop citizens and CSOs from airing their views on national issues.

"This law, the Public Order Act, I feel every political party that is in power uses it to deal with people that hold divergent views on national and political issues. It is always abused. We do not need such a law in a democracy..." Political Party

Similarly, table 5 below shows the distribution of Human Rights Defenders perceptions on the respect for freedom of expression by the government. It can be seen that over 50% of the respondents thought freedom of expression was not respected, while only 33% thought it was respected and only 10% were unsure of the current state.

Table 5: Human Rights Defenders' Perception on Respect for Freedom of Expression

Response	Frequency	Percent (%)
No	17	56.7
Yes	10	33.3
Not Sure	3	10
Total	30	100

Further, stakeholders particularly from media bodies noted that the state of media freedom and freedom of expression in the period under review had slightly improved, citing the repeal of Section 69 of the Penal Code which provided for defamation of the president as a positive in the right direction. Some of the other explanations are noted below;

"... for example decriminalisation of defamation of the president is a step in the right direction. However, some media houses still practice self-censorship due to their previous experience ... they are still scared of running certain stories." **Human Rights Defender**

"I think it is only 45% free ... we have seen the president making statements, but I feel there is no action taken apart from the speeches," **Human Rights Defender**

"... the new government has allowed freedom [freedom of expression] but people still cannot freely express themselves for different reasons," **Journalist L**

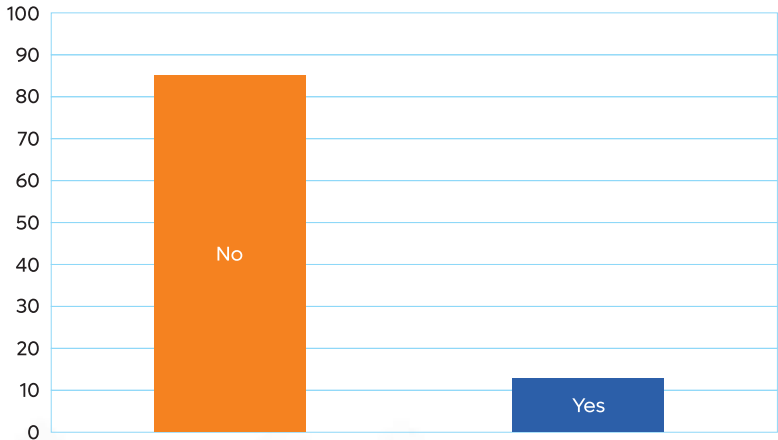
With regards the laws impeding the full enjoyment of media freedom, freedom of expression and digital rights, the Cyber Security and Cyber Crimes Act was the most cited by journalists, bloggers and stakeholders as one of the laws that infringed people's freedom of expression. Other laws that were cited by participants included defamation of the president, contempt of court, State Security Act, Public Order Act and laws on sedition.

For some participants, a lack of understanding of media laws by media practitioners and the public played a role in limiting the enjoyment of media freedom and freedom of expression.

"There seems to be a lack of proper understanding for some of the provisions in the constitution that defend media persons.... People [media included] need to know some of the laws that affect the operations of the media such as the Data Protection Act, Electronic Government Act, the Penal Code, the IBA and the print publications act..." **Media Body**

On media regulation, results indicate that majority of the media called for self-regulation as opposed to government regulation.

Figure 5: Distribution of journalists' perception on whether government should regulate the media.



Majority of the respondents 85.5% (171) said government should not regulate the media while 12% (24) agreed to have government regulation of the media and five remained neutral. For bloggers, 90% (27) noted that government should not regulate what is being posted online, while only 10% (3) called for government regulation of what can be posted online. Surprisingly to note from this study is that despite the call for self-regulation of the media, journalists felt it necessary to have the Independent Broadcasting Authority (IBA) to continue licensing the media. These results are as shown in the table below.

Table 6: Journalists' Views on IBA Licensing

Value	Frequency	Percent (%)
Yes	145	72.5
No	53	26.5
No response	2	1
Total	30	100

For those calling for continued media licensing by IBA, upholding media values and principles was the main reason for their inclination. Some of the comments are as shown below;

*"They are mandated to do that because it helps the media to stick to principles of good value and produce content that is good for the public..." **Journalist***

*"...we need a mother body that regulates and controls the media, there would be chaos without that..." **Journalist***

*"It helps them to work in line of the dos and don'ts, to work in the stipulated guidelines" **Journalist***

For those calling for an end to media licensing through IBA, below are some of the reasons why IBA is not the right body to license the media.

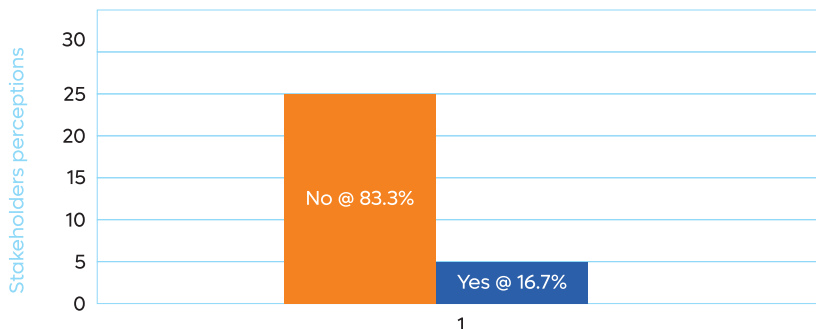
*"IBA is an Act of parliament but it should not be a representation of government and the minister of information ... they can license [independently] but not get instructions from government..." **Journalist***

*"we need an independent body to regulate the media, IBA is under the minister of information which is government..." **Journalist***

4.5 State of Digital Rights

With advancement in technology, digital spaces such as the internet are becoming common avenues where people can exercise their freedoms of expression, with more and more media houses shifting their efforts to disseminating information through digital platforms. Results of the study show that journalists, bloggers and stakeholders are of the view that most citizens do not understand their digital rights. There was a call to sensitise more people on their digital rights.

Figure 6: Stakeholders perceptions on whether citizens understand their digital rights



Despite the view held that digital rights may not be fully understood by citizens of the country, it was noted that most bloggers and some stakeholders understood some of the rights and responsibilities that they have online.

"Some of the rights I can point out are the right to free interaction, the right to privacy and the right to free expression..." **Human Rights Defender**

"Some people do not know some of the digital rights they can enjoy. There is need to sensitise people on digital rights.... People should be taught some procedures they can take in reporting some of these digital or cyber-crimes that happen..." **Media Body**

Despite the freedom enjoyed by bloggers and citizens on freedom of expression online, it was noted that some people still faced attacks online. Results show that 50% of the bloggers have at least faced a form of attack online in the period under review.

Table 7: Number of bloggers who at least faced a form of Cyber Attack

Value	Frequency	Percent (%)
Yes	15	50
No	15	50
Total	30	100

Below are some of the narrations of the attacks that some bloggers faced.

*"someone cloned my Facebook and impersonated me and I reported to the police who did nothing about it..." **Blogger***

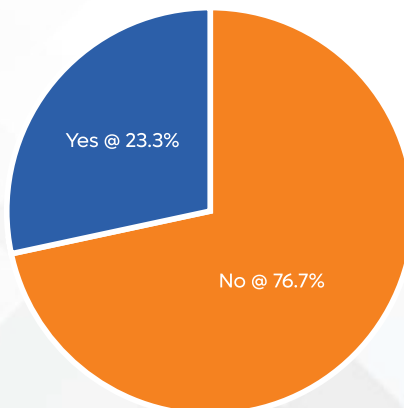
*"Someone was attacking me for being active in my work and I stopped responding to them, I just let it go..." **Blogger***

*"I have had people sexualising me in my inbox ... and I would report their accounts and block them..." **Blogger***

Figure 7 below shows the distribution of results from bloggers on whether government was doing enough to protect citizens on digital spaces. It can be noted that over 70% of the respondents felt government was not doing enough to protect citizens online, while 23% of the respondents thought government does protect people on digital platforms.

Figure 7: Perception of government protection to digital users in Zambia

Is government doing
enough to protect
Citizens' digital spaces?





5. Discussion of Findings

STATE OF MEDIA FREEDOM AND FREEDOM OF EXPRESSION IN ZAMBIA

For any society to be considered democratic, freedom of expression is an important right that every person has to enjoy. Through freedom of expression and media freedom, there is usually free exchange of ideas, opinions and information. This enables citizens and the media alike to form their own opinions on issues of public importance. It is worth noting that Freedom of expression serves public debate and supports a free and independent press, informed citizenship and the transparent governance of any country.

This study has noted that participants understood the importance of media freedom, freedom of expression and digital rights in Zambia. The report highlighted that freedom of expression allowed citizens to speak against what was going wrong in the country. Further noting that media freedom helped the media play the watchdog role and provide free and fair information, enabled people make informed choices, gave a voice to the voiceless, enabled national development and promoted transparency among others. These views are similar to those expressed in the previous FOX Report Zambia covering the period January to June 2022. That report notes that when media is free, it is able to offer checks and balances to the three organs of the government (executive, legislature and judiciary), hence fulfilling its role as a fourth estate. A free media also offers platforms to members of the public for the exercise of their right to freedom of expression. It is only through such expressions that Government can be able to know issues affecting the general citizenry.

Importance of media freedom and freedom of expression is one thing, however, ensuring that these rights are upheld and respected is another. The period under review saw journalists and stakeholders almost having a 50/50 view of the state of media freedom in Zambia. For example, some stakeholders noted that people during the period under review were not entirely free to express themselves. This was similar to the views of journalists who had a narrow difference in terms of perceived media freedom, 49.5% of them saying the media operated freely. These results show a similar trend to the results in the previous review (January to June 2022) where more than half of respondents (73.6%) viewed the operation of the media as partially free.

Under the period of review, results have shown that almost all the respondents 167 (83.5%) did not face any form of harassment while only 15.5% (31) noted some form of harassment. Political party carders, police and even government officials were cited as the perpetrators of the harassment faced. These results are consistent with the previous reports where 83% (166) of journalists did not face any form of harassment while only 17% (34) faced some form of harassment.

This consistency in the results on harassment of journalists is a step in the right direction as it gives hope that the media fraternity in Zambia is slowly and steadily becoming better. It is however worrying that political party carders, government officials and even the police continue to be cited as perpetrators of such harassment. For example, an early warning system by MISA Zambia shows that "...a journalist working for KNC Media Communication and based in Luano district of central Province was attacked by some alleged United Party for National Development-UPND carders." Another alert from the same system showed that "a Chipata based Journalist Dockiso Shadreck Zulu from 3FM Radio Station was harassed, assaulted and threatened by some suspected United Party for National Development UPND Cadres in Chipata district of Eastern Province while on his way home from work." This is despite government calling for an end to media harassment. Chief Government Spokesperson Chushi Kasanda is quoted by News Diggers Newspaper on 08/11/2022 saying government expected the law to take its course against the people who attack media personnel in reference to when Petauke journalist, Lovemore Phiri was beaten by suspected UPND cadres during a breakfast show where callers were calling in on a topic of fertilizer distribution. This calls for concerted efforts aimed at sensitising such groups of people so that they can see the media as a friend and not an enemy.

Freedom of expression and media freedom cannot be enjoyed if people, journalists alike do not have access to information, particularly information held by government. Access to information includes a person's right to request and receive information, as well as governments duty to publish and make information available. This right empowers citizens and civil society organizations to obtain information held by public bodies to enable them participate in public debates, engage directly and in a knowledgeable manner with decision-makers. It empowers people fight corruption, thereby increasing accountability and transparency. Access to information also allows people and organisations identify and uncover corrupt practices. To date, 129 countries have access to information laws (or freedom of information laws) and over 50 constitutions worldwide recognize this as a right, along with much jurisprudence confirming it. Further, the right to seek, access and receive information is guaranteed by various international human rights declarations such as Article 19 of the Universal Declaration of Human Rights, Article 9 of the African Charter on Human and Peoples' Rights, and Article 4 of the Declaration of Principles on Freedom of Expression in Africa. Despite this guarantee by international declarations to which Zambia ascribes to, access to information in the country has remained a challenge.

This study has shown that access to information is still considered problematic, with 75% journalists reporting that access to information is hard. These results are also similar to those indicated by FoX Report Zambia January to June 2022, noting that majority of journalists interviewed (77%) indicated that their access to information is not easy due to bureaucracy and lack of decentralized information channels.

Related to access of information is availability and accessibility of key government officials to provide information that is required by journalists and citizens alike to obtain vital information from such offices. This study shows that government officials are very hard to access with about 81% respondents rating access to officials as not easy. This figure is worrying because in the first half of 2022, about 75% of respondents reported to have had challenges in accessing government officials, that is a 6% increment. There is need for government officials to be aware that public information remains critical in providing proper and sound checks and balances by the media and citizens alike.

The country's inability to have a law in its constitution that guarantees Access to Information remains one of the major challenges that impedes freedom of expression and of the press. There is need for the speedy enactment of the Access to Information Bill to ensure information is readily available to members of the public. It is worth noting also that the fight to have the Access to Information Bill passed into law has largely been pioneered by the media, thus is perceived by many to be a media law. There is need for Civil Society Organisations to collaborate their efforts into having the Bill passed into law. There are also other laws that have been cited by this report which are considered to infringe on the rights of the media and citizens to freely and fully express themselves such as the Cyber Security and Cyber Crimes Act, laws on seditious practices and contempt.

It is however, worth commending some of the moves taken by government to at least give citizens and the media to operate freely and without fear. For example, the repeal of Section 69 from the Penal Code which provided for defamation of the president is a step in the right direction. However, as stakeholders in this study have noted, there are other laws that provide for defamation and should be equally repealed because they still curtail people from freely expressing themselves. Further, a step taken by the president encouraging the media to operate freely and members of the public to freely express themselves is another notable step in the right direction. However, despite this, we have continued to see citizens, opposition political parties and journalists alike be harassed or arrested for having divergent views on national issues.

Media regulation and licensing of media houses has remained one of the most conscious topics among media practitioners with some calling for complete self-regulation and others for partial self-regulation. On media regulation, this report has noted that journalists continue to call for self-regulation, with results indicating that majority of the respondents (85.5%) said government should not regulate the media. For bloggers, 90% of the respondents noted that government should not regulate what is being posted online. It is clear from these results that there is a call for self-media regulation. Thus, media practitioners need to come together and create a self-regulatory body that will oversee the operations of the media in Zambia.

These results are no different from the first half of 2022, with the FoX report indicating that 85% of respondents supported the need to have an independent body to regulate the conduct of media practitioners in Zambia.

Related to media regulation is media licensing. This study has shown that about 75% of journalists felt the need to continue having the Independent Broadcasting Authority (IBA) as the body to license media houses. This is a significant difference from the views held by journalists in the first half of the report covering January to June 2022 where more than half of respondents (54.1%) did not support IBA's licensing of the broadcast media as the institution was perceived to be a tool through which government controlled the media in Zambia. It is unclear as to what could have attributed to this drastic change in opinion but can partly be attributed to the fact that IBA has not in the last year closed or suspended any broadcasting licenses of media houses. It was also suggested by some participants that the freedom being enjoyed by some media houses if left unchecked would lead to chaos in the operations of the media, thus the need to have the IBA license broadcasting media houses. It is also worth noting that sentiments on the perceived view of the independence of IBA still remain the same.

This report and the previous both report hesitancy by media houses on the independence of IBA. For example, some journalists noted that as long as the Minister of Information and Media has powers over the operations of the IBA, the institution will always continue to operate at the mercy of the government or party in power. This therefore, calls for complete independence of IBA by having a management that is free from political and government interference.

STATE OF DIGITAL RIGHTS

According to the 2022 Forum for Internet Freedom in Africa, as of 2021, Zambia had an estimated over 10 million mobile internet subscriptions, representing penetration rate of 50%. Further, Zambia's population is generally a young population, meaning that more and more people use digital spaces to communicate and disseminate information. Further, it is also important to note that Zambia has a data protection and privacy law, and is and as of May 2022 among 13 countries to have ratified the African Union Convention on Cyber Security and Personal Data Protection. This report also noted in the first half of 2022 that government has put in place a number of legislations that seek to promote digital rights in Zambia such as the Data Protection Act of 2021, Cyber Security and Cyber Crimes Act of 2021, Electronic Government Act of 2021 and Electronic Communications and Transactions Act of 2021. The Data Protection Act provides for an effective system for the use and protection of personal data while the Cyber Security and Cyber Crimes Act was instituted to provide cyber security; the Electronic Government Act provides for promotion of electronic government services and processes to enable citizens

access government services and information online; and the Electronic Communications and Transactions Act provides for a safe and effective environment for electronic transactions. With this background, digital spaces have become an important issue in the freedom of expression sphere.

This study has shown that members of the public, CSOs and the media are perceived to enjoy their digital rights, with 63% respondents saying they enjoyed their digital rights and digital spaces to freely express themselves. The first half of 2022 showed that about 56% enjoyed this right, culminating into a 7% increase. An increase in internet users can be attributed to the fact that more phone shops are opening up, making smart phones easily accessible and at an affordable price. Further, it can also be attribute to low cost of internet bundles as the country continues to have more internet service providers who in turn compete amongst themselves to provide best possible bundles for customers to choose from. However, access to internet in rural areas remains limited.

However, increased internet use as a channel of communication may mean a lot of misinformation online. It is gratifying to note that this study has shown that close to half of the bloggers (43%) interviewed have been blogging for more than five years. Further, about 93% of the bloggers interviewed had some form of journalism training, and 90% verified their information before posting online, an increase from the 81% reported in the first half of 2022. Information was reported to be verified through cross checking facts with traditional media, talking to all sides involved, conducting research to verify facts and contact authorities among others. This shows that seasoned bloggers are careful with the content they publish online. However, not everyone is a seasoned blogger or journalist, thus may not have the same skills in verifying information before positing online. This points to the fact that the internet still remains susceptible to abuse by some people.

While digital spaces are used by others constructively, others have used it to perpetuate crime and hate speech. For example, this study has indicated that 50% of bloggers have at least suffered some form of cyber-attack in the period under review. Compared to the first half of 2022, only 32% reported to have suffered some form of cyber-attacks. This is an almost 20% increase, indicating that more people are using digital spaces to attack others. This should call for serious protection of every citizens' digital rights and spaces by those mandated by law to protect people against cyber-crimes. Some of the reported crimes ranged from hacking victims' social media accounts, sexual harassment, cyber-bullying, physical [violence] threats to mention but a few. This would be the reason why respondents (76.7%) felt government was not doing enough to protect people against cyber-crimes. This report has noted that respondents, particularly stakeholders, have called for strict protection of the cyber space, noting that people needed to know how, when and where to report cyber-crimes.

Conclusions



It is gratifying to note that this report has shown a considerable increase in perceived media freedom in Zambia. This shows that the environment seems to be getting better by the day. However, the increase in perceived media freedom in this report should not be taken for granted. This is because we have continued to record reports of journalists being harassed or attacked by political party carders, police, citizens and in some instances by government officials. There is an urgent need to impose stiffer punishment to people who perpetrate violence against journalists. Self-regulation of media operations has always been the cry of the media industry in Zambia, and this report has cemented that position. However, self-regulation is one thing, the law is another. It is important to note that some laws have still been cited to curtail media freedom such as contempt, seditious practices, penal code and the, Cyber Security and Cyber Crimes Act among others. While Defamation of the president provision in the Penal Code was repealed, there remain criminal defamation which still poses a threat to media freedom. Media freedom and freedom of expression will never be enjoyed if Access to Information is not protected by the constitution.

This report has established that the inability to enact the Access to Information Bill has continued to make information difficult to obtain, especially information in the custody of government officials and offices. This makes it hard for the media, CSOs and the general public to offer sound and informed checks and balances to the government in power. Digital rights are a new phenomenon in Zambia. However, an increase in the usage of digital spaces calls for concerted efforts in protecting people engaged in communicating via digital spaces, and at the same time, government should not be seen to regulate what can and cannot be posted online, a headache that those in power will have to struggle with in order to remain neutral.

6.0 Recommendations

Based on the results of the study, the following recommendations have been put forward.

Access to information, especially information in government custody remains problematic. There is need therefore to hastily enact The Access to Information (ATI) Bill to enable the media and citizens offer checks and balances.

Government should consider having a round table discussion with the media and CSOs on how some of the laws considered “archaic” and impeding media freedom and freedom of expression changed or repealed to enable free operations of the said parties. Some of these laws include; the State Security Act of 1969, Penal Code, Public Order Act, Independent Broadcasting Authority Act of 2002 and Cyber Security and Cyber Crimes Act No.2 of 2021.

CSOs/NGOs should not leave the fight to have the Access to Information Bill passed into law left to the media alone. CSOs/NGOs and the public should join efforts in having this Bill passed because it will guarantee access to vital information that will make it easy to offer proper checks and balances to the state.

The media has called for self-media regulation. Therefore, it is imperative that an all-inclusive team is constituted to suggest how this can be done.

Government should come up with deliberate laws that will punish people, police, political parties and even some government officials in the habit of harassing the media. This will create a supportive environment in which the media will operate without fear or favour.

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OPEN SPACES ZAMBIA QUESTIONNAIRE FOR JOURNALISTS

The State of Media Freedom, Freedom of Expression and Digital Rights in Zambia

Introduction

Greetings, my name is _____
MISA Zambia is conducting research to understand the current state of media freedom, freedom of expression and digital rights in Zambia. It is doing so under a project called Open Spaces Zambia – OSZ.

FHI 360, Internews and local partners MISA-Zambia, Panos, and Bloggers of Zambia are implementing the USAID Open Spaces Zambia (OSZ) funded activity, to strengthen the democratic foundations of freedom of speech and assembly; build independent and new media; and safeguard a space for activists, human rights defenders (HRDs), and oppositional voices to protect the democratic space in Zambia. The OSZ target beneficiaries are broadly media consumers in Zambia, with a particular focus on youth, women and girls, and other historically marginalized groups. Activities will specifically target media support organizations involved in advocacy; community radio stations in select provinces; outlets with online/social media presence (including radio and television stations); and social media users, technologists, and activists. This study is necessary as it will provide a comprehensive status of media freedom, freedom of expression and digital rights in Zambia. It will also highlight the current legal and policy issues inimical to the enjoyment of these freedoms. The study will be very instrumental in aiding decision-making during policy review and formulation. Ultimately, it will guide projects like Open Spaces Zambia – OSZ advocacy efforts and any other such work

seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights.

You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know.....TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU.

SECTION A: BACKGROUND INFORMATION OF RESPONDENT

1. Name of media house
2. Type of media house. **(Please Tick ✓ where appropriate)**
 - a) Public print media
 - b) Private print media
 - c) Public broadcast media
 - d) Private broadcast media
 - e) Religious community broadcast media
 - f) Community broadcast media
3. State your position
4. What is your sex?
 - a) Male
 - b) Female
5. What is the current number of years you have worked in the media industry?
 - a) Less than 1 year
 - b) 1 to 3 years
 - c) 4 to 5 years
 - d) More than 5 years
6. State your age
 - a) Less than 35 years
 - b) Above 35 years

SECTION B: CURRENT STATE OF MEDIA FREEDOM, FREEDOM OF EXPRESSION AND DIGITAL RIGHTS

1. Do you think the media operates freely in Zambia?
 - a) Yes
 - b) No
2. State the reason (s) for your answer to question
3. What is the importance of media freedom?
4. Have you suffered any form of attack, harassment or threats as a journalist in the last 6 months?
 - a) Yes
 - b) No
5. If yes, where did the harassment or threats come from?
6. How easy is your access to information in Zambia?
 - a) Very easy
 - b) Not easy
 - c) It is tough
7. How is your access to government officials?
 - a) Not easy
 - b) Very easy
8. If your answer to question 6 is **not easy**, state the reason(s)
9. What do you think should be done to change the situation?
10. Are there some laws that you think restrict the operations of the media in Zambia?
 - a) Yes
 - b) No
11. If your answer is yes, what are those laws?
12. For the laws you have stated above, how do they restrict the operations of the media in Zambia?
13. Should Government through IBA continue to license broadcast media?
 - a) Yes
 - b) No
14. State the reason(s) for your answer to question 13
15. What is your measure of media freedom in Zambia in the past six months to date?
 - a) Free
 - b) Partially free
 - c) Not free
16. Why do you say so?
17. Give examples

-
18. What is your measure of digital rights enjoyment in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
19. Why do you say so?
20. Give examples.
21. What is your measure of freedom of expression in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
22. Why do you say so?
23. Give examples.
24. What do you think should be done to change the situation?
25. Do you think the operations of the media are threatened by the presence of bloggers?
- a) Yes
 - b) No
26. State the reason(s) for your answer.
27. Do you think Government should regulate the type of content bloggers post online?
- a) Yes
 - b) No
28. Do you think the Cyber Security and Cyber Crimes Act provision that allows for a person, premise or an information system to be searched, seizure of an article, document or record that has a bearing on an investigation will promote media freedom?
- a) Yes
 - b) No
29. Give a reason for your answer you have given above.

THANK YOU FOR YOUR TIME!!

Appendix 4: Interview Guide for Media Advocacy Bodies/Unions and Lecturers

OPEN SPACES ZAMBIA INTERVIEW GUIDE FOR MEDIA ADVOCACY BODIES/UNIONS AND LECTURERS

A Study to Appreciate the Current State of Media Freedom, Freedom of Expression and Digital Rights in Zambia

Introduction

Greetings, my name is _____

MISA Zambia is conducting research to understand the current state of media freedom, freedom of expression and digital rights in Zambia. It is doing so under a project called Open Spaces Zambia – OSZ.

FHI 360, Internews and local partners MISA -Zambia, Panos, Bloggers of Zambia, Chapter One Foundation, Free Press Initiative, Zambia National Women Lobby, and Zambia Cyber Security Initiative Foundation are implementing the USAID Open Spaces Zambia (OSZ) funded activity, to strengthen the democratic foundations of freedom of speech and assembly; build independent and new media; and safeguard a space for activists, human rights defenders (HRDs), and oppositional voices to protect the democratic space in Zambia. The OSZ target beneficiaries are broadly media consumers in Zambia, with a particular focus on youth, women and girls, and other historically marginalized groups. Activities will specifically target media support organizations involved in advocacy; community radio stations in select provinces; outlets with online/social media presence (including radio and television stations); and social media users, technologists, and activists. This study is necessary as it will provide a comprehensive status of media freedom, freedom of expression and digital rights in Zambia. It will also

highlight the current legal and policy issues inimical to the enjoyment of these freedoms. The study will be very instrumental in aiding decision-making during policy review and formulation. Ultimately, it will guide projects like USAID Open Spaces Zambia – OSZ advocacy efforts and any other such work seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights.

You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know _____TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU

SECTION A: BACKGROUND INFORMATION OF RESPONDENT

1. Name of Institution represented
2. Position of respondent
3. What is your sex?
 - a) Male
 - b) Female
1. What is the current number of years the stated field?
 - c) Less than 1 year
 - d) 1 to 3 years
 - e) 4 to 5 years
 - f) More than 5 years
2. State your age
 - a) Less than 35 years
 - b) Above 35 years

SECTION B: STATE OF MEDIA FREEDOM, FREEDOM OF EXPRESSION AND DIGITAL RIGHTS

1. What is your measure of media freedom in Zambia in the past six months to date?
 - a) Free
 - b) Partially free
 - c) Not free
2. Why do you say so?
3. Give examples
4. What is your measure of digital rights enjoyment in Zambia in the past six months to date?
 - a) High
 - b) Medium
 - c) Low
5. Why do you say so?
6. Give examples.
7. What is your measure of freedom of expression in Zambia in the past six months to date?
 - a) High
 - b) Medium
 - c) Low
8. Why do you say so?
9. Give examples
10. What do you think should be done to change the situation?
11. Do you think Government is doing enough to promote media freedom, digital rights and freedom of expression in Zambia?
12. What do you think should be done to promote media freedom, digital rights and freedom of expression in Zambia?

SECTION C: ACADEMIC CONTRIBUTION TO MEDIA DEVELOPMENT, MEDIA FREEDOM, FREEDOM OF EXPRESSION AND DIGITAL RIGHTS

13. What is your role in the promotion of media freedom, freedom of expression and digital rights?
14. What do you think should be done to ensure that citizens' rights and that of the media are protected both online and offline?
15. How does the curriculum speak to the current environment regards digital rights and publishing online?
21. It is up to date?
 - a) Yes
 - b) No.
22. Are there necessary skills to teach digital rights because it's a new discipline?
 - a) Yes
 - b) No.

23. How can better understanding of digital rights and online publishing be improved by the academia and media?

24. Is the body of knowledge that exists in Zambia on media freedom, digital rights and freedom of expression sufficient?

a) Yes

b) No.

25. Is there adequate research being undertaken by the academia on media development, media freedom, freedom of expression and digital rights?

a) Yes

b) No.

THANK YOU FOR YOUR TIME!!

Appendix 6: Interview Guide for Political Parties

Introduction

Greetings, my name is _____

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You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know.....TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU

- 1 What is your measure of media freedom in Zambia in the past six months to date?
 - a) Free
 - b) Partially free
 - c) Not free
- 2 Why do you say so?
- 3 Give examples
- 4 What is your measure of digital rights enjoyment in Zambia in the past six months to date?
 - a) High
 - b) Medium
 - c) Low
- 5 Why do you say so?
- 6 Give examples.
- 7 What is your measure of freedom of expression in Zambia in the past six months to date?
 - a) High
 - b) Medium
 - c) Low
- 8 Why do you say so?
- 9 Give examples
- 10 What do you think should be done to change the situation?
- 11 Do you think Government is doing enough to promote media freedom, digital rights and freedom of expression in Zambia?
- 12 What do you think should be done to promote media freedom, digital rights and freedom of expression in Zambia?
- 13 What is your political party manifesto in relation to media freedom, freedom of expression and digital rights?
- 14 How have you translated that into reality?

-
- 15 What disciplinary measures do you have to ensure your members respect and uphold media freedom, freedom of expression and digital rights?

THANK YOU FOR YOUR TIME!

Appendix 3: Questionnaire for Bloggers

OPEN SPACES ZAMBIA QUESTIONNAIRE FOR BLOGGERS

The State of Media Freedom, Freedom of Expression and Digital Rights in Zambia

Introduction

Greetings, my name is_____

MISA Zambia is conducting research to understand the current state of media freedom, freedom of expression and digital rights in Zambia. It is doing so under a project called Open Spaces Zambia – OSZ.

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highlight the current legal and policy issues inimical to the enjoyment of these freedoms. The study will be very instrumental in aiding decision-making during policy review and formulation. Ultimately, it will guide projects like USAID Open Spaces Zambia – OSZ advocacy efforts and any other such work seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights.

You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know.....TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU

SECTION A: BACKGROUND INFORMATION OF RESPONDENT

- 1 Name of Blogger
- 2 State your position
- 3 What is your sex?
 - a) Male
 - b) Female
- 4 State your age
 - a) Less than 35 years
 - b) Above 35 years

SECTION B: KNOWLEDGE ABOUT DIGITAL RIGHTS AND FREEDOM OF EXPRESSION

Please answer all the questions to the best of your knowledge

1. For how long have you been blogging?
 - a) Less than one year
 - b) 1-3 years
 - c) 4-5 years
 - d) More than 5 years

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2. What is the purpose of your blog/online site?
 - a) Inform and educate
 - b) Entertain
 - c) To promote my personal brand
 - d) To advertise and sale products
 - e) All the above
 - f) Other specify
 3. What kind of content do you post on your site?
 - a) News only
 - b) Anything
 - c) Other specify
 4. Do you produce the content you post online?
 - a) Yes
 - b) No
 - c) Sometimes
 5. Do you also get the content that you post online from the traditional media like TV, Radio and Newspaper?
 - a) Yes
 - b) No
 6. Do you verify information before posting on your site?
 - a) Yes
 - b) No
 7. If your answer was yes, how do you v erify the information?
 8. Do you censor the content you post on your site?
 - a) Yes
 - b) No
 9. Give a reason for the answer you have given above?
 10. How often do you censor your content?
 - a) All the time
 - b) Sometimes
 11. Do you know how to distinguish false news from credible news?
 - a) Yes
 - b) No
 12. How do you identify false news or information?
 13. In case you pick content from another site, do you give credit to the owner of the content before posting on your site?
 - a) Yes
 - b) No
 - c) Sometimes I do
 14. Do you pay for the content obtained from traditional news sou rces?
 - a) Yes
 - b) No
 15. Do you think your blogging affects the practice of traditional journalism?
 - a) Yes
 - b) No

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16. Do you have any journalistic training?
- a) Yes
 - b) No
17. Would you like to undergo a training in journalism?
- a) Yes
 - b) No
18. How do you think the training will benefit you?
19. Do you understand your digital rights?
- a) Yes
 - b) No
20. If your answer to question 19 was yes, what are some of your digital rights?
21. Freedom of expression applies both online and offline space. **True or False**
- a) True
 - b) False
22. The right to privacy applies both online and offline. **True or False**
- a) True
 - b) False
23. Do you know any laws that regulate the cyber space in Zambia?
- a) Yes
 - b) No
24. If your answer was yes, what are the said laws?
25. Do you think that statutory instruments or laws can promote the responsible use of Zambia's cyber space?
- a) Yes
 - b) No
26. Why do you say so?
27. Do you think Government should control what is posted online?
- a) Yes
 - b) No
28. Give a reason for your answer to question 27
29. Have you ever been threatened or attacked because of what you post online?
- a) Yes
 - b) No
30. If your answer was yes, what kind of attack was it and what actions did you take?
31. Do you think Government is doing enough to protect you as a digital space user?
- a) Yes
 - b) No

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32. What is your measure of media freedom in Zambia in the past six months to date?
- a) Free
 - b) Partially free
 - c) Not free
33. Why do you say so?
34. Give examples
35. What is your measure of digital rights enjoyment in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
36. Why do you say so?
37. Give examples.
38. What is your measure of freedom of expression in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
39. Why do you say so?
40. Give examples.
41. What do you think should be done to change the situation?

THANK YOU FOR YOUR TIME!

Appendix 5: Interview Guide for Government Institutions

Introduction

Greetings, my name is_____

MISA Zambia is conducting research to understand the current state of media freedom, freedom of expression and digital rights in Zambia. It is doing so under a project called Open Spaces Zambia – OSZ.

FHI 360, Internews and local partners MISA-Zambia, Panos, Bloggers of Zambia, Chapter One Foundation, Free Press Initiative, Zambia National Women Lobby, and Zambia Cyber Security Initiative Foundation are implementing the USAID Open Spaces Zambia (OSZ) funded activity, to strengthen the democratic foundations of freedom of speech and assembly; build independent and new media; and safeguard a space for activists, human rights defenders (HRDs), and oppositional voices to protect the democratic space in Zambia. The USAID OSZ target beneficiaries are broadly media consumers in Zambia, with a particular focus on youth, women and girls, and other historically marginalized groups. Activities will specifically target media support organizations involved in advocacy; community radio stations in select provinces; outlets with online/social media presence (including radio and television stations); and social media users, technologists, and activists. This study is necessary as it will provide a comprehensive status of media freedom, freedom of expression and digital rights in Zambia. It will also highlight the current legal and policy issues inimical to the enjoyment of these freedoms. The study will be very instrumental in aiding decision-making during policy review and formulation. Ultimately, it will guide projects like USAID Open Spaces Zambia – OSZ advocacy efforts and any other such work seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights.

You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know.....TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU

Name of Institution: Independent Broadcasting Authority

1. What is the role of IBA in promoting media freedom?
2. Where does IBA mandate end in the media regulation?
3. Does the IBA regulate media ethics?
 - a) Yes
 - b) No
4. If yes, how do you do it and do you have an ethics committee in place?
5. Has the IBA revoked a broadcast licence in the past six months?
 - a) Yes
 - b) No
6. Has the IBA suspended a broadcast licence in the past six months?
 - a) Yes
 - b) No
7. Name the stations if any?
8. Has the IBA issued out any broadcast licence in the past six months, if so how many?
 - a) Yes
 - b) No
9. What is the current number of operational broadcast media by type and based on whether they are signal carrier or content provider?
10. How would you describe the current state of media freedom in Zambia?

-
11. Has there been any amendment to the IBA Act to harmonisation with the ZNBC Act so as to give IBA the legal power to institute sanctions against ZNBC in case ZNBC abrogates its legal mandate?
12. Are there future plans by IBA to regulate digital media?
- a) Yes
 - b) No
13. Are there plans to amend IBA Act to make the institution more autonomous?
- a) Yes
 - b) No
14. What is your measure of media freedom in Zambia in the past six months to date?
- a) Free
 - b) Partially free
 - c) Not free
15. Why do you say so?
16. Give examples
17. What is your measure of digital rights enjoyment in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
18. Why do you say so?
19. Give examples
20. What is your measure of freedom of expression in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
21. Why do you say so?
22. Give examples.
23. What do you think should be done to change the situation?

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24. Do you think Government is doing enough to promote media freedom, digital rights and freedom of expression in Zambia?
 25. What do you think should be done to promote media freedom, digital rights and freedom of expression in Zambia?

Name of Institution: Zambia Police

1. What is your understanding of media freedom, freedom of expression and digital rights?
2. What is the role of police in promoting media freedom, freedom of expression and digital rights in Zambia?
3. Have the police received any reports on harassments or attacks of journalists, bloggers and Human Rights Defenders/ CSOs in the past six months?
4. What did the Zambia Police do in the past six months to protect, promote and defend media freedom, digital rights and freedom of expression in Zambia?
5. Does the Zambia Police Service see itself as a defender of media freedom, freedom of expression and digital rights in Zambia? If ye s, why?

Appendix 2: Questionnaire for Rights Defenders and CSO

OPEN SPACES ZAMBIA QUESTIONNAIRE FOR CIVIL SOCIETY AND HUMAN RIGHTS DEFENDERS

A Study to Appreciate the Current State of Media Freedom, Freedom of Expression and Digital Rights in Zambia

Introduction

Greetings, my name is_____

MISA Zambia is conducting research to understand the current state of media freedom, freedom of expression and digital rights in Zambia. It is doing so under a project called Open Spaces Zambia – OSZ.

FHI 360, Internews and local partners MISA -Zambia, Panos, Bloggers of Zambia, Chapter One Foundation, Free Press Initiative, Zambia National Women Lobby, and Zambia

Cyber Security Initiative Foundation are implementing the USAID Open Spaces Zambia (OSZ) funded activity, to strengthen the democratic foundations of freedom of speech and assembly; build independent and new media; and safeguard a space for activists, human rights defenders (HRDs), and oppositional voices to protect the democratic space in Zambia. The USAID OSZ target beneficiaries are broadly media consumers in Zambia, with a particular focus on youth, women and girls, and other historically marginalized groups. Activities will specifically target media support organizations involved in advocacy; community radio stations in select provinces; outlets with online/social media presence (including radio and television stations); and social media users, technologists, and activists. This study is necessary as it will provide a comprehensive status of media freedom, freedom of expression and digital rights in Zambia. It will also highlight the current legal and policy issues inimical to the enjoyment of these freedoms. The study will be very instrumental in aiding decision-making during policy review and formulation. Ultimately, it will guide projects like USAID Open Spaces Zambia – OSZ advocacy efforts and any other such work seeking to strengthen democracy in Zambia and enhance the enjoyment of media freedom, freedom of expression and digital rights.

You have been selected to participate in this study because of your knowledge of media freedom, freedom of expression and digital rights.

Be assured that the information you will give remains confidential and will not be used for any other reason except for purposes of this research. If you wish to be named, kindly let me know.....TICK THIS SPACE IF RESPONDENT HAS AGREED TO BE MENTIONED IN REPORT.

There are no direct benefits for your participation, we will however appreciate your cooperation. It will not take you more than 30 minutes to answer all the questions contained in this questionnaire.

THANK YOU

SECTION A: BACKGROUND INFORMATION OF RESPONDENT

- 1 Name of organisation – CSO/HRD
- 2 State your position

-
- 3 What is your sex?
 - a) Male
 - b) Female
 - 4 What is the current number of years in CSO/HRD work?
 - a) Less than 1 year
 - b) 1 to 3 years
 - c) 4 to 5 years
 - d) More than 5 years
 - 5 State your age
 - a) Less than 35 years
 - b) Above 35 years

SECTION B: STATE OF MEDIA FREEDOM, FREEDOM OF EXPRESSION AND DIGITAL RIGHTS

- 1 What is your role as rights defenders (CSO) in promoting media freedom, freedom of expression and digital rights?
- 2 Do you think the citizens' right to freedom of expression is respected in Zambia?
 - a) Yes
 - b) No
- 3 State the reason for your answer
- 4 What are some of the citizens' digital rights that you know
- 5 Do you think citizens understand their digital rights?
 - a) Yes
 - b) No
- 6 Do you think citizens' digital rights are respected?
 - a) Yes
 - b) No
- 7 What do you think should be done to ensure that citizens' digital rights are respected?
- 8 Do you think there is need to build the capacity of rights defenders?
 - a) Yes
 - b) No
- 9 Do you think the media can self-regulate?
 - a) Yes
 - b) No
- 10 Give a reason(s) for your answer to question 11.
- 11 What are some of the laws affecting media freedom and freedom of expression in Zambia?

-
- 12 What can be done to promote media freedom?
- 13 Should Government through Independent Broadcasting Authority continue to license Broadcast media?
- a) Yes
 - b) No
- 14 Give a reason(s) for your answer to question 25.
- 15 Do you support the shutting down of internet?
- a) Yes
 - b) No
- 16 State your reasons for your answer to question 15.
17. What is your measure of media freedom in Zambia in the past six months to date?
- a) Free
 - b) Partially free
 - c) Not free
18. Why do you say so?
19. Give examples
20. What is your measure of digital rights enjoyment in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
21. Why do you say so?
22. Give examples.
23. What is your measure of freedom of expression in Zambia in the past six months to date?
- a) High
 - b) Medium
 - c) Low
24. Why do you say so?
25. Give examples.
26. What do you think should be done to change the situation?

THANK YOU FOR YOUR TIME!

